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*Speaker: Honourable Ross Wiseman, MHA*

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The House met at 1:30 p.m.

**MR. SPEAKER (Wiseman):** Order, please!

Admit strangers.

Today, before we start the proceedings, I want to acknowledge four Memorial University students who are in our galleries: Stephanie Hayward, Brendan O'Keefe, Tony Granville, and Philip Cave. They are all going to be a part of a program that will be the subject of a Ministerial Statement in a few moments.

**SOME HON. MEMBERS:** Hear, hear!

### Statements by Members

**MR. SPEAKER:** Today, we will have members' statements from the Member for the District of St. John's South; the Member for the District of Burgeo – La Poile; the Member for the District of Cape St. Francis; the Member for the District of Bellevue; the Member for the District of Fortune Bay – Cape La Hune; and the Member for the District of Baie Verte – Springdale.

The hon. the Member for the District of St. John's South.

**MR. OSBORNE:** Thank you, Mr. Speaker.

Mr. Speaker, I attended the Making Room in the Boom housing affordability forum held on November 28 in St. John's. The forum brought community stakeholders together to talk about how we can help those who need affordable housing.

We talked about issues such as development policies, transforming NIMBY into new homes, engaging landlords, improving affordability in new construction, home share, creating a central housing registry, and other ideas.

I would like to thank the City of St. John's for hosting this forum and for taking a proactive approach to bringing discussion and ideas to an issue that affects so many people.

**MR. SPEAKER:** The hon. the Member for Burgeo – La Poile.

**MR. A. PARSONS:** Thank you, Mr. Speaker.

I rise to recognize and congratulate Horace Crocker and Neville Gosse of Channel-Port aux Basques, who received 2012 Occupational Health and Safety Awards in Ottawa on November 5. The medals were presented by the hon. Dr. Kellie Leitch, Minister of Labour.

On September 21, 2012, the two Newfoundland Power employees used first aid skills to help a young man who was involved in a vehicle collision in the Codroy Valley area. The young man was riding a dirt bike when he pulled out to pass their truck and collided with an oncoming vehicle.

The pair immediately pulled their line truck across the road to block oncoming traffic and then proceeded to administer first aid. The young man was face down in his own blood; they adjusted him so he could breathe and tried to keep him calm until the ambulance arrived. The young man was in critical condition, but has now fully recovered. Mr. Crocker and Mr. Gosse credit ongoing safety training with Newfoundland Power with helping them keep their composure during this incident.

Mr. Speaker, I ask all members of this House to join me in extending congratulations to Horace Crocker and Neville Gosse for receiving this prestigious award.

Thank you, Mr. Speaker.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Member for Cape St. Francis.

**SOME HON. MEMBERS:** Hear, hear!

**MR. K. PARSONS:** Thank you very much, Mr. Speaker.

I rise in this hon. House today to recognize a wonderful lady, Jean Hudson, an outstanding

individual who was chosen for the Melvin Jones Fellowship Award. This is the highest form of recognition to an individual lion in a Lions Club. This recipient of this prestigious award becomes a model because of their outstanding service to one's club and the community in which she serves.

Mr. Speaker, Jean and her husband Ken are both charter members for the Pouch Cove Lions Club, and I might add that Ken also was selected for the Melvin Jones Fellowship Award. Jean, along with her husband, are both huge contributing members who generously offer their time and service to Pouch Cove for its overall betterment and the surrounding area.

Jean Hudson is a two-term President of the Pouch Cove Lions Club and she is also very active in her church and her community. I best know Jean for her dedication as a public health nurse. She and my mother both served closely together as public health nurses for the Pouch Cove and surrounding areas, in which they were very well respected by all residents.

I ask all hon. members to join with me to thank Jean Hudson for her years of commitment to making the lives of others in her community better.

Thank you very much, Mr. Speaker.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Member for the District of Bellevue.

**SOME HON. MEMBERS:** Hear, hear!

**MR. PEACH:** Thank you, Mr. Speaker.

On November 23, I had the great privilege of attending the fortieth Annual Fireman's Ball at Arnold's Cove. Today, I want to recognize the great work that the fire department does and to commend the Arnold's Cove Fire Department on forty years of providing service to the many residents of Arnold's Cove and area.

Mr. Speaker, the highlight for the night was the long-term service awards, and the most outstanding member was Melvin Peach who has been a member of the Arnold's Cove Fire Department for the full forty years.

I want today to recognize firefighters with over ten years' service: Trevor Hoskins, Mark White, Geoff Reid, Dion Piercey, Rodney Hynes, Melvin Lockyer, Boyd Guy, Kurt Goodwin, Baxter Berkshire, John Pevie, Gordon Pevie, and Gordon Warren.

Those with over twenty-five years of service: Dwayne Best, Allan George, Harold Guy, Merlin Meade, David Peach, Glenn Hynes, Basil Daley, and Melvin Peach.

I would also like to say thank you to all the other firefighters who make up the thirty-two membership and the honorary members of twenty-two.

I ask all members of this House to join me in thanking the Arnold's Cove firefighters and congratulate them on their forty years of service.

Thank you.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Member for Fortune Bay – Cape La Hune.

**SOME HON. MEMBERS:** Hear, hear!

**MS PERRY:** Thank you, Mr. Speaker.

I rise in this hon. House to recognize the outstanding career achievement of Ms Juanita Organ, Development Officer with the CBDC South Coast. Juanita received a service award for twenty-five years of dedicated service from the Atlantic Association of Community Business Development Corporations.

Ms Organ has made outstanding contributions to our region's economic and social development. From business counselling to applications for government assistance for economic development projects, and much more, Juanita

has used her remarkable skills, talents, and keen intelligence to shape the viability and strength of this region for more than thirty years.

With the Bay d'Espoir Development Association, she was instrumental in the development of the aquaculture sector in the area and construction of the region's very first salmon hatchery back in the 1980s. She is a dedicated volunteer who serves on the Central Library Board for the St. Alban's Library, Treasurer with the local Catholic Women's League, Secretary of the St. Ignatius Parish Committee, and many, many more.

I ask that all members join me in delivering accolades to Juanita Organ for being a true pillar of strength for our rural region.

Thank you so much, Mr. Speaker.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Member for Baie Verte – Springdale.

**SOME HON. MEMBERS:** Hear, hear!

**MR. POLLARD:** Thank you, Mr. Speaker.

Saturday, November 23 was an exciting day for Springdale. I rise in this hon. House to congratulate the Springdale Volunteer Fire Department not only for dedicating a memorial monument to deceased firefighters, but also upon celebrating its fiftieth anniversary.

The thirty-plus firefighters gathered at Indian River High School as over 200 people, including honorary firefighters, and invited guests crowded the beautifully decorated gymnasium to enjoy a tasty hot beef dinner.

I commend Fire Chief Rennie Normore for his dedicated leadership, resulting in an excellent, well-trained fire department.

Premier Dunderdale, who was our guest speaker, and I were delighted to present numerous training certificates and service pins.

Fifty years as a department is a tremendous feat. Springdale and area have reaped the benefits of a lot of hard work and sacrifices made by firefighters and their spouses.

Congratulations to Chief Rennie Normore for being named the Roy Manuel Memorial Firefighter of the Year, and to Andre Saunders for capturing the Ford Rolf Memorial Award as the most dedicated.

Honourable colleagues, please join with me in offering congratulations to Springdale volunteer firefighters upon the celebration of their fiftieth anniversary.

Thank you, Mr. Speaker.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** Statements by Ministers.

#### Statements by Ministers

**MR. SPEAKER:** The hon. the Minister of Advanced Education and Skills.

**SOME HON. MEMBERS:** Hear, hear!

**MR. O'BRIEN:** Yes, Mr. Speaker, I rise to recognize today, December 3, as the United Nations International Day of Persons with Disabilities.

Disability is something that touches all of us, through our own personal experience or that of family, friends, colleagues, or neighbours. This year's theme is Break Barriers, Open Doors: for an inclusive society and development for all. Over one billion people or 15 per cent of the world's population live with some form of a disability. This day is an opportunity to mobilize action to achieve the goal of full inclusion in our Province, where individuals with disabilities have full access to the benefits and opportunities available.

Mr. Speaker, the provincial government released Access. Inclusion. Equality. in April 2012, a strategy for the inclusion of persons with disabilities. The strategy is designed to bring

about change within policies, services, programs and attitudes. Substantial work is ongoing to foster inclusion, resulting in the removal and prevention of barriers.

Budget 2013 included over \$12 million in funding for the Labour Market Agreement for Persons with Disabilities to help individuals successfully prepare for, enter, or remain in the workforce. The provincial Inclusive Education Initiative has been introduced in most of our public schools with further implementation ongoing. Accessibility improvements, such as installation of ramps, doors and walkways, washrooms, and the addition of assisted living listening devices and parking lot enhancements, are continuing at Confederation Building and Arts and Culture Centres province-wide.

This morning, I had the opportunity to mark this important day at the Independent Living Resource Centre in St. John's. As Minister Responsible for the Status of Persons with Disabilities this was a great opportunity to celebrate the progress that is being made, while recognizing challenges remain as we work towards our goal of an inclusive society.

I ask all hon. members to join me today in recognizing the United Nations International Day of Persons with Disabilities.

Thank you.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Member for the District of Cartwright – L'Anse au Clair.

**MS DEMPSTER:** Thank you, Mr. Speaker.

I thank the minister for an advance copy of his statement. The establishment of the UN's International Day of Persons with Disabilities was another milestone for civil rights. Persons with disabilities have and continue to face considerable obstacles in full participation in today's society. Lumped together under the term persons with disabilities, we see the uniqueness of the individual, their wants and

needs, and they are often obscured by the phrase.

When government released a Strategy for the Inclusion of Persons with Disabilities last spring, advocates were pleased to see that their language was reflected in this document. I would be remiss, Mr. Speaker, if I did not mention the cuts to the Coalition of Persons with Disabilities Newfoundland and Labrador last year. This government, along with their federal cousins, cut funding to this organization which almost forced them to close up. Luckily, the community came together and found a solution to keep this important organization open.

Despite changes to blue zone requirements, certain big box developments in the city are still not following those requirements and government is not enforcing these regulations. Words are just words without actions. Government needs to not only release strategies that they say all the right things, but they need to put the words into action.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Leader of the Third Party.

**SOME HON. MEMBERS:** Hear, hear!

**MS MICHAEL:** Thank you very much, Mr. Speaker.

I, too, thank the minister for the advance copy of his statement. Government's theme for the Day of Persons with Disabilities this year is relevant. There are still many barriers to break so that people with disabilities have the same rights to services and opportunities that non-disabled people do. Too many who could work are not being hired and are living in poverty.

If government is truly committed, it should restore cuts to employment and training programs for people with disabilities so they can become employed and full members of society as they want to be, and to the organizations as well that help people access programs, again, that had cuts made to them, Mr. Speaker.

The government should fix the Opening Doors Program. We heard in Estimates from the former Finance Minister that the Opening Doors Program is not resulting in long-term positions for participants. In fact, the number of departments and agencies hiring people under this program is –

**MR. SPEAKER:** Order, please!

The member's time has expired.

**MS MICHAEL:** Thank you very much, Mr. Speaker.

**MR. SPEAKER:** Does the Member for St. John's North have leave?

**AN HON. MEMBER:** Leave.

**MR. SPEAKER:** The hon. the Member for St. John's North.

**MR. KIRBY:** Thanks to the minister for an advance copy of his statement.

Over six years ago, Mr. Speaker, the ISSP/Pathways Commission recommended the creation of teacher assistant positions to help students with special needs. Our Province is the only province in Canada that does not have these positions. Parents and teachers in one report after another have been calling for them.

It is time to catch up with the rest of the country, Mr. Speaker – it is time to catch up.

Thank you.

**MR. SPEAKER:** The hon. the Acting Minister Responsible for the Office of Public Engagement.

**SOME HON. MEMBERS:** Hear, hear!

**MR. KENT:** Mr. Speaker, I rise today to recognize a program that is successfully promoting careers in entrepreneurship among young Newfoundlanders and Labradorians while introducing them to the many innovative career opportunities that exist here in our Province.

For over twenty years, the Getting the Message Out program – or GMO – has been sharing the stories of successful Newfoundlanders and Labradorians with high school students, and continues to encourage our greatest resource, our young people, to consider careers as entrepreneurs. This year, the GMO program will reach 100 schools in Newfoundland and Labrador, and between 3,000 and 4,000 students.

Mr. Speaker, this is an exciting time to be living and working in Newfoundland and Labrador. We know that small and medium-sized businesses play a vital role in sustaining and growing our economy, with the sector employing almost 40 per cent of the Province's workforce in rural and urban areas. It is important that our young people know what opportunities exist, and that we prepare them to play a role in our Province's future growth and prosperity.

Through GMO, Memorial University students deliver interactive presentations to high school students as part of the Career Development and Entrepreneurship curriculum. Mr. Speaker, this peer-to-peer model has proven to be highly effective as it provides high school students in this Province with presenters they can relate to, which makes information sharing fun, engaging and memorable. It also provides post-secondary students with an enriching and rewarding work-term experience, and many have gone on to pursue successful careers.

Four Memorial University students are currently working as field coordinators with the GMO program: Stephanie Hayward, Brendan O'Keefe, Tony Grandville and Philip Cave. These university students have not only generated a great deal of interest in the GMO program in schools this semester, but they have also been actively engaging young people through social media. You can see the results on the Office of Public Engagement Twitter page.

Mr. Speaker, the GMO program is part of the ongoing work of the Office of Public Engagement to inform, educate and engage the young people of this Province. People can learn

more about the important work we are doing through GMO, and all of the great programs and services available to young people of this Province, through our new youth Web site, NLYouth.ca.

Thank you.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Member for Cartwright – L'Anse au Clair.

**MS DEMPSTER:** Thank you, Mr. Speaker.

I thank the minister for an advance copy of his statement.

Mr. Speaker, any program that promotes and nurtures a career in entrepreneurship in our Province is certainly a worthy endeavour. I commend the students who are gaining experience and knowledge through this program and the peer-to-peer model. That is certainly helpful in this respect, but entrepreneurship cannot be about just getting the message out. There has to be concrete actions to create solid business climate throughout all the regions of our Province.

Mr. Speaker, while St. John's and the surrounding area is enjoying a boom time right now, the same cannot be said of rural areas. There are many great challenges to setting up and sustaining businesses in rural Newfoundland and Labrador. Our RED Boards were an example. They were doing wonderful work. They were a major force of expertise in our communities that facilitated and co-ordinated business development. They helped businesses prepare to respond to megaprojects like Muskrat Falls but government, in their infinite wisdom, decided to axe them, Mr. Speaker.

The minister mentions this program has been ongoing for two decades. I would be interested in seeing what the stats are or evidence-based data to see if the youth exposed to the GMO model actually go on and do start businesses in their own communities.

Finally, on the matter of promoting confidence in our Province's economic future, this government has failed –

**MR. SPEAKER:** Order, please!

I remind the member that her time has expired.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Member for St. John's Centre.

**MS ROGERS:** Thank you, Mr. Speaker.

I, too, thank the minister for an advance copy of his statement, and congratulations to the four field workers here with us today.

Entrepreneurship can be a scary and uncertain way to live. I know – I have been an entrepreneur for over thirty years – but, it can also offer incredible opportunities for creativity and innovation. One has to have a dream, and then the courage, the plan, and then the fortitude to take the next step.

To be an entrepreneur and an owner of a small or medium business is a social responsibility, as they provide at least 40 per cent of the jobs in the Province. We know it is there, these businesses; they reinvest in our Province. RED Boards have played a very crucial role in this area.

Government needs to do more to support entrepreneurs and small businesses through the reduction of taxes, and also through increasing the opportunities for young people for internship and mentorship opportunities.

**MR. SPEAKER:** Order, please!

I remind the member that her time has expired.

Does the Member for The Straits – White Bay North have leave?

**AN HON. MEMBER:** Leave.

**MR. SPEAKER:** The hon. the Member for The Straits – White Bay North.

**MR. MITCHELMORE:** Thank you, Mr. Speaker.

I, too, thank the minister for an advance copy of his statement. My first work term of my Memorial University Bachelor of Commerce program was actually with the GMO program under the leadership of the current Premier.

**SOME HON. MEMBERS:** Hear, hear!

**MR. MITCHELMORE:** GMO certainly spreads the good news of entrepreneurship, education, and employment opportunities. I certainly encourage more youth to take on entrepreneurship and capitalize on these opportunities, but government must reduce red tape, cut small business tax, and also make capital more available to youth.

Thank you.

**MR. SPEAKER:** Oral Questions.

#### Oral Questions

**MR. SPEAKER:** The hon. the Leader of the Official Opposition.

**MR. BALL:** Thank you, Mr. Speaker.

Well, the Child and Youth Advocate released a report today of a sixteen-year-old in the care of the Province who, in her words, was crying for help. His voice was not heard; his rights were not respected. The report actually encompasses the Departments of CYFS, Health and Community Services, Justice, as well as the RNC and Eastern Health.

In this instance, a man died and a child's life has been changed forever. So I ask the Premier: Will you take action to implement all thirty recommendations of the Child and Youth Advocate?

**MR. SPEAKER:** The hon. the Minister of Child, Youth and Family Services.

**SOME HON. MEMBERS:** Hear, hear!

**MR. DAVIS:** Thank you, Mr. Speaker.

The report released by the Child and Youth Advocate today does outline a series of events that led up to a very tragic day in the fall of 2011, a tragic day that ended with the loss of life. Over the last two years, the Child and Youth Advocate has carried out an intensive investigation which has resulted in a comprehensive report being released today.

Mr. Speaker, it is very important for us to do a full and comprehensive review of the contents of the report, and the recommendations that are contained within the report, and take the time to fully evaluate the recommendations from the advocate and have a full understanding of what those recommendations are.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Leader of the Official Opposition.

**MR. BALL:** Thank you, Mr. Speaker.

Yesterday, the Minister of Justice said in a press release that nothing is more important than the safety of our children and our youth. Yet, this report today reveals that the government has failed this sixteen-year-old child and denied the rights under Article 16 of the United Nations Convention in the rights of a child.

I ask the Premier, the report reveals that a lack of collaboration and communication across all departments is a real issue – so I ask the question: Why have you denied adequate resources to ensure child safety?

**MR. SPEAKER:** The hon. the Minister of Child, Youth and Family Services.

**SOME HON. MEMBERS:** Hear, hear!

**MR. DAVIS:** Thank you, Mr. Speaker.

The events, as I mentioned, in 2011 were tragic in many, many ways. I can tell you this government places a very high priority on the health and safety and well-being of children and

youth in Newfoundland and Labrador, so much so that we have created a new Department of Child, Youth and Family Services to focus completely on the best interests of children, youth and families throughout the Province.

As well, we brought through new legislation, the Children and Youth Care and Protection Act. A very progressive piece of legislation that has made great advancements, and great advancements for youth age sixteen to eighteen.

Mr. Speaker, we have developed new programs, new service availabilities for youth of those ages as well. We are taking great steps to improve the safety of children and youth in Newfoundland and Labrador.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Leader of the Official Opposition.

**MR. BALL:** Thank you, Mr. Speaker.

The advocate, in her report, asked why sufficient time was not given to even input critical information on the care of this child, putting that information into the child's file so that that information could be shared with managers in other departments. Such details on this person's care was not added to the system, some of it, not even until after the tragic fire. There were months when there was no information put into the file at all.

I ask the Premier: Why wasn't priority given to ensure details on the care of this child was made available so that a complete picture rather than a fragmented story was told?

**MR. SPEAKER:** The hon. the Minister of Child, Youth and Family Services.

**SOME HON. MEMBERS:** Hear, hear!

**MR. DAVIS:** Thank you, Mr. Speaker.

One of the benefits of having a single department for children, youth, and families in Newfoundland and Labrador is to centralize the

services that are most needed for our most vulnerable citizens and our most vulnerable children and youth in the Province. We have taken many steps to improve on those services and to deliver a better product.

