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Speaker: Honourable Wade Verge, MHA

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MR. SPEAKER (Verge): Order, please!

Admit strangers.

Before we start today, I want to welcome to the public gallery four members from the Northeast Avalon Atlantic Coastal Action Program: Phoebe Metcalfe, Matthew Simms, Kimberly Orren, and Bill Stoyles.

Welcome to the House of Assembly.

SOME HON. MEMBERS: Hear, hear!

Statements by Members

MR. SPEAKER: Today we will hear members' statements from the Member for the District of Torngat Mountains; the Member for the District of Kilbride; the Member for the District of Harbour Main; the Member for the District of Bonavista South; the Member for the District of Bay of Islands; and the Member for the District of St. John's North.

The hon. the Member for Torngat Mountains.

MR. EDMUNDS: Mr. Speaker, I rise in this hon. House today to recognize Ms Liz Evans-Mitchell, who recently retired as principal of J.C. Erhardt Memorial School in Makkovik. Ms Evans-Mitchell was the first graduate in Makkovik in 1979 following the reign of residential schooling. She went on to study at Memorial University and graduated with an Education degree in 1984.

Ms Liz Evans-Mitchell then returned to Makkovik where she spent her thirty-year career teaching the children of her hometown. She went on to become principal of the school, a position from which she retired on October 31, 2014. I was very honoured to present her with a certificate of appreciation on her special day.

Ms Evans-Mitchell was not only a teacher to the residents of Makkovik – she was a role model who was very active in all community events and a true example of dedication to her Aboriginal culture and heritage. Her commitment to dedicate her full career to the

children of Makkovik will always be appreciated by both students and parents.

Mr. Speaker, I ask all hon. members to join me in congratulating Ms Liz Evans-Mitchell on her teaching career and to wish her good health and best wishes in her retirement.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for the District of Kilbride.

SOME HON. MEMBERS: Hear, hear!

MR. DINN: Mr. Speaker, this is the International Year of the Family Farm. It is a year we reflect on the importance that family farms have played in the history of this Province.

At this year's Annual Agricultural Home and Garden Show at the Jack Byrne Arena on October 3, Hector Williams and his family of H & E Williams Dairy Farm in the Goulds were honoured for their contributions to family farming.

The Williams Farm was started in the early 1900s by Henry Williams, a fisherman out of Petty Harbour. Henry was a part-time farmer who had two sons, Ernest and Manuel, who became full-time vegetable and dairy farmers. Ernest, too, had two sons, Hector and Eric, who took over the farm when their father died in 1970.

Eric and Hector expanded the dairy side of the farm and built up the herd from thirty head of cattle with seventy-five acres of land to over 300 head with 450-470 acres of land. After over 100 years, the Williams farm is in its fourth generation and still operating under the direction of Hector's son, Terry.

I ask all members to join me in commending the Williams family for its contribution to the agricultural industry in Newfoundland and Labrador.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for the District of Harbour Main.

SOME HON. MEMBERS: Hear, hear!

MR. HEDDERSON: Mr. Speaker, it is with great pleasure I rise in this hon. House to congratulate three high school students from the District of Harbour Main.

Each year, the Government of Newfoundland and Labrador awards \$1,000 Electoral District Scholarships to the three high school graduates in each electoral district who achieve the highest Department of Education scholarship score. This year, Mr. Speaker, the three recipients in the District of Harbour Main were Mr. Dylan Percey, Mr. Nathan Hart, and Mr. Christian Phillips-Hume – all who attended Roncalli Central High School in Avondale.

This achievement, Mr. Speaker, demonstrates the outstanding commitment, dedication, and hard work of each of these recipients.

Mr. Speaker, I ask all members of this House to join me in congratulating not only these three students, but certainly the entire class of 2014, wishing them well in their future education and training.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for the District of Bonavista South.

SOME HON. MEMBERS: Hear, hear!

MR. LITTLE: Thank you, Mr. Speaker.

Honourable colleagues, I would like to recognize and congratulate the Town of Bonavista in receiving the 2014 Prince of Wales prize from the Heritage Canada National Trust during the annual conference in Charlottetown, Prince Edward Island.

The Town of Bonavista and the Bonavista Historic Townscape Foundation worked together in order to preserve and revitalize the

community through the development of programs such as the Historic Properties Investment Program, the Historic Properties Salvage and Development Initiative, the Townscape Development and Restoration Team.

With the assistance from municipal, provincial, and federal programs, as well as local businesses, these initiatives help to restore forty heritage properties and benefited the rehabilitation of many prominent historic structures. There were also two major projects involving the town centre and the harbour front. As well as employing many local and skilled workers, these programs brought new economic opportunities to the town and improved the quality of life for its citizens.

Honourable colleagues, please join me congratulating the Town of Bonavista, its many volunteers, and all of its residents for receiving the 2014 Prince of Wales prize and for their continued hard work and dedication throughout these heritage conservation and development initiatives.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Bay of Islands.

MR. JOYCE: Mr. Speaker, I rise in this hon. House to recognize the passing of a great athlete and an avid sports fan from the Curling area. On September 21, Mr. Ed Roche passed away at the age of eighty-five.

Ed was a stellar athlete, particularly in soccer and hockey. Over the years, he was a member of various Curling and Corner Brook all-star teams, as well as the Corner Brook Royals. In 1994, he was inducted into the Soccer Hall of Fame as a player and a builder; however, it was on the soccer pitch with the Curling Rangers where his heart truly laid playing with the Rangers from 1947 until his retirement in 1971.

Ed was a competitive, carefree, and quick-witted man. He was a personal friend to many young athletes in Curling and on many occasions kept us on the right path. No player was refused a road trip because they did not have the funds to

travel. Ed would dig deep into his pockets and give all athletes a chance.

Mr. Speaker, I ask all members to join me in recognizing the contribution that Ed Roche made to the sports community of Corner Brook and extend condolences to his family on his passing.

Thank you, 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 rise today to recognize my constituent Mrs. Margret Reid who celebrated her ninetieth birthday just last week on Monday, November 10. Originally a Harington from Carbonear, Mrs. Reid married her husband Harold in our year of Confederation – 1949. The Reids raised most of their nine children in Harold's hometown of South Dildo, Trinity Bay, where they owned a sawmill operation.

They moved to St. John's in 1985 and always lived in the District of St. John's North. Mrs. Reid will quite proudly tell you that no less than seven of her children studied at Memorial University of Newfoundland. Three of her girls still live in St. John's, while the rest of her family have spread out all over Canada and the United States. Mrs. Reid says she is not much of a traveller herself, so she always enjoys visits when her family comes home from away.

She especially enjoys spending time with her fourteen grandchildren and seven great-grandchildren.

She watches the House of Assembly proceedings every day, so I ask all hon. members to join me in wishing a very happy ninetieth birthday to Mrs. Margret Reid of St. John's.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Statements by Ministers.

The hon. the Minister of Natural Resources.

MR. DALLEY: Mr. Speaker, I just rise on a point of order.

Yesterday, the Leader of the Opposition asked a question about the quarterly reports from Nalcor. I committed to report back to the House when I had a date. I am pleased to report that the first quarterly report from Nalcor will be out on December 1.

MR. SPEAKER: There is no point of order.

Statements by Ministers.

Statements by Ministers

MR. SPEAKER: The hon. the Minister of Service Newfoundland and Labrador.

SOME HON. MEMBERS: Hear, hear!

MR. CORNETT: Mr. Speaker, I rise in this hon. House to recognize today as the National Day of Remembrance for Road Crash Victims. This morning, I had the honour and privilege to commemorate this day with the families, friends and colleagues of vehicle collision victims. As well, we all paid tribute to the lives of loved ones lost or those seriously injured on our Province's roadways.

The goal of the National Day of Remembrance for Road Crash Victims is to raise awareness of the number of people who have been affected by the consequences of highway collisions, including those who have been injured, those who have died, and their families and friends. Mr. Speaker, nearly 2,100 individuals, or one person every five hours, are killed every year on Canada's roads.

When we get behind the wheel, we rarely, if ever, think of how that journey could impact our future or the future of those close to us, and this speaks to this year's theme of *Drive with Caution, Future Ahead*.

Mr. Speaker, this government is committed to improving safety on our roadways. We have maintained that commitment through our work in bringing forward various improvements to the

Highway Traffic Act. These improvements include more specifically defining school zones and doubling the fines for speeding within these zones, as well as establishing laws related to slow-moving vehicles being prohibited from travelling on highways where the speed limit is greater than eighty kilometres per hour. These improvements are in addition, Mr. Speaker, to changes that brought in the move over law.

Mr. Speaker, if we take it upon ourselves to affect positive change through establishing a culture of greater road safety in our Province, we can most certainly make a difference. By taking the time to plan our trips, eliminate distractions, wear seat belts, and drive more defensively, we are taking important steps toward saving lives on our roads.

In memory of those lost or seriously injured, I urge all hon. members to join me in encouraging Newfoundlanders and Labradorians to reflect upon the impact of unsafe driving habits, and to rethink the way you drive. Please slow down, buckle up and watch the road ahead, and never drive impaired or distracted by cellphones or other technology. The life you save may be your own or a loved one's.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Mount Pearl South.

MR. LANE: Thank you, Mr. Speaker.

First of all, I want to thank the minister for an advance copy of his statement.

I, too, along with my colleagues, want to recognize the National Day of Remembrance for Road Crash Victims. I, too, had the opportunity to attend the ceremony at Motor Registration Division this morning, along with the minister, and had the opportunity to speak to family members of people who had loved ones who were lost as a result of collisions on our highways, our roadways, and so on, Mr. Speaker.

Mr. Speaker, any time government brings in measures to improve safety, and some of them

are listed here, move over laws and so on, that is a positive thing, but I believe there is more we all need to do and that government needs to do. I have had discussions with members of Mothers Against Drunk Driving. They have some issues they are advocating for in terms of changes to legislation to help curb impaired driving.

Something which I never saw in the statement, nor did I hear it mentioned this morning by the minister when he spoke, was the issues we are having in our Province with moose-vehicle collisions. We know there are many things and suggestions that have been put out there to deal with moose-vehicle collisions on our highways, things such as better brush cutting, enforcement, and a lot of other ideas have been brought forward. I encourage the government to do –

MR. SPEAKER: Order, please!

I remind the member his time has expired.

The hon. the Member for St. John's East.

MR. MURPHY: Thank you, Mr. Speaker.

Whether it is a problem with our roads or whether it is weather conditions, I want to thank the minister for the advance copy of his statement. We also join government in remembrance of road crash victims and their families this day.

I also want to thank the government for the move over legislation that we want to pass in this Legislature, but awareness of the legislation also has to include a strong public relations campaign, and enforcement, to bring understanding of what the move over law is and how it works. Better knowledge of the act will bring with it safer highways and a better understanding by all drivers that we can and must be cautious out there.

Thank you, Mr. Speaker.

MR. SPEAKER: Further statements by ministers.

The hon. the Minister of Natural Resources.

SOME HON. MEMBERS: Hear, hear!

MR. DALLEY: Mr. Speaker, I rise in this hon. House to highlight Mineral Resources Review, the annual conference and trade show that took place earlier this month during Mining Week.

This year's conference established the 150th Anniversary of the Geological Survey. I would like to thank conference organizers, staff with the department's Mines Branch, and the local chapter of the Canadian Institute of Mining, Metallurgy and Petroleum for all their work.

During Mineral Resources Review, I had the opportunity to speak to delegates and to reflect on some of my experiences during this past year. What stood out to me the most was the resilience and enthusiasm of the professionals in the mining industry. They continue to work diligently in rural communities throughout the Province, despite short-term global challenges in the industry.

This enthusiasm was evident to me today during the celebration of first nickel production at the Long Harbour nickel processing site. I was impressed by the employees who work at this multi-billion dollar facility. Many are young people who have returned from out of Province to take on responsibilities for the operations of this complex plant, and to build a career here at home in Newfoundland and Labrador.

The magnitude of the Long Harbour Project is enormous, and I would like to acknowledge former Premiers Grimes, Williams, and Dunderdale whose vision helped to get to this milestone today. We have witnessed important opportunities in the mining industry this year, such as Vale's first nickel production and the potential development of Julienne Lake iron ore deposit in Western Labrador.

Mr. Speaker, we have also faced many challenges, such as delays in the Alderon project and the closure of mining and processing operations at the Scully iron ore mine. We understand that this is a very difficult situation for the workers and the community of Wabush. We continue to engage with stakeholders, including the town and the companies interested in restarting the operations.

Mr. Speaker, my experiences this year, and the people I have met have only strengthened our

belief in this dynamic industry – one that will require continued co-operation and focus on the long term. It is indeed a pleasure to stand here today and recognize those who work in the mining industry in rural communities throughout our Province.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MR. BALL: Thank you, Mr. Speaker.

I want to thank the minister for the advance copy of his statement today.

I, too, had the privilege of attending the conference and trade show just recently in St. John's, and we had several good discussions with the hard-working professionals, as the minister said, involved with the mining industry at that conference. As you know and has been mentioned by the minister, the Liberal Party and the Official Opposition have been big supporters of the mining industry in Newfoundland and Labrador.

I would like to acknowledge and thank the minister for the acknowledgement of former Premier Grimes who, of course, was instrumental in making the celebration possible today that we saw in Long Harbour. Just a few years ago, we were talking about loopholes with Mack Trucks, so I wondered today if the celebration included a Mack Truck or two around Long Harbour.

I will say that many of the successes we have seen in the mining industry in our Province have come from the hard work of many Administrations. Even today, as the minister mentioned about some of the challenges communities like Wabush and Labrador City are facing today, I think it is important that all governments continue to support our communities so those hard-working miners are still intact when the mining industry recovers, which we all hope it will.

Also, I do think we need to look at the impact this industry has had on the health care, and we

continue to support the former miners in our Province.

Thank you very much.

SOME HON. MEMBERS: Hear, hear!

