



Province of Newfoundland and Labrador

FORTY-EIGHTH GENERAL ASSEMBLY
OF
NEWFOUNDLAND AND LABRADOR

Volume XLVIII

THIRD SESSION

Number 3

HANSARD

Speaker: Honourable Perry Trimper, MHA

Thursday

March 15, 2018

The House met at 1:30 p.m.

Statements by Members

MR. SPEAKER (Trimper): Order, please!

Admit strangers.

It gives me great pleasure, and I must say it's a great honour, to welcome to the Speaker's gallery Chief Misel Joe of the Miawpukek First Nation.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: May I say I'm a big fan of the concept of seven generations out and thinking. I heard your remarks this morning. It's great to see you here.

Also in the Speaker's gallery today I would like to recognize Mr. Darrin Thorne. He's the mayor of Flatrock. He has with him his two daughters, Danielle and Stephanie Thorne. I am told that Stephanie is in her last year at MUN where she is studying communications. Now, pay attention.

Danielle is turning 19 today. She has a keen interest in politics. She told her dad that she wanted to sit in on a session of the House of Assembly.

Happy birthday to Danielle.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: And a warm welcome to you all.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

As you all know, our television ratings are going up. I'd also like to send out a greeting – they are going up.

Also, watching the House of Assembly today over live stream, I would like to send greetings to the students and staff from East Point Elementary school. They will be mentioned in a Member's statement today.

So there you go.

MR. SPEAKER: Today we will hear from the Members for the Districts of Virginia Waters - Pleasantville, Topsail - Paradise, Fogo Island - Cape Freels, Burin - Grand Bank and Harbour Main.

The hon. the Member for Virginia Waters - Pleasantville.

MR. B. DAVIS: Mr. Speaker, I rise in this hon. House today to acknowledge the great work of East Point Elementary staff and to say a big hello to the students and teachers tuning into the broadcast today.

The school community always goes above and beyond for their students and the wonderful Rooting for Health breakfast that was put off last week was no exception. Rooting for Health is a program across our province which highlights the importance of the relationship between farms, food and health.

In a partnership with Kids Eat Smart Foundation, Newfoundland and Labrador Federation of Agriculture, Egg Farmers of Newfoundland and Labrador and the School Milk Foundation Newfoundland and Labrador, students were given a breakfast prepared all from local products such as eggs, milk and berries.

Following breakfast, displays were given from each group, including a mock milking station and a live goat. Students had the opportunity to ask questions and learn the importance of eating local. Rooting for Health is celebrating its ninth year of educating school-aged children in this fantastic initiative.

It is important to show children – and adults too – that healthy, organic eating can start right here at home. Newfoundland and Labrador has many great things to offer and I commend the organizers and the staff of East Point Elementary for incorporating Rooting for Health into our children's education.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for the District of Topsail - Paradise.

MR. P. DAVIS: Thank you very much, Mr. Speaker.

Mr. Speaker, we live in a province that is strongly populated with people who give and people who do for others.

Last Saturday night I was invited and happy to attend a dinner in Carbonear where the Mazol Shriners honoured the Newfoundland and Labrador Shriner of the Year, Nobel John Crane of Upper Island Cove.

John Crane has been a long-time Mason and Shriner and was noted to never shy away from his commitment to helping children by supporting the Shriners bingo, ticket sales, auctions and any fundraising event they held.

Mr. Crane was made a lifetime member of the Shriners club in 2016. He was honoured for a lifetime of giving to his church, his community, his province and his country as a town councillor, as mayor and a 65-year member of the Orange Lodge, including having held the position as grand master of the Orange Lodge of Canada.

As well as being married to his lovely wife, Leah, for 60 years and having raised six children, Mr. Crane also served as a Member of this hon. House from 1989 to 1996.

I ask all Members of this hon. House to join me in congratulating John Crane and thanking him for his service to his community.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for the District of Fogo Island - Cape Freels.

MR. BRAGG: Thank you, Mr. Speaker.

It gives me great privilege to rise in this hon. House to celebrate a milestone and bring greetings to Mrs. Mary Pickett of Joe Batt's Arm on Fogo Island.

She was born in St. John's on February 6, 1918. She married Frank Pickett in June of 1940.

Together, they had five children: Lucy, Catherine, Augustine (deceased), Patrick and Madonna. These guys brought forward 30 grandchildren and six great-grandchildren. Sadly, her husband, Frank, passed away in 1978. Mrs. Pickett continued to live in her own home until 2010.

Her sense of humour is second to none and her memory is as sharp as a tack. Her favourite response, whenever anyone asks her age, is: "I got to this age because I never drank or had a smoke" in my life.

There was an open house to celebrate her birthday on February 6, where numerous family and friends visited her.

Please join me in wishing Mrs. Mary Pickett of Joe Batt's Arm a belated 100th birthday.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Burin - Grand Bank.

MS. HALEY: Thank you, Mr. Speaker.

Mr. Speaker, though March 12 marked the ninth anniversary of the Cougar Flight 491 crash, for all who attended the memorial service Monday evening at St. Mary the Virgin Anglican Church, the outpouring of emotions and community spirit will forever be etched in our memories.

We all know the details of the tragic event, but details alone do not tell the full story, Mr. Speaker. Rather, the story continues to be told on the tear-stained faces of the family members and friends of the 17 individuals who lost their lives that fateful day.

For me, Mr. Speaker, the tragedy touched close to home as I saw my first cousin, Wanda, and her daughters, Taylor and Jenna Wade, devastated with the loss of their dear father and husband, Wade Drake of Fortune, originally from Lords Cove. The tragedy also took the life of Burch Nash of Marystown, originally from Fortune in my District of Burin - Grand Bank, where his parents Harold and Marjorie still reside.

Mr. Speaker, when we talk about the price of oil, we should always be cognizant of the price paid by the brave men and women who lost their lives while earning a living in this industry.

Mr. Speaker, I ask all hon. Members to join me in once again remembering the victims and the families of Cougar crash Flight 491.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

MS. PARSLEY: Mr. Speaker, it is with great pride today that I rise to recognize Wayne Miller, a member in my district who was recently awarded the Order of Newfoundland and Labrador. I had the pleasure of joining Mr. Miller at Government House while he accepted his award.

Mr. Miller joined the Canadian Armed Forces in 1961 where he served as a regular force member until his honourable retirement in 1991.

Mr. Miller has volunteered and dedicated countless hours to our community and is an active member of the United Nations Peacekeepers Association, working closely with a number of local high schools towards the implementation of the Junior Peacekeeping Award, which is designed to make Newfoundland and Labrador school children aware of and bridge the connections to the sacrifices of past and present Canadian Armed Force members, particularly native Newfoundland and Labrador service men and women.

Still to this day, Mr. Miller serves as an associate of the Signallers Club of Canada, the Veterans of Canada and on the executive board of Branch 50 of the Royal Canadian Legion. He created the Veteran and Family Community Covenant, the first of its kind in Canada, and serves as the chairperson of the CBS Monument of Honour Committee.

For his considerable efforts and his work to honour veterans and recognize Newfoundland and Labrador's military legacy, I ask all

Members to join me in recognizing his investment into the Order of Newfoundland and Labrador.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Statements by Ministers.

Statements by Ministers

MR. SPEAKER: The hon. the Minister Responsible for WorkplaceNL.

MS. GAMBIN-WALSH: Mr. Speaker, work-related mental stress conditions such as post-traumatic stress disorder (PTSD) are impacting workplaces across Canada, including here in Newfoundland and Labrador. Late last fall, I met with stakeholders to seek input on the prevention of, and compensation for, work-related mental stress issues.

A review of WorkplaceNL's mental stress policy was initiated in order to explore options to modernize the approach to work-related mental stress issues, including PTSD. As a result, WorkplaceNL has modernized its mental stress policy to recognize that work-related mental stress issues may be caused by exposure to multiple traumatic events. The policy now includes events that are an inherent part of an occupation such as first responders witnessing fatalities.