One of the things that we have done, in referring to the hon. member's question about documentation, currently we have a new documentation protocol and procedure in place. When new social workers, supervisors, and managers come into the department, they are required to undergo a training program that includes a requirement to grasp an understanding and training in the documentation and record-keeping protocols that are now required in the new department.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Leader of the Official Opposition.

**MR. BALL:** Thank you, Mr. Speaker.

One of the problems, of course, with the department and having a single department was, in fact, communication and collaboration was not happening. The report goes on to say that the system responsible for taking care of the sixteen-year-old child was in utter fragmentation, functioned in a crisis-oriented approach, and there was a lack of communication and co-ordination around the sharing of information.

I ask the minister: Why are children in the care of government not being heard and, in many cases, denied their own say in how they are cared for?

**MR. SPEAKER:** The hon. the Minister of Child, Youth and Family Services.

**SOME HON. MEMBERS:** Hear, hear!

**MR. DAVIS:** Thank you, Mr. Speaker.

I just referenced the new Children and Youth Care and Protection Act that came into force in 2011 for Newfoundland and Labrador, the same

year that these tragic events had taken place. Very clearly in that act, and a new bill on adoptions that is coming here this afternoon to this floor of the House of Assembly, is the input from the child and youth.

It is important that we receive the information and have input from the child who is involved and the youth who is involved, and that is covered in legislation, Mr. Speaker.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Leader of the Official Opposition.

**MR. BALL:** Thank you, Mr. Speaker.

The report from the advocate says a last-minute approach of removing the child from the care excluded the sixteen-year-old in the decision-making process. It says that he did not understand the decision and there was a lack of support services to him to help him make an informed decision.

I ask the minister: Sadly, that this is not an isolated incident and there are many similar cases existing today, why haven't you acted to ensure that the issues with transitioning children into care are addressed?

**MR. SPEAKER:** The hon. the Minister of Child, Youth and Family Services.

**SOME HON. MEMBERS:** Hear, hear!

**MR. DAVIS:** Thank you again, Mr. Speaker.

I think I just explained that we have taken action to ensure that those protections are in place. When it comes to young people who are transitioning, we have a pilot project that is underway this year to support youth in transitions. We have five life skills workers who have been put in place around the Province – this is very new, Mr. Speaker, a new pilot project that has just been put in place in recent months. We have a contract with a local service provider here in the St. John's metropolitan area

and those people are there to provide individual supports to youth who are in transition.

It is a very important time in young people's lives. We see that and we understand that. We are providing those benefits to them.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Member for Burgeo – La Poile.

**MR. A. PARSONS:** Thank you, Mr. Speaker.

The advocate says that the voice of John was not heard. In that report, it states that just before the fire on Springdale Street, John was brought to the Janeway. He told them he wanted to harm himself and that he was going to burn his house down. He was assessed for twelve minutes. He ended up burning down his house and a man died.

I ask the minister: How can this happen?

**MR. SPEAKER:** The hon. the Minister of Child, Youth and Family Services.

**SOME HON. MEMBERS:** Hear, hear!

**MR. DAVIS:** Thank you again, Mr. Speaker.

This is a very important topic. This is a very important matter for the people of the Province, and I can tell you it is very important for us as a government. Recommendations from the Child and Youth Advocate and having a relationship with the Child and Youth Advocate is important to us. I have had a meeting with her since I came in the department just a month or so ago, and had an opportunity to discuss how she operates and how we operate.

The collaboration of and work between interdepartmental is an important aspect for us. I have had discussions with my colleagues from both the Department of Health and Community Services and the Department of Justice. It is an important piece of work that we need to make sure we get right, and we are doing that, Mr. Speaker.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Member for Burgeo – La Poile.

**MR. A. PARSONS:** Mr. Speaker, the sad truth is that not only were departments and agencies not talking to each other, internal policy discussions within CYFS were misinterpreted at multiple levels. John was told he had to leave his alternative living arrangement on his sixteenth birthday, yet the advocate was unable to find a policy that required him to leave.

I ask the minister: How is it that your own staff said that John could not stay in care when there was no policy or legislation that said he could not?

**MR. SPEAKER:** The hon. the Minister of Child, Youth and Family Services.

**SOME HON. MEMBERS:** Hear, hear!

**MR. DAVIS:** Thank you, Mr. Speaker.

Mr. Speaker, I think it is important to understand the timeline of events that we are discussing here today. The young person who the hon. member is referencing turned sixteen early in 2011. We had a new act, a new piece of legislation that came in after that occurred as well. We are through the process of implementing that piece of legislation.

That new legislation allows for young people when they reach their sixteenth birthday to stay in care, to stay in the process, to stay in the living circumstances that they were living in when they reach their sixteenth birthday. Then we are building supports around that, from sixteen until they reach their nineteenth birthday.

Mr. Speaker, all of this is part of that new piece of legislation that we as a government brought forward to ensure the safety of children and youth.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Member for Burgeo – La Poile.

**MR. A. PARSONS:** Mr. Speaker, John was removed from care on his sixteenth birthday, literally before he was even able to have his birthday cake.

I ask the minister again: Was this the policy of your government?

**MR. SPEAKER:** The hon. the Minister of Child, Youth and Family Services.

**SOME HON. MEMBERS:** Hear, hear!

**MR. DAVIS:** Mr. Speaker, what is important to reflect on today are the steps that we have taken as a government to bring us to where we are in providing services and supports to children and youth in the Province today. What I am saying is today in Newfoundland and Labrador when a young person reaches the age of sixteen, they can continue to stay in the care that they are in prior to their sixteenth birthday, the same type of circumstance the hon. member is talking about.

What I am saying here and explaining to the House here today, Mr. Speaker, is that our current legislation and our current support structures are there for that age group. We have done that. We have taken the steps and we have done that.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Member for Burgeo – La Poile.

**MR. A. PARSONS:** Mr. Speaker, I appreciate the minister is talking about today, but I am talking about on the day of John's sixteenth birthday he was removed from that house and there was no policy or legislation that said he had to. There was a mistake made.

Again, was this the policy at the time? What happened here?

**MR. SPEAKER:** The hon. the Minister of Child, Youth and Family Services.

**SOME HON. MEMBERS:** Hear, hear!

**MR. DAVIS:** Thank you, Mr. Speaker.

One of the things we have done as a government and pertaining to children and youth is we have undertaken a number of studies and reviews. There was a study done through Susan Abell back in 2008-2009. It was very much a guiding document that helped the formation of the current department. What we focus on is how we can improve the services to children and youth in the Province. That is what we work towards, making the best services to the most children and youth that we possibly can in this Province.

There is an evolution of study in social work. There is an evolution of best practices. There are new methods that are learned and new practices. There is new technology that becomes available. We are reviewing all of that so we can provide the best services we can.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Member for Burgeo – La Poile.

**MR. A. PARSONS:** Mr. Speaker, on John's sixteenth birthday he was taken from a stable, alternative living arrangement where he was thriving and moved to a shelter, which was the beginning of his demise. They moved him because he was sixteen, not because he had the life skills to thrive on his own, not because he wanted to leave, but because a manager in Child, Youth and Family Services said he had to go.

I ask the minister: Why are you forcing children out of care because they have reached the age of sixteen when they clearly do not have the skills or support?

**MR. SPEAKER:** The hon. the Minister of Child, Youth and Family Services.

**SOME HON. MEMBERS:** Hear, hear!

**MR. DAVIS:** Thank you, Mr. Speaker.

I will try again to explain it to the hon. member. We have made changes for those very reasons the hon. member is referencing. We have also established a new model for how the Department of Child, Youth and Family Services operates. We now have fifty-two supervisors who supervise teams of social workers throughout the Province. We have increased our zone managers from five to thirteen to work with those supervisors throughout Newfoundland and Labrador.

I can tell you today, that the supervisors supervising those teams of social workers throughout Newfoundland and Labrador have full authority to ensure that good quality and safe accommodations for youth are provided. They have that clear authority to make those decisions, Mr. Speaker.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Member for Burgeo – La Poile.

**MR. A. PARSONS:** Mr. Speaker, in the spring session we asked about a sixteen-year-old youth signing youth service agreements. The then minister said that government was providing tremendous support for children and youth. However, the advocate does not feel that supports are in place to help these transitioning youth.

I ask the minister: Who was right, the advocate or the former minister?

**MR. SPEAKER:** The hon. the Minister of Child, Youth and Family Services.

**SOME HON. MEMBERS:** Hear, hear!

**MR. DAVIS:** Thank you, Mr. Speaker.

There is a variety of programs and opportunities available to youth throughout Newfoundland and Labrador. I have touched on some of them here during Question Period this afternoon. Some of the new ones we have put in place, such as Supporting Youth with Transitions. It is a really good pilot project which in a very short

term we have received a very positive feedback on.

In that case, in that type of a program, they are services we are providing to young people in Newfoundland and Labrador that have not been provided before. Very basic life skills, how to open a bank account, how to manage a budget, assist them and walk through the process of how you do your grocery shopping, how you care for your living space, how you clean your laundry and when you do that; those very types of skills that young people need quite often in our communities.

**MR. SPEAKER:** The hon. the Member for Burgeo – La Poile.

**MR. A. PARSONS:** Mr. Speaker, in her report the advocate says there were many missed opportunities for John. One key recommendation of the report is to review the feasibility of creating a provincial youth services co-ordinator position to meet with youth who are transitioning.

Now, minister, you have had the report for days now. It is an important piece of the puzzle in helping youth transition to live independently.

I ask the minister: Are you going to implement the co-ordinator position?

**MR. SPEAKER:** The hon. the Minister of Child, Youth and Family Services.

**SOME HON. MEMBERS:** Hear, hear!

**MR. DAVIS:** Thank you, Mr. Speaker.

In the recommendations that the advocate has included in her report, there are a variety of topics that the advocate touches on. Some of these recommendations are inclusive of work and programs and policies that have already been developed in our department. There are others there as well besides that.

I think it is very important for us to have a full understanding, full comprehension and understanding of what her recommendations are.

Part of the process we are going to follow as we do this development and understanding of her recommendations is – I am going to make contact with the advocate once again. I am going to request an opportunity to meet with her so we can have a full, comprehensive discussion about what she envisions as part of the recommendations that she made in this report. I think it is an important piece of work for us to do, Mr. Speaker.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Member for Burgeo – La Poile.

**MR. A. PARSONS:** Mr. Speaker, speaking of reports, recommendation 7.9 of the 2006 Turner report recommended that when it is discovered that a child or family are involved with one or more professional agencies there should be a case conference involving all parties.

I ask the minister: Did this happen in the case of John?

**MR. SPEAKER:** The hon. the Minister of Child, Youth and Family Services.

**SOME HON. MEMBERS:** Hear, hear!

**MR. DAVIS:** Mr. Speaker, case conferencing and discussions, larger discussions outside of the primary social worker involved in the case, are a regular course of business in the Department of Child, Youth and Family Services. Quite often, those conferences will include people with expertise, knowledge and skills in areas outside of the direct department.

Those types of conferences do take place, those meetings take place, and I would say it is a very important part of providing casework to the clients in the Department of Child, Youth and Family Services.

**MR. SPEAKER:** The hon. the Member for Burgeo – La Poile.

**MR. A. PARSONS:** Mr. Speaker, I repeat the question: Did the case conference happen in the case of John?

**MR. SPEAKER:** The hon. the Minister of Child, Youth and Family Services.

**SOME HON. MEMBERS:** Hear, hear!

**MR. DAVIS:** Mr. Speaker, as I said to the hon. member, case conferences are a very important piece of work. What the advocate has compiled here is a very in-depth and a very comprehensive report. It is important that we undertake a full and complete review of the report and the recommendations as well.

As I have said, when we have done that, our intention at this point in time is to meet with the advocate so we can have a full discussion on the report and the contents of the recommendations. Again, as I said, we intend to do that.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Member for Burgeo – La Poile.

**MR. A. PARSONS:** Mr. Speaker, case conferences are important – no doubt, they are – but they do not work if you do not have them.

I ask the minister: Was there a case conference in the case of John?

**MR. SPEAKER:** The hon. the Minister of Child, Youth and Family Services.

**SOME HON. MEMBERS:** Hear, hear!

**MR. DAVIS:** Thank you again, Mr. Speaker.

Case conferences, as I said to the hon. member, are very important to us. I have to be honest, Mr. Speaker, while the advocate has disclosed information pertaining to this particular case, I am not willing to go down a road of discussing the specific nuances of this young person and the details of the services that were provided to him. I am not willing to do that, but I will have

those discussions with the Child and Youth Advocate.

We will have those discussions as we move forward in looking at the recommendations so we can grasp a full understanding of the recommendations, so that we can look at what we have done as a department, and what we have done as a government, and how that matches with the recommendations that are contained in that report.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Member for Burgeo – La Poile.

**MR. A. PARSONS:** Mr. Speaker, I take from that response that there was no case conference.

Recommendation 7.6 of the Turner report says that the Province will deliver mandatory multidisciplinary education and training from a wide spectrum of agencies and individuals. This was in 2006 and the Province adopted this.

I ask the minister: Why did your department ignore this recommendation in John's case?

**MR. SPEAKER:** The hon. the Minister of Child, Youth and Family Services.

**SOME HON. MEMBERS:** Hear, hear!

**MR. DAVIS:** Mr. Speaker, in response to his first comment there, I will try to take the time to make myself very, very clear. I do not feel it is appropriate for me to engage in a public discussion regarding any client in the Department of Child, Youth and Family Services. I am not willing to do that, Mr. Speaker.

We will discuss all of the nuances and recommendations of the report from the Child and Youth Advocate with the Child Advocate so we can have a full understanding of her intentions and her vision. Then we can have that discussion in relation to the work that we have been doing, we are doing, or should be doing in the department.

As far as training goes, Mr. Speaker, I can tell you that the Department of Child, Youth and Family Services has a new training unit that is part of the new department that has been developed. It works through providing training programs throughout Newfoundland and Labrador for all of our social work staff.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Member for Burgeo – La Poile.

**MR. A. PARSONS:** Mr. Speaker, I thought I was very clear as well. I asked if there was a case conference here, which was a clear recommendation from the Turner report. In this case, there was not – or certainly, I have asked a number of questions and I cannot get a straight answer. Recommendation 7.6 talks about a multidisciplinary plan when it comes to co-ordination amongst a wide variety of groups.

My question again is: Why did your department ignore this recommendation?

**MR. SPEAKER:** The hon. the Minister of Child, Youth and Family Services.

**SOME HON. MEMBERS:** Hear, hear!

**MR. DAVIS:** Thank you, Mr. Speaker.

I cannot speak for how the hon. member opposite wants to operate, but I can tell you how I am going to operate. As the Minister of Child, Youth and Family Services I am going to respect every individual client that we have in the department, every child, every youth, and every family.

I will not make it a practice and I will not make an exception to that practice to speak to an individual case specifically in a public forum. I do not think it is proper to do that, Mr. Speaker. I do not think it is proper to discuss those cases at level in a public forum and I am not going to go down that road.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Member for Burgeo – La Poile.

**MR. A. PARSONS:** Certainly, Mr. Speaker, we here also respect every single case. That is why we are here asking the questions that led to this report that was put forward today by the Child and Youth Advocate, which I would note provides a lot of specifics and is available so we can see this and try to avoid this from happening in the future. We are asking the questions because we need the answers and we need the answers so we avoid this from happening again.

John and his family were very open to the report. They co-operated and they worked with the advocate. It states in the report that he took part to make sure no one will ever go through what he did again.

I ask the minister: Given the glaring communications issues, misinterpreted policy, workload issues, how confident are you that this will not happen again?

**MR. SPEAKER:** The hon. the Minister of Child, Youth and Family Services.

**SOME HON. MEMBERS:** Hear, hear!

**MR. DAVIS:** Thank you, Mr. Speaker.

We, as a government, have taken great steps to ensure the safety, well-being, and best interests of children and youth in the Province of Newfoundland and Labrador. Mr. Speaker, we have set up a new department, we have brought through new legislation, the new Children and Youth Care and Protection Act, a progressive piece of legislation. This afternoon we are going to debate a new piece of legislation on adoptions, another progressive piece of legislation.

Mr. Speaker, we have implemented new programs. We have implemented a new training unit. We have a new audit process that requires supervisors of social workers to audit files of every social worker every month.

Mr. Speaker, we take this stuff very seriously as well and we are taking the steps to ensure the safety of –

**MR. SPEAKER:** Order, please!

The hon. the Member for Burgeo – La Poile, for a very quick question without any preamble.

**MR. A. PARSONS:** Mr. Speaker, we went through this with the Turner report. Obviously, we are still facing these issues.

**MR. SPEAKER:** A quick question, please.

**MR. A. PARSONS:** I ask the minister: Do you intend to accept all of the recommendations; and, if so, when?

**MR. SPEAKER:** The hon. the Minister of Child, Youth and Family Services, for a quick response.

**SOME HON. MEMBERS:** Hear, hear!

**MR. DAVIS:** We are going to do a comprehensive review of the recommendations in the report. We are going to have discussions with the Child and Youth Advocate. We will make our decisions once we have completed that process, Mr. Speaker.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Leader of the Third Party.

**MS MICHAEL:** Thank you very much, Mr. Speaker.

Labatt Breweries is using its forty-five workers in the Province to try to set a baseline for negotiations worldwide.

Mr. Speaker, I ask the Premier: How can she, in all good conscience, allow our workers to be made an example by a multinational corporation as a warning to unionized workers around the world?

**MR. SPEAKER:** The hon. the Minister of Justice.

**SOME HON. MEMBERS:** Hear, hear!

**MR. KING:** Thank you, Mr. Speaker.

We are certainly fully aware of the ongoing dispute with Labatt Breweries. Government, through the Labour Relations Agency, has been engaged extensively in that process, providing services and the use of mediators through the Labour Relations Agency.

Unfortunately, at times, we have come to a point in the negotiation where there is a breakdown. We recognize that it is a challenge, but we also recognize that any settlement that can be attained ought to be attained through a collective bargaining process where both parties arrive at a resolution, not one that is dictated by a government.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Leader of the Third Party.

**MS MICHAEL:** Thank you, Mr. Speaker.

I ask the minister and the Premier: Don't they recognize anti-scab legislation is part of collective bargaining?

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Minister of Justice.

**SOME HON. MEMBERS:** Hear, hear!

**MR. KING:** Mr. Speaker, probably the greatest consistency with anti-scab legislation is that it is a part of the dictionary of questions of the NDP. Only two governments in Canada have adopted anti-scab legislation. Fourteen times it has gone before the House of Commons and it has been rejected every time. It was adopted in Ontario and, subsequently, repealed because it did not work.

I understand anti-scab legislation as well as any member of this House. I have said very clearly, and I repeat it today, that this government has no intention of bringing forward anti-scab legislation.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Leader of the Third Party.

**MS MICHAEL:** Thank you, Mr. Speaker.

I point out to the minister that it works in those two provinces really well.

I ask the Premier: Will she give workers in this Province a level playing field when striking against powerful multinational companies, by ensuring their collective bargaining rights are protected through anti-scab legislation?

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Minister of Justice.

**SOME HON. MEMBERS:** Hear, hear!

**MR. KING:** Mr. Speaker, over the last number of years our government has stepped up to the plate in so many ways that less than a minute does not give me an opportunity to speak to what we have done to support workers in this Province.

I can talk about everything from the infusion of cash to retrain workers to help them attain better jobs, to investment in apprenticeships to help them gain further education and move forward in their field of work. I can talk about when I was Minister of Labour – the first time going around in this Province when we did the Voisey's Bay Industrial Inquiry, because we recognized the challenges that are out there.

I say to the member opposite, we do not believe, and many people do not believe, that her version of what the solution is with anti-scab legislation is the solution, so we will not be bringing that forward.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Leader of the Third Party.