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

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

I, too, thank the minister for the advance copy of his statement. I share the optimism of the professionals in the mining industry. Despite short-term setbacks, it is an exciting industry with a great future; but it must be a future that benefits all people in the Province, and we must ensure we extract our non-renewable resources in a way that protects our workers and our environment.

In the recent past, government paved the way for two ponds, Duck Pond in Central Newfoundland and Sandy Pond in Long Harbour, to be turned into tailings dumps. There are still worker-safety issues outstanding in Labrador, so I ask the government, Mr. Speaker, to make sure the future of the industry better protects workers and the environment.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Further statements by ministers?

The hon. the Minister of Environment and Conservation.

SOME HON. MEMBERS: Hear, hear!

MR. CRUMMELL: Mr. Speaker, I rise today to recognize an important award – the Council of the Federation’s Excellence in Water Stewardship Award.

This award annually recognizes businesses, institutions, and community groups in each Canadian jurisdiction for their commitment, achievement, innovation, practice, and leadership in water stewardship in their

community. This award is part of a larger strategy to improve stewardship of our valuable water resources and foster better practices across Canada.

Mr. Speaker, I am happy to announce the 2014 award winner from this Province is the Northeast Avalon Atlantic Coastal Action Program. This group is an environmental citizens’ organization which works with all sectors of the community, including all three levels of government, to protect and enhance the aquatic environment quality of watersheds and coastlines.

Northeast Avalon Atlantic Coastal Action Program has a long history of environmental stewardship since its inaugural project in 1993 when it focused on the issue of raw sewage in St. John’s Harbour. Today, this dedicated group plays a major role in water quality monitoring throughout the Northeast Avalon region and is actively involved in public outreach activities and scientific studies, acting as a community advisor and partnering with various organizations to protect aquatic environments. Through these activities they prove their commitment to being stewards of water resources in the Province every day.

Mr. Speaker, this government recognizes the fundamental importance of water, and our collective obligation to be responsible water stewards for Newfoundland and Labrador, for Canada, and indeed the world.

The Excellence in Water Stewardship Award publicly recognizes leaders in the field of water stewardship and rewards remarkable achievement. Congratulations to the Northeast Avalon Atlantic Coastal Action Program.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for St. Georges – Stephenville East.

SOME HON. MEMBERS: Hear, hear!

MR. REID: I thank the minister for an advance copy of his statement. I would also like to congratulate the Northeast Avalon Atlantic

Coastal Action Program on winning this year's Council of the Federation's Excellence in Water Stewardship Award.

The award builds on the council's water charter, which recognizes the collective obligation of Canadians and their government to promote water conservation and protect water quality. Water is fundamental to life on Earth, and its sustainable management is crucial.

The Northeast Avalon watershed work has included planting ground cover to control erosion, water quality monitoring, wetland surveys, and cleanups. The Northeast Avalon ACAP also has an interest in environmental education and hosts many educational outreach activities.

My colleagues and I join with government –

MR. SPEAKER: Order, please!

MR. REID: – in congratulating the Northeast Avalon.

MR. SPEAKER: Order, please!

I remind the member his time is expired.

SOME HON. MEMBERS: Hear, hear!

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

MR. MURPHY: Thank you, Mr. Speaker.

I, too, thank the minister for an advance copy of his statement here today. Congratulations to Northeast Avalon ACAP for having won the Council of the Federation's Excellence in Water Stewardship Award; I think it is well deserved. This group has made a huge contribution to our community in its work to protect the water bodies and water supplies, particularly in the Northeast Avalon region.

Recently, they have been working to combat sedimentation in local waterways due to poorly managed commercial development. Mr. Speaker, I can speak to that one; I lost a river in behind Lawlor's Brook when I lived on Hunts Lane.

Sedimentation causes fish kills and habitat destruction and must be stopped. I commend NAACAP for its recent work educating stakeholders in proper mitigation (inaudible) –

MR. SPEAKER: Order, please!

Oral Questions.

Oral Questions

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

MR. BALL: Thank you, Mr. Speaker.

Yesterday, the Premier admitted that the \$400 million CETA fisheries fund has not progressed as planned. This comes over a year after his government announced the deal. The current Premier said not being able to reach a finalized agreement, he found that troubling.

I ask the Premier: If the agreement with the federal government was not finalized, why did your government make such a high-profiled announcement over a year ago without the federal government in attendance?

MR. SPEAKER: The hon. the Premier.

SOME HON. MEMBERS: Hear, hear!

PREMIER DAVIS: Thank you, Mr. Speaker.

Yes, a year ago an agreement was reached between the federal government and the Province in relation to a Fisheries Innovation Fund – a very important Fisheries Innovation Fund. It was a 70-30 agreement, 70 per cent, 30 per cent; \$280 million by the federal government and \$120 million by our government based on five key principles. The five key principles pertain to our support for CETA and, in particular, the policy change on the minimum processing requirements.

Mr. Speaker, we reached that agreement with the federal government a year ago. Since that time we are working out the details of the administration of the agreement, the administration of the fund. As I said yesterday, those discussions are ongoing.

I can tell you, and I can tell the people of the Province, that I fully expect the federal government to uphold their commitment that we reached a year ago, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MR. BALL: Thank you, Mr. Speaker.

My question was about why they did not show up to the meeting or the celebration that was at The Rooms last year.

The Premier has been in the current position now for two months and he sat at the Cabinet table when the fund was announced.

I ask the Premier: Have you met with the federal minister on this issue?

MR. SPEAKER: The hon. the Premier.

SOME HON. MEMBERS: Hear, hear!

PREMIER DAVIS: Thank you, Mr. Speaker.

Since this announcement last year, I can tell you that ministers in our government, my government, have been very active on this file. They have been in constant communication and discussions with ministers in the federal government. I know the Minister Responsible for Intergovernmental Affairs, in his previous portfolio, has been deeply entrenched and involved in this process. I am quite certain that the minister responsible who is here in the House with us today would be quite pleased to provide any details on those discussions.

As I have said, this is very important to Newfoundlanders and Labradorians. This is particularly important to rural Newfoundland and Labrador. It is very important to the fishing industry. It is important to fish processors. It is important to fish harvesters and it is important to us, Mr. Speaker. We fully intend for the federal government to uphold their commitment made to this Province.

SOME HON. MEMBERS: Hear, hear!

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

MR. BALL: Thank you, Mr. Speaker.

I asked the Premier if indeed he had met with the federal minister in this particular case, because keep in mind that not being able to reach a finalized agreement yesterday, he said he found that troubling. We are talking about \$280 million, which is indeed very significant to the growth of the fishery in our Province.

I ask the Premier: Why have you not met with the federal minister yourself?

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

SOME HON. MEMBERS: Hear, hear!

MR. HUTCHINGS: Thank you, Mr. Speaker.

Mr. Speaker, we entered into discussions with Canada –

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. HUTCHINGS: – all the provinces and territories, with regard to the Comprehensive Economic and Trade Agreement between Canada and the EU. In that process, the provinces were asked to identify what the issues would be moving forward in terms of a trade agreement that would benefit each province and territory – certainly, it would benefit the Province of Newfoundland and Labrador. Within that, and within the scope of that agreement, we heard from industry, we heard from the FFAW, we heard from industry, processors, and all collective stakeholders. One of the big priorities was access to that huge market, in terms of reduction in tariffs. We were able to secure that.

In addition, looking forward into our fishery and how we can build on that \$1.1 billion industry, we recognized that the Government of Canada needed to commit and build on those pillars that the Premier talked about. We expect to hold them accountable for that agreement, and we

expect the results to come to Newfoundland and Labrador.

MR. SPEAKER: Order, please!

SOME HON. MEMBERS: Hear, hear!

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

MR. BALL: Thank you, Mr. Speaker.

Two hundred and eighty million dollars in an agreement, it is so important to the fishery that all those people got involved, as the minister just said.

I will ask the Premier: It is such an important issue; why have you not met with your federal minister?

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

SOME HON. MEMBERS: Hear, hear!

MR. HUTCHINGS: Mr. Speaker, I guess a year ago after the announcement, which obviously we were quite pleased with in terms of a Province and a government in what we had achieved. There was indication from the federal government that the lead for the federal side in terms of execution of this, in regard to the fund, would be Minister Rob Moore, who is responsible for ACOA.

In January, as Minister of DFA, I met with Minister Moore, officials from ACOA, and officials from DFA. We went through the five pillars, as the Premier has indicated, went through what we believed in how it needed to roll out and how we would move that forward. There was agreement at that time that that would take place. We would move forward in the budget in terms of working through this initiative.

When it was initially announced, they said the agreement would take eighteen to twenty-four months. There is no surprise, those deadlines are still on. We expect the federal government to stand up and meet the obligations they made in our negotiations on CETA.

SOME HON. MEMBERS: Hear, hear!

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

MR. BALL: What the people in Newfoundland and Labrador want to see is not this government talking about the five pillars are important. We know that. When we find an agreement, when it becomes troubling, what we want to see is the Premier of this Province extend an arm, reach out to the federal minister, and work this out. We also understand that the provincial government has already committed some of the money of this fund to various projects.

I ask the Premier: How much money has already been committed from this agreement?

MR. SPEAKER: The hon. the Premier.

SOME HON. MEMBERS: Hear, hear!

PREMIER DAVIS: Thank you, Mr. Speaker.

The way we operate as a government is I fully expect ministers to lead their departments in the very important work they do and in the work especially when it deals with a very important matter such as CETA, and about the implications for rural Newfoundland and Labrador, the importance and the implications for a very important fishery.

The minister has been leading that department and leading this file. He has been having communications. I can tell the hon. House as well that I have already had one discussion with the Prime Minister since I took office here. The Prime Minister and I intend to have further discussions on CETA, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MR. BALL: Thank you, Mr. Speaker.

The latest Stats Canada labour force numbers show that our Province has lost a staggering 7,500 jobs in the last year, all of this with three megaprojects on the go. On top of that, the Premier and the Finance Minister are indicating

that next year we will see our fourth budget deficit in a row.

I ask the Premier: Will you bring down the Budget before the next general election?

MR. SPEAKER: The hon. the Minister of Finance.

SOME HON. MEMBERS: Hear, hear!

MR. WISEMAN: Mr. Speaker, I want to remind the member opposite, in last ten budgets we have had six surpluses. The focus of the Opposition constantly seems to be on the deficits.

I am glad he asked me a question about the Province's finances, because it is only today, moments ago in fact, the Dominion Bond Rating Agency confirmed our A rating.

SOME HON. MEMBERS: Hear, hear!

MR. WISEMAN: A couple of significant points, it says: challenging demographics and a competitive tax system should support labour retention and assist with efforts to attract and repatriate highly skilled workers because of our tax additions that we have taken over the last ten years, Mr. Speaker.

They also acknowledge the tremendous effort to put in the Muskrat Falls, and acknowledge that it will go a long way in diversifying our economy.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Order, please!

The hon. the Leader of the Official Opposition.

MR. BALL: Thank you, Mr. Speaker.

I ask the Minister of Finance, since the Premier did not answer the question: Does that help the 7,500 Newfoundlanders and Labradorians who lost jobs this year? Does that really help them?

Almost three years ago, Premier Dunderdale made a commitment to reduce the per capita debt to the Canadian average in ten years. However, we know this government has allowed

per capita debt to grow each year since that promise.

I ask the Premier: Are you still committed to reducing the per capita debt to the Canadian average seven years from now, or even if there is a plan to do so?

MR. SPEAKER: The hon. the Minister of Finance.

SOME HON. MEMBERS: Hear, hear!

MR. WISEMAN: Thank you, Mr. Speaker.

I thank the Leader of the Opposition for giving me an opportunity to read further in the Dominion Bond Rating Agency's report today.

MR. SPEAKER: Order, please!

I remind the hon. minister that in Question Period you may refer to documents but you cannot read directly from them.

The hon. the Minister of Finance.

MR. WISEMAN: Thank you, Mr. Speaker.

I commend you for being so sharp in your new role.

SOME HON. MEMBERS: Hear, hear!

MR. WISEMAN: So let me refer to it, Mr. Speaker, and I will paraphrase. They have acknowledged the tremendous work we have done in prudent fiscal management and in posting six surpluses in the last ten budgets. They are expressing confidence in our ability to manage our way through what is a very challenging time ahead of us, because they know – we have proven and they know that we have had a successful track record in fiscal management in this Province.

SOME HON. MEMBERS: Hear, hear!

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

MR. BALL: Thank you, Mr. Speaker.

I remind the Minister of Finance that I think your track record was built on oil royalties. If you look at the successes that you talk about in those six budgets you will see it is all related to oil.

Government published a 10-Year Sustainability Plan on March 26, 2013, but we have heard very little talk of it since. It calls for a return to surplus next year.

I ask the Premier: This ten-year plan was only announced a year and a half ago; are you still committed to that plan?

MR. SPEAKER: The hon. the Minister of Finance.

SOME HON. MEMBERS: Hear, hear!

MR. WISEMAN: Mr. Speaker, thank you.

When he talks about the success of our oil industry, we will acknowledge this year about 30 per cent of our revenue comes from oil and gas, but it is not where the money comes from. It is how we spend it. I want to remind members opposite, and the people of Newfoundland and Labrador because they understand, they get it. They recognize that we have put over \$6 billion into infrastructure that we have not had to borrow for in the last ten years.

SOME HON. MEMBERS: Hear, hear!

MR. WISEMAN: They also know we have had six surpluses in the last ten budgets. They also know we have had tax-relief measures putting \$640 million back in the pockets of Newfoundlanders and Labradorians.

SOME HON. MEMBERS: Hear, hear!

MR. WISEMAN: It is with that new money and their confidence in the future of Newfoundland and Labrador that we can both increase consumer spending and increase consumer confidence in the fiscal capacity of this Province, Mr. Speaker. That is the reality this Province faces.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Order, please!

The hon. the Member for Bay of Islands.