Under the updated policy, workers diagnosed with a specific mental stress issue, including PTSD, will be assessed to determine if they qualify for benefits under the workers' compensation system. The revisions allow the policy to be applied more fairly across all occupations, including first responders.

Mr. Speaker, a longer term review of PTSD coverage in workers' compensation legislation is also ongoing. This review is expected to inform possible changes for work-related mental stress injuries, which is in keeping with our government's focus on improvements in all programs and services.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MR. P. DAVIS: Thank you very much, Mr. Speaker.

I was pleased to see this morning a change in policy that will impact primarily first-line responders and people in other professions in our province who previously have not been able to obtain coverage from WorkplaceNL because their diagnosis was a result of a cumulative effect, repeated exposures over a period of time. I know this process is not complete. It is a step closer to presumptive legislation, but it does move forward and change who can apply and who will be eligible in the short term. It's a step in the right direction.

I'll be participating in the process as it moves it along. I've already made submissions. I encourage people to do so. The deadline is coming up but this is definitely a step in the right direction.

SOME HON. MEMBERS: Hear, hear!

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

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

Yes, it is a step in the right direction, I agree, but we have been calling for presumptive PTSD legislation for first responders for some time. It is already a fact in other jurisdictions in Canada.

The minister speaks of a policy but we have not seen it yet. I wonder why we are beating around the bush. Workers affected by PTSD do not need to be put through more bureaucratic hoops; they need immediate help. Presumptive PTSD legislation would ensure they get it.

Thank you.

MR. SPEAKER: Further statements by ministers?

The hon. the Minister of Fisheries and Land Resources.

SOME HON. MEMBERS: Hear, hear!

MR. BYRNE: Mr. Speaker, the power and the presence of Newfoundland and Labrador's fish and seafood industry was well on display at the 2018 Boston seafood show. From March 11 to 13, this event attracted over 22,000 industry representatives from more than 120 countries.

I saw first-hand how our industry is meeting and exceeding the expectations of a global marketplace and one that puts a premium on value, quality and food security. We, Mr. Speaker, are emerging as the leaders in a fiercely competitive world.

Mr. Speaker, it's true to say that our harvesters, our processors and our fishing industry suppliers are very pleased with our government's leadership as we work with the industry players to maximize the success of our seafood industry.

Newfoundland and Labrador night was one of the hottest tickets in Boston with companies scrambling for access. The positive feedback I received started there, Mr. Speaker, and was constant during the entire three-day event.

Industry associations feel very much part of this march forward. The work of our Fisheries Advisory Council has already proven very relevant to the needs of our industry.

Mr. Speaker, the industry was extremely impressed with our renewed policy direction in promoting greater quality control and assurance, expanding market access, industry promotion and innovation. The provincial industry told me our advocacy on their behalf is like no other they have seen in years and they're very, very grateful. The \$100 million Atlantic Fisheries Fund is already improving the outcomes of our fish harvesters, our processors and our communities.

Presenting our *Seafood Industry Year in Review 2017*, Mr. Speaker, I was proud to inform the world that 2017 was our third consecutive year our export value exceeded \$1 billion in our seafood industry. By maintaining close contact with the key industry players, we will keep this value high and we will continue to build on Newfoundland and Labrador's reputation as a

provider of premium seafood products to the entire world.

Thank you very much, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

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

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

Mr. Speaker, the seafood industry and our fishing industry is an important and valuable part of our economy and of our entire being as a province. The Boston seafood show provides an excellent opportunity to showcase quality seafood and products and our industry on a global stage.

We're pleased that this year's event attracted so many participants. We certainly know the more exposure our industry gets, the better the markets.

I was interested to hear the minister mention the Fisheries Advisory Council. I would certainly like him to tell us more about exactly what that group is doing and what progress is being made on the strategic action plan for cod revitalization. I doubt, however, Minister, that the industry was impressed while you and your caucus sat idly by while 25 per cent of the surf clam quota was taken from the people on the Burin Peninsula.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. K. PARSONS: I certainly hope spending more time with industry representatives in Boston will motivate the minister and his government to do more for the fishing industry in our province.

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'm delighted to hear how things are going and how well things went in Boston. I firmly believe the fishery is an extremely important part of our future. The more we can do to support and promote our fishery, the better.

I would like to see the minister, though, involved in making sure that our resource helps everybody. What's happened lately with the surf clam quota is very disturbing. I'd like to see the minister, in leadership, sitting with Ottawa, sitting with our indigenous groups and sitting with other fish harvesters to make things work for everybody.

Thank you very much, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Further statements by ministers?

The hon. the Minister of Advanced Education, Skills and Labour.

SOME HON. MEMBERS: Hear, hear!

MR. HAWKINS: Thank you, Mr. Speaker.

Mr. Speaker, March 18-24 is Multiculturalism Week, when we celebrate the province's rich diversity of cultures and the contributions of residents of all backgrounds.

I invite all Newfoundlanders and Labradorians to decorate their homes and businesses with multicoloured lights, a tradition that began in Labrador West and has since been adopted by communities throughout the province.

Multiculturalism Week begins this Sunday with the 19th annual Sharing Our Cultures at The Rooms. The event features 60 high school presenters and welcomes more than a thousand students, teachers, volunteers and people from diverse backgrounds. This year's theme is Music, Dance, Stories.

Earlier today, I was pleased to announce funding for 19 additional Multiculturalism Week events, a key commitment in *The Way Forward on Immigration in Newfoundland and Labrador*, the province's collaborative immigration action plan. These events celebrate intercultural understanding through activities such as film screenings, musical performances, networking events and more. They will take place in communities from Labrador City, to St. Anthony, to Port aux Basques, to St. John's.

Our government recognizes the critical role that diversity plays in the province's cultural, social and economic growth. Our commitment to attracting and retaining more newcomers is strong and I am pleased to note that many priority actions in our immigration action plan are implemented or ongoing.

I ask my hon. colleagues to join me in encouraging everyone to participate in all events that will take place next week and experience the joy of welcoming new people, cultures and ideas to our province.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Conception Bay South.

MR. PETTEN: Thank you, Mr. Speaker.

I thank the minister for an advance copy of his statement. This side of the House would also like to recognize Multiculturalism Week in Newfoundland and Labrador.

As Newfoundlanders and Labradorians, we all identify closely with our culture. It's who we are and we are rightly proud of that fact. Mr. Speaker, what also makes me proud to be from this province is how we embrace and celebrate the culture and backgrounds of others.

I'm pleased to see the government acknowledging the role multiculturalism plays in our society and I hope all those taking part in events have a great time this week during the celebrations.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

Order, please!

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

I, too, thank the minister for the advance copy of his statement. I applaud the support the department is giving to the multicultural events that are going on around our province. I think we all know how important the multicultural nature of our province is, and I'm glad to see that growing.

The minister says government's actions involve retaining newcomers and the actions are strong. Mr. Speaker, I have to question that, and I would like further updated information from the minister with regard to our retention rate because I'm not sure it's as strong as he thinks it is.

MR. SPEAKER: Order, please!

MS. MICHAEL: Thank you, Mr. Speaker.

MR. SPEAKER: Further statements by ministers?

Oral Questions.

Oral Questions

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

MR. P. DAVIS: Thank you very much, Mr. Speaker.

As referenced earlier by the minister, today changes were announced to the compensation policy for workers with mental stress injuries including PTSD. The policy change, while it's not presumptive, will now recognize repeated exposures, quite often referred to as the commutative effect.

I ask the minister: Will this new policy be implemented retroactively so as to include those previously not eligible for coverage?

MR. SPEAKER: The hon. the Minister Responsible for Workplace NL.

MS. GAMBIN-WALSH: Mr. Speaker, the revisions to the policy on March 8 allow the policy to be more fairly applied to all occupations. The policy came into effect on March 8, and, Mr. Speaker, we're now aligned with 10 other provinces. The policy now includes PTSD, acute stress, depression and anxiety.