**MS MICHAEL:** Thank you, Mr. Speaker.

Yes, the Voisey's Bay Industrial Inquiry Commission, which made six specific recommendations, one of which was that government needs to ensure multinationals who want to do business in Canada respect Canadian collective bargaining and labour relations values.

Mr. Speaker, I ask the Premier: Why won't government follow the advice of its own commission?

**MR. SPEAKER:** The hon. the Minister of Justice.

**SOME HON. MEMBERS:** Hear, hear!

**MR. KING:** Mr. Speaker, I find it difficult to take advice on dealing with multinationals from the leader of a party who said that she would raise taxes and throw multinationals out of this Province if she ever became leader of the government. So I am not intending to take advice from her, but what I will say is to continue with what I said a few moments ago: that it is our government that has taken a leadership role every opportunity that we have been able to do so to support workers in this Province, to advance workers' causes and support them and their families.

Just yesterday we had a debate on this House of Assembly floor about providing guaranteed, protected leave for members and families in a number of specific cases that would dovetail into the federal legislation. So we take no backseats from the NDP or anybody else in this Province when it comes to bringing forward policies, practices, and legislation to support workers in Newfoundland and Labrador.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Leader of the Third Party.

**MS MICHAEL:** Thank you, Mr. Speaker.

Therefore, I ask the Premier: Will she take the advice then from the Newfoundland and Labrador Federation of Labour which passed a resolution today asking this government for anti-scab legislation?

**MR. SPEAKER:** The hon. the Minister of Justice.

**SOME HON. MEMBERS:** Hear, hear!

**MR. KING:** Mr. Speaker, all advice is welcome. We will gladly take any advice that the member opposite or the Federation of Labour – with all due respect, I will take any advice whatsoever.

Let me be clear, because many times in this House of Assembly ministers are accused of not answering questions. I am going to say it, maybe for about the fifth time in the last three days, we will not introduce anti-scab legislation in this Legislature.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Member for St. John's East.

**MR. MURPHY:** Thank you, Mr. Speaker.

More and more people are suffering sticker shock lately with the advent of the new electronic recycling fees. A \$42.50 recycling fee on a new TV is one example. As a service it is non-refundable and consumers get nailed as well with HST. Government regulation has allowed a private non-profit to set and collect these electronic recycling fees.

I ask the Minister of Environment and Conservation: What is she doing to address the concerns surrounding this non-refundable deposit?

**MR. SPEAKER:** The hon. the Minister of Environment and Conservation.

**SOME HON. MEMBERS:** Hear, hear!

**MS SHEA:** Mr. Speaker, the additional charge on the purchase of electronics is to cover the cost of the disposal of the electronics so they do not end up in landfills or waste, and that they are disposed of appropriately. So it is not like there is a profit that is being made from that. This is being done by a non-profit agency and there is a variety of different costs, depending on the item that you buy. This is all about ensuring that our Province has an effective waste management policy, and electronic waste is part of that.

There is no refund. It goes to a non-profit, Mr. Speaker. They make sure the disposal of the electronic waste is done in the most sustainable manner possible.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Member for St. John's East.

**MR. MURPHY:** Thank you, Mr. Speaker.

It is easy for the minister to say that, but for some areas of this Province they simply do not have any depots to take the recycling back to. For example, Grand Bank, St. Anthony, and coastal Labrador are forced to pay this non-refundable fee, yet they have no realistic opportunity to get their old electronics to an official electronics depot, so again I will ask the minister.

Mr. Speaker, I ask the Minister of Environment and Conservation: Why are people being forced to pay a fee for a service they cannot access?

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Minister of Environment and Conservation.

**SOME HON. MEMBERS:** Hear, hear!

**MS SHEA:** Thank you, Mr. Speaker.

The intention is to have a disposal site across Newfoundland and Labrador so people from one end of the Province can have it. I know when we started the program there were eighteen. There is another thirteen coming on. Mr. Speaker, as it rolls out, and in the very near future, there will be access for people across Newfoundland and Labrador to bring their electronic waste to the appropriate site.

**MR. SPEAKER:** Order, please!

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The time for Question Period has expired.

Presenting Reports by Standing and Select Committees.

Tabling of Documents.

#### Tabling of Documents

**SOME HON. MEMBERS:** Oh, oh!

**MR. SPEAKER:** Order, please!

I am pleased today to table the report by the Office of the Chief Electoral Officer on the by-election held in Cartwright – L'Anse au Clair on June 25, 2013.

Notices of Motion.

#### Notices of Motion

**MR. SPEAKER:** The hon. the Government House Leader.

**MR. KING:** Thank you.

Mr. Speaker, I give notice under Standing Order 11 I shall move that this House not adjourn at 5:30 p.m. on Thursday, December 5, 2013.

Further, I give notice under Standing Order 11 I shall move that this House not adjourn at 10:00 p.m. Thursday, December 5, 2013.

**MR. SPEAKER:** Answers to Question for which Notice has been Given.

Petitions.

#### Petitions

**MR. SPEAKER:** The hon. the Member for St. John's North.

**MR. KIRBY:** Thank you, Mr. Speaker.

To the hon. House of Assembly of the Province of Newfoundland and Labrador in Parliament assembled, the petition of the undersigned residents of Newfoundland and Labrador humbly sheweth:

WHEREAS violent workplace incidents involving convenience store clerks and gas station attendants are a serious health and safety issue; and

WHEREAS many public and private sector employees are being left in vulnerable situations, especially in the opening and closing of their buildings and establishments; and

WHEREAS all workers deserve protection from danger and harm; and

WHEREAS current government regulations are woefully inadequate in providing even basic protection for these vulnerable workers; and

WHEREAS it is the responsibility of employers to keep workers safe, and the responsibility of government to ensure that employers adhere to regulations.

We, the undersigned, petition the House of Assembly to urge government to immediately enact legislation and regulations to protect workers in hazardous workplaces including late night shifts in convenience stores and gas stations. This legislation must direct employers to have a minimum of two workers on site after 10:00 p.m. and before 6:00 a.m., and to have a barrier between the worker and customer in place between these hours.

As in duty bound, your petitioners will ever pray.

Mr. Speaker, this is a petition I drafted about a year and a half ago, actually a little bit more recent than that, just prior to the last fall sitting, so just about over a year ago. I worked on this with various labour unions in the Province, the Canadian Union of Public Employees. I spoke to individuals who contacted my office who work in the service industry and work late hours, and a variety of other individuals in putting this together.

I do understand after speaking to a member opposite and some others in the community that there are already some regulations in place, but the one thing about this petition is not only are we looking for different regulations, we are looking for enforcement as well. As with a variety of government policies that we have on the books, we can have legislation, we can have policy directives, we can have regulations but unless there is some enforcement mechanism and unless there are suitable numbers of personnel for suitable numbers of hours in place doing that work, the work does not get done.

I know the hours between 10:00 p.m. and 6:00 in the morning are not hours that most people keep in their workplace. There are certainly lots of people who in their professions work those hours, but by and large members of the public service who are doing inspections and so on do not work during that period of the day. I think that is really what we need to do. We need to ensure that –

**MR. SPEAKER:** Order, please!

I remind the member that his time has expired.

**MR. KIRBY:** Thank you, Mr. Speaker.

**MR. SPEAKER:** The hon. the Member for The Straits – White Bay North.

**MR. MITCHELMORE:** Thank you, Mr. Speaker.

To the hon. House of Assembly of the Province of Newfoundland and Labrador in Parliament assembled, the petition of the undersigned residents of Newfoundland and Labrador humbly sheweth:

WHEREAS government has a responsibility to ensure that Internet access is broadly available so people have the right to be able to access the Internet in order to exercise and enjoy their rights to freedom of expression and opinion and other fundamental human rights; and

WHEREAS St. Carols still remains without broadband services; and

WHEREAS residents rely on Internet services for education, business, communication and social activity; and

WHEREAS wireless and wired technologies exist to provide broadband service to rural communities to replace slower dial-up service;

We, the undersigned, petition the House of Assembly to urge government to assist providers to ensure St. Carols is in receipt of broadband Internet services in Newfoundland and Labrador.

As in duty bound your petitioners will ever pray.

Mr. Speaker, this petition is signed by a number of residents in the region from St. Carols, and St. Anthony Bight. They are asking for broadband Internet service as a means to enhance their overall economy in the region.

Just a couple of years ago the giant Petermann iceberg had drifted ashore just off Goose Cove, and a lot of icebergs came into St. Carols. There were tons of tourists flocking into this tiny community and taking photos. Can you imagine the potential that it could have had if there was broadband Internet, if the Wi-Fi was there; if there was cellular coverage in this community? The opportunity to use this wireless coverage so that you could tweet, use Facebook and the social media to promote everything on the tip of the Great Northern Peninsula, so that we can get

to Vision 2020, so that \$1.6 billion in tourism revenue can be generated.

These are opportunities but until we put the basic infrastructure, using either wireless or cellular or wired technologies, we are limiting the real opportunity here in Newfoundland and Labrador when it comes to promoting everything that we have to offer, developing our business, our rural economies, and making sure that we are bridging the gaps when it comes to education and other services. I really do think this is an excellent opportunity with the Rural Broadband Initiative to look at a community like St. Carols so that they do receive broadband Internet.

Thank you, Mr. Speaker.

**MR. SPEAKER:** The hon. the Leader of the Third Party.

**MS MICHAEL:** Thank you very much, Mr. Speaker.

To the hon. House of Assembly of the Province of Newfoundland and Labrador in Parliament assembled, the petition of the undersigned residents of Newfoundland and Labrador humbly sheweth:

WHEREAS strikes and lockouts are rare, and on average 97 per cent of collective agreements are negotiated without work disruption; and

WHEREAS anti-temporary replacement workers laws have existed in Quebec since 1978; in British Columbia since 1993; and successive governments in those provinces have never repealed those laws; and

WHEREAS anti-temporary replacement workers legislation has reduced the length and divisiveness of labour disputes; and

WHEREAS the use of temporary replacement workers during a strike or lockout is damaging to the social fabric of a community, the local economy, and the well-being of its residents, as evident by the use of temporary replacement workers currently by Labatt and in past years by

both Ocean Choice International and Vale in Voisey's Bay;

WHEREUPON we the undersigned petition the House of Assembly to urge government to enact legislation banning the use of temporary replacement workers during a strike or lockout.

As in duty bound your petitioners will ever pray.

Mr. Speaker, I am very pleased to stand on behalf of the petitioners to raise this issue today. In this Province over the last, about six years, we have had historically long strikes. By historically long I mean, first of all, the strike that took place with members of the Steelworkers Union who work in Voisey's Bay at the mine there. That strike was eighteen months long, Mr. Speaker, and during that time Vale Inco was able to use scab labour, or replacement workers, non-stop throughout the whole of the strike.

Then we had the strike at the St. John's Airport Authority, an eight month strike, Mr. Speaker. Members of the Public Service Alliance of Canada, this time not a multinational corporation but one of our own local bodies, the Airport Authority, able to keep those workers out, again, because they were able to use workers to replace and to do the work of the workers who were on strike.

Now we have another strike going on here in the City of St. John's as well. The workers who are striking against Labatt Breweries, Mr. Speaker, members of the Newfoundland Association of Public and Private Employees. They are now finishing their eighth month of being on the picket line without any sign of things easing up for them.

Again, Labatt Breweries, now owned by a multinational corporation, is using scab labour, and not even from this Province, Mr. Speaker. They are from not only other places in Canada, but even from the United States, in here replacing our workers while they stand on a picket line with a company that wants to reduce their wages. Wages of people who are only

earning \$13 an hour, and this company wants them to back down.

Thank you very much, Mr. Speaker, and I am pleased to have been able to bring this petition forward.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Member for St. John's Centre.

**MS ROGERS:** Thank you, Mr. Speaker.

To the hon. House of Assembly of the Province of Newfoundland and Labrador in Parliament assembled, the petition of the undersigned residents of Newfoundland and Labrador humbly sheweth:

WHEREAS the Family Violence Intervention Court provided a comprehensive approach to domestic violence in a court setting that fully understood and dealt with the complex issues of domestic violence; and

WHEREAS domestic violence continues to be one of the most serious issues facing our Province today, and the cost of the impact of domestic violence is great both economically and in human suffering; and

WHEREAS the Family Violence Intervention Court was welcomed and endorsed by all aspects of the justice system including the police, the courts, prosecutors, defence counsel, Child, Youth and Family Services, as well as victims, offenders, community agencies and women's groups; and

WHEREAS the recidivism rate for offenders going through the court was 10 per cent compared to 40 per cent for those who did not; and

WHEREAS the budget for the court was only 0.2 per cent of the entire budget of the Department of Justice;

WHEREUPON the undersigned, your petitioners, humbly pray and call upon the

House of Assembly to urge government to reinstate the Family Violence Intervention Court.

As in duty bound your petitioners will ever pray.

Mr. Speaker, again I stand in the House to talk about this very important program that was axed. Again, we cannot open a paper without seeing the whole issue of domestic violence on the pages. We know there is a heightened awareness.

In a release the government put out November 20, the Minister Responsible for the Status of Women said, "The Provincial Government remains firmly committed to preventing violence against those most at risk of experiencing violence, including women, children and families. Over the last six years, through the Violence Prevention Initiative, significant progress has been made in raising awareness and changing attitudes and behaviours about the impacts of violence and abuse."

Mr. Speaker, raising awareness is simply not enough. We know that. We know that the full force of the law must be behind this horrible crime that affects so many women and children in our Province. This Province, this government, had a fantastic program that did that, that did that effectively. For the government to say they are so committed to this area and then to cut one of the most effective programs that was available and working in this area is absolutely mindboggling.

As well, the minister said that one of the reasons the program was closed was because of declining enrolment. That is not factual. As a matter of fact, the numbers were going up. I do not understand how the minister can say that. If he feels the internal review reflected that then I ask him to table that review so we can see exactly what was happening in that court.

Thank you very much, Mr. Speaker.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Member for St. Barbe.

**MR. BENNETT:** Mr. Speaker, to the hon. House of Assembly of the Province of Newfoundland and Labrador in Parliament assembled, the petition of the undersigned humbly sheweth:

WHEREAS there is no cellphone service in the Town of Trout River, which is an enclave community in Gros Morne National Park; and

WHEREAS visitors to Gros Morne National Park, more than 100,000 annually, expect to communicate by cellphone when they visit the park; and

WHEREAS cellphone service has become a very important aspect of everyday living for residents; and

WHEREAS cellphone service is an essential safety tool for visitors and residents; and

WHEREAS cellphone service is essential for business development;

WHEREUPON the undersigned, your petitioners, humbly pray and call upon the House of Assembly to urge the Government of Newfoundland and Labrador to partner with the private sector to extend cellphone coverage throughout Gros Morne National Park, and the enclave community of Trout River.

As in duty bound, your petitioners will ever pray.

Mr. Speaker, it is a simple plea. It is a simple request. It is not even a request for government to spend money. So I will call on government: What are the other enclave communities in Gros Morne National Park where there is little to no cellphone service? Well, travelling from Trout River into the Woody Point area, all that area Woody Point, Glenburnie-Birchy Head-Shoal Brook, very poor cellphone service.

North of the Rocky Harbour area, Sally's Cove, no cellphone service; St. Paul's, no cellphone

service; Cow Head, very poor cellphone service. All of these communities within Gros Morne National Park, surely government should be able to get together enough initiative to be able to work with the private sector, and maybe even with Parks Canada and maybe even with the federal government, and put together an initiative and have a Request for Proposals as to what would it take to extend cellphone service throughout all of the park communities.

In addition to that, Mr. Speaker, while government is doing that why not have an initiative for a Request for Proposals for all cellphone carriers – what can you do for us as a package deal so we extend cellphone coverage throughout all of the communities of our Province?

Thank you, Mr. Speaker.

**MR. SPEAKER:** The hon. the Member for Cartwright – L'Anse au Clair.

**MS DEMPSTER:** Thank you, Mr. Speaker.

To the hon. House of Assembly of the Province of Newfoundland and Labrador in Parliament assembled, the petition of the undersigned humbly sheweth:

WHEREAS until 2013, calcium was applied to provincially owned gravel roads in and around communities to suppress dust; and

WHEREAS dust suppression is very helpful for residents experiencing health conditions like asthma and allergies; and

WHEREAS the cost of administrating the calcium program is very affordable to government; and

WHEREAS dust suppression is an effective way of improving safety for the travelling public;

WHEREUPON the undersigned, your petitioners, humbly pray and call upon the House of Assembly to urge the Government of Newfoundland and Labrador, beginning in 2014, to reinstate the calcium application program on

provincially owned gravel roads and around communities.

As in duty bound, your petitioners will ever pray.

Mr. Speaker, I have spoken to the calcium a number of times, and I will continue to do so. I think it was my third day in the House of Assembly when the Member for Terra Nova said every time the Member for Cartwright – L'Anse au Clair gets up she is talking doom and gloom, doom and gloom.

I was in his district for a wedding in August, a beautiful part of the Province, but I would love to invite him to my district where in June I was walking on a sunny day and you could not see the next house for dust. It is very sad, Mr. Speaker. This is why we question if we are part of the same Province when it was very nominal, not a lot of money, but the calcium was cut this spring and it caused a lot of heartache. It greatly reduced the quality of life that we did have in the district, Mr. Speaker, because the calcium funding was cut to that area.

We have seniors – we have been talking about it for a couple of weeks – who have to make choices on where they spend their money. Many of them hang their clothes on the line to save on their electricity bill and they are not able to do that in areas where the calcium was cut, because of the heavy, heavy dust that is in the area.

We are always talking about the wind that we have in our Province and when you combine the wind and the dust, it is cause for the asthma and allergy problems to escalate.

What we are asking for, Mr. Speaker, the rest of the Province watching would probably wonder what is she talking about, calcium; because I believe probably 99 per cent of the Island already have pavement so they do not have to deal with this issue.

Mr. Speaker, we have had close calls with children who have been walking along the road, vehicles are coming and they cannot see them because of the heavy dust. I think we are very

fortunate in that we have not had anything serious happen yet.

Mr. Speaker, it would be very interesting to compare the amount of money that calcium would cost with what you are going to save in health. I mentioned in an earlier time when I was standing that (inaudible) –

**MR. SPEAKER:** Order, please!

I remind the member her time has expired.

The hon. the Member for The Straits – White Bay North.

**MR. MITCHELMORE:** Thank you, Mr. Speaker.

To the hon. House of Assembly of the Province of Newfoundland and Labrador in Parliament assembled, the petition of the undersigned residents of Newfoundland and Labrador humbly sheweth:

WHEREAS Route 432, Grenfell Drive, is the primary highway for residents of the Great Northern Peninsula East; and

WHEREAS prior to 2012's repaving and patches, Route 432 had a twenty kilometre rough road sign; and

WHEREAS without repaving on the remaining section of Route 432, this past investment will rapidly erode; and

WHEREAS Route 433 connects Roddickton-Bide Arm, Englee and Conche and it too is in deplorable conditions; and

WHEREAS it is the government's obligation to provide basic infrastructure to all Newfoundlanders and Labradorians; and

WHEREAS an improved road network is needed to enhance road safety and help with local commerce, enhance tourism, and create new business opportunities surrounding this section of highway;

We, the undersigned, petition the House of Assembly to urge government to allocate funds under the provincial roads program to pave this section of Route 432 and 433.

As in duty bound, your petitioners will ever pray.

Mr. Speaker, this petition today is signed primarily by residents of Englee. There are a number of signatures front and back and lots of lines on this – a number of people in the community have taken up the cause that they certainly see the road, Route 433 and 432, that they have to travel on a regular basis, in very, very poor condition.

You cannot build an economy if you do not have good infrastructure. You need to have the basic road infrastructure to do transportation of any goods and services and travel for people for commuting to these types of services.