MR. JOYCE: Mr. Speaker, this government first promised to build a new Western Memorial Regional Hospital in 2007, seven years ago. They said the acute care facility would be completed in 2014. In 2010, government said it would be completed in 2016. In 2011, government said it would be completed in 2017. In 2012, government said it would be completed in 2018. In 2014, government said it would be completed in 2020.

I ask the minister: With five failed promises, five failed completion dates, why have you failed the people of the West Coast of the Province?

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Minister of Health and Community Services.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Minister of Health and Community Services.

MR. KENT: Mr. Speaker, sometimes I wonder whether the member opposite wants to see a new hospital built on the West Coast, with some of his questioning and some of the statements he has made including statements that were made in a news release late yesterday. The new hospital on the West Coast will be a state-of-the-art facility. There have been changes in the process over the last number of years, as the member tries to point out.

I can tell people that the project is now on track. We have made some great progress. We are going to have a state-of-the-art facility with expanded services. The drafts of the functional programs have been received. The design process is well underway and construction will commence in 2015.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Bay of Islands.

MR. JOYCE: Mr. Speaker, just to let you know, the reason a lot of the infrastructure is put

in place is because the Leader of the Opposition wanted radiation; we proved radiation. We wanted a PET scanner; we got a PET scanner. We wanted additional beds; we got additional beds. That is what we are doing, fighting for the people of Western Newfoundland.

SOME HON. MEMBERS: Hear, hear!

MR. JOYCE: Mr. Speaker, a provincial radiation therapy review was supposed to be completed by late August. Government's news release said the consultant has significant experience in radiation treatment planning and implementation, yet this report is almost three months delayed. Your track record for delivery on the new hospital is far from stellar.

I ask the minister: How are the people of Western Newfoundland expected to believe this government when you tell them there are no more delays?

MR. SPEAKER: The hon. the Minister of Health and Community Services.

SOME HON. MEMBERS: Hear, hear!

MR. KENT: Mr. Speaker, as I stated yesterday, the review of provincial radiation therapy has no impact on the timeline for the development of the West Coast hospital. The member opposite knows that, but he continues to make statements otherwise, which is rather unfortunate.

We have a clear plan in place where we have a Corner Brook care team in place with multiple partners active in the design and development process for the West Coast hospital. There are stakeholders in the region who met with Western Health just earlier this week and there are ongoing discussions with those involved.

We are making progress. The design process is underway. Construction will start in 2015.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Bay of Islands.

MR. JOYCE: Mr. Speaker, I am glad the minister brought up the meeting that was held Monday. The action committee was told

Monday that the acute care hospital will start in 2017.

Mr. Speaker, to avoid any confusion so we can inform the people of Western Newfoundland and Labrador, I ask the minister: Will you have a public meeting in Corner Brook so you can face the people so we can get the facts straight, not from one source or the other source, so you can inform the people of the actual facts of what is happening with this hospital?

MR. SPEAKER: The hon. the Minister of Health and Community Services.

SOME HON. MEMBERS: Hear, hear!

MR. KENT: Mr. Speaker, I am happy to talk with any residents of the West Coast who are concerned about the plans for this new facility. It is a hospital campus. There are multiple buildings and construction of those buildings will not all start at the same time. As we get further into the design processes, there may even be adjustments to what goes in particular buildings and whether there is one building or two buildings for certain functions.

All of that is being considered. We will provide regular updates to the public. I will be on the West Coast later this week in fact. If there are members of the community who are interested in having a dialogue about where things stand, we are absolutely committed to providing regular updates to contradict some of the misleading statements some people continue to make.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Bay of Islands.

MR. JOYCE: Mr. Speaker, attacking me is not going to help the people of Western Newfoundland. It is just not going to happen.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. JOYCE: To clarify all this, Mr. Speaker, I ask the minister once again: When you are out this weekend, will you have a public meeting in Corner Brook so people can ask the questions

they are asking me to ask in this hon. House? Will you stand up and have a public meeting in Western Newfoundland?

MR. SPEAKER: The hon. the Minister of Health and Community Services.

SOME HON. MEMBERS: Hear, hear!

MR. KENT: Thank you, Mr. Speaker.

The Premier and this government is very interested in hearing what people all over the Province have to say about health care. That is why we are holding a series of regional forums in the next few weeks, one of which will be in Corner Brook, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. KENT: The dialogue needs to be an ongoing one. There are many opportunities for people to have input into that important process. You can participate online, you can call, you can e-mail, you can write, and you can attend the forum that will be happening in Corner Brook.

It is interesting, though, that the member opposite always only talks about Corner Brook. We are talking about a facility, a health care campus, that will meet the needs of the entire West Coast of the Province. It is not just about Corner Brook, I say to the member opposite.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Order, please!

The hon. the Member for Burgeo – La Poile.

MR. A. PARSONS: For the minister's attention, the Member for Bay of Islands said Western Regional. As a member of the West Coast, we all know that this hospital in Corner Brook services us all.

We have over 57,000 people living with diabetes in this Province. There are almost another 90,000 at risk of developing it. Unfortunately, 30 per cent of them are undiagnosed; that is almost 20,000 people.

I ask the minister: What are you doing to increase screening for diabetes in this Province?

MR. SPEAKER: The hon. the Minister of Health and Community Services.

SOME HON. MEMBERS: Hear, hear!

MR. KENT: Mr. Speaker, we are very concerned about diabetes in this Province. Chronic disease rates in this Province are high; they are too high. There is much work to be done to address that issue.

We have twenty-four established diabetes clinics throughout the regional health authorities in Newfoundland and Labrador. In recent Budgets we have expanded programs and services to help those with diabetes. We realize that it is a chronic disease that affects the lives of many people in this Province. That is why we have expanded programs and services; that is why we will continue to expand programs and services.

SOME HON. MEMBERS: Hear, hear!

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

MR. A. PARSONS: Mr. Speaker, diabetes was first brought to this government's attention by the Auditor General in 2011. He stated that diabetes would cost our Province over \$300 million in just six years' time. A diabetes registry is necessary to track diagnosis and manage the resources to care for these patients.

I ask the minister: Why have you failed to introduce a diabetes registry when clearly this is a significant health issue in this Province?

MR. SPEAKER: The hon. the Minister of Seniors, Wellness and Social Development.

SOME HON. MEMBERS: Hear, hear!

MR. JACKMAN: Mr. Speaker, we know diabetes is very much a symptom of lifestyle. The Premier has struck a new Department of Seniors –and I will stress the second part, Mr. Speaker – Wellness. The focus we need to take on as a Province is around that type of lifestyle we lead, in being more healthy, being more active, looking at our diets. Preventative medicine is what this department is about.

SOME HON. MEMBERS: Hear, hear!

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

MR. A. PARSONS: Mr. Speaker, I have to point out that the minister completely ignored every single person in this Province who has Type 1 diabetes. That has nothing to do with lifestyle.

I ask the question again: When will the registry be put in place that we have been asking for?

MR. SPEAKER: The hon. the Minister of Health and Community Services.

SOME HON. MEMBERS: Hear, hear!

MR. KENT: Mr. Speaker, in addition to the clinics that I mentioned earlier, there are many other things we are doing to support people with diabetes. There is not just one solution, as the member opposite seems to suggest. In fact, since 2010 we have invested approximately \$20 million to cover diabetes-related medications in the Province.

The Prescription Drug Program covers twenty-two medications that relate to diabetes. We have expanded the Insulin Pump Therapy Program in this Province, and 440 people have received support through that program in 2014 alone. We are taking the issue very seriously. It is one that affects many families, many individuals in our Province, and we will continue to look at chronic diseases like diabetes to see what more can be done.

SOME HON. MEMBERS: Hear, hear!

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

MR. MITCHELMORE: Mr. Speaker, the former Premier and Minister of Public Engagement announced the Open Government Initiative on March 20 without any plan or direction on how this would be achieved.

It has been more than 240 days, so I ask the minister: When can we expect to see improved quality of government information on the Open Government Web site and a true culture of open government, or are you going to continue to hide behind the secrecy of Bill 29?

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

SOME HON. MEMBERS: Hear, hear!

MR. KENT: Mr. Speaker, I am really pleased with the progress the Office of Public Engagement has made in our Open Government Initiative. We had consultation sessions and an online process that took place throughout the Province over the last number of months, and a What We Heard document has been drafted, which will soon be released. It will highlight all of the findings that have come through that consultation process.

We are working on an Open Government Action Plan, as I committed back in the spring, which will highlight many of the new initiatives we are going to take to make Open Government an even greater success story in Newfoundland and Labrador. Departments in this government are doing things every day to make more information available than ever before. We have enhanced proactive disclosures for every department in this government, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MR. MITCHELMORE: Mr. Speaker, the last consultations ended more than six months ago, and other jurisdictions are taking open government seriously. It is mandatory for departments and agencies to identify and publish three high-value datasets that were previously unavailable. Data and research is an asset that could be used to accelerate growth and help diversify the economy, instead of being hidden from the public eye.

I ask the minister: When will you show leadership and make it mandatory for departments and agencies to publish high-value usable datasets that are currently unavailable?

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

SOME HON. MEMBERS: Hear, hear!

MR. KENT: Mr. Speaker, over 3,700 people in Newfoundland and Labrador participated in the consultation process in recent months. We are going to be making a comprehensive What We Heard document available very soon which summarizes everything we heard, in addition to the raw data that is already on the Web site. Open data is one of the key pillars of our Open Government Initiative, and we plan to make many more datasets available, as opposed to what is already available.

In the category of open information, we are releasing more information to the public, proactively, than ever before: things like restaurant inspection reports, details on long-term care facilities and personal care homes, information on salary details, completed ATIPP requests, and the list goes on and on. It is all available, and I would encourage the member to check it out.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Mount Pearl South.

MR. LANE: Mr. Speaker, in 2000, eighty-eight purchasers of prepaid funerals lost \$500,000 when a funeral home owner in Port aux Basques declared bankruptcy and skipped town. This fraud resulted in prepaid funeral legislation, which says trust account audits must be submitted to the minister each year. However, according to Service Newfoundland and Labrador, 43 per cent of licensees did not submit audited statements in 2013.

I ask the Minister of Service NL: What are you doing to protect the purchasers of prepaid funerals, who are mainly seniors?

MR. SPEAKER: The hon. the Minister of Service NL.

SOME HON. MEMBERS: Hear, hear!

MR. CORNECT: Thank you, Mr. Speaker.

Mr. Speaker, I would like to thank the hon. member for his question.

Mr. Speaker, our focus is ensuring that the money in the Consumer Protection Fund for

prepaid funeral services is being cared for properly. Mr. Speaker, it is because of this fund, and the hard work of our staff and individuals, people buying prepaid funerals should feel confident their money is being protected.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Mount Pearl South for a quick question.

MR. LANE: Mr. Speaker, I do not think they are feeling too protected if they are not doing the audits.

Also, Mr. Speaker, according to the department there is no dedicated position –

MR. SPEAKER: I ask the member to get to his question, quickly.

MR. LANE: Mr. Speaker, how come there is no dedicated position, as was promised by the department, to do these audits?

MR. SPEAKER: The hon. the Minister of Service NL.

SOME HON. MEMBERS: Hear, hear!

MR. CORNECT: Mr. Speaker, again, thank you to the hon. member for the question.

Mr. Speaker, legislatively, all prepaid funeral sellers are required to file financial statements. The division aims to work with sellers to ensure they understand the requirements and their obligations under this legislation. I have every confidence in the employees, in the staff, in the public servants of the Department of SNL to do their job, and to do it correctly for the people of Newfoundland and Labrador.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Order, please!

The hon. the Leader of the Third Party.

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

In 2010, 47,000 people in Newfoundland and Labrador suffer from diabetes. By 2020, it is

expected that 73,000 persons in this Province will have diabetes. Without investment in primary health care, our system will be overwhelmed.

I ask the Premier: When will he take action and set up more primary health care teams and diabetes centres around the Province to help stop the growth of diabetes?

MR. SPEAKER: The hon. the Minister of Health and Community Services.

SOME HON. MEMBERS: Hear, hear!

MR. KENT: Thank you, Mr. Speaker.

It is an appropriate time of the year to be highlighting what a significant issue diabetes is for the people in Newfoundland and Labrador.

As I said previously, there are already twenty-four established clinics that run throughout our regional health authorities to meet the needs of diabetes patients in our Province, but there is more work that needs to be done to prevent diabetes and also treat diabetes. We have invested millions of dollars, as I said earlier, in medications for people with diabetes.

Primary health care is a major focus of our upcoming Premier's Summit on Health Care. It will be the primary theme. We want to make sure everybody in the health care system is practicing at their full scope of practice and that will enable us to move forward. We need collaborative care on the frontlines.

SOME HON. MEMBERS: Hear, hear!

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

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

Yes, we all know what is needed, but government has left it up to the regional health authorities to scrape together the money to set up more teams and diabetes centres to combat diabetes across this Province.

Will the Premier ensure that new money is set aside in the 2015 Budget to set up more primary health care centres?

MR. SPEAKER: The hon. the Premier.

SOME HON. MEMBERS: Hear, hear!

PREMIER DAVIS: Thank you, Mr. Speaker.

The member opposite raises another important matter. Yesterday, a member discussed – the members here in the House – we discussed the importance of mental health and addictions. Today, of course, the topic of discussion, as far as health care, is on diabetes and diabetes prevention, and overall wellness and health of the population.

As mentioned earlier during Question Period, we established a new department to focus on wellness and the future of the population. As well, the Minister of Health, as he has very clearly articulated here in the House, is following our plan of developing a very broad-reaching opportunity for people throughout Newfoundland and Labrador, people within health care itself, people who are stakeholders, significant stakeholders within health care throughout the Province, to come together, provide information, and have an exchange. All in the view, Mr. Speaker, of improving health care for Newfoundlanders and Labradorians.

SOME HON. MEMBERS: Hear, hear!

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

MR. MURPHY: Thank you, Mr. Speaker.

Yesterday in the House, when I asked the Minister of Natural Resources about West Coast representation on the fracking review panel, he said, "In considering West Coast candidates, they did not exactly fit the priority that we needed on the panel."