SOME HON. MEMBERS: Hear, hear!

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

MR. P. DAVIS: Mr. Speaker, the question was about retroactivity. In some other provinces, when they implemented their presumptive rules and broader coverage for repeated exposures, included a clause for retroactivity.

I ask the minister: Is retroactivity a part of this implementation?

MR. SPEAKER: The hon. the Minister Responsible for Workplace NL.

MS. GAMBIN-WALSH: Mr. Speaker, for individuals who are presently receiving workers' compensation and they develop mental health concerns and issues, they will be individually looked at, but the policy came into effect as of March 8.

SOME HON. MEMBERS: Hear, hear!

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

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

That's not relative to PTSD. People have been denied coverage because of the accumulation effect and couldn't identify particular incidents. It sounds like the minister has not included retroactivity.

Mr. Speaker, last summer it became well-known that the United States Department of Commerce was reviewing tariffs.

I ask the Premier: What have you done since last summer to ensure that jobs at Corner Brook Pulp and Paper and the jobs in the Newfoundland forestry industry have been protected?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Thank you, Mr. Speaker.

I think it's widely known to people from coast to coast in this country, and certainly in this province, that the Trump administration has had a significant impact on the trade relationship between Canada and the US, Mr. Speaker. I could go on with a long list of things that we've been involved in as a province. We concluded a trip to Washington and met with some of the key trade officials last June.

Since September, when we were notified that there would be a review in terms of countervailing and anti-dumping related to the Kruger operations, both in Quebec and Corner Brook, Newfoundland and Labrador, we've had significant engagement. With that said, though, I will say the federal government has been involved. This government is acutely aware of tariff negotiations with the federal government because it is this government that recovered some \$27 million worth of tariffs that you left on the table.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The Leader of the Official Opposition.

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

Well, nothing specific from what the Premier has done; let me narrow it down a little bit. The first tariff was announced in January. It was a 9.93 per cent tariff. It's essentially a fee on products as they enter the United States. It's well known that another tariff could be announced. It was expected that was a very high likelihood in reality that could happen.

I ask the Premier: What have you done, since the first tariff was announced in January, to protect those people working in the forestry industry and to advocate for Newfoundland and Labrador?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Thank you, Mr. Speaker.

There's been a lot of work that's been done, as a matter of fact, going back to the January preliminary decision which is not a final decision. That was with the tariff. This is the 9.93 per cent that was put on by the US Department of Commerce back in January.

As a matter of fact, I think the Member would be aware that we put a technical briefing even to him and his staff. We made that available back in January. We have not heard a word from the Official Opposition on this issue since.

Mr. Speaker, I can tell you there is a group of officials that have been working very hard. As a matter of fact, there have been some 700 pages –

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

PREMIER BALL: – of information that's publicly available. I'm sure the Members opposite would have read all that.

We have officials, Mr. Speaker, with a legal team out of the US that's been directly putting a lot of effort into their response.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The Leader of the Official Opposition.

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

Well, it's interesting to note that tariffs are going to hit Corner Brook Pulp and Paper operations right in the Premier's own backyard. Not only in his own backyard, but two of his senior ministers, their own districts will be significantly impacted by this.

Not only is the Premier's district involved but he's also the minister responsible for trade. By the sound of his answers today, he's done very little to protect Newfoundland and Labrador in this industry.

Yesterday, the Premier himself – his words – said: It is what it is. Those are the words he used yesterday.

I ask the Premier: Have you had any discussions with officials from the US Department of Commerce regarding these tariffs?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Thank you, Mr. Speaker.

Last Friday there was a conference call with the prime minister as well as premiers all across this country, some of them even Conservative premiers, some of them NDP premiers, Mr. Speaker.

It's quite clear with the prime minister on the call newsprint was one of the issues that we discussed. It is, indeed, from Canadians coast to coast on a trade issue, as we engage with the Trump administration, we speak with one voice, Mr. Speaker.

There seems to be a bit of wedge that's trying to be drawn here. There's a lot of work that's been done as a result of the decision that Trump has made, Mr. Speaker. This is not about the federal government, this is about a decision that's been made by the Trump administration that's having a profound impact on Newfoundlanders and Labradorians.

The questions coming from the Leader of the Opposition are politically motivated, Mr. Speaker. We, as Newfoundlanders and Labradorians, should stand together fighting against the Trump administration on these decisions.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The Leader of the Official Opposition.

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

These questions are motivated by the needs on the West Coast of our province and the devastating effect that could happen –

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. P. DAVIS: – if things carry through as has been happening, Mr. Speaker.

It sounds like what the Premier says – he said several times today a lot has been done, but he hasn't specifically said anything that he has done.

The question was very simple: If he's met with the US Department of Commerce on tariffs. Instead of throwing mud, he should be focused on the questions, the answers and what he's doing for Newfoundlanders and Labradorians.

SOME HON. MEMBERS: Hear, hear!

MR. P. DAVIS: Mr. Speaker, I'll ask the Premier this: Has he spoken to the ambassador to the United States to express concerns about tariffs? It is one thing to speak about premiers and to the prime minister, but it's the United States who's made this decision, not Canadian politicians.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Mr. Speaker, the ambassador has been heavily involved in this. As a matter of fact, the Canadian ambassador even came and met with our Cabinet and had a discussion on this. He's been heavily involved.

It was him who hosted our event in Washington, Mr. Speaker, at Canada house. We've had many, many, many; he's been on every single discussion that we would have had with US trade relationships with Canada. Right now, there is a lot of engagement but if the Member opposite is suggesting that he's going to influence Trump's Twitter account, I'd like to see how he plans to do that.

Right now, we have Canadians across this country, Newfoundlanders and Labradorians that have been heavily engaged. Our communities, Mr. Speaker, on the West Coast and around this province are engaged. The unions are engaged. The company is engaged. The federal government is engaged and this government is engaged.

SOME HON. MEMBERS: Hear, hear!

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

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Order, please!

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

I think the Premier –

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. P. DAVIS: I think the Premier just mentioned the federal government. It's certainly not a reference he made yesterday during his press conference with the media; very little mention, actually, of the federal government yesterday.

Mr. Speaker, it's been two days since the tariffs were announced.

I ask the Premier: Have you had discussions with the prime minister in the last 48 hours? What action are you taking to motivate Ottawa to protect Newfoundlanders and Labradorians?

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Thank you, Mr. Speaker.

I said just earlier, in one of the answers that I gave, we spoke to the prime minister on Friday of last week. Officials are involved in this, Mr. Speaker, had discussions on Tuesday. There was work ongoing.

These are preliminary tariffs that are put in place. The final decision will be made in August or September of this year. We have people engaged at every single level, Mr. Speaker.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

PREMIER BALL: Every single level: the ambassador, the prime minister, the federal department, our own provincial department, officials and a legal team in the US. Everyone is involved in this, Mr. Speaker.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

PREMIER BALL: It is a Trump administration decision.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

PREMIER BALL: I ask the Member opposite: What is it he expects us to do? Go and march into the White House and get a meeting with Trump?

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

AN HON. MEMBER: Yeah (inaudible).

PREMIER BALL: Oh yeah, good luck.

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

MR. P. DAVIS: It's a good idea, Mr. Speaker, a good idea by the Premier opposite. Maybe he should get on a plane and go to Washington and knock on some doors.

SOME HON. MEMBERS: Hear, hear!

MR. P. DAVIS: Mr. Speaker, if he went to Washington and knocked on some doors, I'm sure the paper industries, the newspaper industries in Washington, would be willing to listen to his story because they're the ones going to be impacted.

SOME HON. MEMBERS: Hear, hear!

MR. P. DAVIS: Mr. Speaker, we've seen the prime minister speak out on steel and aluminum. He stood before the cameras in defence of Canadians. He stood before the cameras in

defence of Quebecers when it came to Bombardier and the challenges they were facing.