Route 432 and 433 is in a very, very deplorable condition when it comes to potholes, when it comes to the culverts that are collapsing on the road there. As well, there are a number of crocodile marks going through the road there, the ripples. It is in very, very poor condition.

I drive it on a regular basis, but not as regular as the residents who live there, who have to drive over this road on a daily basis. It is completely unacceptable.

There needs to be a clear plan showing how there will be road improvements for the residents who live in this area.

Thank you, Mr. Speaker.

**MR. SPEAKER:** Orders of the Day.

### Orders of the Day

**MR. SPEAKER:** The hon. the Government House Leader.

**MR. KING:** Thank you, Mr. Speaker.

I move Motion 1, pursuant to Standing Order 11, that the House not adjourn at 5:30 p.m. today, Tuesday, December 3, 2013.

Further, I move Motion 2, pursuant to Standing Order 11, that the House not adjourn at 10:00 p.m. today, Tuesday, December 3, 2013.

**MR. SPEAKER:** It has been moved and seconded that this House do not adjourn at 5:30 p.m. on Tuesday, December 3, 2013, and it has been further moved and seconded that the House do not adjourn at 10:00 p.m. on Tuesday, December 3, 2013.

All those in favour, 'aye'.

**SOME HON. MEMBERS:** Aye.

**MR. SPEAKER:** All those against, 'nay'.

Motion carried.

The hon. the Government House Leader.

**MR. KING:** Thank you.

Mr. Speaker, Order 2, third reading of a bill, I move, seconded by the Minister of Environment and Conservation, that Bill 17, An Act To Amend The Labour Standards Act, be now read a third time.

**MR. SPEAKER:** It has been moved and seconded that the said bill be now read a third time.

Is it the pleasure of the House to adopt the motion that Bill 17 be read a third time?

All those in favour, 'aye'.

**SOME HON. MEMBERS:** Aye.

**MR. SPEAKER:** All those against, 'nay'.

Motion carried.

**CLERK:** A bill, An Act To Amend The Labour Standards Act. (Bill 17)

**MR. SPEAKER:** This bill is now read a third time and it is ordered that the bill do pass and its title be as on the Order Paper.

On motion, a bill, "An Act To Amend The Labour Standards Act", read a third time, ordered passed and its title be as on the Order Paper. (Bill 17)

**MR. SPEAKER:** The hon. the Government House Leader.

**MR. KING:** Thank you, Mr. Speaker.

I call for second reading, Order 6, second reading of Bill 27, An Act Respecting Adoptions.

**MR. SPEAKER:** The hon. the Minister of Child, Youth and Family Services.

**SOME HON. MEMBERS:** Hear, hear!

**MR. DAVIS:** Thank you, Mr. Speaker.

I move, seconded by the Minister of Justice, that Bill 27 now be read a second time.

**MR. SPEAKER:** It is moved and seconded that Bill 27, An Act Respecting Adoptions be now read a second time.

Motion, second reading of a bill, "An Act Respecting Adoptions". (Bill 27)

**MR. SPEAKER:** The hon. the Minister of Child, Youth and Family Services.

**MR. DAVIS:** Thank you, Mr. Speaker.

Mr. Speaker, it is my pleasure to rise before this hon. House today to introduce a bill entitled The Adoption Act, 2013. Our government recognizes that Newfoundland and Labrador's most valuable resource is our children and our youth. That is why we have created a new department, the Department of Child, Youth and Family Services in 2009, devoted solely to the needs of children, youth, and families in our Province.

Mr. Speaker, I would be remiss if I did not take an opportunity to express to the House the amount of work and effort that has been put into the drafting and creation of this Bill 27, the Adoption Act, 2013. I would just like to take a moment, if I may, to acknowledge the hard work of the staff and officials in the Department of Child, Youth and Family Services, also those stakeholders and partners who work with our adoption staff on a regular basis throughout Newfoundland and Labrador, and also stakeholders in the Province and others who have had input and have taken the time to talk to us about this new bill.

Mr. Speaker, following the creation of the Department of Child, Youth and Family Services we had committed to the transformation of programs and service deliveries for children, youth and their families focusing on ensuring the safety and well-being of children and youth, as well as supporting their healthy development. As part of the transformation process we committed to reviewing all of our legislation, all regulations, and all policies under the purview of the Department of Child, Youth and Family Services which impact children, youth, and their families.

In 2011, the Department of Child, Youth and Family Services proclaimed a progressive new piece of legislation to better safeguard our Province's most valuable children and youth under the Children and Youth Care and Protection Act. This new act focuses on the best interests of children throughout Newfoundland and Labrador.

As we continue to build a stronger foundation for our department, for this new department, we have recently undergone a full review of the Adoptions Act which has resulted in this bill being brought to the House today. As a government, we recognize the importance of finding permanent and stable homes for children who cannot be safely reunited with their families. Bill 27, the Adoptions Act, 2013 will replace the current Adoption Act which was proclaimed in 2003.

In 2003, the new act involved fundamental change to adoptions in Newfoundland and Labrador. We moved from what was considered to be a closed adoption system to an open adoption system. Our Province was one of the pioneers in moving to an open adoption system. I can tell you today, in Canada right now, including Newfoundland and Labrador, there are five provinces in Canada that have moved to an open adoption system.

An open adoption system allows for adopted children, birth parents, those involved in the adoption process, in having the ability and the legal ability and legal right to obtain information when the child reaches adulthood. A review of the Adoption Act has been guided by the principles of the primary child protection legislation, which is the Children and Youth Care and Protection Act, which are to ensure the best interest of the child remaining paramount at all times and during the decision-making process with the emphasis on risk of harm as the grounds for protective intervention.

Mr. Speaker, both the act and the Children and Youth Care and Protection Act, which was proclaimed in 2011 – I believe it was June, 2011; yes, it was June 30, 2011 when it was actually proclaimed – lays out under section 8 the purpose, and section 9 is the general principles. If we take a moment to review the Adoption Act which is before the House this afternoon, we see that under section 4 of the bill before the House a very similar process and similar priorities as laid out in the CYCP Act.

Section 4.(1) outlines, “The purpose of this Act is to create new and permanent family ties through adoption.” That is what adoption is. It creates a legal relationship between a child and a parent, or parents.

Section 4.(2) reads, “This Act shall be interpreted and administered in accordance with the principle that the overriding consideration in a decision to be made under this Act shall be the best interests of the child.” Mr. Speaker, that is a statement that comes right from the Children and Youth Care and Protection Act, 2010, which is in law right now. As I mentioned, the first

piece of significant legislation under the new department.

In paragraph (3) it outlines in the new bill, “In determining a child’s best interests all relevant factors shall be considered”. Mr. Speaker, it is important to clarify and to point out that these factors are not in order of importance. They are not in order of a priority. All of these factors shall be equally considered when making decisions in relation to adoptions of children.

The first one laid out is, “(a) the child’s safety, health and well-being” as the first factor that shall be considered, a child’s safety, health and well-being. That is very similar, the same as what is contained in the CYCP Act; “(b) the child’s physical, emotional and developmental needs”. Again, it is consistent with the Children and Youth Care and Protection Act; “(c) the quality of the relationship the child has with a birth parent or other person significant to the child and the effect of maintaining that relationship”.

If we go to the Children and Youth Care and Protection Act under 9(e), we will see very similar language – I am sorry, Mr. Speaker, just a moment. We will see very similar language used under Section 9 of the act where it lays out under (2)(c), “the child or youth’s relationship with family or a person significant to the child or youth”.

Under “(d) the child’s identity and cultural and community connections” – again, it is similar to CYCP; “(e) the child’s views and wishes regarding his or her adoption, where possible”. Mr. Speaker, this is a very important section, the child’s views and wishes regarding his or adoption where possible. When a child reaches the age of twelve it is compulsory that those views be considered, but the overriding principle of the act, the overriding factors that have to be considered include the child’s views and wishes regarding his or her adoption, where possible, has to be considered as a relevant factor.

Also, “(f) the importance of stability and permanency in the context of the child’s care” is

also contained in the Children and Youth Care and Protection Act.

The next one here is “(g) the importance to the child’s development of having a positive relationship with a parent and a secure place as a member of a family”. That is unique to this particular piece of legislation because it speaks directly to what an adoption is, the process of adoption, and the results of an adoption.

Lastly, what is listed here as a factor to be considered is “(h) the effect on the child where there is delay in the making of a decision with respect to the child.” The effect on the child where there is delay in the making of a decision with respect to the child, because it is very important that the process of adoption be undertaken in a manner that is without unnecessary delay. It is not in the best interests of children to delay those processes. It is in their best interests that we do this effectively, efficiently, and in the best interests of the child as possible.

Mr. Speaker, the present legislation and policy review began early in 2011. Consultations were held with departmental staff as well as representatives from a variety of departments, including the Department of Justice, Service Newfoundland and Labrador, the former Intergovernmental and Aboriginal Affairs Secretariat, and the Registrar of Vital Statistics, who plays a key role in adoptions.

Consultation was held with Memorial University School of Social Work, who assisted with a research project related to the review. Also, a consultation took place with the Child and Youth Advocate for Newfoundland and Labrador. Ongoing discussions with Aboriginal governments and organizations provided input for consideration as well.

By the way, Mr. Speaker, I think I may have said the review initiated in April 2013 or earlier this year. It was actually 2011 that those reviews first began. Then this year, the department commenced a public consultation process, which provided interested individuals with an opportunity to share their thoughts,

views, and perspectives on the current adoption legislation, as well as an opportunity to discuss proposed changes in the act.

A discussion guide was posted on the department’s Web site. It was also made available at local offices throughout the Province. The guide provided an overview of the adoption process, the types of adoptions available in the Province, and also a series of questions intended to inform the written submissions. Discussion guides are quite often posted as a method to encourage and stimulate thought for the reader and to encourage responses on the topics that are contained within the discussion guide.

Also, officials in the department were available upon request for people who are interested in having further discussions or meetings. Feedback was received in a number of ways, through written submissions and through e-mails, on the review process. As well, there were in-person meetings carried out with people who were interested, interested stakeholders.

I have to point out the importance of confidentiality around children was a matter that came up earlier today in Question Period. Going through a process like this, of course this was done before I came into the department, but in discussions with officials this is a matter and topic we have had discussions with since I came in the department. When it involves adoptions, it is not everybody who wants to have a public discussion or an open discussion about their experiences with the adoption process if they are an adoptive parent, or if they are an adoptive child, or a family member who has some other connection with the adoption process.

Going through an opportunity for consultation in a piece of legislation like this, it was interesting to hear from the staff and officials who carried out the consultation that there always has to be that assurance of confidentiality for individuals and people who have had prior experience with the adoption process. As I said it is not a topic that a lot of people want to discuss publicly. It is very private and personal for individuals and

families. I fully respect those wishes and those views.

Over the last year our post adoption services have contact with individuals who are making inquiries and requests through post adoption services. It is a busy piece of work that this particular branch carries out on a regular basis. They have discussions with people who have had experience with adoptions either as adopted people, or adopted parents, or birth parents, or family members of adopted persons, birth parents or adopted parents.

During that process as well our staff took the opportunity to have discussions with people inquiring about post adoption services. During the last several months I know there has been considerable discussion and opportunity given to those people to provide their views as well directly to the department. We use that opportunity as well to capture that information.

The theme of the best interests of the child is highly evident as a result of this consultation. The theme of the best interests of the child, which is our philosophy, was highly evident. Information was received that highlights the importance of permanency for children and consideration to the connections and existing relationships in a child's life.

As I went through the principles and the factors that had to be considered, these are outlined in the factors that have to be considered when making a decision on the best interests of a child that is contained in our bill. Also, considering a child's views and wishes when planning for adoption and ensuring the child's well-being in the adoption process. I have outlined that as well that the views of a child is a very important factor that has to be considered and must be part of the adoption process.

Overall, Mr. Speaker, there is very strong support from those who participated in the consultation process for each of the proposed changes to the adoption legislation. As a result of this process, and due to our continued commitment to meet the adoption needs in Newfoundland and Labrador, we are pleased to

introduce this new legislation which will, as I have said, continue to ensure the best interests of children being as the paramount consideration in the adoption process.

Mr. Speaker, I am going to take a few minutes now of my time to take an overview of some of the updates which are contained in this legislation, which will help streamline and expedite the adoption process, while maintaining the assurance of the safety and well-being of children involved in that process.

The new legislation will, as I said, ensure that the adoption process is progressive. It will clarify and modernize the laws respecting adoption, as the previous legislation was proclaimed in 2003. The results of the work that we have done and brought forward today is a new bill, a new act to replace the 2003 act.

As I previously took the time to outline, it will align the principles of the Adoption Act with the Children and Youth Care and Protection Act, where appropriate. Mr. Speaker, the proposed new legislation will help streamline processes with adoption and this will, in turn, result in an increased number of families able to proceed directly to court to finalize an adoption.

So, just to take a minute to explain. To go through a domestic adoption process, the normal process for most people is to file an application and a request with the department. There is a significant amount of work, which I am going to outline shortly and process to go through, but there is also a definition of relative in the current act.

Under the current act the definition of a relative is contained within the act and it outlines that a relative means a parent, grandparent, aunt, uncle or sibling of a child by birth or adoption. The important relevance to the definition of a relative in this act is that a person who is deemed to be a relative under the act can file an application and proceed directly to court to finalize an adoption. So in a case of a relative, they are not required to go through the Department of Child, Youth and Family Services; they can actually go directly to the court to file the adoption.

We have had a look at relative, we have had a good look and some consideration given to a relative and we are going to expand the definition of a relative to now include: a parent, grandparent, sibling, aunt uncle or first cousin of a birth parent or a child by birth or adoption. I am going to explain that a little bit more.

Currently, I can tell you that the definition of relative in comparison to other jurisdictions, we have one of the most restrictive definitions in Canada. To expand that definition by adding first cousin of the child and adding aunt, uncle or first cousin of a birth parent is going to significantly broaden that definition of a relative.

For example, birth parent, or the parent of a child will now be able – a birth parent's aunt, as an example, will now be able to proceed directly to court to adopt her great niece or a great nephew. If we all think about our own family circumstances or some other family that we know, what the current legislation allows for is that an aunt or uncle of the child can go directly to the court. We are expanding that to an aunt or uncle of the birth parent.

If you have a niece or a nephew who gave birth to a child and for whatever circumstances are happening in that new parent's life at the time, they are not able to care for that child. You being an aunt, or in my case an uncle, of that niece or nephew, through an agreement with the family will begin to look after that child. Down the road if we decide we want to adopt that child, we can go directly to the court. We are not required to go through the full process of Child, Youth and Family Services.

As a relative now defined under the act, great aunt or great uncle of the child, which would be an aunt or an uncle of the birth parent, can now go directly to the court. That is one example. The first cousin of a birth parent is a similar circumstance. Aunt, uncle, first cousin of the birth parent and the first cousin of the child can now go directly to court and not have to go through Child, Youth and Family Services.

Mr. Speaker, there are circumstances that arise throughout Newfoundland and Labrador where

these people adopt their relatives. Because the current legislation is so restrictive, they are required to go through the full Child, Youth and Family Services and adoption requirements, the current act requirements under current legislation. Under this new adoption legislation, they will be able to go directly to court to carry out with the adoption process.

Mr. Speaker, in this case what would happen is the adoptive parent, be it a great aunt or great uncle, would complete a self-help kit. On the Child, Youth and Family Services Web site if you go to adoptions you will find the self-help kit, which is available also through department offices throughout the Province. The prospective adoptive parent would now complete the self-help kit. That is a guide that helps them complete all the necessary documentation, have all the necessary records to bring the matter directly to court without having to go through the full process through the Department of Child, Youth and Family Services.

The court requirements still will require the consents of the birth parents, parent or parents as the case may be; consent of the person who may have custody of the child; the child, if the child is twelve years of age or older. This is a very important factor which I spoke about earlier, that in the case when a child reaches twelve years old, the consent of that child is also required. The views of that child are a very important aspect of the process. Criminal records check and also Child, Youth and Family Services checks would also be required, and the completion of the Family Self-Assessment form will be required to go directly to the court.

We feel this expanded definition of a relative is deemed to have no increase in risk to children or youth or people who are being considered for adoption. In other words, there is not more risk to the child if they are adopted by their great aunt or great uncle versus their aunt or uncle which they can currently do.

We also have another section, another part in this new legislation that refers to significant others. Now significant other in this regard is

not a partner, a spouse or a partner. A significant other in this regard refers to a person who has had custody of a child for at least two years. Either under a temporary or permanent custody order, or it could be a combination of temporary or permanent custody but who currently has permanent custody of a child.

Mr. Speaker, in a case where a person has permanent custody of a child and they have had that child in their care for two years that is a circumstance which has already been approved by the court. That is a relationship where that has already taken place. Someone may ask: What is the purpose of a temporary or permanent custody order?

As an example, if a family comes to an agreement to place a child with someone who is known to them or someone who is close to the family, it could be a neighbour, it could be an extended family member, it could be an in-law as an example. You find a family who wants to care for this child and the child is placed in that care. One of the options open to that circumstance is for the people who are taking care of that child, with the consent of the parents, is to go to court and seek either a temporary or permanent court order. That will allow the person who has care of that child to make all legal decisions for that child.

If there is a circumstance where the child needs health care, medical, needs to go through the normal inoculations provided by health care by your doctor, in a case like that, then this person, aunt, uncle, significant other – is the way it is being termed in the legislation – if they have a court order in place, they now have the legal right to make those decisions for the child. In a case where a person has had the child in care for two years, either through a temporary or permanent custody order and now has permanent custody, they can also go directly to court.

As outlined a few minutes ago, when a person goes directly to court there are still a number of things that are required. For example, the consent of the birth parent or birth parents as the case may be. If the child is twelve years of age

or older, the child has to consent. You still have to do the regular criminal record checks and Child, Youth and Family Services checks. You would have to complete the self-help kit that is online.

All of that will still be in play to ensure the safety of the child, but again bear in mind that the court has already issued a temporary or permanent custody order to the person. They have already engaged in the process and they have had that child in their custody for two years. Mr. Speaker, this is another way to streamline, to improve the adoption process for people who find themselves in this particular circumstance.

If I could just go back to this, under current legislation in the circumstances I just provided you, currently the department would require that the applicant complete the PRIDE program. The PRIDE program is an educational training program for prospective adoptive parents and foster parents as well. I believe it is twenty-four or forty hours, as I glance up to my left shoulder, that prospective adoptive parents or foster parents have to complete the PRIDE program.

It is sometimes carried out throughout the Province. Sometimes it can be done over a matter of a couple of days, or sometimes depending on the scheduling it could be a couple of hours a night for a series of nights. It is a requirement that this program be carried out and be completed by the prospective adoptive parents or the prospective foster parents.

In a case of a relative or significant other, what we are saying in the significant other case, the person has already had care of the child for two years. They have already been able to demonstrate their ability and willingness to care for the child. To move to an adoption makes that process permanent for the child. It creates that legal relationship of a parent and child relationship between the adoptive parent and the child.

Mr. Speaker, under our current legislation there is a requirement that before a person can apply in Newfoundland and Labrador to apply for

adoption to be adoptive parents they have to be a resident of the Province for a six-month period. We are, in this new legislation, removing the six-month residency required.

A person interested in applying to the department to adopt a child or apply to the court to have an adoption order granted will no longer need to be in residence for that six-month period prior to applying. The prospective adoptive parent will still be required to be a resident of the Province, and the child must have lived with them for at least six months before the adoption order is granted.

In order for the adoption order to be granted, the child has to be living with the parent for six months. It negates the reason for a delay in filing the application or finalizing the adoption. Mr. Speaker, if you think of today versus ten years ago, we have a mobile workforce now. Families are more mobile today than they ever were before. There are people who transfer from place to place throughout Canada because of work.