Would the minister clarify his remarks?

MR. SPEAKER: The hon. the Minister of Natural Resources.

SOME HON. MEMBERS: Hear, hear!

MR. DALLEY: Surely, Mr. Speaker.

As I have indicated many times, the importance of this issue for the government and for the people of the Province, and our focus in dealing with such an important public policy, Mr. Speaker, in developing our resources will be around protecting the health and safety of people and the protection of the environment.

To do that, Mr. Speaker, we made a very responsible decision to engage in a process that would allow everybody, who wanted to have input into this public policy debate, to be given that chance. We have done so, Mr. Speaker, in setting up an independent fracking review panel. On that panel, Mr. Speaker, there are five very creditable, qualified people to be able to deal with the process and to ensure that others come forward.

In my reference yesterday to West Coast, Mr. Speaker, the candidates' names that have come forward did not exactly fit the requirements we were looking for, for the panel.

SOME HON. MEMBERS: Hear, hear!

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

MR. MURPHY: Thank you, Mr. Speaker.

I have to ask the minister, when he says responsible decision, is it a responsible decision not to have somebody representing health on the panel? Is it a responsible decision on the part of this government not to have a West Coast representative on the panel?

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Minister of Natural Resources.

SOME HON. MEMBERS: Hear, hear!

MR. DALLEY: What is responsible, Mr. Speaker, is that a government provides a fair process, a fair opportunity for everyone to have input. What is responsible, Mr. Speaker, is when there is a potential for economic opportunity in this Province that government stands up and explores that opportunity.

What is responsible, Mr. Speaker, is that we do what is right for the panel. It was not a geography test. It was important that we put the right people with the right education, the right skill set on the panel. That is exactly what we did.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Order, please!

The time for Question Period has expired.

Presenting Reports by Standing and Select Committees.

Tabling of Documents.

Notices of Motion.

Answers to Questions for which Notice has been Given.

Petitions.

Petitions

MR. SPEAKER: The hon. the Member for the Bay of Islands.

MR. JOYCE: Thank you, Mr. Speaker.

I will just stand here for a few minutes on a petition on the Western Memorial Regional Hospital:

WHEREAS we wish to raise concerns regarding the recent delay on the construction of a new hospital in Corner Brook, Newfoundland and Labrador;

WHEREUPON the undersigned, your petitioners, humbly pray and call upon the House of Assembly to urge the government to commit to the planning and construction of a new hospital in Corner Brook as previously committed to and in a timely manner as originally announced without further delay or changes.

Mr. Speaker, earlier, I went through the list of all of the delays. Now we are getting from the government: trust me, trust me. I want to tell the people of Western Newfoundland the acute care

hospital will not start in 2015. The design has just started for it. There is a pre-commitment in the Budget that was tabled in this House for 2015-2016 of \$4.8 million to do the design of the acute care facility.

Mr. Speaker, you can spin it however you like. We even went to phantom polls. One minister was out saying that was done – phantom polls about radiation, until the Leader of the Opposition presented facts to the former Premier. The facts showed that there should be radiation; there is going to be radiation. The facts showed there should be a PET scanner. We proved it.

Mr. Speaker, when I stand and ask questions in this House about delays, when you talk about 2010 there was a commitment, 2011, 2012, 2014, and now I am told trust me. I am sorry, but my duty is to ask questions. I said it before and I say to the people of Western Newfoundland and Labrador, who are going to be using this hospital, I am prepared to go to any public meeting any time to justify everything I have said in this House, anything I push for in this House, anything whatsoever because I am fighting for the people.

We have improvements because of the Opposition. We do have improvements but we do not have a hospital yet and I am going to fight for it until the people of Western Newfoundland sees what they deserve, Mr. Speaker.

Thank you very much.

SOME HON. MEMBERS: Hear, hear!

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 autism spectrum disorder has been estimated to occur in as many as one in eighty-eight children; and

WHEREAS individualized and intensive early interventions are important for improving outcomes for children with autism; and

WHEREAS long wait-lists are forcing many parents to wait up to two years before their children receive needed pediatric assessments and diagnostic services; and

WHEREAS the Intensive Applied Behavioral Analysis Program is not available for children after Grade 3 while research supports the use of Applied Behavioral Analysis throughout the lifespan; and

WHEREAS a co-ordinated multi-agency approach among key government departments and agencies is needed to ensure that individuals with autism spectrum disorder are provided with services that will promote independent living; and

WHEREAS a comprehensive Province-wide strategy for autism spectrum disorder will decrease the lifetime costs of treating and providing services for persons with autism;

WHEREUPON the undersigned, your petitioners, humbly pray and call upon the House of Assembly to urge government to develop a comprehensive Province-wide strategy for autism spectrum disorder in consultation with parents, advocates, educators, health care providers, and experts in the autism community

As in duty bound, your petitioners will ever pray.

Mr. Speaker, this is another one of these areas that keep emerging and also are not just about new expenditures. A lot of what is in this petition really speaks to the idea of spending more smartly rather than just spending more, and that is not always a solution.

I did speak to a constituent of mine just last week who said that her child had just aged out of the ABA program because she had finished Grade 3 and still needed that support. That person lives in a low-income, economically depressed area of my district. She is a single mom and has a great deal of difficulty getting by, despite the fact that she manages her

personal household expenses as best as she can and as responsibly as she can, but she has to pay now for someone to provide the ABA. If she did not, there would be consequences for her child in the school system, which would require more resources from the Province; so, in fact, she is kicking in out of her own pocket to provide for where the Province will not for her child, which is a gross injustice, Mr. Speaker.

Thank you.

MR. SPEAKER: Order, please!

Orders of the Day

Private Members' Day

MR. SPEAKER: This being Wednesday, Private Members' Day, it being 3:00 o'clock I will now go to the Member for Humber Valley to move the private member's motion that is on the Order Paper in his name.

The hon. the Member for Humber Valley.

SOME HON. MEMBERS: Hear, hear!

MR. BALL: Thank you, Mr. Speaker.

This is a motion that we put on the notices of motion there just a few days ago. It is a private member's motion. The motion today will be legislating the mandatory reporting of deaths and critical incidents to the Child and Youth Advocate in our Province.

The motion will read like this:

WHEREAS the Province's Child and Youth Advocate has requested that the government introduce legislation for the mandatory and immediate reporting by all government departments and agencies of the deaths of, and the critical incidents involving, children and youth; and

WHEREAS government has not taken a lead in notifying the Advocate's office of such incidents, and instead, the Advocate has relied on calls from the public and the media to be made aware of cases needing her involvement; and

WHEREAS legislating a direct reporting mechanism from all departments and agencies to the Advocate would help improve outcomes for all those involved, as would it improve outcomes for other children and youth receiving services; whether as a direct result of earlier intervention in specific cases where a death or critical incident has occurred, or indirectly as systemic issues can be more readily identified and addressed;

THEREFORE BE IT RESOLVED that the House of Assembly urge government to immediately introduce legislation for the mandatory and immediate reporting by all government departments and agencies of the deaths of, and the critical incidents involving, children and youth.

This is seconded by the Member for St. Barbe.

Mr. Speaker, the reason we are introducing this motion today is really because it comes after a series of requests made by the Child and Youth Advocate to have this mandatory reporting, rather than just hearing about it from family members or hearing about it from people in the communities, or just reading about it in the media or seeing it in the media. It is important to the Advocate in order for her, in this case, to do her job as she sees fit based on the mandate that she has been given. It is important for the officer that she get this mandatory reporting.

I want to go back to just where this all began, the Child and Youth Advocate within the Province. We go back to November 2002 when the Office of the Child and Youth Advocate was opened. It was opened in November 2002. It goes on to say, "The Advocate for Children and Youth is an Independent Statutory office of the House of Assembly of Newfoundland and Labrador. This office has the authority to represent the rights, interests and viewpoints of children and youth who are entitled to receive services and access programs provided by the government of this province."

The term for the Advocate is six years and the Advocate can serve a maximum of two terms. The legislation that deals with the mandate is in the Child and Youth Advocate Act.

In the recent events we have seen, we have seen this discussion taken to a different level. If I go into 2014 I would go back to June, where the Advocate once again reiterated or called for mandatory reporting to the Advocate by all departments and agencies of the deaths and the critical incidents involving children and youth.

When we have asked the question why the critical incidents piece, in this case the Advocate is very concerned and believes and feels this would help prevent further deaths, deaths by children who are in care from departments and agencies in our Province. The Advocate has recommended mandatory reporting in three investigative reports, but nothing has changed.

The Advocate has done three significant investigations. In each investigation there has been a recommendation that we get mandatory reporting. She goes on to say: As a result of these recommendations being ignored, she is therefore seeking legislative changes.

I will go back just to remind people who may be watching or people who are in the House, the magnitude of those investigations. One was Joey's Story, which was in August 2011. The recommendation there was Recommendation No. 9, and it is said that the protocol must be developed by CYFS or the Department of Child, Youth and Family Services, and to ensure immediate reporting to the Advocate of any critical incidents or events occurring with children and youth in the Province.

The same thing, a similar recommendation, in Turning a Blind Eye in July 2012. It was Recommendation No. 12, the same thing about mandatory reporting to the Child and Youth Advocate. Out of Focus in September 2012, Recommendation No. 13.

What we see here is after thorough investigations or three major investigations within the Province, the recommendations came back after investigation suggesting that we have mandatory reporting of deaths of children and critical incidents within the Province. This is the view of the Child and Youth Advocate in our Province right now. So you ask yourself, after we have been twelve years into this office, why is it that the Advocate feels so strongly about this after the work her office has been doing?

One thing I want to go back to, she feels that the mandatory reporting would go on, if done appropriately and this legislative change was made, that it could save children's lives because, in 2014, just a few months ago, it was noted there were thirty-five children and youth who have died while receiving government services since 2009. This is documentation, of course, coming from government.

Any and all reviews and investigations that have been made and have been done by the Office of the Child and Youth Advocate have been based on this rights-based perspective. When we talk a little further about that, the rights-based perspective, Mr. Speaker, it is an interesting approach to all of this and one I believe all members in the House of Assembly, all forty-eight MHAs, would support because the language around rights-based perspective – and this came out of a statement that was made in June this year of 2014.

She goes on to say: I continuously call on the government departments and agencies to work from a rights-based perspective. When we ask ourselves what is this all about – because we have seen even at the UN convention on the rights of children, the rights of a child legally guarantees that all children – these are key points – should have the right to survival; the right to develop to the fullest; the right to protection from harmful influences, abuse and exploitation; and the right to participate fully in family, cultural, and social life.

Mr. Speaker, you see that this approach by the Advocate is indeed one I think we could all agree to. This rights-based approach the Advocate mentions really aligns up to where we are as a society today, Mr. Speaker.

When we look at the current process as it exists in the Province right now, one of the things that have become part of this discussion is a Child Death Review Committee versus the mandatory reporting of critical incidents in our Province right now. The Child Death Review Committee – where did this come from? This review committee was recently established in 2012 and there were amendments within the Fatalities Investigations Act. This coming from the Turner report, the Fatalities Investigations Act goes back to 1995.

When we look at the current process that we have in our Province right now, we have the Chief Medical Officer, this individual that we have in the Province would review deaths that are in question that we would see in the Province. In some cases what we would see here, depending on the circumstances of the examination, you would see this go to the Child Death Review Committee. This is for all children, regardless if they were in care or not. It could be for any child, really, up to the age of eighteen.

Then after the Child Death Review Committee does their piece of work around all of this, and we have seen just recently where this committee has been put in place and established, then there is a report that is actually sent to the minister and then there would be a discussion to the Advocate, so we can see this could be timely. What the immediate notification to the Advocate could mean is that if she, or the person in that office at the time, could get involved, the process would be much faster.

Where we have been now since September with the new minister that we have in place with CYFS, there seems to be a verbal commitment to make that call for the verbal, immediate notification of a death of a child receiving care in the Province; but what the Advocate is saying, this should not be notification just from the Child Youth and Family Services but there should be notification when deaths or critical incidents occurs amongst all agencies.

One of the things the Advocate has some problems with when it comes to the verbal commitment around all of this is one of really leadership, because what we have seen over the last five years, a number of different ministers that have been in this role – and you could get a verbal commitment as we have from the current minister, but that may not necessarily be true for the next minister.

The Advocate is saying and suggesting and recommending, based on the investigating she has done, that if you have a minister who is willing to make the verbal commitment, well, why not just go to the next step and make that notification part of legislation so it becomes mandatory? That would include not just the Department of Child, Youth and Family

Services but indeed all agencies within government.

The question then would be: Why is the Child and Youth Advocate not sitting on the death review committee?

The response to this question from the Child and Youth Advocate is that individual, or the current Advocate, would prefer to stay in somewhat of an unbiased role.

The review committee would do its work, but she could probably respond much faster if there was immediate notification that was put in place. Often, in many circumstances, we would see other family members. The Advocate could move in and probably prevent further incidents from happening, or even further deaths in the worst-case scenario, I say, Mr. Speaker.

Not being part of the Child Death Review Committee, she sees herself – because remember, this Advocate is an officer of the House of Assembly, and not being part of the Child Death Review Committee, she feels that she could fulfill her mandate in a much better fashion by the immediate reporting of critical incidents and deaths in the Province. Indeed, she could intervene and reduce the harm to other members in some cases.

The mandatory reporting of critical incidents is really irrelevant when you look at the Child Death Review Committee, because these incidents do not involve the deaths of children, I say, Mr. Speaker. Therefore, when I look at the process here and the establishment, or the piece of legislation for – what the request and the recommendation coming out of a series of investigations.

The reason we are making this motion today is we believe in this process. We believe it will allow the Advocate to do an even better job than she is doing right now. We also believe in being at arm's length from the current committee. As an Officer of the House of Assembly, this will allow – and she agrees that she will be able to fulfill the mandate she has been given, to do her job in protecting children, and not only children in care, but children who are receiving services from various departments and agencies in the Province right now.