I ask the Premier today: When is the prime minister going to stand for Newfoundlanders and Labradorians? When will we see him standing in front of the cameras to protect Newfoundlanders and Labradorians?

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Thank you, Mr. Speaker.

I vividly remember a Friday night when the Leader of the Opposition, who was premier at the time, tried to get a meeting with the prime minister and actually got kicked out of the office. He came out and stood in front of his door and said you can't trust that guy. That was his language: You can't trust that guy, when he's trying to get money for the Fisheries Fund, Mr. Speaker.

Here we are and I am more than willing to discuss the federal involvement that we're having on this very issue. The steel industry; as I explained to the Members opposite yesterday and the media, it was a very different tariff. The steel and the aluminum was an industry-wide tariff, Mr. Speaker. The tariffs that we're seeing that have been imposed on Corner Brook Pulp and Paper is those on the companies.

I will assure you the federal government is concerned about this. We are doing – and we have them involved every step of the way.

MR. SPEAKER: Order, please!

SOME HON. MEMBERS: Hear, hear!

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

MR. P. DAVIS: Thank you very much, Mr. Speaker.

In actual fact, the correct information is we did have a meeting with the prime minister, Mr. Speaker. My colleague right here and I sat in the prime minister's office. It wasn't dictated to us

what we were going to say. We spoke for Newfoundlanders and Labradorians.

SOME HON. MEMBERS: Hear, hear!

MR. P. DAVIS: I was not afraid to stand up for Newfoundland and Labrador because that's what I was elected to do, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. P. DAVIS: I was elected to represent Newfoundlanders and Labradorians, Mr. Speaker.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. P. DAVIS: Mr. Speaker, while yesterday in his press conference the Premier was saying it is what it is, he also said the new tariffs are going to cost Kruger an addition \$30 million.

I ask the Premier: Have you done an assessment yet on what the impact is going to be on the Province of Newfoundland and Labrador?

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Thank you, Mr. Speaker.

Well, number one, it's not a final decision. I will say that again.

As I said publicly yesterday, we had a conversation with Mr. Kruger on this issue. We spoke to the unions yesterday. We spoke to the –

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

Please proceed.

PREMIER BALL: Thank you, Mr. Speaker.

We spoke to the communities yesterday. This is a joint effort, Mr. Speaker, on all Members of this government, including the federal government, the industry, the communities and the unions.

Mr. Speaker, this is a very serious issue; \$30 million to that company is significant, it really is. We will continue to work with this industry because it's just not the newsprint industry; it's the forestry industry in our province.

SOME HON. MEMBERS: Hear, hear!

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

MR. P. DAVIS: That's right, Mr. Speaker, it's 5,000 jobs that are hanging in the balance on this. Five thousand jobs on the balance in the Premier's own backyard, the backyard of two of his senior Cabinet ministers and we haven't heard anything solid that he's done to approach the United States himself to say: We need to fix this.

Two days ago the tariffs were announced. I've asked the Premier to tell me what he's done in the last few days to change this and we haven't heard a solid answer yet.

Mr. Speaker, 5,000 jobs, a \$30 million impact to Kruger. The Premier won't say what the cost is to the province or what his assessment is.

What assurances can the Premier give to those employed in the forestry sector and directly at Corner Brook Pulp and Paper today that their jobs are safe?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Thank you, Mr. Speaker.

I'm very happy to answer this question because it's very interesting coming from the Leader of the Opposition who sat in government at the time when we saw it. Guess what? A newsprint mill closed. Where was that? What was that community? Stephenville. A newsprint mill closed in Stephenville.

What about Grand Falls-Windsor? Did you not participate in the closure of a mill in Grand Falls-Windsor? It was your party that ended up closing those mills.

Well, I will guarantee you right now, it is this government that is heavily engaged; and, yes, I don't care whose backyard it is, it could be in

any backyard of anyone in this province, we will stand up for this industry. We will not walk away from it.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for the District of Conception Bay East - Bell Island.

MR. BRAZIL: Thank you, Mr. Speaker.

Some families who have children who are hard of hearing had to use social media, mainstream media and even the Human Rights Commission to bring attention so as to access services for their children to receive inclusive education in our school system. Only to be told by the school district that even though they have fought and won service for this year, it doesn't mean their children will receive the same services next year.

Does the minister think this is an appropriate approach to inclusive education?

MR. SPEAKER: The hon. Minister of Education and Early Childhood Development.

MR. KIRBY: No, it isn't, Mr. Speaker, but this is the residual effect of the mess that was made when, without any consultation at all, the previous government brought in an inclusive education policy after consulting no one but themselves. I ask the Member to look no further than pages 22 to 24 of the Speech from the Throne from yesterday. He will see what it is we are going to do.

Interestingly enough, Mr. Speaker, I gave the Member a copy yesterday of *Now is the Time*, the task force report. He didn't even have a copy of that up until yesterday. It was published on July 21.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Conception Bay East - Bell Island.

MR. BRAZIL: Thank you, Mr. Speaker.

I'll correct the minister. I've had multiple copies. I didn't have the bound copy because he didn't have the courtesy to give me one of those

at the time, but that's fine. I can still do my job with the printed copy.

I should note, too, three years later it's his responsibility as the Minister of Education to improve our education system, not blame teachers, administrators, parents and the former administration for what he's not doing.

SOME HON. MEMBERS: Hear, hear!

MR. BRAZIL: It's not acceptable.

SOME HON. MEMBERS: Hear, hear!

MR. BRAZIL: A number of families are struggling with not being able to access supports in the school system for children who have various behavioural challenges and learning disabilities – which can cause challenges for both the students and teachers – to ensure a suitable level of education is being provided.

Will the minister reassure parents, students and teachers that supports will be enhanced to address these issues?

MR. SPEAKER: The Minister of Education and Early Childhood Development.

MR. KIRBY: Yes, Mr. Speaker, I gave a 20-minute speech here in the House of Assembly, in response to the Speech from the Throne, and outlined in some detail what we're going to do. It's all laid out in the task force report which the Member got a copy of yesterday. It was laid out on pages 22 to 23 of the Speech from the Throne that we saw this week.

I don't blame teachers. I don't blame parents. I blame the PC Party of Newfoundland and Labrador which did not even bother to consult teachers or parents or experts or anybody but themselves before bringing in an inclusive education policy in 2007 that never worked.

We said this repeatedly in Opposition. Now we're over here on this side and we have a plan to fix the problem.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The Member for Conception Bay East - Bell Island.

MR. BRAZIL: I remind the minister that's a nice tale but he knows it's not true.

He's the only minister I can remember in the last number of years who has been asked to resign by the NLTA. That speaks volumes there, Mr. Speaker.

Last year, the school district had a lottery to choose what students could access French immersion at Beachy Cove Elementary in Portugal Cove-St. Philip's due to the large number of students wishing to enrol. This year, the school district has cancelled the late French immersion program at the newly opened Brookside Intermediate school in Portugal Cove-St. Philip's. It informed parents that if their children want to continue the late French immersion program, they will have to travel to Leary's Brook Junior High in St. John's and that transportation will be the responsibility of the parents.

Does the minister think this is the best way to promote access to education and to promote bilingualism in Newfoundland and Labrador?

MR. SPEAKER: The hon. the Minister of Education and Early Childhood Development.

MR. KIRBY: Mr. Speaker, the number of changes to early and late French immersion in Newfoundland and Labrador that have taken place since I have become Minister of Education and Early Childhood Development have been precisely zero. The policy is exactly the same as the policy that existed the entire time the previous administration was there.

My son doesn't go to the school that he's zoned to; my son goes to a French immersion school. That's the way it works here in metro on the Northeast Avalon.

Many students in this province do not even have the privilege to attend early French immersion because of the nature of the program being an optional one where it is basically a culmination of resources that allows the programs to exist. That is not a new thing in this province.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Mount Pearl - North.

MR. LESTER: Mr. Speaker, can the minister explain the diversification efforts initiated by his government in the forest industry as pointed out in the Speech from the Throne?