As an example, I will use RCMP. An RCMP officer living in another Province may be close to finalizing an adoption in that Province when they are transferred to Newfoundland and Labrador. In a case like that, under current legislation, they would have to wait six months before that adoption can be completed. What we are proposing is that we remove that six months. They have gone through all the processes in another Province. The only that has happened is they have now transferred to Newfoundland and Labrador.

We feel it is in the best interests of the child and we feel it is in the best interests of the process that the six-month residency requirement be removed from new legislation. Newfoundland and Labrador, I should point out, by the way, is the only current province in Canada that has a six-month residency requirement prior to applying to adopt or prior to granting an adoption order.

Mr. Speaker, a new section in this legislation, which I think is a very important and is one that

I expect there will be considerable discussion on, is adult adoptions. I think the first response whenever I have mentioned adult adoptions and someone is not familiar with it is they would say: What is that? What does that mean? Adult adoption refers to the ability to adopt a person who is nineteen years of age or older.

The department has had inquiries from persons in the Province about the ability to complete adult adoptions. All other provinces in Canada currently have allowances for adult adoptions. Newfoundland and Labrador is the only Province without it.

Mr. Speaker, adult adoptions exist for a number of reasons. Sometimes it is because a parent and a child want to legally formalize their relationship. It can be as simple as that. A young person may have been involved in this adult's life for many, many years in some form of relationship. Now the young person has become an adult and they have that parent-child relationship, but from a legal perspective they never legally became a parent and child. Sometimes it is as simple as that.

There are times with step-parents – and we know that is more common today than ever before, a step-parent and stepchild relationship, and the stepchild and step-parent want to legalize that relationship so that the step-parent becomes the actual parent for that child and vice versa, the child becomes the legal child of that step-parent.

As well, Mr. Speaker, there are cases where the legal parent-child relationship is necessary so that a person can avail of benefits, insurance benefits, or to be a beneficiary of benefits. For an example, an adult person may have some medical circumstances which require supports, medications, and medical services. The adult may have insurance coverage which applies to an adult child with these types of medical circumstances.

In Newfoundland and Labrador, on the passing and proclamation of this act, if it becomes proclaimed – and I suspect it will and we hope it will – that adoption will now be able to take

place, where an adoptive parent would be able to adopt a child and it may make a very big and important difference to someone who has disability benefits or medical benefits that they need or would like to avail of.

Of course, the other aspect that comes up from time to time is to clarify inheritances. People want to clarify that, look, here is what I want to happen to my estate and I want to make it clear and equal that this person is a child and to be treated as all my other children and I want to make that legal connection.

It is an important piece of legislation, an important aspect of the legislation, Mr. Speaker, and one that we know of is needed in Newfoundland and Labrador.

I spoke to a lady just recently who told me how she went to Nova Scotia to finalize an adult adoption because we did not allow for it here. We know that Newfoundlanders and Labradorians want it and they want it for a good reason. In the case of an adult adoption, a person can apply directly to the court. Child, Youth and Family Services will not be involved. A person can apply to the court and stipulate the reason why they want to complete the adult adoption and then the court has the discretion to complete that adult adoption.

Mr. Speaker, in addition to some of the outlines I have already provided, we are also making improvements to post-adoption services in a number of areas, one of those is where birth parents or adopted persons currently are unable to provide consent to obtain documents from Vital Statistics.

Mr. Speaker, the Provincial Director of Adoptions works closely with the Registrar of Vital Statistics; they have to work very closely together in providing official records to assist the Director of Adoptions and the work that they do in reunification efforts and requests that come in on a regular basis.

The registrar uses the authority provided under the Adoption Act to perform duties and functions related to post-adoption services.

Under current legislation, only a birth parent or adopted person is able to apply to Vital Statistics to obtain a copy of the adopted person's original birth registration. So, under current legislation, a birth parent can apply to get the original birth registration or the adopted person can. They can also get the adoption order and the adopted person's birth registration following the adoption. A birth parent can go in and say I want to obtain birth registration of an adopted person and I also want to see the amended birth registration as well, so it is the adopted person's birth registration after the adoption has taken place.

Information related to the adoptive parent is removed when an adoption order is provided to a birth parent. That confidentiality continues. In the case of adoptions that were finalized prior to 2003 – so that is prior to our adoption legislation moving from a closed system to an open system. So prior to 2003, we had a closed adoption system. For adoptions that were finalized prior to us moving an open system, the Registrar of Vital Statistics can release these documents if there is no disclosure veto or no-contact declaration on file.

I want to just touch on those for a minute because prior to 2003 when we had a closed system, birth parents could file a disclosure veto or a no-contact clause on their file. What that would mean was that when the adopted person, years down the road, decides I want to go through a search process now to identify my birth parents and if the birth parents have signed a disclosure veto, then the files are closed because the birth parent had a right to do that prior to 2003; or they can also have a no-contact declaration on their file, which means you can be provided with the information but you have to sign an undertaking that you will not contact the person. That was the choice prior to us moving to an open system.

In 2003, Mr. Speaker, all of that changed. All of that changed to the current open system that we have in Newfoundland and Labrador. As I mentioned earlier, including Newfoundland and Labrador, there are only five provinces in the country that have that open system.

As we are discussing here, the ability to file these documents remains with the birth parents and the adopted person involved in an adoption prior to 2003, but a person may still receive information where a no contact declaration has been filed – and I mentioned this – but they also have to sign an undertaking not to contact the person.

The proposed legislation, what we are proposing here today, will allow the court to authorize a person other than an adopted person or birth parent to apply for these records, where the adopted person or birth parent is not capable of applying. There are circumstances that exist whereby a birth parent or adopted person may be in a circumstance, may be in a medical circumstance, where they are not able to apply themselves. So, what we are proposing in this legislation is that a person will be able to go to court to seek authorization to apply for these records on behalf of the person who is not capable of doing so.

Mr. Speaker, also under post-adoption services we have circumstances where persons who were born in Newfoundland and Labrador are adopted in other provinces. Our current legislation creates challenges under those circumstances. Under the current legislation, in a circumstance where a birth parent has placed their child for adoption in Newfoundland and Labrador, and for one of a variety reasons the adoption may have been finalized in another province – I used a scenario a few minutes ago where I used an example of an RCMP officer who moves to Newfoundland and when they move to Newfoundland and Labrador they are now eligible to finalize their adoption.

So, let us change that around a little bit, and we will use a scenario where an RCMP officer adopts a child and the child is placed with that RCMP officer for adoption. Remember that the adoption cannot be finalized until the adopted child has been with the family for a six-month period. If we use a circumstance where that RCMP officer is transferred out of Newfoundland and Labrador and transferred to another province, and then the adoption becomes finalized in that other province.

Well, the problem we have is our current legislation is restrictive in how we can share information through post-adoption services. So when a birth parent comes forward to search for that child, that is a child now who was placed for adoption maybe many years ago, the registrar, under the current legislation, the Registrar of Vital Statistics is unable to release any information and the department is unable to assist that person with the search. It is a circumstance that happens from time to time, Mr. Speaker. It is a circumstance that our staff has to deal with because the legislation does not give the authority to assist them.

An adopted person may be able to obtain their original birth registration, but when you trying to find a person outside the Province, we have these lapses in the current legislation that are creating barriers for people trying to assist in reunification or in tracking down their own family backgrounds.

Under the new legislation, the registrar will now be able to work with the Province where the adoption was finalized to determine if it is possible to release that birth registration following an adoption. Mr. Speaker, I think this is going to go a long ways to help many people who are adopted in Newfoundland and Labrador, but the adoption was finalized in another province.

Also, Mr. Speaker, and further to that, the new legislation will allow for information-sharing agreements. In provinces such as Alberta, Ontario, Manitoba, Saskatchewan, and Newfoundland and Labrador, which are the provinces that now have open adoption systems – we need to share information with those other provinces. Although each of them has slightly different criteria in their open-adoption systems, it means that when an adopted person becomes an adult, they are entitled to their original birth certificate. That is what an open-adoption system means.

When you become an adult, you are entitled to receive your own original birth regulation; however, without the ability of the Registrar of Vital Statistics and the Director of Adoptions to

share information, without having the legislative ability to share information with other provinces, it creates a barrier for providing that information.

So, Mr. Speaker, this new piece of legislation will allow for the creation of sharing agreements by the Registrar of Vital Statistics and the Director of Adoption with their counterparts in other provinces. They will still be required to follow the requirements of the legislation in both provinces, because different provinces have different legislation, but it will now allow for agreements to enter into sharing agreements with other provinces. Again, this will enhance the reunification post-adoption services that we can provide to people who have been adopted or people who have birth parents of adopted persons and family members as well.

Mr. Speaker, another change that is coming in this act is a change with regard to search services after the death of a birth parent. Currently, the legislation allows the department, after the death of an adopted person, to search on behalf of the adopted person's adult child; the current legislation allows that. So an adopted person's adult child wants to find their biological grandparent; the adopted person is deceased. The department will confirm the death and confirm whether or not the person or persons who are eligible if a disclosure veto or no-contact declaration has been filed in a case prior to 2003. If no documents are filed, then the department will conduct a search. Again, this is disclosure vetoes and no-contact declarations that existed prior to 2003.

The proposed legislation will allow a search on behalf of an adult child. That is an adopted person's sibling, as an example, of a birth parent once the birth parent of both the sibling and the adopted person are deceased. What commonly happens is that a person is adopted. Then the birth parent may give birth to other children who stay in the family home and continue to be with the birth parent.

If there is a disclosure veto or no-contact declaration and the adopted person is trying to find their parent, if there is a disclosure veto on

file, then that person is not able to find their birth family. Once both parents are deceased, it allows for an adopted person to find their siblings. This will increase options for birth siblings to be reunited, as I said, when both are in agreement.

Currently, the legislation only allows the search for that direct relationship to your birth parent. In the death of a birth parent, what we are proposing in this new legislation is you can now find your birth siblings.

As well, Mr. Speaker, we are improving search services on behalf of an adopted person in that currently we can only search on behalf of an adopted person who has obtained the required documents from Vital Statistics, which is the original birth certificate and their adoption order. There are times when an adopted person may not be able to obtain these documents, such as the case when the mother has filed the disclosure veto.

The filing of that disclosure veto by a birth mother would prevent the adopted person from searching for a birth father not named on the birth registration. An adopted person would also be prevented for searching for an adopted sibling, as I just outlined once again. We are opening up those doors as well to provide better services to persons who have been adopted.

Mr. Speaker, I have talked about the information sharing and allowing the provincial Director of Adoptions to enter into sharing agreements, as well as the Registrar of Vital Statistics. We are also making a change on court requirements, Mr. Speaker. This deals with intercountry adoptions. Citizenship and Immigration Canada is the federal department that is responsible for intercountry adoptions. Citizenship and Immigration Canada requires that a child being adopted in another province obtain residency or citizenship in Canada prior to coming to Canada. We are making our legislation to be consistent with that requirement under federal legislation.

Mr. Speaker, I see that my time is wearing down. We are changing the structure of this act, and this is more of a housekeeping

administrative way. We are now structuring the act so it is in sections that are easier to find, different parts of the act so that we are coupling things, sections of the act that are relevant to each other. For example, all duties and functions related to the registrar will now be in a separate section. Post-adoption services will now be in a separate section as well.

Also, Mr. Speaker, part of this resolution that is before the House would be to repeal the Adoption Regulations and the Adoption Agency Fees Regulations, and as well replace them with the Adoption Act regulations, 2013, and the adoption agency fees, 2013. We will be doing that on the movement of this.

Mr. Speaker, there is one other aspect I want to talk about before I finish up this afternoon. This deals with the adoption of Aboriginal children. Given the importance of addressing issues related to adoptions of Aboriginal children, the department has already begun working with Aboriginal governments and organizations to develop policies and procedures in relation to the adoption of Aboriginal children.

This forum in which this work and discussions are taking place is through the planning circles. The planning circles which form part of the Memorandum of Understanding that have been entered into with the Nunatsiavut Government, Sheshatshiu Innu First Nations, and also the Mushuau Innu First Nations in Natuashish. Mr. Speaker, it is an important piece of work to include and to consider the adoption of Aboriginal children. It is a piece of work that through the Memorandum of Understanding planning circles is now underway. We know we have a fair bit of work to do on that. We look forward to working with the Aboriginal communities in making progress in regard to adoptions of Aboriginal children.

Mr. Speaker, as well, given the need for more prospective adoptive parents who are willing to adopt children who have a high level of complex needs, the department will be exploring child specific recruitment options. The child specific recruitment options involve developing individualized plans for finding adoptive homes

for hard to place children. This does exist through Newfoundland and Labrador where sometimes there are challenges in placing children.

Some children, depending on the circumstances they are in, quite often they have complex needs either through their age or there could be developmental issues or other medical issues, and also sibling groups sometimes present barriers and challenges for the processes of adoptions. We recognize that and we are working through and exploring child specific recruitment options which we know are done in other jurisdictions in Canada and other places in the world as well.

Mr. Speaker, in closing, I want to thank everyone for their attention on this, this afternoon. I expect there will be a considerable amount of debate in the House on this particular bill. I look forward to it, and I urge all hon. members to support this bill when it comes time to vote on it.

Thank you.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER (Verge):** The hon. the Member for Burgeo – La Poile.

**MR. A. PARSONS:** Thank you, Mr. Speaker.

I am happy to stand here today as the critic for Child, Youth and Family Services and speak to the Adoption Act, 2013, this particular bill.

I appreciate the opportunity to take part in a briefing yesterday with officials from the Department of CYFS. It was very informative. They took the time to answer our questions, so certainly we appreciate that. When you look at it, this is a very significant piece of legislation, not only in the effect of it but also the size of it. There is a lot to it. We are repealing an entire act and bringing in a new act to replace it. To have the ability to ask the departmental officials about this is much appreciated.

I took the time to listen to the minister during his introductory comments to this bill. He laid out a lot of the points very clearly, when it comes to this act what we are trying to accomplish. What I would like to do is maybe proceed through the bill and talk about some of the different points that I noticed.

I can say right up front that I will be supporting this piece of legislation. It is timely. It is needed. It is bringing us up to speed with where we need to be in a number of areas. I have no issue with that. I will go through and just point out certain sections and issues that I noticed, and my thoughts and how I feel about certain parts.

The first section, when you go through the definition section, section 2. The part where we have the relative aspect, subsection (s) brought up. With the expansion of relative, and basically how we are making this much more open and making this process a lot easier. The expansion will lead to more opportunity for people to be involved in this process and to go through this process. I think that is where we need to be.

When you talk about the birth mother and child – I do not mean to belabour it. I think the minister explained it adequately for sure, and not only in the briefing yesterday but there was a press conference today where the minister and officials discussed this piece of legislation. Anything we can do to make this more wide open.

I have never been involved in the adoption process. It is something personally I have never dealt with but in my conversations with people who have been, one of their issues has always been it was a long, drawn out process. It was tough to access. It was tough to get through. That is one of the things you hear. I think some of that is inevitable in something as serious as the adoption of a child, but I think that is where this act is trying to go in the streamlining phase and just doing things that have been done elsewhere and have proven to work.

One of the comments yesterday was there are certain parts of this act that we are just doing what has been done elsewhere. I am fine with

that. In some pieces of legislation you are going to be proactive or be innovative and new, and in some cases you get the benefit of seeing what has been done elsewhere. Seeing if it has worked or not worked, and you have that benefit when you go to adapt your own legislation.

When I get to the part about adult adoptions, it is one part. We are the last province that will be bringing this in. It is not brought in; we will be bringing it in. One of the great things is that when you look at what has been done elsewhere and to see that it worked, it is necessary, and there we are.

Section 4 is the best interests principle. Now that is something I have had some background with. Best interests, as it relates to children, is the primary consideration when it comes to any legislation involving children, whether that be adoptions, whether that be the Children's Law Act, the Family Law Act. At the end of the day when you are talking about custody or access or anything along those lines, the best interests of the child prevail in all cases.

There are a number of factors that have to be considered when you talk about what is the best interests. The thing is, each section, you have to weigh them all. None of them take precedence over the other. It is not one that is the most important and then it goes down to that. We have (a) through (h) here and it includes the child's safety, health, and well-being, their physical and emotional needs, and the child's views and wishes regarding adoption, where possible. Obviously, depending on the age of the child, that may not have an effect. If you are dealing with a child who is old enough to speak, communicate, listen, and have feelings about this obviously that is a relevant factor, but if you are dealing with an infant it is kind of hard to determine their thoughts and feelings about this.

One of the changes has been with section (d). Where it used to say we will consider the child's cultural heritage, it now says, "the child's identity and cultural and community connections". I think this is one of the areas where has been consultation with the Aboriginal

organizations because that is obviously a huge factor. That should be considered.

There was specific note made in the briefing PowerPoint that we were given. I am not sure where exactly it is in here, but there was a fair amount of consultation done I have been told. When we talked about the adoption of Aboriginal children, which is in this PowerPoint presentation, we have expanded that. That is obviously a very necessary component, but one of the questions in the briefing was: Is that the most important? Clearly, we have to look at all factors. Each situation is different; consider them all.

I have dealt with them in custody and access situations where each side has a different view on what is the best interest of the child. Well, it is the same thing with an adoption. You have to do it, a consideration of these different factors and then a determination of what is in the child's best interest.

Again, the phrase that was used is: They are not intended to trump each other; it all depends on the circumstances. Not that it is a huge change from what was there; there is one section changed, but I think it is important to note best interests. Whenever we talk about children we really should be talking about the best interests in all cases, not just this particular piece of legislation but anything to do with children. I cannot make that point any clearer, but I do feel that it needs to be on the record.

Section 5 mentions the provincial Director of Adoptions. I was very happy to have the director on hand to do the briefing with us. She was very forthcoming, willing to answer all of our questions, and it was good to have her here to discuss that.

When you go through a lot of these sections, whenever you repeal an act while you bring changes there is also housekeeping and in some cases the particular sections do not even change. There is a lot of that here as we move through it.

One section that has changed, and the minister referenced this, is section 27, Court Proceedings

to Adopt a Child. I do like this change. I have not had anything explained to me why we should not do this. On its face it appears good and sometimes that is the danger when we debate legislation. You have your briefing, the briefing is obviously going to explain why we are doing this and the good reasons to do this, and it sounds good on its face. I am not disagreeing with that, but sometimes it is only through talking to people outside or seeing the effect of the change in the legislation that you can actually get to see whether it is good or not.

The reason I say that is on its face section 27 seems good. Basically, what that change is, under subsection (3)(a), it used to be that you had to be a resident of the Province for six months. Now it just says that you have to be a resident of the Province. The explanation for that is, again, with a transient population, people going back and forth, and the fact that the process itself does take a lot of time, and like I have said earlier here it is going to take time, if we can eliminate the six-month period, by the time you get through a lot of this process you will have been resident in this Province for a significant period of time, at least six months. We have just cut out six months.

Again, I have no issue with that. That seems to be with the intent of this bill, which is to be more open, more streamlined, and make the process easier. We should not be as rigid. I say that, and sometimes the value of looking back on legislation after you have discussed it is what appears in print sometimes sounds fine as you are saying it, but when you look back you do not want it to be taken the wrong way. Why I am saying this now is that obviously we need a rigid process, a well-thought-out process, guidelines, and oversight.

Obviously that is necessary, however in saying that we have to make these processes as fast as they can be within a reasonable time period. We cannot delay this. The quicker we can put the two parties together, the adoptive parents and the child, then it is better for all involved. I put that on the record just to explain that in case someday somebody says: Well, you did not think there needed to be a rigid process. I think

there needs to be a good process filled with oversight at all times, but we cannot just delay these things and the six months was an arbitrary period of time.

As you continue there are other changes throughout the legislation. One of the big changes was when we talked about getting into the queue and when we talk about if you already have permanent custody of a child, and have had custody of that child under a temporary or permanent court order for at least two years. It is my understanding, and if I am wrong I am sure the departmental staff will inform the minister and he will in his closing comments correct me, but I believe there are a fair number of adoptions that happen with adults who adopt children who are placed in their care for whatever reasons.