Mr. Speaker, that is why we are prepared today to make this motion. I look forward to debate today, as it will occur here this afternoon. I really believe what the Advocate is actually looking for here right now is a mechanism that will allow this individual to do a better job in her position in making sure children in our Province are safe when they receive care, safe when they receive services from Child, Youth and Family Services and all the other agencies we have in our Province.

Mr. Speaker, right now I look forward to debate as we will see it unfold here. We will have other speakers to this, and I am sure the minister himself will be speaking. I appreciate the fact that he has made a verbal commitment, but I would think if you are willing to make a verbal commitment, it goes without saying you do not have a problem with somewhat of a mandatory reporting in this particular case.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Premier.

SOME HON. MEMBERS: Hear, hear!

PREMIER DAVIS: Thank you, Mr. Speaker.

I appreciate the opportunity to have some time this afternoon to address this very important private member's resolution that has been presented by the Leader of the Opposition.

I agree, it is an important matter, and it is an important matter that we should take some time to discuss here in the House. I fully understand the intention and the intent of their motion this afternoon. I think it goes without saying that all members of this hon. House and all people in the Province feel the safety and protection of children are of utmost importance. I can tell you, through my lifetime – I know from time to time I refer to my own past – is that the protection and best interests of children should always be a paramount consideration when making decisions in carrying out the roles we are given at the time.

Today, we are here as a government, we are here as Members of the House of Assembly representing the people of the Province, and ensuring the safety and protection of children is

always a paramount consideration that we should put first in this type of forum and in this circumstance.

We all know too well, it is always very troubling to us when we deal with or learn of circumstances when harm has come to a child. It is disturbing when harm comes to a child at the hands of somebody else. It is very disturbing. I cannot describe how disturbing and troublesome that would be. When the injuries are serious or a critical injury, or a critical event occurs or worse, then even more so significantly, not only for the families who have to deal with such tragic and terrible events, but also other people who are involved. We have seen incidents where injury and death has come to a child or a youth where it has had significant impact on neighbourhoods, on communities, and in cases on the entire Province.

We also know these types of incidents have very powerful impacts on police officers on a front-line basis who deal with and handle such terrible matters, through people involved with our justice system, justice officials, and stakeholders involved in the justice system. Health care workers are also quite frequently impacted by such terrible and tragic and difficult circumstances. Social workers are also impacted on a regular basis.

I say this with the most serenity I can bring to this debate, because I have worked side by side during my previous career, my policing career, with child protection workers. Someone sometimes asks and will address turnover in caseloads. Turnover came up here in the House just recently, on the turnover in child protection workers. Probably one of the most challenging, difficult, demanding roles a social worker could ever take on in their career is dealing with at-risk children and at-risk families in a protection type of role. For child protection workers, it must be the most difficult form of work they can do.

I can tell you, Mr. Speaker, I know child protection workers who have worked for many years in the business of child protection and working with families, and I know sometimes how those types of files and those types of interactions sometimes have very difficult impacts on the people who work day to day in the provision of services for children. As I

mentioned, health care workers as well quite often could be significantly impacted in dealing with such matters.

We have pediatricians in Newfoundland and Labrador who are very, very good and very well trained, very knowledgeable and have great experience and expertise in dealing with child protection matters, and matters involving assaults and inflections of injuries against children. As I mentioned as well, it can always impact, not only just the people in the family and the professionals who work there, but then it can go beyond that to neighbourhoods, to communities, and to the Province and beyond.

The Advocate for Children and Youth has a very difficult job in her own right, at this time, and the same with her staff, because they have a very important role to play in the Province. Legislation gives the Advocate for Children and Youth very broad powers and very important responsibilities, not only for children and youth who are in the care of Child, Youth and Family Services, but for all children and youth in the Province. The Advocate's role extends beyond children who are having direct involvement with a government agency or a government branch, but all children, and also can have those powers and responsibilities over youth in our Province as well.

What I have done as Premier, in the couple of months I have been here, is I have been reviewing and discussing the topic of the Advocate for Children and Youth being informed of critical incidents and the death of children. As has been discussed here in the House, we have recently, as a government, created the new Child Death Review Committee who began September 1 reviewing cases of death of children and youth in our Province.

There is a serious and important consideration to make and differentiate between the two roles of both the Child Death Review Committee and also the Advocate for Children and Youth. It is my belief that these two different roles should work in concert and work together, but the Advocate has been asking and has been lobbying, as the hon. Leader of the Opposition has highlighted, has been asking for change in legislation so that the Advocate's office be informed of critical incidents or matters of death

of children and be informed of that. In correspondence I have received from the Child Advocate, the Advocate has referenced immediate notification and also timely notification.

It is important for us to define the difference in immediate and timely, and what those expectations are. I have written the Advocate and invited the Advocate – and I mentioned this earlier this week in the House. I have written the Advocate and invited the Advocate to come to a Cabinet meeting, do a presentation to Cabinet on the view and what the Advocate sees as the necessary changes in legislation, so we can have a discussion about those changes.

One of the matters I would like to talk to the Advocate about is how you define what a critical incident is. What is the definition? What is her interpretation? What is she referring to when she refers to a critical incident? Sometimes there could be a differentiation between a critical incident and a critical injury. Is she talking about a case of a critical injury? If it is a critical injury, what is a critical injury? What should be defined as a critical injury? In the case of a critical incident, what she defines or her expectation is that the legislation should reflect when she is referring to a critical incident.

I think that is very important for us to grasp that understanding of exactly what the Advocate for Children and Youth is asking government to do. My belief is the best way for us to do that is for the Advocate to come to Cabinet to present her viewpoints, to articulate what it is she is expressing and what it is she desires, so we can have a full discussion with the Advocate so we can grasp a full understanding of what it is the Advocate is looking for.

As I said, in the correspondence I have had, as an example from her, the Advocate has referred to immediate notification and has also referred to providing timely information. I think it is important for us to understand, is there a differentiation between timely and immediate, and exactly what her expectations are.

I appreciate the resolution that is brought forward today, but what I am going to do is propose an amendment to the motion that is before the House this afternoon. I believe it is a

friendly amendment, and I believe the amendment will strengthen the desire; it will strengthen the intention of what the Opposition has presented this afternoon. I will present the amendment now in a few minutes.

I am going to add to it that this be done in consultation with the Advocate, because as I have expressed, I think it is important for us to have a full understanding. The Advocate is in the role, she carries out the work of the Advocate's office on a daily basis, probably one of the best informed in the work she does and has experience in what she does. No one else has the experience of the Advocate and the people who work in her office. I think it is important that we do make these decisions, understand what it is you are looking for, in consultation with the Advocate.

I would also point out that the resolution itself does not indicate who the reporting should be. The resolution reads, "...that the House of Assembly urge Government to immediately introduce legislation for the mandatory and immediate reporting of all Government departments and agencies of the deaths of, and critical incidents involving, children and youth." It does not reference, actually in the resolution, the Child and Youth Advocate. So I am proposing an amendment to that to clarify this, and also to include the Advocate in the process that we will undertake as a government.

Mr. Speaker, I will present the amendment. I move that the resolution clause of a private member's resolution now before the House be amended by deleting the second recital clause, and by replacing in the resolution the words, "to immediately introduce legislation" and replace that in the resolution clause with the words "in consultation with the Advocate for Children and Youth to develop and introduce legislation".

Mr. Speaker, this amendment is seconded by the Minister of Child, Youth and Family Services.

MR. SPEAKER: Order, please!

We have an amendment proposed by the hon. the Premier, and the House will now take a brief recess to consider the amendment.

Recess

MR. SPEAKER: Order, please!

We have considered the amendment as proposed by the hon. the Premier and the amendment is in order.

The hon. the Premier.

PREMIER DAVIS: Thank you, Mr. Speaker.

I thank you for your ruling. I have a few minutes left, so I would just like to use up the time I have this afternoon. I say I appreciate the ruling. I appreciate the resolution from members opposite and I hear some of the comments coming from over there.

I can tell you, Mr. Speaker, that I made it quite clear that as Premier of the Province, and I have made it quite clear to Cabinet ministers, to our own MHAs, of what has been one of the paramount considerations for me as Premier, and that is the safety of the people of the Province. That includes children and youth, and children and youth who are considered to be at-risk youth. It is one of the primary priorities for me as the Premier. I think the amendment before the House will strengthen the resolution that is proposed by members opposite.

It does not create a delay; it creates an opportunity to consult and do the work properly. The Child and Youth Advocate and her office are in a very good position to provide advice, information, and input to government and to Cabinet in the development of the legislation. I believe that is the right thing to do.

It is not an intention to delay or minimize the responsibilities, to minimize the ask or in any way lower the importance of it, because I can tell you it is very important for us. I believe it is the right thing to do. They have the opportunity to consult with the Child and Youth Advocate to have an in-depth and comprehensive discussion with her so that our legislation can be the best that it can be. I am sure that is what members opposite want. They want the legislation to be the best as it can be.

As I said when we talk about timing of immediate and timely notification, we talk about critical incident versus a critical injury, it is important for us to have those discussions so we

can clarify and do a good job in preparation of legislation, and have a good understanding of it.

So, Mr. Speaker, I will end my remarks this afternoon, and again thank members of the House. This side of the House has full intentions to support the amendment, and then support the amended resolution when it comes to time to vote later this afternoon.

Thank you very much.

SOME HON. MEMBERS: Hear, hear!

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

MR. J. BENNETT: Thank you, Mr. Speaker.

It is remarkable that tomorrow it will be fifty-five years since the United Nations Declaration of the Rights of the Child. This government and, more particularly, this Premier who wasted a half a dozen months as the Minister of Child, Youth and Family Services, has found a way to water down a private member's resolution that would protect the interests of the child, fifty-five years, minus a day, after the United Nations Declaration of the Rights of the Child.

Mr. Speaker, the rights of the child – and I would hope our Province would not want to be less mindful of the rights of the child fifty-five years after the United Nations adopted a declaration. What are the rights of a child?

Well, the rights of a child, according to the United Nations over fifty years ago, the first one was the right to equality without distinction on account of race, religion, or national origin; the right to special protection of the child's physical, mental, and social development; the right to a name and a nationality; the right to adequate nutrition, housing, and medical services; the right to special treatment and treatment where a child is physically or mentally handicapped; the right to understanding and love by parents and society; the right to recreational activities and free education; the right to be among the first to receive relief in all circumstances; the right to protection against all forms of neglect, cruelty, and exploitation; and finally, the tenth right, as enumerated by the United Nations fifty-five years ago, was the right to be brought up in a

spirit of understanding, tolerance, friendship among peoples, and universal brotherhood.

Now, Mr. Speaker, that was followed by the Convention on the Rights of the Child, November 20, 1989, which was twenty-five years ago. So, internationally, we have had a history of making declarations, of which Canada was a party and a participant, of which this Province is one of the ten provinces of Canada, thirteen counting territories.

Mr. Speaker, the hon. the Premier, he said we do not know what the definition would be. Well, I can direct him to no further than other Canadian provinces who have already defined these terms, other Canadian provinces who have said, for example, in Alberta under their Child and Youth Advocate Act – and Alberta has mandatory reporting on serious injuries and deaths, and this is for children receiving designated services. They say, “‘serious injury’, in respect of a child, means (i) a life-threatening injury to the child, or (ii) an injury that may cause significant impairment of the child's health”.

Mr. Speaker, I met with the Child and Youth Advocate probably a month or so ago and had the discussion of what was happening, what was in the works to date; and on the basis of our discussions with her, one of the most pressing issues the Child and Youth Advocate has in this Province today is that she is not advised of the deaths of children and she is not advised of what happens when there is a critical incident – she referred to as a critical incident. So the Child and Youth Advocate is clearly able to define what she means by a critical incident. If she were to define this, what harm would come if the Child and Youth Advocate was advised of a child who had not died and maybe was only left out in the freezing cold for a little while, while in care of the Province? They should not have needed to have died.

Mr. Speaker, what we have seen in the last few months in this Province with respect to child deaths literally would curdle a person's blood. Yet, we have a government who has found a way to try to delay and defer, and defer and delay. Now we know the government can move quickly when they wish to move quickly, because just this week they moved to amend the Elections Act to correct an oversight or an error

they say was committed by bureaucrats under their purview.

At this point, this government and its new minister – who I accept at face value is doing the best that he can. I have no criticism with the current minister. Clearly, he is overseen by Cabinet and the Premier. The Premier is a former minister of the department. He has made oral commitments essentially to report and to do the best that he can, as I understand your interpretation through the media, but this is a haphazard way of doing reporting. It is not all-encompassing. It is not a statutorily mandated way. It is not legislated by us. I would argue that it would be a benefit to the minister if we were to legislate that any child receiving services from the government, or any child – and child defined under the Advocate's act means a child past the age of eighteen, because that child may still be in receipt of services.

The briefings I have had through the Department of Child, Youth and Family Services have been very helpful. In fact, they have been the most beneficial briefings I have had in five departments that I have been responsible for being the critic. The staff are doing their best. They are working. They seem to be maybe under-resourced in some respects, but in some areas doing a good job. In this particular area, so many children are falling through the cracks that it is absolutely shameful.

A simple piece of legislation would mandate that the Child Advocate is the person who is advised immediately, just provided notification. The child shows up in whatever, they come in contact with any government service, and that child suffers a serious injury, or a sentinel event some agencies call it. A very bad thing has happened, or is about to happen, or is happening to that child. The child could be one of maybe dozens or even hundreds who are overseen by the department, but they are still in the care and custody of their families.

Not everybody draws the best family, and that is not the child's fault. Many parents are unable, or in some cases, unwilling. Generally, if they are not providing properly for their children, protecting them, caring for them, clothing them, it may very well be because of substance issues, mental health issues, but decisions are made to

keep the child with the family quite often. Quite often that is the best decision. Sometimes it is not the best decision. However, if harm comes to that child, why should the Advocate have to find out because of a court proceeding years later, as was the case in Joey's Story?