MR. SPEAKER: The hon. the Minister of Fisheries and Land Resources.

MR. BYRNE: It's an absolute pleasure to take the opportunity to do so, Mr. Speaker. I really want to thank the hon. Member for giving me this opportunity because that's exactly what we're doing.

We are not only engaged with the forest industry of Newfoundland and Labrador to look at new products, to look at diversified products, we're expanding on our preferential market access into the United States through our Softwood Lumber Agreement exemption which we were able to help negotiate.

Mr. Speaker, we're not just interested in lumber products, we're working with our forest industry to look at diversity through bioenergy, thermo bioenergy and biodiesel. We're working with our forest industry to look at new products to be able to bring to market.

In addition, Mr. Speaker, we're coupling our forestry industry, our primary producers, with Corner Brook Pulp and Paper to create greater diversity for that operation as well.

MR. SPEAKER: Order, please!

MR. BYRNE: Thank you very much, Mr. Speaker. I really appreciate the opportunity.

SOME HON. MEMBERS: Hear, hear!

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

MR. LESTER: Mr. Speaker, I appreciate the minister's passion for the industry.

SOME HON. MEMBERS: Hear, hear!

MR. LESTER: But largely what I'm hearing is still only theory. We need to see wood on the

ground, wood on trucks, whatever form it may be in, but in the most maximum value that we can say we can retrieve out of our industry.

Can the minister update the House on the latest business proposal regarding the Abitibi timber stand? How long before the people in Central, specifically the Botwood area, know the fate of the second project?

MR. SPEAKER: The hon. the Minister of Fisheries and Land Resources.

MR. BYRNE: Mr. Speaker, there's nothing theoretical about trucks of wood, of lumber going to the United States, going to other markets through the advantages that we've already been able to achieve through our Softwood Lumber Agreement and through the preferential situation of our industry. But we are certainly interested in all new initiatives, including thermal energy, including exports of product.

Do you know what we're really, really focused in on? Making sure we achieve maximum value from our resources. We're talking to a number of different organizations, a number of different companies. Some are looking at export sales; some are looking at the domestic markets.

There was a company some time ago that did express some interest in the Central Newfoundland timber resources. They voluntarily withdrew that proposal. There is another company that we're working with. We'll take on all comers because, you know what, we're open for business, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MR. LESTER: In the Speech from the Throne the forest industry got less than a sentence in a 26-page document. According to some harvesters, that seems reflective of the interest in the forest industry.

I ask the minister: What is the current value of the forest industry and what growth targets have you identified?

MR. SPEAKER: The Minister of Fisheries and Land Resources.

MR. BYRNE: Mr. Speaker, this is a \$300 million annual enterprise to our province. It not only provides good jobs in domestic markets, but also international markets. We are exporting paper internationally. In addition to the United States market, we are exporting paper internationally to various markets in Europe, in Asia and in South America. We're also looking at additional markets in other venues for our timber products and for our fibre products.

Mr. Speaker, we have 5,000 jobs that depend on our forest industry. That's why it's always helpful to hear this hon. Member stand up and applaud the government, like he's done today, by giving us an opportunity to highlight and showcase the tremendous success of our government in our forest industry.

MR. SPEAKER: Order, please!

SOME HON. MEMBERS: Hear, hear!

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

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

The Premier has said he doesn't need to pick a fight to be heard because of his relationship with the government and his federal counterparts. It's built on mutual respect and strong partnership.

Under your watch, your federal colleagues have given the Fisheries Fund to Atlantic Canada, it put the Ocean Frontier Institute headquarters in Nova Scotia, it shifted Small Craft Harbours to New Brunswick and now it's giving the surf clam quota to New Brunswick and a group in Nova Scotia to process.

Premier, don't you think it's time for you to stand up for our fishery and the people of our province?

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Minister of Fisheries and Land Resources.

MR. BYRNE: Mr. Speaker, the Atlantic Fisheries Fund is already providing a dividend to Newfoundland and Labrador processors, harvesters and suppliers. This is not a ghost phantom fund. This is not an invisible fund that the hon. Member tried to negotiate and achieve. This is a \$100 million fund which is in play today and is providing a huge substantial difference to rural communities, fishing communities in Newfoundland and Labrador.

We have had successes. Unlike the previous administration that could get nowhere on the Last In, First Out principle. We were able to achieve a success with our federal counterparts; unlike the previous the previous administration which actually had no relationship whatsoever with Madam Shea or anyone else in the former government. We are producing results. We have a lot of work to do.

MR. SPEAKER: Order, please!

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Cape St. Francis for a very quick question, please.

MR. K. PARSONS: Minister, you were enacted in your new mandate letter to advocate for fisheries policy in the best interest of people in the province.

Don't you think fighting for issues like joint management and adjacency are in the best interest of the people of this province?

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Minister of Fisheries and Land Resources.

MR. BYRNE: Mr. Speaker, the hon. Member in his previous statement had said that he wanted some clarity on what the Fisheries Advisory Council was doing. For example, and I'll give him some clarity, not only has the Fisheries Advisory Council already reported on my request as to whether or not adjacency –

AN HON. MEMBER: (Inaudible.)

MR. SPEAKER: Order, please!

MR. BYRNE: – should be built into the federal *Fisheries Act*, they have reported, and he should be aware if he's keeping ahead of his portfolio that he's supposed to be the critic of, he would aware that the –

MR. K. PARSONS: (Inaudible.)

MR. SPEAKER: Order, please!

MR. BYRNE: – Fisheries Advisory Council has reported, not only to me but to him and to every stakeholder in the industry, that we feel very, very strongly that adjacency should be built into the federal *Fisheries Act*.

That is a commitment; that is a principle that is held, not by just us, but by the industry. I wish he could grab hold of it as well.

SOME HON. MEMBERS: Hear, hear!

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

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

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

The most recent America tariff hit to Kruger's mill in Corner Brook, while beyond our control, could seriously harm the province's forestry industry, as the Premier has already stated today.

I ask the Premier: Will he convene a meeting with representatives of all three provincial parties and the seven federal MPs so we can discuss and strategize about how we can work at that collaboratively for the good of the people of this province?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Thank you, Mr. Speaker.

Well, on any issue that face this province, I will tell all Members of this House that my door is open. I've yet to get a call from the Leader of the Third Party. If you want to talk about this issue at all, you're more than welcome.

As a matter of fact, we've put in place, I think, one of the best forums that has ever been put into this on budget consultations back just before the closure of the House in December of this year. The Member opposite didn't show up for that either.

I will say this: This is a big issue facing the forestry industry in our province. If the Leader of the Third Party would like to come up and have a discussion on all of this, the door is open.

SOME HON. MEMBERS: Hear, hear!

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

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

I don't want to get into opposition here in a negative way, I really sincerely ask: Why can't we all sit down together? Not this one-on-one, sit and talk collaboratively, involve the MPs, all of whom are Liberal MPs, to see how we can all collaboratively feel like we are together working for the good of the people.

I ask it once more of the Premier: Why can't that happen?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Thank you, Mr. Speaker.

Well, as I said yesterday, we gave a very detailed technical briefing to all people, the media. I know there were Members there. There were Members there from the Opposition Party, the Official Opposition.

Mr. Speaker, that same kind of briefing, I know you weren't there yesterday but if you want that information you're more than welcome to it. I'd be more than willing to outline to you things that we've done already, the impact on this company.

I can't speak for the MPs, but, Mr. Speaker, I'm sure they are equally concerned about this as you and I are. I appreciate your concern, I say to the Member opposite. Any time you want to discuss this or any other issue, just give us a call. I'd be more than willing to have that discussion.

SOME HON. MEMBERS: Hear, hear!

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

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

We are looking forward to working together on this very serious issue. As is evident from recent developments, this province's economic well-being is at the mercy of volatile international markets that are beyond our control because of our heavy reliance on the development of our natural resources. To say the least, when we put our economic eggs mainly in this one trade-driven basket, we are extremely vulnerable.