You take care of this child, whether it is through fostering or whether it is a family connection. They are in your care. Then at some point you say I am going to adopt. That is excellent. Obviously there is a bond formed there, so if we can do anything to improve that process or strengthen it, then I am all for it.

I have seen cases in the past where sometimes the rules got in the way of common sense. We have to look at these considerations. I have seen that in the past. That is all I will say to that. I do like this. I think there are cases where people have these children under their care and if they choose to adopt then let us assist them in this process. I know it can be some difficult times with that and there are a lot of very specific episodes and incidents that may affect that, but in general, overall, I think this to be a positive step.

There is a lot of stuff that is related to this. We talk about the Change of Name Act. That is a significant part, too. I have seen that in the past where if you have custody or access issues and the process of going through getting consent to change the child's name can be everything to the people involved and it can be a difficult process. In this case, the section here makes it easier and you can obviously do without that consent. In

some cases the consent would be impossible to get.

Whether that is new or otherwise, this is my first opportunity to speak to the Adoption Act. I have not had many opportunities in the past to speak to it, but I did notice that. All of us as legislators use our past experience, background, and just our experiences to speak to the legislation and to put a human face on it. The change of name I have seen in the past. That is a good thing. If we can make that easier and get rid of red tape or just difficulty then I am certainly fine with that.

One of the things that the minister mentioned, and it is a big part of this, is the adult adoptions, which we did not have before. We are the last Province to have that. There are a number of reasons to have adult adoptions. Depending on the circumstance, you have cases where it can be symbolic to have a legal permanence put to it. The fact is you may have a case of stepchildren and step-parents, and you may not be a child, but you want it to be recognized. Before, I do not think that was possible, so to have that now is good. It is the right step; it is the right move.

We have cases where you may be dealing with individuals with disabilities, again, to make that possible now. There are all kinds of side effects of that. There is the financial side. There can be medical coverage. It could be benefits. There is a whole number of reasons to make this connection legal, per se.

I am fine with that. Better late than never, is what I would say. Should we have had it before? Of course, but these things take time and we are there. There was a lot of explanation for this. Actually, we have talked about legislation in the last couple of years when we deal with financial benefits, especially when it comes to disabled adults and parents.

In this case, you go directly to the court, you file your application, and go through that court process. Usually, if you are dealing with people who are unable to give informed consent, these things are going to be recognized by the judiciary. It is not meant to be a cumbersome,

tiresome, and expensive process but it has to be done right. You file your application. It goes through the court process. It is going to take some time.

We have a court system, especially the Family Court, that is very, very busy – extremely busy. It is mostly done in Supreme Court. Again, I do not know about other members, but I am actually dealing with someone now who has been waiting two years to deal with a custody and access application, and they are at their wits end. They do not know what to do. It just speaks to the pressures that are on the courts.

When it comes to what should be a simple process of people trying to establish the legal permanence of an adult adoption, let us try to get it done right but get it done in a quick and painless fashion. So there were some legislative changes there.

One of the things, too, and not having much experience with this, Mr. Speaker, we talk about how we are an open Province. We are an open Province in terms of – and I am not sure of the year. The minister may speak to this in his closing. I know the departmental officials told us what year we became an open Province when it comes to adoptions.

**MR. KENT:** 2003.

**MR. A. PARSONS:** I appreciate the Minister of Municipal Affairs, it is 2003, and that is a good thing. We need more openness. I think there are other provinces that are trying to come on board and trying to be more open. We need to encourage that.

There are some limitations to it and proper limitations. Without getting into the specific details, we talk about when you have birth parents and maybe children trying to find out, once they get the age of majority, who their birth parents are and we have birth parents who may want to know. Sometimes the reasons behind it are for health, when it comes to genetic issues, disease issues, knowing what you are predisposed to or may have a family history of.

You have some cases where there is reconnection and you have some where cases where, I may be of the age now where I am about to have children and I need to know what my family background is; I need to find that out so I can make an informed decision. The process is there.

The department did a good job of going through it. It is not automatic. You can go back to the department, the department can go to the other involved individuals and maybe through an e-mail, maybe it is a case of we will get the information and pass it to you, but we do not disclose who the people are.

It is a sensitive issue and anybody who deals with this has their own take on it. Anybody who has been involved in adoptions has their own feeling on it, and I respect that 100 per cent. They should have that choice, but especially when it comes to the family history part. I feel that is very important when it comes to the treatment of generic disorders and diseases, to know your history. It can be very important, not only to you but to your offspring.

That is where we have the disclosure by the Registrar of Vital Statistics. I do not want to get into all of the details. I have taken the opportunity to listen to the minister, to listen to the staff, but when it comes to finding out when we talk about disclosure vetoes and birth certificates and this whole process, we have allowed disclosure in certain cases. In certain cases, it will not be forthcoming, and usually in those cases it is for good reason. In some cases, you have birth parents and they are not capable of making application. There is a whole plethora of reasons.

I also understand that there is a move afoot, too, going back to this openness concept, talking about openness with other provinces. We are not just dealing with Newfoundland and Labrador. We are dealing with all provinces in this country. So the ability of officials to go back and forth with officials in the same department or relevant departments in other jurisdictions is critical, and we are seeing more

of that. I think there is constant dialogue, from what I have been told.

Going back to the post-adoption services, which is a big part of this, we talked about search and reunion services. That is part of what I was just talking about as well: the ability for birth parents and for children to maybe find out more information. It is a necessity in many cases, and I have no issue with that.

We continue on – a lot of this, I believe, is still standard from the old act, as we move past section 65. One question I did ask – there is regulations that come with this; I have been assured that the regulations are pretty much done and very similar to what they were and will be forth coming soon.

I do like, when we get to section 77 – and I think this is new and the minister can correct me if I am wrong – it is called the Accountability Provisions. Basically, it is a statutory review. There will be a legislative review of the legislation that will be done every five years. The minister, every five years, will conduct a review of this act and the regulations and consider the areas which may be improved. Now, that is good. We need that.

Subsection (2) says it should include public consultations. I could get very picky and ask: What does public consultation involve? I asked this question in the briefing. The department talked about the different groups that had been consulted – I had it here somewhere, Mr. Speaker. There were a number of different groups that were talked to a long the way. There was the Aboriginal groups, academic research, and jurisdictional reviews. Again, I believe this was announced in April 2013.

I asked if there was specific consultation with adoptive parents and/or children. I do not think that was done. I think it was a case of over the years, outside of this review and within this review, the department has consulted on many occasions by people involved and given their point of view as to what works with the legislation and what does not work with the legislation.

Obviously, we cannot get the specifics of that, that would be confidential, and properly so; but I have been assured that the people who have been involved with this process who have taken the time to get involved have been contacted and that is the input we really need as well. We need people who have gone through this and have dealt with this to be involved.

In five years when this public consultation is done, it is like anything, there is an awareness campaign that needs to be created. We need to talk to people who have used this to determine the practicality of it, what works and what does not work. In fact, in many cases there should be statutory review on a lot of pieces of legislation, because there are a lot of pieces that we should be able to go back after a period of time and say okay, this works and this does not work. I was happy to see that in section 77.

**SOME HON. MEMBERS:** Oh, oh!

**MR. SPEAKER (Littlejohn):** Order, please!

**MR. A. PARSONS:** I was not aware before and I am aware now after reviewing this, section 79 and continuing up to section 82 talks about prohibitions and liabilities. I was not aware before of the penalties that one could face if they contravene this act.

Obviously, the safety of our children is of the utmost importance. I know that is something this government has been talking about a lot this week. We as the Opposition have talked a lot about the safety of our children this week. Therefore, we need to have strict penalties to people who do not want to follow this. There are first offences and subsequent offences. There are penalties there. I cannot imagine there are many contraventions of it, but if so, it is good to see there are penalties that can and should be enforced.

As you continue on, there is a section on – there is a housecleaning aspect to this. All the other pieces of legislation have to be revised to change the name of the piece of legislation. As we continue on towards the end of the legislation, we have here a schedule. It is the schedule of

the Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption.

When we talk about UN conventions, it all comes back to the primary consideration, which is the safety of children, the safety and well-being, and the best interests of children. I cannot reiterate that enough. I think the message is getting through, or so I would hope. We will see where it goes.

This is a good piece of legislation. It is necessary. It fits into where other provinces are. Anything we can do to help with this – and I am sure there is going to be much more commentary from members on both sides speaking to this, and maybe people who have had experience with this. I think that personal experience really helps you look at it. It gives you a different take on a piece of legislation or an issue when you do have a personal involvement in it.

I would note that, this is just sort of an aside. I saw the press release that was actually put out by the department just as the minister stood to speak to this. It says it is a progressive piece of legislation. It is good, but it is funny that the PR people take the opportunity to put a little partisan word on a good piece of legislation. That was not lost on me. I saw that. That is fine. I am going to overlook the politics of this and look at the law, and most importantly the children and the people out there who are trying to help these children, trying to adopt, and trying to provide parenting and care to these children.

If this is going to help this, then I am certainly going to support it. I may have some questions for the minister in Committee, but at this point I think I have spoken enough to this and appreciate the time.

Thank you, Mr. Speaker.

**MR. SPEAKER:** The hon. the Member for Bonavista North.

**SOME HON. MEMBERS:** Hear, hear!

**MR. CROSS:** Thank you, Mr. Speaker.

From listening to our minister today and the knowledge he displayed with this act, I feel totally inadequate here. Sometimes we jest and say what a minister or what a member, but truly today with the natural ability to pass on this information in a way that it is explained fairly clearly, I do need to say that and I need to give him all these accolades for that.

Mr. Speaker, this is a piece of legislation that everyone in this House has an opinion on. Everyone here has a perspective, and there are people in this House who have a closer connection to adoption than I do. We will hear from people and their own perspective of bringing this forward. One thing I can agree with the Opposition House Leader, is that this process needs to be streamlined, but the process has to be one that we can trust. I believe that objective is reached in this new act, Bill 27, An Act Respecting Adoptions, 2013.

Many pieces of legislation that come before the floor come here with one or two clauses that may have forty or fifty pages of the act referring, because in this place we have to cross a t, in another place we have to dot an i, or add a comma in different places because of the explanation. The explanatory notes to this act tells us that we have sixty-five pages in this bill and there are ten explanatory notes going with this, which shares with us the depth that this piece of legislation is going to be scrutinized.

It gives us the thought that we are going to take this, analyze it in so many ways, and digest it and pass it back out that we have the best possible adoption act that we can find. It is comprehensive. This is necessary. This is thorough. It is complete. The opinions of adoptees and adopters, the parents and the children who are involved, is very, very crucial and needs to be taken into consideration in this act. It is shown in many places throughout the act that that is done.

We are modernizing and clarifying this act to the point that we are giving the respect we need to give to the individuals concerned. We are looking at children, once they reach a certain age that they have a say in what is going to happen

to their future. We also have an openness that once the child reaches a certain age, then they have the right to find out about their history, their past, their original birth information and their birth certificates, and the people who they belong to.

If this was not possible or if this was not allowed, then we have people who would be constantly yearning because they know they have been adopted but they have this yearning. They want to know about their past. They want to know their history. They want to know why – maybe in two ways, why they have been adopted but also, why was I a candidate for adoption? This is something that is very important and very crucial. The openness of this act allows that for the child, and that I say, Mr. Speaker, is very, very important.

I referred to my feelings of inadequacy when I opened my comments. I think about it in a way that I do have an aspect or a point of view on this that may be different because I have admired people who want so desperately to become parents but they have to fight. They have to take this battle on for so long. You think about, well how do I have a child anyway? It is probably the most gracious and most comforting and most personal act that two human beings can have with each other, and it results in a child. Sometimes that child may be an accident, unplanned, but the very simple way that the child was created.

Then I admire, Mr. Speaker, someone who is unable to have a child for themselves, and they have to devote ten years of their life, in some cases, to attain that goal, to feel complete that they can offer the comforts and the love and the feeling that they have to other individuals, to a child who needs that love and affection and care as well. They jump through so many hoops.

I know when the minister referred to – I think it was the PRIDE program – the program where prospective parents have to go through this training module, I can remember friends of mine from about fifteen to twenty years who actually left our Province, went to another province, and they went through the training module and

procedure in that province. They were successful in obtaining a child from a foreign country and they became the most admirable parents possible because they also share the foreign culture and the ability for this child to be complete.

They came back to Newfoundland and Labrador after a successful adoption from a foreign country, they found another child related to this first child they have adopted in this other foreign country, and now they are back in Newfoundland and Labrador and they want to adopt this second child in the same family. Guess what they had to do? They had to go through this training program again. They did it once, they proved that they have adopted this child and had them for two to three years, and then they have to go right back through this whole procedure again.

So, right now, to be able to expedite this with the trustworthy program for adoptions is very, very crucial for us. To be able to assist when we know and we have it proven that a couple has all the wherewithal, all the desire, and have proven it for two or three years, and then they have to go back through it all again as if they start from scratch.

I am also the godfather of an adopted child. It was one who was adopted as an older child by an older family, and I was startled to be chosen as the godfather when it happened, because I was a younger person, but I have followed that child's growth. The opportunity that child had as a six- or seven- or eight-year-old in the family situation that they had, and now what they have with this other family, and how the educational opportunities they have opened up to this person, and all of the growth and all of the love and all of the affection that came with it – to see that this person is a very, very, very strong contributor to that family and giving back.

Now, Mr. Speaker, I had a whole host of sections here that I wanted to refer to in the bill. A couple I will refer to, because they have been referred to by the minister and the hon. member who spoke before me. The whole idea of the purpose of this bill is to create new and

permanent families through adoption. The central focus of it all is what is in the best interests of the child.

I am sure, just to take another few seconds, in section 4 of this act the overriding and overarching goals of all of this is, “In determining a child’s best interests all relevant factors shall be considered, including (a) the child’s safety, health and well-being; (b) the child’s physical, emotional and developmental needs; (c) the quality of the relationship the child has with a birth parent or” significant other in that child’s life.

It goes on to list five or six others there, and all of them have one thing in common: They are desirous of the best outcome in the best interests of the child involved.

I had a couple of other comments to make in section 9 on custody, but it has been covered by both of the other presenters, so I need not go there, to repeat just for the sake of repeating, Mr. Speaker.

Just a piece of information, as of September 30, 2013, there are approximately eighty-five children identified for adoption at our provincial office. Estimated wait times in today’s adoption process, if you want an infant, which is the most desirous of most of the families and the couples who would like to have a child, then they may have still a seven- to eight-year wait; and for a child who is three to five years old, there is still a four- to five-year wait period potentially.

When I referred earlier to the amount of time, the amount of desire, and the amount of love that two individuals, or one individual in some cases, has to have to suffer through that yearning for so long to come up with the conclusion that they have growth in that family, they have the ability to give their love, their care, their respect, and the other things they may have in life. They may have some other personal wealth. They may have some other things that would make that child’s life a much richer place.

Child, Youth and Family Services, Mr. Speaker, we are told undertook the review of this

adoption legislation on the focus to improving the process. I think this act that we have is the proof that we have an improved process. Our government recognizes the importance of finding permanent and stable homes for children who cannot be safely reunited or stay in their original nuclear family.

As a result of the consultation process and because of our continued commitment to meet the needs of individuals, this act is placed before us today. This act, this new legislation, has updates that are going to streamline and expedite the adoption process. It is going to ensure that the adoption program is progressive; our minister spoke about that for several comments. It is going to align our Children and Youth Care and Protection Act, where appropriate, to this Adoption Act.

There is also a provision in this for adoption of adults. This will be expounded on by speakers later. It has been covered by the previous speakers, but it is something that we are probably the last now, as referred to, to have this in our legislation and it is about time. It is about time we become of age with all of the progressive legislation across our country in this area.

I also respect and think about the consultation process that has been explored in addressing issues related to the adoption of Aboriginal children via the planning circles as part of the MOUs that the minister referred to with the Nunatsiavut Government, Sheshatshiu Innu First Nations, and the Mushuau First Nations peoples, the Innu.

We will look at their history and their culture as to being very vital and very important for the procedures for their adoptions. As well as after they may be adopted by someone who may not be of this culture, then their history and their culture has to be embedded into their life.

Mr. Speaker, there are many other connections one can make, but just to summarize I sort of have to connect the dots in the last few seconds of what I want to have to say. We have gone from the eligibility to the consent, the openness,

the post-contact, and the disclosure, all of it again in the openness and the progressive nature of this bill. We are redefining relatives, Mr. Speaker. We are modernizing the process.

I believe we have created here something that becomes a procedure we can trust. We know we are doing what is in the best interest of the child. This is an important piece of legislation that we should not just think about supporting; we need to support, Mr. Speaker.

Thank you very much.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Member for Cartwright – L'Anse au Clair.

**MS DEMPSTER:** Thank you, Mr. Speaker.

I, too, will take a few minutes today to stand and speak to Bill 27, a bill that is repealing and replacing the Adoptions Act to modernize and clarify the law respecting adoptions. Along with my colleague from Burgeo – La Poile, I attended a briefing yesterday on An Act Respecting Adoptions. It is a very important piece of legislation. It is a sensitive piece of legislation and, Mr. Speaker, it is important that we get it right.

Most of us in this House, I am going to say, are biological parents. Most of us have been blessed and fortunate to have been able to have children, and pretty much our whole lives revolve around those children. Especially we think of at Christmas; they certainly add to the joy of the occasion.

Mr. Speaker, we have to have acts in place like this because not everybody has been fortunate and not every female is able to be a biological mother. It is a sensitive topic and so it is necessary for us to have legislation like this in place so they, too, can experience what it is like to be a parent. Sometimes we talk about adoption and we say it is where the child gets to grow in your heart and not your tummy. We have seen these ads on TV and there is a lot to

be said for those because they certainly make our lives worth living.

I believe engaging citizens and encouraging input and feedback from stakeholders is essential in the development of sound and effective policies, programs and services. So I was pleased to see a number of the provisions and the processes along the way for this to be put in place.

Privacy must be respected; it is very, very important, Mr. Speaker. I would say most of us here know people who have been trying to adopt a child and tied up in that process or who have adopted children, but we also know people who have put children up for adoption. Both of it is life changing. It is sensitive legislation and it is important that we get it right.

Mr. Speaker, CYFS reached out to adoption agencies when looking for feedback. They talked to Aboriginal groups and other groups who play an important role in adoptions. I was very pleased to see them talk to the Aboriginal groups. They represent a large portion of the population in our Province. They bring their own perspective. Newfoundland and Labrador is one Province, but I can tell you there are a lot of places, and I am going to refer to Labrador because that is where I am from and that is my district, where life is very different than what it is even here where we are right now.

So it is important we understand the culture and the heritage. We need to understand the fundamental principles of their beliefs, their practices, and their traditions that go back for generations. It is very important to take all of these things into consideration when we are looking at adoption.

I was pleased to see the registry in Service NL, that there was a fair bit of dialogue that happened there back and forth with Vital Statistics in regard to releasing documents now for people involved in adoption. Also very important is that CYFS heard from numerous individuals and listened to their concerns about reaching out to children who were put up for adoption. It is very important. If we are going

to look at ways to improve legislation like this we need to talk to the experts and in this case the experts are the people who have been involved in the system already in some capacity.

We know that many of the things in this act, Mr. Speaker, really what was there existed already and this piece of legislation is mainly some cleaning up of the act, reorganizing, and as my earlier colleague noted just maybe some new definitions added in. One of the things I want to mention is the healthy newborns. There are not a lot available, we understand, any more in our Province available for adoption. I imagine some of this is attributed to the fact we are now having smaller families, one and two children. Therefore a lot of times we see people who are going out to other countries to adopt children.

We do see there are still a number of children who are older and for various reasons they need to be considered for adoption, especially children with special needs. I think it is absolutely vital that we have supports around to support families who want to adopt children with complex needs. Maybe with the right supports in place we can encourage more families to adopt children with complex needs.