Why should the Advocate have to find out – well, I picked it up in court that these people were sent to jail because of how they so badly abused their children so I thought I should investigate. That is absolutely shameful. It is absolutely shameful that the most vulnerable people in society, the ones we are charged to protect and look after – and the single person in more than 500,000 people who is mandated to represent a child is not told, statutorily by this government, if something bad has happened or is happening to that child. You must tell the Advocate.

In the discussion I had with the Advocate, my question was – and I met with another caucus member and researcher. It was a good discussion. It was more than an hour and a half. I would encourage the Premier, having formerly been the minister, to maybe get acquainted with some of the people who are carrying out the government's mandate and meet with some of them.

Do not say at this point I am going to meet with the Advocate and find out what is going on. It is a bit late for that. He is quite a bit late. If having been one of the four ministers in the last fourteen months he needs to find out from the Advocate what she needs, then, what was he doing when he was minister?

Mr. Speaker, the proposed amendment is simply a stall. It is a watering down tactic. It is a way for this government to be able to duck and delay, bob and weave and defer, and not do something else. This is not something else that would be highly expensive. In having this discussion with the Advocate I posed the question: what would it cost? It is important to know what that would cost. It is an improved benefit. It is an important benefit.

Mr. Speaker, I can report back to the House that she indicated her budget is in the range of \$1.3 million. For less than \$150,000, she would be able to employ two other staff personnel who

could handle that overload. One would be a professional investigator and one would be more of a lower-level but qualified position. For approximately \$150,000, the Child Advocate could be staffed, in her view, adequately to be able to handle all of the reporting that comes in from government. Cases will be triaged, some cases will be more urgent than others, and she would handle whatever would be the caseload.

This is shameful, Mr. Speaker, to have to come here not to bring the motion. I can understand the government might want to defer and delay, and delay and defer, but when it comes to a private member's resolution, to take it and to water it down, and to say they are improving on it by way of consulting with somebody who has been the Advocate for five or six years, by somebody who has now three of the last five ministers sitting around a Cabinet table, one of whom is the Premier and they want to consult with the Advocate – why? Why do we need to consult at this point?

Mr. Speaker, this shows a deeply ingrained inability of this government to act. This government is able to make spending announcements. They are able to call for proposals. They are able to request studies. They are able to consult, but they are not able to perform. The reason they are held in such low regard by the people of this Province in my view, as seen by the public opinion polls, is because they are not seen as doing things that are very important to the people of the Province, that are very beneficial on a social basis, and that will help vulnerable people.

This lifting of the veil really started with DarkNL nearly a year ago. It is intransigence. It is an air of entitlement. It says we know what we are doing; you do not know we are doing. You are not going to tell us what to do. By the way, we will make another spending announcement. We will delay a hospital for three, four, five, six, or seven years and we will delay this little piece of legislation which will correct an enormous shortcoming in the Office of the Child Advocate. It would generate such an enormous benefit for her to do a job for the most vulnerable people in our Province at a minimal cost, yet the government still wants to delay and defer.

I predicted, Mr. Speaker, that would happen. As a matter of fact, I predicted within the last hour this would happen. I publicly predicted this would happen. I took the opportunity to explain on the Open Line show what Private Members' Day was all about so the people of the Province could understand what we do and that what we were putting forward today is what we thought was the most important issue that we could do as a private member.

When the host Pete Soucy said, how many of these get through, I explained to him that some get defeated, as did the fracking regulation PMR we put in. Some get defeated and others, when the government feels they must be seen to be doing something – they do not really want to be doing something, but they must be seen to be doing something – then they will amend it in a way that would be favourable to them. They will use their majority to pass the amendment. Then passing the amendment, the resolution will pass.

Then they will issue a press release saying what a great job they have done, when all they have done is ignored a situation for half a dozen years. After refusing to do something for so long and a private member's resolution comes forward to them, they water this down with an amendment and take credit for doing something, when in fact they have done nothing and they have only delayed progress at the expense of the most vulnerable people in the Province.

This could be a Christmas gift to all those little children we do not even know about who are cold, scared, hungry, in pain, and neglected. Right now, today, they have not died yet. Based on the numbers we have seen of three dozen or so in the last five years, they are probably dying at the rate of one every month and a half. The advocate is not being told about this.

This is what this government is delaying today. I would encourage government to withdraw the amendment, pass the resolution, introduce a new bill next week, and let's all get together and pass it.

Thank you, Mr. Speaker.

MR. SPEAKER (Littlejohn): The hon. the Minister of Child, Youth and Family Services.

SOME HON. MEMBERS: Hear, hear!

MR. S. COLLINS: Thank you, Mr. Speaker.

Mr. Speaker, I am delighted to have the opportunity to speak to this today in the House of Assembly and also to talk about the tremendous work that is happening in our Province and in my department, in the Department of Child, Youth and Family Services.

I would also like to thank the Opposition for allowing me that opportunity to go over some of the progress we have made in the last number of years and lead up to the discussion surrounding legislative changes, the critical incidents, and the reporting of deaths.

I must say, Mr. Speaker, at first blush, I came into this department – we always go into new tasks and new things in our lives, and sometimes we are somewhat naïve. I had some of the same concerns and I asked some of the very same questions the members opposite had asked as well, thinking this was just a simple project, something we could do and enact very easily with very little ramifications or cost.

It goes to show, when the member speaks – just a couple of quotes here: it would be a little piece of legislation, was the quote he used, and it would be simply two positions at the Advocate's office. I think that shows the scope of how they envision this. I think that is a starting point where we need to start and talk about, but this is a much larger piece of legislation with much further implications that would have to be considered as well. It is not to say that it is not important, it absolutely is, but we have to understand the full breadth of this, to understand it is not simply something that can be done overnight and all the implications, there would be none.

Mr. Speaker, I think each one of us here today agrees that children and youth obviously are the most important things in our lives and in our Province. Certainly, as a father of two young daughters, I get that not only as a politician, as a minister, but also as a father and a parent.

I can remember when I got the call from then Premier Marshall at the time with regard to

asking – I do not know if Premiers always ask if you want to go somewhere, but he did. He asked. He said: How do you feel about going to Child, Youth and Family Services? While I understood the huge responsibility, the important role and some of the things that are so tragic that you have to deal with, but I understood the importance of it and the great responsibility.

Actually, I look forward to the opportunity of having some impact in that role, and in the progress that has been made over the last number of years. We still have a ways to go, Mr. Speaker. I will be first to admit, we still have a ways to go, but I am happy to be part of a team that is looking forward to that progress. There is great work happening in our department each and every day.

Again, it was an honour to come to this department. While coming to work every day is not easy because sometimes we deal with the most sensitive and, as I said, tragic events, and when you are talking about children there is nothing more difficult. While I understand the responsibility and the toughness of what that job entails, I look forward to the opportunity of having some real positive impact in this role.

Never before has there been a provincial department solely dedicated to Child, Youth and Family Services. If we look back at what this government has done over the last decade, one of the things I look to as one of the biggest achievements is we have a department solely dedicated to Child, Youth and Family Services. That is something we did not have before, of course. It was under the Department of Health and the four regional health authorities.

We are continuing to build and revitalize a child protection system that is responsive to the priority needs of our children and youth, as well as making significant progress to creating a culture of accountability, excellence, and consistency across all programs, across all regions in the Province. In 2009, our government created the Department of Child, Youth and Family Services to address systematic issues identified through internal and external reports. One of the reports that come to mind, and one that was so important, was the Clinical Services Review.

Mr. Speaker, I do not have to talk around it. There were huge deficiencies in the system prior to this department being formed. There were organizational structures, and I say that with all sincerity. There were major issues and we recognized that. It was through the clinical review, as well as through other recommendations, that the government saw fit to build this department.

When I say build this department, it was not simply just taking out from the regional health authorities and say go operate as you were before. We had to create the whole department from the ground up. There was a lot of work done by a lot of people, and I think we are starting to see the benefits of that.

This is not a process that can happen overnight. We went through a transition where the four RHAs were rolled into the department, the last one being the Labrador region in March 2012, I believe it was. Once we had that transition, then we would look towards the transformation, and that is what we are going through right now. We are – how I envision it – about halfway through the transformation.

We have been told through clinical reviews and through conversations with Susan Abell, who was one of the authors of the clinical review, she said this is not something that is going to happen overnight. It is not an easy piece of work whatsoever. She was quite well versed in this, and she had seen how this unrolled in other jurisdictions. She was quite pleased with the step. I think it exceeded her expectations when we came to a point where we were creating an entirely new department focused and dedicated to the children and youth of this Province. That is something I am so very proud of. I think it just talks to where we were and where we are now. I think it is important to recognize that.

As I said, the clinical review is a very important one. It was the first bit of reading I had assigned to me upon coming in to the new department. I have since found out it is referred to as the commandments in Child, Youth and Family Services. It is our touchstone; it is something we always go back to. With all policies and all directions of the department, we go back and we reflect on the recommendations put forward by Susan Abell in that review. It was

commissioned by government and authored, as I had said, by Susan Abell, who is a child protection expert in Canada; well known, very good reputation. It evaluated the clinical social work and management practices within Child, Youth and Family Services programs.

The recommendations of the Clinical Services Review were fully accepted by government – another important piece. It is fine to ask for recommendations, but the most important part, obviously, is that you recognize them and accept them, and that is what we have done. We have been working towards full implementation of those recommendations ever since we received them.

Over the past couple of years we have accomplished significant milestones, significant, that certainly enhance the services and care we provide to children and youth and families. Including, and as I had spoken about, transitioning of all youth and family services staff and programs from four regional health authorities. That in itself was a major piece of work, when you look at how big the size of the regional health authorities, under the Department of Health, that umbrella – it is absolutely massive.

As I said, just so everyone knows, in March, 2011, Western transferred over; Central followed in July, 2011; Eastern, we broke up into two pieces in 2011 as well, in October and November; and then finally, as I had said, Labrador was the final transition in March, 2012.

We have also enacted new legislation, great legislation, things that needed to be updated. We responded in June, 2011, I believe it was. The CYCP Act, Children and Youth Care and Protection Act, as well as the adoptions legislation, which I think was only in the last sitting of the House.

New organizational structure is very important as well. We talk about a team structure. Again, we had to build this department. It was not simply just extracting it from the RHAs. We had to build an entirely new department. That, of course, came with a plan, and a plan that has been enacted and I think has been fantastic.

We came with a goal, and this is something that is very important because we talk about social workers and their workload. We recognize that, and we wanted to address it. So, we came with a goal of having a ratio of 1 to 20. I am happy say now we sit at about 1 in 21, which is nearing the goal of 1 to 20.

I envision when you look, you do not only look at tomorrow but you look at years down the road. I look at perhaps making that ratio even lower again, because we understand the hard work that social workers do. I can stand up here and describe to you how hard it is, but I do not think I could truly do that. It would only be from a social worker's mouth, and I have heard from many, and it is not easy work. So anything that we can do to make sure their jobs are as easy as they can be, obviously recognizing the type of material they deal with and the incidences they deal with on a day to day basis.

We are very proud of the strides we have made, Mr. Speaker. Every accomplished milestone can be credited to the input and hard work and the co-operation of CYFS staff all throughout the Province who are committed to making positive difference and significant impact in the lives of children and youth. While I have gotten to know many of the staff at the provincial office, where my office is located down on Elizabeth Avenue, I have also had a number of opportunities in my brief time in the department to also meet staff out on the West Coast in regional offices in Corner Brook and in Deer Lake, and I have met with a number of staff in the metro area as well.

I was immediately struck by the type of people that we have working in the department. That is not to say anything about anyone else working in any other department, but I was struck by the type of person that I came across – it seemed that each and every time I met new staff who are working on the frontlines in our department, they are passionate people and they are dedicated. They are not in this for the lifestyle. They are not in this because it is an easy job.

People do not get into social work for the money; it is just like teaching. You look at a bunch of professions, they pay and you can make a living at it, but certainly you are not going to become a rich man or woman doing it.

The people who get involved in social work do it for absolutely the right reason. I think when you met social workers and when you have that chat with them, you can see that. It is written all over their face.

They get up every morning to go to work and it is with the utmost intentions and it is to improve the lives of children, youth, and families in this Province. I applaud them for the absolutely fantastic job that they do day in and day out. While they are open to criticism – and we all are – I can assure you if I can, if I may speak for them, they have every best intention in their mind and I think they do an absolutely fantastic job, as I said, for the children, youth, and families of the Province.

Mr. Speaker, we continue to move forward with a focus on further enhancements to child and youth care. We continue to drive change that results in best practices in enhanced approaches to supporting children and youth in our Province. As I said it is immediately obvious how passionate employees are about what they do day to day, and I have experienced the high level of professionalism in the work concerning areas of child protection, youth corrections and adoptions, Mr. Speaker. It is within this context of this professionalism that many difficult situations and decisions are encountered on an ongoing basis.

The assessment of risk is a major component in front-line staff. That is what they do each and every day. It is no different as I said from what a doctor would face perhaps in difficult decisions that they have to make, or nurses, or whatever the case. Social workers, I put them in that same box with those professions as well, because each and every day they have to make such important decisions that people's lives are influenced by every decision they make.

Social workers regularly work with families receiving services from the Department of CYFS to deal with a variety of risk areas as a result of the action or inaction of parents. Some of these risk areas, as we are all too familiar with sometimes it seems: physical and emotional harm, sexual abuse and exploitation, inappropriate supervision, substance abuse or other abuse. All of these matters are taken very seriously. I think if you look at the types of

activities and types of behaviours over the last number of years and if you reflect on what was happening a decade or two decades ago, it is even more alarming the types of behaviours and the types of substance abuse that we are seeing.

These are things that we are trying to progress with because, again, the target is always moving but we always have to try to adjust and try to enhance our services to meet that target. As I said, that is certainly what we attempt to do.