I ask the Premier: Where is his concrete, comprehensive, community-based action plan for diversifying our economy to ensure sustainability in all regions of the province so that we are better protected from volatile international markets in the future?

Thank you, Mr. Speaker.

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Thank you, Mr. Speaker.

I just want to remind people in this House today that, number one, when it comes to trade, we were granted an exemption based on some very extensive lobbying efforts with some of our colleagues in other provinces too, Mr. Speaker, getting an exemption from the softwood lumber tariffs that could have had an impact on our industry in this province.

We recognized quite early into this administration that economic diversification in our province is key. That is the reason why we announced and released *The Way Forward*. We see a major focus on agriculture, aquaculture and technology sector summits that we've had.

We're seeing results of that already, Mr. Speaker. Just as an example, we've seen Crown lands now being readily developed for agriculture development. It's creating jobs and food security which I'm sure is important to all Members.

SOME HON. MEMBERS: Hear, hear!

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

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

We also need to see plans that are based in reality, that have support, that are concrete and that are community based so that they are sustainable across the province. Mr. Speaker, Muskrat Falls is a glaring example of what can happen when a government operates in secrecy and behind closed doors.

I ask the Premier: Will he agree to a transparent process of collaboration with communities and relevant groups most affected by these tariffs, so that their ideas are part of the discussions and they are kept informed about any and all developments related to tariffs?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Mr. Speaker, I can assure the Member opposite that we have had numerous calls with our community leaders. We're in constant contact with our community leaders, our unions and Members of the House of Commons.

Mr. Speaker, we are completely engaged on this file. I agree with you, this is significant. We are seeing the Trump administration now making really unjustified, unwarranted decisions that are impacting Newfoundlanders and Labradorians. This recent event that we saw this week with the anti-dumping tariff is an example of that.

I agree it's important that we all work together on this issue. Like I say, if there's any information that you want me to share with you, I'm more than willing to do that, as I have with the mayors and the community leaders on the West Coast and around this province.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The time for Oral Questions has ended.

Presenting Reports by Standing and Select Committees.

Presenting Reports by Standing and Select Committees

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

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

I have for tabling here a report of the Standing Orders Committee, March 15, 2018.

MR. SPEAKER: Further presenting reports?

Tabling of Documents.

Notices of Motion.

Notices of Motion

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

MR. A. PARSONS: Mr. Speaker, I give notice that I will on tomorrow move the following motion:

Standing Order 73 be amended as follows:

(1) Standing Order 73 is amended by adding immediately after the word "minister" wherever it appears, the words "or his or her delegate."

(2) Standing Order 73 is amended by adding immediately after Standing Order 73(6) the following: (7) for the purpose of this Standing Order, "delegate" means a Minister of the Crown who may introduce Estimates on behalf of another minister.

MR. SPEAKER: Further notices of motion?

Answers to Questions for which Notice has been Given.

Petitions.

Petitions

MR. SPEAKER: The hon. the Opposition House Leader.

MR. HUTCHINGS: Thank you, Mr. Speaker.

Mr. Speaker, I'm glad to rise today and present a petition for the people of my district.

The Public Utilities Board has approved a licence for an ambulance owner to operate in the area from Bay Bulls to Bauline on Route 10 on the Southern Shore. The area has been recognized by Stats Canada as one of the fastest growing areas in the province.

There were many concerns expressed by residents, certainly long-term – facilities there for seniors. I had some discussions with the local fire department with regard to response times.

We, therefore, petition the hon. House of Assembly:

We, the undersigned, call upon the House of Assembly to urge the Government of Newfoundland and Labrador to support the petition of this service provider and ensure the residents of Bay Bulls to Bauline have access to the appropriate ambulance services.

Mr. Speaker, this is something over the past year or more for this particular area – the lower end of the Southern Shore from Cape Broyle south that's serviced by a current service provider and on down to the southern tip, down below the Trepassey area. As you get closer to St. John's, from Bauline to Bay Bulls and out towards Middle Pond, the response for that ambulance care primarily is coming from the Health Sciences Complex.

Over the past number of months, and probably the last couple of years, we've noticed the response times have been getting longer. That's certainly causing concerns in regard to immediate response times, even normal transfers that often occur between a hospital and people in the area, whether they're in a retirement home or different facilities in the region.

There's been concern expressed. I do recognize that I did have a discussion with the minister. He did, indeed, meet with myself and the current operator who's looking to expand to the region. We had a very good discussion.

There were some numbers expressed in some of the data that we had that was left with the minister. He did commit to take a look. He did

indicate they're undertaking a review of the actual ambulance practice and some of the funding models they're doing and how that would work. He did agree to take a look and have a review and I certainly acknowledge that.

Today is recognizing the efforts of the region and recognizing what's needed in regard to what we believe is additional ambulance service. I do call upon government to have another look at this, take a review.

I certainly want to recognize the Minister of Health and him taking the time to meet. I left the information with him. In due course, we hope to get a favourable response to this request and this petition.

Thank you, Mr. Speaker.

MR. SPEAKER: Further petitions.

The hon. the Member for Conception Bay East - Bell Island.

MR. BRAZIL: Thank you, Mr. Speaker.

The Newfoundland and Labrador English School District has decided to cancel the late French immersion program at Brookside Intermediate school in Portugal Cove-St. Philip's without consulting with parents. The decision will require current grade five and six students of Brookside Intermediate school who want to enrol in late French immersion to attend Leary's Brook Junior High in St. John's. As a result, transportation to Leary's Brook Junior High will be the responsibility of parents.

Therefore, we petition the House of Assembly as follows:

We, the undersigned, call upon the House of Assembly to urge the Government of Newfoundland and Labrador to immediately address this issue, leading to the reinstatement of the late French immersion program to Brookside Intermediate school.

Mr. Speaker, as I talked about it earlier in Question Period, this time last year the school district was having a lottery around who in the elementary school could enter late French

immersion because there were so many students interested in it.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. BRAZIL: As a result, it was a positive thing. Negative in the process they used, but positive that so many young people wanted to enter late French immersion for, obviously, various reasons: to become bilingual, to have more opportunity, to be part of our cultural heritage in this great country of ours.

As a result, they moved into a brand new state-of-the-art school that was opened – and I mean state of the art – so that the students in Portugal Cove-St. Philip's no longer had to be bused into St. John's for any level of education in the middle school levels. Part of that was late French immersion; went through that, great.

Now, all of a sudden, the late French immersion is being eliminated. In return, now they're telling students you need to go back to an aged school that we took you out of that was overcrowded, leave your friends and your neighbours and the teams that you play with to do French immersion. Then you're adding to the populous with the parents. You also have to arrange scheduling and transportation at your own cost.

If we're not going backwards when it comes to our education system, if we're not taking away from trying to promote multicultural – particularly around a bilingual society, and if you're saying we've introduced into a growing community new facilities, state of the art, with programs and services that meet the needs of the people in that particular community. Now, all of a sudden, we're going to take away from it by taking you out of that facility, put you in another facility, have you be disrupted so that you have to find a schedule that works for you with transportation away from your friends and the things you're connected to, there's no way, shape or form that this is about enhancing our education system and fulfilling the mandate that everybody would have access to multi-languages, particularly French and English, that we teach in our school system here.

It becomes alarming, it's confusing and the parents here are baffled. All of a sudden, all the things that were positive have been taken away by a school district making a flippant decision to move people out.

Mr. Speaker, I'll get to speak to this again in the future.

MR. SPEAKER: The Minister of Education and Early Childhood Development for a response, please.

MR. KIRBY: Mr. Speaker, again as I said in Question Period, I just want to correct what the Member is saying because he's wrong. That's not a rare occurrence.