The adult adoptions, Mr. Speaker, are now taken into consideration. There has been provision made now for people to be able to adopt adults. It is very important that this change be built into this piece of legislation as we now have new modern families or it might be a person sixty years old who has always been a father figure to a thirty-year-old with disabilities. As they are putting their wills and things in place, they want to make it official, make the process official, and that becomes very, very important both for the parent and for the child.

The expanding of the definition of relative so you can proceed directly to court without going through the department is definitely a positive step. Again, I will go back to rural areas where you have large families and your cousins a lot of times can be referenced like an immediate family member. So I am really pleased because I know in my own family there are about twenty-five or thirty of us who will gather over

the Christmas holidays. We are as close to our cousins in my family as we are to our siblings. So it is a necessary change to be made in the act.

Mr. Speaker, I mentioned already the Aboriginal children and the respect of their culture and heritage. I was really pleased to see there had been some face-to-face dialog. This is critical, I believe, to people who were drafting the act. It was important for them to meet face to face and have dialogue with these Aboriginal groups in order to gain a deeper understanding of their values.

I am happy to see that the culture is still listed, Mr. Speaker, in the Adoptions Act. We know that currently the child's cultural heritage shall be considered, is what was in the existing act, and with this new change the child's identity and culture and community connections, all very, very important things in the life of a child. Decisions that are made with this adoption process when they are younger will carry them and will shape them throughout their lives.

Mr. Speaker, I was pleased to see – and I asked a question: Are there any fees? It is my understanding that there are no fees associated with the cost of adult adoption, and that is good because we certainly do not want anything to be in place to be a deterrent.

It is a very positive move that we are an open Province. The disclosure veto in place is necessary, but I did have some questions at the briefing that were answered for me. If somebody chooses not to be identified, they do not want to be named in a search, I had some questions around: What about medical? What if you are going to adopt a child and you want to know if they have any medical issues? We now know with ongoing research in health that many of the things we live with are genetic. Sometimes, if it is picked up early, it can be prevented. I was pleased to see there are provisions being put in place that we can now share this medical information in a non-identifiable way.

One of the things that stood out for me was the search after the death of a birth parent. This is a

very, very positive change. I mentioned earlier that more and more families are having one and two children. The old way in Newfoundland and Labrador was to have big families. With that changing now, if you only have one sibling, I believe once your parents are deceased your only blood connection is going to be finding somebody out connected with you. I think being able to search after the death of a birth parent – right now they are cut off from that search, so that is a very positive change.

In section 77 of the act, subsection (1), one of the most important pieces of this legislation, I believe, is that there is an ongoing review every five years from people in the system. I hope this review is not just a little behind the scenes, something that happens with a handful of people in one target area to satisfy the requirement that the review was done. It is important that a thorough, proper review be carried out every five years.

We live in a society that is constantly changing and evolving. We need to put changes in the legislation, amend the legislation to be relevant to society and to keep up, just like the provision of adopting adults and just like the provision now to expand the term of a relative, which is cousin, like I mentioned.

I do have some questions that I will wait for Committee.

**MR. SPEAKER:** The hon. the Minister of Municipal and Intergovernmental Affairs.

**SOME HON. MEMBERS:** Hear, hear!

**MR. KENT:** Thank you, Mr. Speaker.

I am very pleased to rise in this House again today to speak to Bill 27. It is an important piece of legislation. I want to thank the speakers who have participated in the debate so far today. Certainly, I think the minister did a very good job of providing a comprehensive overview of the important changes that are contained in this legislation as we bring in a new Adoption Act for Newfoundland and Labrador.

I want to thank the Member for Bonavista North for sharing his perspective and experiences, as well as to my hon. colleagues in the Official Opposition, the Member for Burgeo – La Poile and for Cartwright – L'Anse au Clair. I sense there is a great deal of support for the changes that are being made here today, that are being proposed in this new legislation.

It is a critical piece of legislation. As a government, we have stated time and time again, Mr. Speaker, that the safety and well-being of vulnerable individuals in our society is our top priority. It goes without saying as a result that this piece of legislation will do just that. It is going to ensure that our children are protected, and they are provided with loving and nurturing environments in their formative years.

I want to speak to a number of the specific things that are contained in this new legislation. As has been highlighted this afternoon, Mr. Speaker, this new legislation will streamline government processes with adoptions. I think that is very positive news for many families in this Province. For any family that has had experience with adoption, they know that it can be a long and cumbersome process.

The streamlining that will occur as a result of this legislation will help increase the number of families that are able to proceed directly to court to finalize an adoption. It will also reduce wait times in applying to adopt in a number of ways.

As well, this new legislation provides a provision for adult adoption which refers to the ability to adopt a person nineteen years of age or older. I think the minister did a good job of providing an explanation as to why such a provision should be established in our adoption legislation.

This new legislation also will result in a number of enhancements to post-adoption services. While there are a lot of important areas in this legislation that I could speak to this afternoon, I really want to focus specifically on the important enhancements that are being made to post-adoption services. There are a number of reasons why I want to focus on that.

I have a lot of adoption-related experiences because I was adopted myself. I was also a client for a number of years of post-adoption services. For that reason, I want to speak to my own experiences. It is also for that reason that I want to rise in support of these really progressive changes that are being made to our legislation.

The minister in his opening remarks noted that not everyone wants to openly discuss their experiences with adoption. It is deeply personal. In my case, it was probably about nine or ten years ago that I decided to go public with my adoption story because I really believed that by sharing my experiences it might encourage others to go further in their own adoption journey.

I also realized through my experiences at the time that there were many, many problems in our system. There was a real lack of support in terms of post-adoption services that were available from the Province. I should note as well, my experiences predate the 2003 act; the 2003 changes that were made to adoption legislation in this Province. At that time, we made incredible progress in improving the legislative framework but also improving the services that were available to families and individuals who were impacted by adoption.

My experience prior to that time was absolutely horrific. My phone calls were not returned by post-adoption services. I struggled to get answers to even the most basic questions. I felt like I had to fight every single step of the way to get information. It is safe to say that post-adoption services did not provide the level of service that I felt I deserved, and I felt that other adoptees deserved as well. For that reason I decided to share my story.

There was a segment that ran on *NTV* at the time which generated a lot of interest. As a result, I had many, many conversations with others who faced similar challenges. I am really pleased and I am really proud to be part of a government that has made such tremendous progress in terms of its adoption legislation.

**SOME HON. MEMBERS:** Hear, hear!

**MR. KENT:** I am also pleased to be part of a government and proud to be part of a government that has made major progress in terms of Child, Youth and Family Services overall.

We have introduced new adoption legislation that is now a decade old. It certainly transformed things for those who experienced adoption in our Province. Now we are making even more changes, which are absolutely needed and represent another major step forward.

In terms of Child, Youth and Family Services overall, I think it is important to note as we bring in this legislation which will modernize the adoptions process in Newfoundland and Labrador, we have also come a long way in a lot of other areas. When I think about the transformation of Child, Youth and Family Services overall into a department dedicated to meeting the needs of the most vulnerable in our society; when I think about the Continuum of Care Strategy that we have adopted and executed as a government; our 10-Year Child Care Strategy, and there are numerous other examples: our Family Child Care Initiative, the Child Care Capacity Initiative, the improvements we have made in the Labrador region in terms of Child, Youth and Family Services, our housing partnership, and so on.

We have made great strides when it comes to providing services to children, youth and families, but today is another huge step forward because this adoption legislation will be among the best in the country as a result of the progressive changes that are being proposed here.

There will be amendments made to our legislation that will improve search and reunion services for families. It will allow courts, under certain circumstances, to authorize a person to apply for adoption records in cases where the adopted person or birth parent is not capable of applying. If, for example, a person has a terminal illness which would impede their ability to apply or if a person is deceased, then

another individual may make a request to the department.

I think this is a really positive step forward that will benefit a lot of individuals who have been involved in adoption. It is important to note, though, that in these cases no contact information is ever going to pass hands and Child, Youth and Family Services will act as an intermediary, which is certainly appropriate. It is the courts which must determine what is acceptable in that regard.

Another change that is being made will allow for the disclosure of information by the Registrar of Vital Statistics to an adopted person born in this Province and their birth parent, where their requirements to legislation have been met. In this case, Mr. Speaker, we are talking about adoptions that were finalized in another province.

We have in this country a more transient population than ever before. People are travelling for work; they are moving around the country much more than in the past. With these amendments being made the Registrar of Vital Statistics will be able to work with officials in the province where the adoption was finalized and they will be able to determine if it is possible to release the birth registration following an adoption, so another positive step forward.

There are many other changes being made. In tandem with this, there are also changes being proposed which will allow the Registrar of Vital Statistics to enter into information-sharing agreements with other provinces, with other jurisdictions in Canada. This is going to be crucial in ensuring that the registrar can work with officials in other provinces to obtain information to help those who have been touched by adoption.

We are also going to allow the Department of Child, Youth and Family Services, the provincial director responsible for adoption, to share information with other Canadian adoption authorities. We will do so where the information is necessary for the authority to

perform duties or exercise powers related to adoption. Again, this is another positive step forward.

We are also proposing changes today that are going to improve search services on behalf of adopted persons. What we are doing here in essence will benefit siblings in particular following the death of birth and adopted parents. In some cases where parents were not interested in finding an adopted child, following their death now siblings will be able to reunite if desired.

I can think of numerous real-life examples where such legislation would have been beneficial to families. When I embarked upon my search thirteen years ago now, when I finally reached the reunion stage I was fortunate enough that both my birth parents were living. As a result, I had a successful reunion with them and with many siblings. Had my birth parents been deceased, then I would have no way to have any contact with members of my birth family. This is an important change that will benefit many individuals who have been adopted over the years and who will be adopted in future.

Mr. Speaker, I can confidently say that my own experiences and my own journey with adoption have certainly played a big role in who I am. I think it has impacted my decision to pursue public service as a career. I think in terms of the decisions I have made to work professionally with organizations like Big Brothers Big Sisters and other youth-serving organizations like Scouts Canada, all of that very much relates back to my experiences with adoption.

My wife and I are foster parents as well, and we provide emergency and short-term care from time to time. It is because I know there is a real need out there. I am also pleased to be part of a government that has done so much to address those needs and is introducing once again which truly has the best interests of children and youth at heart.

I do not have a whole lot more I wish to say at this stage of the debate, Mr. Speaker, but I want to say again that this legislation will make a big

difference to children, youth, and families in this Province. I really want to commend the minister and the Department of Child, Youth and Family Services for all the work that has been carried out to move our adoption legislation forward. In particular here today we are making a big step forward, but also recent campaigns like Foster a Future to get more foster parents in place in this Province has been very positively received as well and has made a real difference.

There is nothing more important than the way we care for and nurture our children and youth. I am really confident that this legislation, this new Adoption Act, will serve us all very well, long into the future. I am really pleased to stand for a few minutes today to express my support for these changes.

Thank you.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Member for St. John's Centre.

**MS ROGERS:** Thank you very much, Mr. Speaker.

I am very happy to be able to stand in the House and to speak to this new legislation. I want to thank the department for a very excellent briefing. I want to thank the officials who made themselves available to us. They were officials who worked in the department for a long period of time and are thoroughly knowledgeable about this topic and they were very, very excited about this new legislation. How wonderful it is to see our bureaucrats, our public servants, who are happy and proud of the work that they are doing and have a level of expertise and knowledge to be able to bring to the legislation.

There is a lot good to say about this legislation. The whole topic of adoptions has the ability to evoke a lot of emotions, whether it is a sense of loss or a sense of gain in terms of gaining a new family. There is hope. There is a whole plethora of emotions that can be experienced around this area.

I want to thank the officials from the department who have such a great sensitivity and commitment to this area. Again, their excitement about the new legislation was so wonderful to see.

I will get into a few particulars, but one of the first questions that I had asked was about the level of consultation and how the consultation happened. We were told that, in fact, there was a press release issued from the department, and that went out April 15, 2013. It was a press release that said there were public consultations to begin on the Province's adoption legislation.

In that press release, the hon. the Minister Responsible for the Office of Public Engagement was quoted as saying, "Engaging citizens and encouraging input and feedback from stakeholders is essential in the development of sound and effective policies, programs and services. It is also the hallmark of good governance. I encourage all interested individuals to become informed, become involved and contribute their views and opinions to this very important piece of legislation."

So one of my concerns was exactly the scope of the consultation and how that was undertaken, because with one press release it is so very, very easy to miss that. I will be interested to see what the minister has to say in terms of what he did to ensure a very thorough consultation process took place and that people actually knew they had the ability to have input in this legislation or had the ability to be consulted about this legislation.

That is one question I have for the minister, again, because we know how important this legislation is and how important the changes are. It affects people's lives in such incredible ways. I do have questions about the efforts the minister put into actually publicizing and making sure the people of the Province knew this legislation was under review and that there was a desire for consultation and input. That is one of the issues I would be interested in hearing about.

Based on the nature and the extent of the changes in this legislation, the Legislative Council had recommended repealing the old act

and passing an entirely new piece of legislation. Mr. Speaker, that is an exciting process because it is not just housekeeping. There are some very important changes there.

The main focus on the changes in the legislation is they can be categorized as modernization. This is the first time the act has been changed since 2003. In 2003, we saw some great changes when we saw the move towards openness. The clarification of language and process, especially around court requirements and being able to put everything in that around the court procedures in one area, was a handy thing to do; then getting this legislation in sync with the Children and Youth Care and Protection Act, the whole area of adult adoptions, the improvement of post adoption services, which we heard my colleague across the floor speak so eloquently about, and clarifying the language of the old act.

One of the main changes to the legislation is it expanded the definition of relative. That is a good thing, Mr. Speaker, to see that the first cousin is included in that expanded definition of relative.

**SOME HON. MEMBERS:** Oh, oh!

**MR. SPEAKER:** Order, please!

**MS ROGERS:** Thank you, Mr. Speaker.

It means it is opening up the whole concept of family and how important that is. Our family structures have been changing. In some ways our families have become smaller, so opening up the opportunity for adoption to a larger scope of family is a positive thing.

Also, the issue of relative adoption can include as well foster families who have permanent custody, if someone has custody for at least two years. The birth parent can still challenge that, but the fact that a child may have been living fully and in full custody with a foster family enables the foster family to be considered as a relative for adoption. That seems, again, Mr. Speaker, like a good thing. When we see

something in legislation written, how this will play out in real life will be interesting to see.

The other area is the adoption of Aboriginal children and this is one area where I have some concerns, Mr. Speaker, because I asked specifically again about what the minister did to make sure there was in-depth consultation with the Aboriginal community. The response we did get was that the department is not yet there. I note the government has signed an MOU with the Nunatsiavut Government in 2012 and also –

**SOME HON. MEMBERS:** Oh, oh!

**MR. SPEAKER:** Order, please!

**MS ROGERS:** – with the Sheshatshiu Innu and Mushuau Innu. It says they are beginning to work out that role. I am quite concerned and I look forward to hearing from the minister about exactly what concrete consultation about this concrete act the minister has undertaken. I know the minister has said there is consultation and that there have been attempts to consult with these communities, but what I would like to know is the concrete, actual consultation on this very concrete act the minister has undertaken. I want to make sure because, Mr. Speaker, this is such an important area particularly for Aboriginal communities.

I know the officials noted that letters had been sent out to Aboriginal communities and organizations, but I do not know if there was any follow-up from that. I am glad to know there was an MOU. I am also glad to know there are planning circles, but I really need to know the absolute type of consultation that actually happened.

When we look at, Mr. Speaker, the new bill, under section 4(3)(d) the current definition of traditional adoptions highlights the need that the child's cultural heritage shall be considered. That is the old terminology and the new terminology in fact says, "the child's identity and cultural and community connections" will be considered in determining the child's best interest.

I would be interested in knowing from the minister as well, how did he come up with that particular language? Was it through direct consultation with Aboriginal communities or is it something they will consult with Aboriginal communities after the fact? I would be interested in knowing that, Mr. Speaker. Exactly where did the wording come and where did the language come, “the child’s identity and cultural and community connections”, in determining the child’s best interest? I would want again to make sure that Aboriginal communities were fully consulted, not simply approached for consultation but that the actual consultation happened.

The area of adult adoptions, I know that the department was very excited about this and I think all of us can be excited about this. This is a good thing and, again, modernizes our particular legislation. The Province opened in 2003, meaning that adoption processes are no longer as secretive, however there are still provisions for people who offered children for adoption, for their protection, particularly if there is a disclosure veto or a search. The issue of adult adoptions will affect so many people. Again, when we see the changing natures of family, this is a positive thing. It is a modernization of our act and it is a clearer understanding of how we live our lives in society and how we live in different kinds of families.

As well, Mr. Speaker, I do know the department consulted with the Newfoundland and Labrador Foster Family Association and that they feel this bill is excellent. We spoke with them and they feel it is excellent and it includes the changes they wished to see. They had three main issues they wanted to see addressed in the new bill: the issue of adult adoptions; the issue of expanding the definition of relative, and again that is such a great thing because of the changing nature of our families; and the expansion of the disclosure information.

Newfoundland and Labrador Foster Families Association say that this is long overdue. Often children enter foster care when they are children, but they grow to be part of a foster family. This

new provision allows for the adult child to be adopted by the foster parents, but also allows foster parents to be considered legally as relative in relation to this particular act. It is interesting, because this touches so many of us in terms of our desire that we still need a place to belong. I applaud the work that was done by the officials in the department, and for the consultation we know that they did do.

The post-adoption services which my colleague spoke so eloquently about, is one of the areas that the officials in the department were very happy to speak about; making it more possible for people to be reunited, to do searches, to get information about their genetics, about their heritage. This can be a very tricky thing.

There still are protections in place to protect if there has been a disclosure veto. The officials from the department were very excited about this, because it enabled them to be able to do the work that so many people who have been adopted want. That is, as my colleague talked about the post-adoption services, this enables the officials to be able to satisfy the needs of so many more people. This is a positive thing.

There is a series of changes which have been made, and after consultation with other jurisdictions that improve the ability of adopted people to get information about their background. I can imagine, Mr. Speaker, that at times this is cause for great celebration by many people.

We know, Mr. Speaker, the human condition is such that many different situations can arise. Hopefully, this new legislation provides officials with the tools to be able to better accommodate this. The modernization is good for the folks who work with the new law. Also, it is a good thing for parents who are looking for their biological children, and for children who are looking for their parents.

In conclusion, I want to say that I feel this is an excellent redrafting. It is a redrafting that was long overdue. It is good to see this come before the House. My main concern is exactly the level, the detail, and the concrete information

about the consultation that was done with Aboriginal groups as this is a very vital area.

Thank you very much, Mr. Speaker.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Member for St. John's North.

**MR. KIRBY:** Thank you, Mr. Speaker.

I first want to thank the minister for arranging an excellent and comprehensive briefing with officials from the department to go over this. It was quite helpful.

I would like to thank the Minister of Municipal Affairs for telling his own personal story. The issue of adoption is often a very private matter for individuals. I really appreciate his courage and him being forthcoming in that way and sharing his personal story with all of us. I think that helps to inform the debate significantly.

Like much of the legislation that has been presented for discussion during this session, the Adoptions Act is something that was much needed to bring our legislation in line with the changing realities of Newfoundlanders and Labradorians. In this case, the needs of potential adopters and the children, and adults who are being adopted. This is a significant rearranging, revamping, and revisiting of this particular act.

Getting the adoption process on track from the very beginning is extremely important, as we all know and as we have heard. About 7 million Canadians are in some way affected by adoption. Yet, adoption remains something that is relatively misunderstood as a social phenomenon in our Province and in our country. I do not think there will be any disagreement on this point that every child deserves a loving and committed family with some permanency. Adoption certainly enables children and families to have that.

Newfoundland and Labrador is the only Province in the entire federation that did not have a mechanism in place up until this point.