I am quickly running out of time, so bear with me one second. Our government understands the Child and Youth Advocate has an extremely valuable role to play in our Province and certainly any recommendations she brings forward we take very seriously.

Since becoming the Minister of CYFS, I understand first-hand the importance of her job and what she has to do on a day-to-day basis. Shortly after coming in, I am happy to say that I actually met with the Advocate – it was not too long that I was into the role – to discuss, obviously, the very sensitive and important matters that came out of the news with regard to the children's deaths. During that meeting, the Advocate advised me that she would be seeking legislation. Certainly, I welcome that, and I think we all do.

While she has full disclosure – and that is something we have to be very clear on – of all files minus the referrals, for obvious reasons, but she has full disclosure, she is looking to enhance that. So certainly if she wants to bring forward something to us to consider, we would be more than happy to do so.

As was mentioned, as an interim measure while we work through the process – I do not want to predetermine what happens with regard to legislation, but I felt it was reasonable that I could provide her with the deaths as they occur. We did make that interim measure and put it in place, and hopefully we can resolve that through the Child Death Review Committee or through other changes.

When we talk about critical incidents, it is very important to know that it is very different than deaths. It is not so black and white as deaths. The hon. member mentioned a couple of

provinces. He actually mentioned one: Alberta. There are no provinces, as I understand from a primarily jurisdictional scan, that have in their legislation the mandatory reporting of critical incidents. What you have in BC and Alberta, as the member mentioned, is critical injury and death. That is also a very important fact and just points to the fact that semantics – and critical injury is very different than critical incident.

I welcome the definition from the Advocate. Actually upon meeting with her, I had asked that question to her and she did not have a reply ready for me at that time. Certainly, I look at the opportunity, I think, for her to come in and present to Cabinet. I think it was a great move by our Premier to allow her to come in and explain to us what she envisions. Because, again, it is always nice to look at other jurisdictions in Canada to see what they are doing, but currently they are not. That is not to say that we cannot look at it, but it is a very complicated piece of work and we have to recognize that off the get-go. We all have the very, very same view as it comes to the care of children. We want to be able to provide the best possible care to children, youth, and families in this Province.

While sometimes it seems as though myself and the Advocate are coming from different standpoints, that is absolutely not the case. I have had a great working relationship with her. I respect the role that she holds. I appreciate the work that she does. We have exactly the same goal, and that is to be able to provide the best possible services to the children, youth, and families in this Province. I think through working together and through a collaborative approach, which I think I have had since becoming Minister of Child, Youth and Family Services, we will come to a place where the children, youth, and families are better served.

With that, I will take my seat. I look forward to further comments.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

MS ROGERS: Thank you, Mr. Speaker.

I am happy to stand in this House today to speak to this very important, crucial, and in some circumstances, life-saving legislation. It is about improving our services to the children and the youth of Newfoundland and Labrador. It is about alleviating suffering. It is about helping our children in recovery and in resilience.

The role of the Child and Youth Advocate is paramount in ensuring that our public services are serving the needs of our children. It is paramount in ensuring when gaps or mistakes happen that they are resolved and not repeated. It ensures that we are providing the best possible supports to some of our most vulnerable children and youth, and in some cases their families.

Her mandate is guided by the UN Convention of the Rights of the Child. That is where she is coming from. That is the language that she speaks. That is where we want her coming from. That is the language we want her to speak. It is a language that we understand. It is a language that we honour. It is a language that we are committed to.

In preparing to speak to this legislation I had the privilege of contacting other provinces and their equivalent offices to our Child and Youth Advocate. I am happy to report that our Child and Youth Advocate is the envy of her colleagues across Canada. They all wish they had the legislative support that she has. They also spoke of the wonderful work that she and her staff are doing on behalf of our children: work that is really difficult, work that is really complex, work that takes an incredible amount of dedication.

It is generally agreed we have the best child advocacy legislation in Canada. However, the Child and Youth Advocate can have the best legislation in the whole world and all the tools she needs to function, but if she is not notified about deaths or critical incidents of children receiving government services, she cannot investigate them. The legislation is useless unless these incidents are reported to her. As she told the media, “If I don’t receive notification when a death occurs, or a critical incident, then I’m really not fulfilling my

mandate.” As a matter of fact, she simply cannot fulfill her mandate.

In August, an ATIPP request to the Department of Child, Youth and Family Services by a CBC reporter revealed that twenty-six children under eighteen years of age had died since 2009 of illness, accidents, or suicides. Then on September 24, they confirmed nine more deaths after a refined search.

The Advocate had already been investigating four deaths that had come to her attention through media coverage or complaints. She said she had only been informed of two of the thirty-five deaths. She said at the time, it should not have taken an access to information request to reveal that thirty-five children receiving government services had died since 2009. Mr. Speaker, how does that happen? Her role was to be absolutely informed of those so that she could fulfil her mandate. How does that happen?

Not only were the equivalent Child and Youth Advocates across the country talking about our great legislation, they were also talking about the unbelievable situation of the thirty-five deaths of children and youth in Newfoundland and Labrador not reported to our Child and Youth Advocate. They were talking about us across the country because of our great legislation. They were talking about us across the country because of the huge gaps in the implementation of that office.

It is clear that this should never have happened, as it is clear here today that this has to be fixed immediately. The Child and Youth Advocate of Newfoundland and Labrador has been calling out for mandatory reporting since at least 2011. She has been calling out for it loudly, clearly, and repeatedly. We cannot delay this anymore.

This is why we are here this afternoon. This private member’s motion is very important. I hope that government will support it. Our caucus fully supports it, legislating the mandatory reporting of deaths and critical incidents to the Child and Youth Advocate.

We know how important our legislation is. We know how complex our legislation can be; however, we cannot delay. We know there will be consultations done in terms of looking at this

legislation. The gap in this legislation has become – as we have learned over the past year with the revelation of the thirty-five children who died while receiving government services – a serious one and we have to take this seriously. We cannot delay any further.

We all want to ensure that the Child Advocate is able to fulfill her mandate to ensure that the services provided to the children are adequate, and do not contribute to their death or to critical incidents. Her role is not a duplication of the Chief Medical Examiner's Child Death Review Committee.

Mr. Speaker, in that legislation it says, "The minister shall as soon as practicable provide a copy of the report of the committee to the Child and Youth Advocate." We will see how that unfolds. We will see what that means as soon as practicable. We are hoping it means immediately. We will have to see how timely that reporting will be.

The Advocate's mandate is in part to, "Protect and advance the rights and interests of children and youth through the provision of advocacy services. Ensure that children and youth have access to services and that their complaints receive appropriate attention." As a result of uncovering the thirty-five unreported deaths of the children by the Department of Child, Youth and Family Services, they have verbally agreed to notify the Child and Youth Advocate of deaths or critical incidents of children receiving care. If they have verbally agreed to that, let's move on then, let's make this legislation, and let's not stall any longer.

The Advocate needs more than a verbal agreement with one department. This must be a directive. It must be legislation mandating each and every department and agency of the Government of Newfoundland and Labrador of the Province of Newfoundland and Labrador to mandatory reporting.

This motion asks government to introduce legislation for mandatory and immediate reporting by all government departments and agencies of the deaths of and the critical incidents involving children and youth. While we can take a step forward on assisting the Advocate today by ensuring government

commits to passing this legislation, by itself the legislation is not enough. Legislation is not enough in and of itself. The Advocate will need more than legislation to meet the mandate. She is also going to need extra staff. Without the proper human resources, the legislation will not be implemented in a timely manner. Legislation without proper tools to enforce it is meaningless, just as we know legislation that we had without mandatory notification, the Advocate was not able to do her job.

As well, in order for this legislation to be fully implemented, a working definition of what constitutes a critical incident will have to be worked out with all relevant departments. The Premier said that is very difficult and very complex. It is. However, it is possible and the Child Advocate is on it. She knows that across Canada various child advocacy agencies have different approaches and different definitions of critical incidents.

The Advocate has to ensure that government is meeting the needs of children in their care, and that the needs of children in care, and the needs of children who in the future will require care, are met. By investigating deaths and critical incidents, the Advocate can learn what needs to be fixed in regard to the provision of that care. Otherwise, we are just stabbing in the dark. Whether it occurs in a hospital, school, youth centre, a group home, or in public housing, the Advocate must know if a children is in receipt of government services, and that those services are positive and appropriate.

After court battles between the Government of British Columbia and the BC Representative for Children and Youth, British Columbia hammered out a working definition of critical incidents. They said: A critical injury is an injury to a child or youth that has resulted in or which may in the future result in a serious impairment of the child or youth's health. A serious impairment has occurred when a child or youth is unable to carry out the day-to-day activities, or requires considerable support to carry out their usual day-to-day activities and the impairment may be physical and-or emotional in nature.

I think that is clear. We are talking about physical, emotional, and psychological injury.

We are not talking only about whether or not someone has a broken arm or a severe concussion. We are talking about all kinds of critical incidents that cause injury on a number of levels.

Mr. Speaker, that kind of work has been done. It is complex work. The Child and Youth Advocate of Newfoundland and Labrador is ready, prepared, and has the expertise to consult with all the departments and agencies to see how that will be defined in this Province. We cannot afford to stall this work anymore.

It is BCs current working definition. It is not yet formally adopted, but it is used in practice. We can start that process here in the Province. I am sure that the Child and Youth Advocate here in Newfoundland and Labrador has already started that.

Critical incidents are about the future of a child, and in some cases, their siblings. If one child is in danger, there is a possibility that their siblings also are in danger. If something critical has happened, we have to look at what are the services that child or children will need in order to recover, to be safe, to be resilient, and to be able to move on.

Our Child Advocate is going to have to develop such a definition with her work, with all government departments and agencies. We all know that. That is possible; that can be done. Her role is to make sure that the voices of our children are heard, that she can identify where services have failed, whether a death could have been prevented and whether changes could have been made to ensure mistakes are not repeated, because we cannot continuously repeat the same mistakes. Her role also includes advocating for both the children directly affected and to advocate for those who might be, and for the children of our future.

We are here today to ask government to pass legislation requiring the Advocate be notified immediately by all government departments and agencies of the deaths of and critical incidents involving children and youth of Newfoundland and Labrador.

I am saying that in addition to this, we need to make sure that the Advocate gets the staffing she

needs to fulfill her mandate, that definitions like the definition of what constitutes a critical incident are clearly understood by all involved, and I believe that we can do that. This must be done immediately. We cannot afford to put it off any longer. She has loudly and clearly repeatedly called for this. Her office is ready to do the work that needs to be done to make this happen.

The sooner that the legislation is in effect, the sooner we can ensure that our Child and Youth Advocate can do her work and fulfill her mandate. Without this legislation, she cannot fully fulfill her mandate to the people of the Province. We owe it to the children in care of the Province of Newfoundland and Labrador that these hurdles are overcome so that the Child and Youth Advocate can ensure that all receive safe, appropriate services to meet their needs.

This legislation is about improving our services to the children and youth of Newfoundland and Labrador, and improving the services to their families. It is about relieving suffering, it is perhaps at times about preventing death, and it is about helping our children heal and move forward. We cannot afford to delay.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (Cross): The hon. the Minister of Seniors, Wellness and Social Development.

SOME HON. MEMBERS: Hear, hear!

MR. JACKMAN: Thank you, Mr. Speaker.

Mr. Speaker, other than Question Period, this is the first time this session I have gotten up to speak. I do not think there could be a more important topic that we could speak about than what we are speaking about here right now. I want to thank the Opposition for bringing forward the motion.

As I prepared to speak, I wondered what direction I would take. Mr. Speaker, I am the father of five children. I am the grandfather of eleven grandchildren. Whenever I see a media report that there is something ill done to a child, I am sure it gnaws at me, as it does to most of

the people in this Province. Unfortunately, there is a dark side to society, a very small dark side to society, and there are children who find themselves in very difficult situations and they are not of their own making.

I worked in education for twenty-seven years. I have to say, I do not know if I ever came across a parent who did not want what was best for their child. Any of us who were teachers in the system, anyone of us who were social workers and dealt with this, we always knew that the parent wanted what is best for their child. Sometimes they did not necessarily have the skills to provide that, but they always wanted what was best for their child.

Mr. Speaker, I say to you and I say to the people watching this today, there is no one sitting in this House who would not want for the children of this Province any different than what they would want for their own children. I want the best for the children of the Province as I do for my own children.

Mr. Speaker, I had the privilege of serving in Child, Youth and Family Services. It was for a short period, but I am going to echo what the present minister said. We have a new department, a relatively new department, just a little over four years old. I am going to tell you that there is not a group of people in the public service who deserves our recognition more than those who work on a daily basis on behalf of the children of this Province. We owe them, Mr. Speaker.

I will tell you, the minister, he will not be in the news every day on every issue that confronts him; but I can assure you that, generally, on pretty well every day he hears of a situation that we have social workers working with and on behalf of the children of our Province. They do commendable, commendable work, Mr. Speaker.

Mr. Speaker, today we have an opportunity, all of us collectively, to do something in this House on behalf of the children of this Province. Now, I read the updated resolution, and it says:

THEREFORE BE IT RESOLVED that the House of Assembly urge government, in

consultation with the Advocate for Children and Youth, to develop and introduce legislation.

The member for – I have to look to see; I cannot say her name – St. John's Centre mentioned that she had investigated across the country and that ours was the envy in many ways. Mr. Speaker, this now allows us the opportunity to make that even stronger.

When I heard one of the members opposite saying that you are watering it down, or you are dressing it down or something, I thought, my first reaction would be: Wouldn't the Child and Youth Advocate want this? Wouldn't she want to have input in developing what is going to be brought forward? Whether it is immediate – to me, the word in developing legislation immediately, my first reaction is that if we are going to do this, we involve the Child and Youth Advocate and we do it right. We do it right so that those that the Member for St. John's – I have to get it again – Centre talked to across the country, when we get our work finished on this – and it is not as simple as it appears – when we get our work done on this, the envy of the country will be even higher. We are the envy of the country in many ways, Mr. Speaker. We have the opportunity to improve upon that in this.