First of all, he talked about this lottery. That was for intensive core French. That wasn't for the program he's talking about. That's also the same lottery that the English School District had when you were in government because that was something that changed.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. KIRBY: But that was like that when you were in government. I never heard you say anything about it here in the House of Assembly.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. KIRBY: Not only that, when I became Minister of Education, Mr. Speaker, there were about 200 schools in the province that didn't have any French immersion. It's still basically the case, but I didn't hear the Member getting up and complaining that those 200 schools didn't have French immersion.

There's no transportation provided for French immersion. I can't imagine the amount of chaos, how the Member would plan to provide transportation – I mean what he's suggesting makes absolutely no sense for an optional program that parents know they're signing their children up to. The vast majority of the tens of thousands of students in this province don't have access at all to any French immersion. That's

unfortunate, but that's what we're dealing with when we have an optional program for which there are scarce resources.

If the Member wants to have universal French immersion in the province, stand up and please tell us what that would cost so we can have a conversation about what it would cost for every school in the province to have what it is you're proposing.

MR. SPEAKER: Order, please!

MR. KIRBY: How many millions of dollars would it be?

MR. SPEAKER: Order, please!

The Member's time is expired.

Further petitions?

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

The hon. the Government House Leader.

MR. A. PARSONS: Orders of the Day, Mr. Speaker.

MR. SPEAKER: Orders of the Day.

Orders of the Day

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

The hon. the Government House Leader.

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

I'd like to call from the Order Paper, Motion 1.

I move, seconded by the Minister of Natural Resources, for leave to introduce a bill entitled, An Act To Amend The Electrical Power Control Act, 1994 And The Public Utilities Act, Bill 2, and I further move that the said bill be now read a first time.

MR. SPEAKER: It is moved and seconded that the hon. the Minister of Natural Resources shall

have leave to introduce a bill entitled, An Act To Amend The Electrical Power Control Act, 1994 And The Public Utilities Act, Bill 2, and that the said bill be now read a first time.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

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

The motion is carried.

Motion, the hon. The Minister of Natural Resources to introduce a bill, "An Act To Amend The Electrical Power Control Act, 1994 And The Public Utilities Act," carried. (Bill 2)

CLERK (Barnes): A bill, An Act To Amend The Electrical Power Control Act, 1994 And The Public Utilities Act. (Bill 2)

MR. SPEAKER: This bill has now been read a first time.

When shall the bill be read a second time?

MR. A. PARSONS: Tomorrow.

MR. SPEAKER: Tomorrow.

On motion, Bill 2 read a first time, ordered read a second time on tomorrow.

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

MR. A. PARSONS: Mr. Speaker, I call Order 2, second reading of Bill 1.

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

MR. A. PARSONS: Mr. Speaker, I move, seconded by the Minister of Municipal Affairs, that Bill 1, An Act To Amend The Family Violence Protection Act, be now read a second time.

MR. SPEAKER: It is moved and seconded that Bill 1, entitled An Act To Amend The Family

Violence Protection Act, be now read a second time.

Motion, second reading of a bill, “An Act To Amend The Family Violence Protection Act.” (Bill 1)

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

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

I’m certainly very proud to stand here today and speak in second reading to our Bill 1, which is An Act To Amend The Family Violence Protection Act.

I’ve had an opportunity over the last few days – in fact, we did a technical briefing with the media today. Upon the media’s request, they wanted to see what our Bill 1 was about. In fact, our Premier spoke about it over the weekend. We also did briefings with the Opposition, with government caucus, so that everybody had an opportunity to ask questions about this piece of legislation, about these amendments, what they mean and what they were intended to do.

I have to thank, again, our staff for the great work they do up in the Department of Justice and Public Safety because it’s a significant amount of work to get any bill done and this is one that has come together fairly quickly. We’ve been hearing about it. In fact, a lot of the credit has to go, not only to our staff, but we took the time – a number of ministers on this side of the House – to sit down with various groups who brought forward amendments that would contribute to the safety, primarily of women, and took these ideas.

That’s not just having a meeting just for the sake of having a meeting. We’ve taken some of this – and these were ideas that were put forward. So, again, I thank the people out in the community who have taken the time to talk to us and sit with us and the people in the Department of Justice and Public Safety who have put this together, put together a great briefing. They have done a great job of explaining this issue, explaining what the legislation does and what it means.

I’m very happy to be able to stand here today and try my best to give some idea of this

legislation, in general, and what this amendment does.

The *Family Violence Protection Act* came about in December 2005 and it was meant, basically, to provide an immediate response to incidents of family violence, primarily physical. It doesn’t supersede, it’s meant to supplement the *Criminal Code*. It’s meant to supplement the *Family Law Act*, but we needed something, we had many cases where, primarily, women were put in situations where they were experiencing violent that weren’t able to be dealt with through the regular means quickly enough. They were in very explosive, traumatic, violent situations where there was a possibility of harm to individuals as well as children, and they needed to do something. So this piece of legislation was brought in.

What it did, the main thing, I think, that came out of it was it provided an immediate ex parte, which means no notice, application to the court to allow a victim of family violence to obtain an emergency protection order or EPO. That’s the term I’ll use throughout this is an EPO. That’s an emergency protection order.

What this did was it allowed, through this law, for a person to go file an emergency protection order application within the court and had the court grant, what in many cases, turned out to be a 90-day order providing various means to protect the individual in this particular situation.

Some of the things that it could do, in many cases, it could grant the individual exclusive occupancy of the family home, restraining orders, seizure of personal property, seizure of weapons and also provide for some control of personal property. It was to help these individuals out. The way it was set up was to be done very quickly. It wasn’t meant to be long term. It wasn’t meant to be permanent. It’s meant to provide a diffusing effect on a very traumatic situation.

Now, we haven’t seen many amendments to the act since that time. One of them actually was to provide an appeal process to that because, in many cases, you would go in and you literally could have an EPO granted against you and have no say in that matter and it came with remedies. We all know the seriousness of violence but, at

the same time, we also know the rights that individuals have. It was never meant to last forever. It was meant to get somebody out of a situation and then allow for other measures and means to be put in place.

What we're doing here, right now, the definition of family violence is as follows, it encompasses: assaults; intentional, reckless or threatened acts or omissions causing bodily harm or property damage or reasonable fear of same; forcible confinement; sexual assault, exploitation or molestation or threats of same; conduct that causes a reasonable fear of safety and deprivation of food, clothing, medical attention, shelter or the other necessities of life.

Those are some very serious things here and it was primarily based on actual physical harm or that fear of that harm being caused to an individual. What we're proposing here today is an expansion to the definition of family violence to include: psychological, emotional or financial harm.

To be specific, what we're suggesting is that subsection 3(1) of the *Family Violence Protection Act* would be amended and deleting the word 'and' at the end of paragraph (f) and adding immediately after paragraph (f) the following:

“(f.1) conduct that causes psychological or emotional harm or a reasonable fear of that harm, including a pattern of behaviour the purpose of which is to undermine the psychological or emotional well-being of the applicant or a child;

“(f.2) conduct that controls, exploits or limits the applicant's access to financial resources for the purpose of ensuring the applicant's financial dependency.”

There's also a second section here that says that subsection 13(1) of the act would be repealed and the following substituted: That an EPO prevails over a prior, subsisting order made under the *Divorce Act* or the *Children's Law Act* or a provision of a subsisting agreement made under Part IV of the *Family Law Act* respecting custody of a child.

It does not prevail over a prior, subsisting order under the *Children and Youth Care and Protection Act* that places a child in the care or custody of a manager appointed under that act or a prior subsisting order under the *Adult Protection Act* that places an adult in the care and custody of the provincial director.

Section 19 of the Act is repealed and the following substituted: Nothing in the act effects a duty set out in section 11 of the *Children and Youth Care and Protection Act* or section 12 of the *Adult Protection Act*.

I want to focus my attention on the main point here and the main point is the first amendment. Basically, we're adding on to what is already there, psychological or emotional harm, as well as harm to an individual's financial resources. That's pretty significant.