Of course, we have to wait for the legislation to go the rest of the way, but it did not have anything in place to deal with adult adoption. I am also very pleased to see that the minister is proposing an avenue to allow for this.

When we attended the briefing, we were given lots of examples of where adult adoptions might occur. For example, in the case where someone has a significant, severe developmental disability and that family wants to have the adult adoption. In this case, the legislation will allow for those instances where somebody has a developmental disability for the paper work and everything to be carried through in a way that is much smoother than what we have seen in the past.

I am also fairly impressed to see the government has listened to and engaged with our Aboriginal communities and have made a commitment to continue to do that. Including a child's identity and cultural and community connections is particularly important. That is a very progressive area to go into. Formalizing the role of Aboriginal organizations in Newfoundland and Labrador in the adoption process is an important first step.

The legislation is also designed to streamline the process for all parties involved. The act, should it pass, and I do not sense any opposition, should speed up the time in fact taken for the legal process and the courts to deal with all of these matters. This would mean that our Province's adoption process would be faster, it would be more efficient, and it would still protect the rights of all those involved.

One of the most critical challenges is the number of children in our child welfare system who are eligible for adoption and waiting, waiting, and waiting for a permanent and loving family to call their own. The majority of children waiting for adoptive families are age six and older because of a number of challenging circumstances, issues for example relating to not wanting to separate siblings, brothers and sisters and so on.

The enhanced definition of relative here, the broadened definition of relative, is an important one. It certainly does reflect, as I have said, the large number of people whose lives are in some way impacted by adoption. Once again, I think this will smooth the process somewhat and hopefully make adoptions easier.

At one time in the history of our Province, adoptions were relatively secretive compared to what we have now and what this legislation proposes. Obviously today, for medical and health reasons and family reasons, those who are adopted and those families who put their children up for adoption often want details on the birth families. This will help to enable that in a more significant way.

This legislation also appears to carefully balance the needs of both parties so that siblings and parents and those who are adopted can have access to the information that they need, information they require. The ground rules here are fairly clear. We are an open Province, but disclosure vetoes actually can still be put in place to protect the privacy that individuals may desire, and it does happen in some circumstances.

Post-adoption initiatives really should be enhanced to assist adoptive parents in the adjustments and transitions that are inherent in the adoption process. New changes need to be explained to all parties, to the courts, to social workers, and all those in families who are directly impacted by the adoption process.

I do believe that government should offer more support to those who are prepared to provide homes for children with a broad range of special needs, and it is often a case that children who have been placed for adoption have particular special needs that require a lot of attention. They require far more care in some instances than other children who are put up for adoption.

Another point that I think I would like to make fairly clear is that the adoption subsidy program – and there is not a whole lot of information available about the subsidy, at least publicly, because it is really dealt with on a one-on-one-

basis; but that subsidy program ought to be a little more clearer so that we can determine whether or not it needs to be strengthened to ensure that adoptive parents are given the tools, the life tools, the financial resources, and the respite that they need to properly provide for children. For example, in the case where the child who is placed for adoption has a diagnosis of fetal alcohol effects or fetal alcohol syndrome.

This really would ensure that no one is left behind, and it might also encourage potential adopters to take on that life-long commitment of adopting a child, knowing that all those supports that they require are ready and there for when they need them.

The desire to grow a family by providing a loving and a nurturing home to a child who needs it is in some ways a gift, and in some instances perhaps even a sacrifice. As a society, we must do the utmost that we can to ensure that the process is streamlined, and all the supports that are necessary are there.

So having said those few words, I think I will take my seat, but I am happy to support and vote for this legislation.

Thank you, Mr. Speaker.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER (Verge):** Order, please!

The hon. the Member for The Straits – White Bay North.

**SOME HON. MEMBERS:** Hear, hear!

**MR. MITCHELMORE:** Thank you, Mr. Speaker.

I thank you for the opportunity to speak to An Act Respecting Adoptions, Bill 27. There has been much discussion about the bill this afternoon, and I certainly will be supporting it.

This piece of legislation, although there was no specific roundtable taken, there were a number

of interest groups that were consulted, including Aboriginal organizations, community partners, stakeholders, and consultations with those in the department. This information was provided by the minister's staff in a briefing. The briefing was very comprehensive, very professionally done, and very informative. So I commend the minister and his staff for that.

This legislation, the new act, because it is repealing an old act, modernizes, clarifies, and improves service delivery, but also creates an opportunity for the first time where there was not in legislation – we were the only Province not to have facilitation for adult adoption. I see that as a very positive initiative.

Given, personally, in my district I know of a number of circumstances where there are elderly adults, parents, who are looking after their adult children – adults that they have who have complex needs, and they are also growing older. To be able to look at facilitating an adoptive process to ensure that these children who have complex needs can stay closer to home is a very positive piece in the legislation that did not exist, and it also allows for a number of other adoptions in the adult process, whether it be looking at stepchildren or other circumstances, whereas that did not exist previously.

I think the legislation as well, looking at the institution of other post-adoption services and changes to court requirements, could potentially lead to a streamlining of this service and ensure that those who need information can get access to that pertinent information; but provide that balance and make sure that things are done in a timely manner, such as waving the six-month resident requirement is positive, given that it does not create any unnecessary delays as it may be if you have the six-month because there is a process, and that was outlined by the staff.

The legislation, as the minister has stated, also aligns with the Child and Youth Care and Protection Act, where appropriate, so it is necessary to have all of these changes coming forward. We have to be cognizant that as we move forward looking at adoption and adoptive services, the changing needs in society and when

it comes to information and health sharing, when we look at genetic and hereditary disorders and things like that, how that information gets shared. The legislation needs to be revised and modernized to make sure that those who need information can get that appropriate information and provide that balance.

Without clarity of legislation to guide the courts to independently, in many cases, make decisions, then they are not able to do so. We need to have legislation so that the court system can make independent decisions, and that is very important.

I like the expanded definition and I think that this will help many families be able to adopt and keep those loved ones closer to home, whether it be looking at a grandparent or a great-grandparent, or an aunt or uncle, to help facilitate that process and create that structure, that family structure that is there. There can be many reasons or circumstances for that.

I do support the legislation and all of the amendments. The minister spoke quite extensively to the change, as well as a number of other members. I will not go further into that. If I have a couple of questions, I will speak to them and raise it in Committee.

Thank you, Mr. Speaker.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** If the hon. the Minister of Child, Youth and Family Services speaks now he will close the debate.

The hon. the Minister of Child, Youth and Family Services.

**SOME HON. MEMBERS:** Hear, hear!

**MR. DAVIS:** Thank you, Mr. Speaker.

To wrap up debate in second reading this afternoon, I would just like to take a brief moment to thank all the members for their contributions to this debate this afternoon. This is an important piece of legislation that could

impact many, many families throughout Newfoundland and Labrador.

I thank all the hon. members for their input, their support. I have heard many members on both sides of the House who have stated their support for this, this afternoon. I would also just very briefly like to take a moment as well to thank the officials and staff in the department for the hard work they have put through on making this bill available and bringing it to the House today.

I would like to acknowledge their work and efforts. They are a very professional, qualified group of employees and officials in the department. They work very hard in the best interests of the provision of adoptions and post-adoption services in Newfoundland and Labrador. I thank them, and I thank members of the House for their debate today.

Thank you, Mr. Speaker.

**MR. SPEAKER:** Is it the pleasure of the House that the said bill be now read a second time?

All those in favour, 'aye'.

**SOME HON. MEMBERS:** Aye.

**MR. SPEAKER:** All those against, 'nay'.

Carried.

**CLERK:** A bill, An Act Respecting Adoptions. (Bill 27)

**MR. SPEAKER:** This bill has now been read the second time.

When shall this bill be referred to a Committee of the Whole House?

**MR. KING:** Now.

**MR. SPEAKER:** Now.

On motion, a bill, "An Act Respecting Adoptions", read a second time, ordered referred to a Committee of the Whole House presently, by leave. (Bill 27)

**MR. SPEAKER:** The hon. the Government House Leader.

**MR. KING:** Thank you.

Mr. Speaker, I move, seconded by the Minister of Child, Youth and Family Services, that the House do now resolve itself into a Committee of the Whole to consider Bill 27, An Act Respecting Adoptions.

**MR. SPEAKER:** It is moved and seconded that I do now leave the Chair for the House to resolve itself into a Committee of the Whole to consider the said bill.

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

All those in favour, 'aye'.

**SOME HON. MEMBERS:** Aye.

**MR. SPEAKER:** All those against, 'nay'.

Carried.

On motion, that the House resolve itself into a Committee of the Whole, Mr. Speaker left the Chair.

### Committee of the Whole

**CHAIR (Littlejohn):** Order, please!

We are now considering Bill 27, An Act Respecting Adoptions.

A bill, "An Act Respecting Adoptions". (Bill 27)

**CLERK:** Clause 1.

**CHAIR:** Shall clause 1 carry?

The hon. the Minister of Child, Youth and Family Services.

**MR. DAVIS:** Thank you, Mr. Chair.

I would just like to take a moment to address some matters regarding consultation. I would like to point out that earlier this year there was a consultation process that was undertaken by the department on April 15, 2013. A media release was issued, entitled Public Consultations to Begin on the Provincial Adoption Legislation. I know there was some media coverage on that particular release. Unfortunately, we do not control the media and we do not have the opportunity to have input on how widely they deal with that, but there was a media release issued.

As well, there was numerous correspondence sent out to stakeholder groups, including several letters to Aboriginal groups, the Adoption Council of Canada, the Newfoundland and Labrador Association of Social Workers, the Newfoundland and Labrador Foster Families Association, the Newfoundland and Labrador Child and Youth Advocate, adoption agencies as well. There was actual correspondence that was sent to them. On our Web site we had a consultation document issued and we also had that consultation document available in offices throughout Newfoundland and Labrador.

Mr. Chair, as well, in our efforts to try and gain as much consultation as possible, as individual people contacted Post-Adoption Services during the consultation process and since the consultation process; our staff took the opportunity to address the fact that we are reviewing the legislation and to enter into a conversation with them. My understanding, from those conversations alone there were a large number of people who expressed their viewpoints of varying degrees on the consultation process.

I think, in all, there were about 100 individuals we have received consultations with as a result of all of those processes combined. I just want to take the opportunity to clarify that.

Thank you, Mr. Chair.

**CHAIR:** Shall clause 1 carry?

The hon. the Member for St. John's Centre.

**MS ROGERS:** Thank you, Mr. Chair.

I would like to ask the minister, then – I understand that the letters have been sent out and that letters were sent out to Aboriginal groups. I would like to know: Were there direct responses? Was there actual direct consultation received and exchanged with Aboriginal groups, aside from a letter going out to Aboriginal groups?

**CHAIR:** The hon. the Minister of Child, Youth and Family Services.

**MR. DAVIS:** Mr. Chair, as mentioned in debate when I first spoke and introduced the legislation earlier this afternoon, there has been consultations carried out with our Aboriginal groups. Not only through this process that I just outlined here now, but also through discussions we have had through the Memorandum of Understanding that Child, Youth and Family Services have entered into with the Mushuau, Sheshatshiu, and Nunatsiavut Government as well.

Through those roundtable discussions and opportunities we have had with Aboriginal groups who are broaching the topic of adoptions, we know that Aboriginal communities quite often have what is known as custom adoptions. Custom adoptions, we are learning and we have seen over the years, come in many, many different forms. Our intention is to continue those discussions with Aboriginal communities. If changes in legislation need to be made in the future, then we will entertain that.

**CHAIR:** The hon. the Member for St. John's Centre.

**MS ROGERS:** Thank you, Mr. Chair.

I would like to ask the minister then: Did Aboriginal groups have direct consultation on this adoptions bill? That is my question. I understand there has been roundtable discussions and MOUs but on the adoption bill, on the specific adoption bill.

I am wondering if the new wording for section 4.(3)(d) the child's identity and cultural and community connections in determining the child's best interests, if there has been any direct consultation on that wording?

Thank you.

**CHAIR:** Shall clause 1 carry?

The hon. the Member for Cartwright – L'Anse au Clair.

**MS DEMPSTER:** Mr. Chair, I just wanted to ask the minister if there had been any consultation with the Nunatsiavut community council, if they were invited to have input into this process.

**CHAIR:** The hon. the Minister of Child, Youth and Family Services.

**MR. DAVIS:** Mr. Chair, I have a list, and I do not have it with me, so before I give you that answer I would like to double check the list. There were about seven letters specifically sent to Aboriginal communities advising of the consultation process and legislation review. I would have to double check to make sure of who was included on that list. Maybe what I could do is I could provide that for you when I get the information.

**CHAIR:** The hon. the Member for Torngat Mountains.

**MR. EDMUNDS:** Thank you, Mr. Chair.

It is a pleasure to rise and speak in Committee on Bill 27, just a few comments. It is good legislation that is being proposed. It is good, especially for the government side. They are in a polling period, obviously.

When we talk about adoption and issues that surround adoption, I have actually had the opportunity to meet with the minister and we did have some good discussions on some forward movement in some areas. I have never had the honour of adopting a child, but I have been a foster parent, which leads me to my question.

When the MOUs were signed with Nunatsiavut and Natuashish and Sheshatshiu, a lot of the MOUs, the content of that the MOUs, to my understanding, was around the fostering. So I would like to ask the minister: What is the relationship between fostering children, in terms of legislation, as opposed to adopting, that is tabled in this House today?

**CHAIR:** The hon. the Minister of Child, Youth and Family Services.

**MR. DAVIS:** Thank you, Mr. Chair.

I will address the member's question in a moment, if I may, and go back to the question from his colleague just a few minutes ago. Yes, they were written, and it was addressed to Mr. Russell when that letter was sent out.

Adoptions and fostering are two different processes. Adoption is a legalized relationship between a parent or parents and a child; fostering is a completely different matter, separate from adoptions. That is what adoption is. Fostering is a completely different legislation from the adoption legislation.

**CHAIR:** The hon. the Member for St. John's Centre.

**MS ROGERS:** Thank you, Mr. Chair.

I would like to ask the minister – I understand that letters were sent to Aboriginal communities and that there is an MOU; but I wonder, specifically, on the new legislation before us, has there been concrete consultation, input, or review by Aboriginal groups on this specific legislation? Have there been any written submissions? Have there been any face-to-face meetings? Have there been any concrete consultation on this specific piece of legislation, not general discussions about fostering or adoptions but on the review of this legislation?

Also, I am wondering if there has been any specific – “the child's identity and cultural and community connections” in determining the child's best interest; where did that language come from?

**CHAIR:** The hon. the Member for Torngat Mountains.

**MR. EDMUNDS:** Thank you, Mr. Chair.

I was glad to hear that there was consultation with the department and with the Nunatsiavut Government and they were actually good discussions and there was some forward movement, and the same with the Innu Nation, both in Natuashish and in Sheshatshiu.

I go back to my question again, Mr. Chair. The MOUs that were signed was more of a focus on foster care and the minister stood just a few moments ago and said that it is a completely different entity and there is a big difference between foster care and adopting a child. Can I assume that the MOUs were signed strictly on the focus of fostering, as was my understanding, or it is on adopting?

Thank you.

**CHAIR:** The hon. the Minister of Child, Youth and Family Services.

**MR. DAVIS:** Thank you, Mr. Chair.

One of the benefits for all parties in the Memorandum of Understanding is the opportunity to hold planning circles on topics that are important to any of the parties that is applicable to Child, Youth and Family Services which would include adoptions or fostering.

Foster care legislation is one piece of legislation, the child care is a separate piece of legislation, and adoptions is a separate piece of legislation. What we are debating here today, Mr. Chair, this afternoon, is legislation relating to adoptions.

**CHAIR:** The hon. the Member for St. John's Centre.

**MS ROGERS:** Thank you, Mr. Chair.

I would like to ask the minister: Was there a planning circle with Aboriginal communities around the issue of adoptions?

**CHAIR:** The hon. the Minister of Child, Youth and Family Services.

**MR. DAVIS:** Planning circles have agendas that discuss a variety of issues, Mr. Chair.

**CHAIR:** The hon. the Member for St. John's Centre.

**MS ROGERS:** So has there been a planning circle that has included the whole issue of adoption legislation?

**CHAIR:** The hon. the Minister of Child, Youth and Family Services.

**MR. DAVIS:** Yes, Mr. Chair.

**CHAIR:** Shall clause 1 carry?

All those in favour, 'aye'.

**SOME HON. MEMBERS:** Aye.

**CHAIR:** All those against, 'nay'.

Carried.

On motion, clause 1 carried.

**CLERK:** Clauses 2 to 93 inclusive.

**CHAIR:** Shall clauses 2 to 93 inclusive carry?

All those in favour, 'aye'.

**SOME HON. MEMBERS:** Aye.

**CHAIR:** All those against, 'nay'.

Carried.

On motion, clauses 2 through 93 carried.

**CLERK:** The schedule.

**CHAIR:** Shall the schedule carry?

All those in favour, 'aye'.

**SOME HON. MEMBERS:** Aye.

**CHAIR:** All those against, 'nay'.

Carried.

On motion, schedule carried.

**CLERK:** Be it enacted by the Lieutenant Governor and House of Assembly in Legislative Session convened, as follows.

**CHAIR:** Shall the enacting clause carry?

All those in favour, 'aye'.

**SOME HON. MEMBERS:** Aye.

**CHAIR:** All those against, 'nay'.

Carried.

On motion, enacting clause carried.

**CLERK:** A bill, An Act Respecting Adoptions.

**CHAIR:** Shall the title carry?

All those in favour, 'aye'.

**SOME HON. MEMBERS:** Aye.

**CHAIR:** All those against, 'nay'.

Carried.

On motion, title carried.

**CHAIR:** Shall I report the bill without amendment?

All those in favour, 'aye'.

**SOME HON. MEMBERS:** Aye.

**CHAIR:** All those against, 'nay'.

Carried.

Motion, that the Committee report having passed the bill without amendment, carried.

**CHAIR:** The hon. the Government House Leader.

**MR. KING:** Thank you, Mr. Chair.

I move that the Committee rise and report Bill 27, An Act Respecting Adoptions.

**CHAIR:** The motion is that the Committee rise and report Bill 27.

All those in favour, 'aye'.

**SOME HON. MEMBERS:** Aye.

**CHAIR:** All those against, 'nay'.

Carried.

On motion, that the Committee rise, report progress and ask leave to sit again, Mr. Speaker returned to the Chair.

**MR. SPEAKER (Verge):** Order, please!

The hon. the Member for Port de Grave.

**MR. LITTLEJOHN:** Mr. Speaker, the Committee of the Whole have considered the matters to them referred and have directed me to report Bill 27 without amendment.

**MR. SPEAKER:** The Chair of the Committee of the Whole reports that the Committee have considered the matters to them referred and have directed him to report Bill 27 without amendment.

When shall the report be received?

**MR. KING:** Now.

**MR. SPEAKER:** Now.

When shall the bill be read the third time?

**MR. KING:** Tomorrow.

**MR. SPEAKER:** Tomorrow.

On motion, report received and adopted. Bill ordered read a third time on tomorrow.

**MR. SPEAKER:** The hon. the Government House Leader.

**MR. KING:** Thank you, Mr. Speaker.

I want to thank all members for their contribution to this discussion today. It was a very important piece of legislation, a lot of good views expressed in Question Period as well as in Committee and in second reading.

Given the hour of the day I move, seconded by the Minister of Environment and Conservation, that the House do now adjourn.

**MR. SPEAKER:** It has been moved and seconded that this House do now adjourn.

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

All those in favour, 'aye'.

**SOME HON. MEMBERS:** Aye.

**MR. SPEAKER:** All those against, 'nay'.

Carried.

Tomorrow being Wednesday, Private Members' Day, this House now stands adjourned until 2:00 p.m. tomorrow.

On motion, the House at its rising adjourned until tomorrow, Wednesday, at 2:00 p.m.