The present minister reminded me before I got up to speak. He said: we need to note that we have already done some work on this. We have set up a deputy ministers committee.

I recall that the Child and Youth Advocate had mentioned that it is not only Child, Youth and Family Services that she needs to deal with. The deputy ministers' committee has been made up of Health and Community Services, Education and Early Childhood Development, and Justice and Public Safety. There may be others that you might identify as we go through this process here, Mr. Speaker.

Another member said we have had change in ministers and this kind of stuff. I will tell you, before I was moved I had a meeting set up with the Child and Youth Advocate. If we recall and check the timelines, it was not too long after the present minister got in there that he had set up a meeting with her.

Let's not forget, Mr. Speaker, that while a minister may move on, the staff who work there, from the deputy to the directors, are the people who work on the ground. They have been involved in the system for the longest time. I go back to the commendable work that they have been doing and continue to do on behalf of the children of this Province.

Mr. Speaker, I have some experience in dealing with children in very difficult situations. It is one that you feel extremely proud about, but you also recognize that children face challenges. It is important that we as individual members of this House – and we deal with these through some of our own constituents.

We do what is right on behalf of those children. I suppose we can sit here and we can say, as the Member for St. Barbe mentioned, that these things come in. We bring them in and we know where it is going and all these kinds of things. We know that the people across the way are not going to support us and this kind of thing. I know that may happen in here from time to time, but I have to be quite honest with you, the amendment to this private member's motion today that was brought forward by the Premier, I think simply strengthens this.

The Premier is sincere in this. I know that working with Education I had the occasion, on a couple of occasions, to come across people who said they had worked with him in his previous capacity, as educators, as administrators, and dealing with different situations at work with him. They spoke of, then, his commitment to the work that he did then on behalf of children. So this is not something that we, as ministers, are standing up here today and just talking to for the simple matter of talking to it. It is something the Premier takes quite seriously, and I take quite seriously.

I tell you one of things I am looking forward to, the invitation that he extended to the Child and Youth Advocate to come in and speak to Cabinet. We have presentations in Cabinet on a regular basis. Some of them can be short. Knowing the office that will be coming in to speak to us, I can predict that it is going to be a very informative, very active, and I anticipate there is going to be many questions and a healthy discussion that will be held between the

Child and Youth Advocate and members of Cabinet.

We have the opportunity here with this amendment to strengthen the private member's motion that was put forward today, and we have the opportunity to do what I feel, and I think all of my colleagues feel, is right on behalf of the children of this Province.

I thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MS DEMPSTER: Mr. Speaker, I am asking for leave to speak for a few moments, and then leave the remaining time for our leader who introduced the motion, by leave.

MR. SPEAKER: If I get this correctly, you are asking, by leave, to speak beyond the – is leave granted?

MS DEMPSTER: No, to use a portion of his time.

MR. SPEAKER: To use a portion of his time.

Leave?

AN HON. MEMBER: Leave.

MR. SPEAKER: By leave.

MS DEMPSTER: Thank you, Mr. Speaker.

A lot of times we stand and say I am happy to speak to something, a motion here in the House. I do not know if that is the right wording today. I guess there would be some gratification or satisfaction if we know we are standing here to speak and we are going to be a part of implementing some change.

Mr. Speaker, I can hardly believe what I am hearing. We are here because of a very serious issue. Thirty-five children have lost their lives since 2009. Twenty-six of the children, the Advocate said she was only aware of six. She was not aware of twenty. She became aware of those that she did know through family members

or the media. That is why we are here talking about this, Mr. Speaker.

The member across the way, when he spoke, the Member for Terra Nova, mentioned several times this does not have an overnight solution. Mr. Speaker, we have not been dealing with this overnight. When I look at the timelines going back to November, 2001, starting with when Andrew Bagby was shot, and all of the Turner review and everything that happened since that time – I know the Bagbys. I have had many conversations with the Bagbys.

When I read the book *Dance with the Devil*, it was heart wrenching to hear how the system failed them again and again and again. They had one child, and they lost him at the hands of someone else. They had a grandchild, and they would have to sit and visit with that grandchild in the presence of someone who had taken their son. Because the system was not fixed, Mr. Speaker, that individual was able to wipe out a full bloodline of that family. That is what we are dealing with.

Mr. Speaker, people here can talk about the value of a child, but until you have lost one you really do not know. I am not going to get into personal stuff today, Mr. Speaker, but in June, 2014, the Advocate reiterated her call for mandatory reporting to the Advocate by all departments and agencies – June, 2014.

The Premier has been in now for a couple of months. We are asking today for this. Nothing has been done to date, Mr. Speaker. It is very, very concerning.

My colleague stood up and spoke, and he talked about Christmas approaching and what a Christmas gift. I cannot imagine the families connected with those thirty-five people. We have anniversaries on the calendar that are tough to get through, but Christmas seems to last forever for people who have lost a child. We are not talking about money here, Mr. Speaker, we are talking about lives of children, and we have a responsibility to those children.

Right now, what we have is a fundamentally flawed process that does not allow the Advocate to fulfil her mandate. When we introduce a motion today and the Premier stands up and he

wants to change it and say not immediate, that concerns me – not immediate. We have had years to fix this. The ministerial turnover, Mr. Speaker – five ministers since 2009; five ministers in five years, four in the last fourteen months.

I want to say today is not about social workers not doing their job. We all appreciate the work that social workers are doing. They are burned out. When they leave, then someone new comes in and they are new in a case and they do not know the history. Mr. Speaker, when you have turnover at the leadership level here in government like we have been having, that is a cause for concern. It is definitely a cause for concern.

The longer it takes for the Advocate to become aware of and investigate a case, the less likely interviewees will be available for questioning. Sometimes memory fails and it is the tiniest most meticulous detail that can help save a life. Oftentimes, we have said in this House that delayed justice means denied justice.

What we are talking about here today, Mr. Speaker, is an Advocate who said if she cannot get changes made to the legislation, she will be unable to fulfill her mandate. This is not about a loss of revenue. We should not be getting up saying this is not a simple piece of legislation and the money that will be involved. We have lost thirty-five children and I say that we have to do something about it. The buck stops here and now today. Everybody in this House, the forty-eight people, have a responsibility to the children of this Province.

When I saw a bunch of little girls come out on stage from the Barbara Ashley School of Dance at Miss Achievement the other night I said to my colleague, that is why we have a responsibility to the future of Newfoundland and Labrador. That includes these thirty-five children. It is very complex. I know, Mr. Speaker, some people today talked about the definitions of critical incidents and things like that. Those are things that can be worked out over time, but we cannot delay this any more.

It was our Premier who made the comment. He claimed that mandatory reporting is a duplication of the Child Death Review

Committee. When the Advocate was asked about that, she does not believe it is. I believe that we have to take some stock and faith in what the Advocate is saying.

What I cannot understand is what harm is done by involving the Advocate? That is what I am missing in this. What harm is there? The Advocate is saying she is unable to do her job, yet we are here today removing the word immediate. We have already had a lot of years to fix this, we have had far too many deaths, and we are removing the word immediate. It is very, very concerning, Mr. Speaker.

Mr. Speaker, I believe we have to get this right. The problem still exists. There are many, many deficiencies. There are a few recommendations that were brought in, changes – the Turner report talked about the need for more info technology, the need for better filing; but still, we have many, many things here that we have to correct. Again, talking about the majority of the children who died and how the Advocate did not even know about this.

I am going to leave the rest of the time for our leader who introduced the motion to close off on this important motion.

MR. SPEAKER (Verge): Order, please!

The hon. the Member for Humber Valley, to close debate.

SOME HON. MEMBERS: Hear, hear!

MR. BALL: Thank you, Mr. Speaker.

Well, as the Member for Cartwright – L'Anse au Clair and other members have expressed from time to time when we get involved in debate in this House, sometimes we often start by saying it is a privilege to stand, but when you think of the seriousness of what we are dealing with here and the unfortunate incidents that actually led up to this discussion today – this office, as I mentioned earlier, was put in place and established back in 2002 and often what we find is with pieces of legislation that occurs from time to time, we see an evolution in legislation. It is not unusual that from time to time we find very good reasons to strengthen legislation. I believe what we are proposing here today is

indeed strengthening the legislation, strengthening the way the Advocate's office could actually work and do the job.

Some of the things that have been mentioned about the amendment I will say from changing the words to immediately introduce legislation, to do so with consultation with the Advocate – I find that difficult today to be at this stage, given the fact that we have had a series of recommendations, some of which are three years old. When you make a recommendation three years ago, two years ago, two months ago, what happens is it leads to frustration. This is not about questioning the sincerity of members in this House of Assembly, not at all. What it is, however, addressing is the frustration that the Advocate is experiencing in doing her day-to-day work.

The sincerity, I believe, is indeed with the Advocate and she is very sincere with her words in saying that the immediate reporting of child deaths and serious and critical incidents indeed would lead to prevention in some cases of tragic losses.

The fact is that she has been asking for this for a number of years. Right now, she has found herself in the situation where she has taken this and asked – because there has been no response to be able to do this internally within the mechanisms that we have in this House of Assembly. That has not come to this floor. So indeed, what she is asking for now is for members in this House of Assembly to put in place this mandatory reporting of deaths and critical incidents to her office.

Some would argue that this is a duplication of what we have, of a committee that was put in place in 2012, ten years after the Child and Youth Advocate's office was put in place; but, in response to that, the Child Youth Advocate has thought this through and she says that she really does not believe that indeed this is duplication at all. What she is looking for is for this notification to be about timeliness because she is interested in making sure that there is a prevention mechanism.

Not getting caught up unto what the words that we use in this particular case, consultation with the Child and Youth Advocate, we have had

years to be able to do that. There have been many meetings I am sure, so this particular motion has led to frustration and that is the reason why we are urging this government to immediately introduce the legislation.

What we are asking for here – just imagine – is immediate notification of an incident or of a death. How complicated can that piece of legislation be? She has been reaching out; it has led to frustration. So what she is looking for by making the request that she has in the last few months, she is looking for action. She has experienced the delay; she has experienced the frustration. As I said, a recommendation back in August of 2011, a second recommendation in July of 2012, and a recommendation in September of 2012 asking for the immediate reporting.

This is not about duplication of processes that are already established; this is about making sure that the position that we have as an Officer of this House of Assembly, the Child and Youth Advocate, is better equipped to do her job on a day-to-day basis, Mr. Speaker.

It has been mentioned in some of the debate here today, the health care workers and how they are impacted, how families are impacted. That goes without saying, and they are. It has led to tremendous burnout. We have seen this. We can all share stories of people we know in our own districts who have had to deal with those tragic losses and tragic events. It has an impact.

The idea with our motion today is we want to make sure if there is an opportunity to reduce that impact, if there is an opportunity to prevent one less death, we need to make sure we can put the appropriate legislation in place to allow that to happen. So that families are less impacted, so our health care workers are less impacted, so our communities are less impacted. That is the purpose, that is the reason why we are bringing this to the floor of the House of Assembly today. It is an immediate notification mechanism.

What we have talked about is the words, immediate versus timely. Right now, the process is this. The Child and Youth Advocate is saying she is hearing about those tragic incidents either from the media or from family. Does anyone really believe an officer in the

House of Assembly, who has a mandate to protect children, to give them the best opportunity to experience all the benefits you would have in life, the appropriate way for the Advocate to hear about this would be from the media or from the family? Is that how we feel? Is it okay?

I appreciate the fact that the minister has made a decision. In this particular case, this minister is okay with the verbal notification. I believe that was a good first step. I also believe if someone is willing to pick up the phone or make sure, and is interested enough, that you could give that verbal notification. I also feel that by extension it would mean, in doing my job as minister, I am also willing to say through legislative amendments, we are willing to make that mandatory. So that the next minister and the next minister would be in a position, not to hear from a minister verbally from a phone call, but it would be mandatory that that notification would occur. That is all we are asking for here, Mr. Speaker.

I would suggest that we not get hung up on the words, immediate versus timely. There is a mechanism. Someone else mentioned defining the word critical incident. There has been a lot of opportunity to define those words. What I do know, though, is that when people are pressed to deadlines, making sure that they want to get it right – and we were pressed with a deadline here just on Monday about the call of an election. This House responded. We have seen this in the past.

We cannot get hung up on making sure that the definition of a critical incident, in this particular case, is something that will hold up this piece of legislation. What we are asking for is let's get those definitions done, and let's get this legislation introduced in this House of Assembly so that we have a Child and Youth Advocate who will be better equipped to do her job. Her job and the mandate that she has been given would be that we would prevent some of the tragic events that we have experienced over the last few years.

Mr. Speaker, for us it is about being decisive. It is about making sure the mechanism is in place. We feel, given the level of frustration the Advocate has had to deal with over the last

number of years, that it is important enough that we create that sense of urgency in this House today. That is the reason why we have put forward, and I have moved this private member's motion today legislating the mandatory reporting of deaths and critical incidents to the Child and Youth Advocate.

I am calling on all members in this House today. You will have the opportunity to support this private member's motion. I urge you to do this. It will mean that the officer of the House of Assembly will be better equipped to do her job. Just imagine if something should happen within the next few weeks, we as members would stand here debating the words in a piece of legislation that could actually be an intervention in stopping one critical incident or, in a worst-case scenario, prevent a death.

Mr. Speaker, I will conclude my remarks today. We believe this to be obviously a very significant piece of legislation that could make a big difference in the lives of many of our children in Newfoundland and Labrador. I ask all members in this House today to support it.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Order, please!

The House will first vote on the amendment.

Shall the amendment carry?

All those in favour, 'aye'.

SOME HON. MEMBERS: Aye.

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

SOME HON. MEMBERS: Nay.

MR. SPEAKER: The amendment is carried.

Shall the motion as amended carry?

All those in favour, 'aye'.

SOME HON. MEMBERS: Aye.

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

Carried.

This being Wednesday, this House now stands adjourned until tomorrow, Thursday, at 1:30 p.m.