One of the things that we've seen – and, unfortunately, I presume there are many people within this House that have had an opportunity to speak to individuals going through traumatic situations like this. I personally had one very recently where an individual was trying to leave a relationship but, financially, was unable to. There were things being done to prevent this person from being able to leave and get themselves in a better situation.

We also see situations now, especially with the advent of social media and telecommunications, between texting, Facebook and Twitter and things like that, there are more means for people to communicate which also can carry with it negative implications. We've seen things done recently. It's not an issue that we dealt with years ago so much, but you see it now where the term revenge porn is out there where you're deliberately putting out a private image of an individual for the purpose of causing that individual harm. We have a number of situations like that.

Speaking to advocates, they say that when we talk about the traditional harm or abuse, that it's not just physical. In fact, I had a question today during the media briefing. I think it gave a really good corollary to what we're seeing in terms of just health in general. The question was: We know what physical harm is but what kind of burden is there, or how do you prove the

emotional and psychological? How is that going to be done in the courts?

I said it's similar to when we talk about just health in general. We've always never had an issue understanding the effect of a broken leg – you can see it, you can look at it, it's right there – but we've always had a difficult time understanding mental health. It's only now, we've made so many strides as a province and as a country, and really in the world, where people are starting to get it, but it was a long time coming. You can't see what's going on inside the individual.

It's the same thing with this. It can be, in many cases, very easy to document physical harm and understand physical harm and abuse that comes in a relationship, but it can be hard to document the emotional or the psychological. Generally, I think there are ways to do this; our courts do this every day.

One example, again, of financial is we have bank records and we have bank statements. We have ways to look at this. It's all about taking away the person's ability to continue to keep the control. That's what they want. In many cases, it's a pattern that's been established and we need to disrupt that.

We have a situation when it comes to emotional or physiological, this is why when we got into court there are witnesses, there are other ways you can prove this, whether its providing documentary evidence.

The big thing to get through here, I think, is that in many cases before, someone would come in to see a lawyer or a police officer or a social worker and because they hadn't been struck, they were stuck there because the person didn't hit them, but some of the other stuff that wasn't there, could cause, in many cases, tremendous harm. What we're doing with this amendment is we are allowing for that to be put forward and to be considered as harm under this act. We're trying to make it easier for individuals to leave these situations where there is violence.

I actually had in the briefing today – there's a form that has to be filled out. I actually have a copy of the form here so you will have to see that amended by the provincial court.

I had a question today: Why are we still filling that out? What I would suggest is we still need to provide the explanation, the evidence and the allegations in order to continue on. But I've also said very clearly that we have a system where it operates a certain way, in many cases, within the legal system and the justice system, it has always been that way. It's very backwards looking. We look to precedent. I'm always open to looking at ways to improve.

The good news too about this piece of legislation – and, again, I have to thank the media today because they asked a question in the briefing, they said: Well, how are we going to get this out to females, to women who want to see this? How are we going to put it out there, this information? I said: You're doing it right now. The very fact that we had this press conference and where the media were asking questions about this, this is what we need to do. It's all about education and awareness.

We'll continue working with the groups that we work with, with the committee that we work with, with the individuals in this House to get the word out. That's what we have to do to make sure people know that when this legislation does get approved – and I have no doubt, Mr. Speaker, that this is not something that's not going to happen. This is going to happen. We fully support this and I look forward to the support of my colleagues across the way.

The good news is that the Premier spoke about this recently and talked about this, which has brought attention to it. One of the good things is that it has had some attention in the media. I had one individual who spoke about it, and spoke very positively, an advocate said: This is a step in the right direction. That's what I want to think that it is. I want to think of it as a step. We are not to the end of where we need to be but we're in the right direction, I'd like to think.

We also had another individual who came out and had some concerns and said: Well, it doesn't go far enough. What I say to that individual is: I understand. We never said that this was going to fix everything. This is just one more step in a number of steps that we take across government. I know my colleague the minister responsible for Women's Policy is at this every single day

within her department. We will have more policy, more legislation, more change.

My colleague, the Minister of Children, Seniors and Social Development, this is a passion. The Member for Windsor Lake, this is a passion. Do you know what? It's not just a passion of the female Members of our caucus. This is a passion of all the Members of our caucus.

I've heard a lot of people talking when we talk about awareness, it's not just we have to educate boys and girls. We have to educate everybody and I really do think we have to get to our youngest.

When we talk about these issues, it's not just a Justice issue, it really does span through government, it spans across society. Every one of us in this House, on both sides, care about this.

In speaking to that, Mr. Speaker, I'd like to say that this is a step in the right direction. I think we're doing something here that will positively benefit individuals that find themselves in terrible situations. We're going to work towards making more positive change for individuals in this province.

I look forward to the debate and the comments from my colleagues across the way, especially during second reading and as we move into the Committee stage.

Again, I'd like to thank all those individuals, the individuals who sat on the meeting from this side. There were four or five ministers. There were individuals from different labour groups. I'd like to thank those. They know who they are. They came in and we're working on it. We want to work with them. I'd also like to thank everybody in the Department of Justice and Public Safety who've taken it on as one of their priorities as well.

Thank you, Mr. Speaker, and I look forward to continuing the debate on this bill.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (Reid): The hon. the Member for Fortune Bay - Cape La Hune.

MS. PERRY: Thank you, Mr. Speaker.

It's certainly a pleasure to rise once again in this hon. House on behalf of the people of Fortune Bay - Cape La Hune and the people of Newfoundland and Labrador.

Certainly, once we arrive here in this hon. House, it is the duty and responsibility of each and every one of us as parliamentarians to do what we can in the best interests of the people of Newfoundland and Labrador as a whole.

I'm pleased the government opposite has brought this very important bill before the House of Assembly for this session. It's certainly a very interesting bill. It looks like it will do a lot to improve the safety for women here in Newfoundland and Labrador.

We do have questions pertaining to the bill. We will be discussing those as we move into Committee stage of the bill and third reading, Mr. Speaker. This, being second reading, I certainly will just take a few moments to talk about some of the highlights of the bill and some of the areas where we see some value.

It adds three forms of family violence to the legislation: emotional, psychological and financial, Mr. Speaker. That's a move in the right direction. The minister, as many people in the province aware, has recently established a Committee on Violence Against Women and Girls. It's a very important committee and we're going to be doing some great work, I have no doubt, on that committee.

This bill, in particular, speaks to family violence as a whole. It ensures that we strengthen protections for seniors and for men, Mr. Speaker. We often talk about violence against women and girls, a very serious issue, but we can never forget that men, too, can be victims of violence and seniors can be victims of violence. We parliamentarians do have a responsibility to address all forms of violence to all persons in our province.

This bill has three main objectives: to expand the definition of family violence, as I just said, to include psychological, emotional or financial harm; to provide that emergency protection orders, or EPOs you may hear them referred to

as the debate goes on, do not prevail over certain orders under the *Adult Protection Act* and the protection is already written into the *Children and Youth Care and Protection Act* and it provides that nothing in the act affects the duty to report set out in the *Adult Protection Act*.

Mr. Speaker, I was happy in my tenure here in the House to have participated in changes to those acts as well. It's certainly some of the more meaningful work, I would say, that we do here in this hon. House; work that affects the lives and well-being of each and every one of our citizens.

Additionally, Mr. Speaker, this bill updates the legislation to accurately reflect the title name of recently adopted legislation. It replaces references to the *Child, Youth and Family Services Act*, the old one, with references to the *Children and Youth Care and Protection Act* which is the newer version.

Some of the proposed amendments contained here in the bill: section 3 of the *Family Violence Protection Act* currently defines family violence as assaults; acts or omissions causing bodily harm or property damage or reasonable fear of the same; forcible confinement; sexual assaults; exploitation or molestation or threats of same; conduct that causes a reasonable fear of safety, for example, following or recording someone; deprivation of food, clothing, medical attention, shelter or other necessities of life.

Section 1 of the amendment would expand that definition of family violence to also include, in addition to those I have just listed: "conduct that causes psychological or emotional harm or a reasonable fear of that harm, including a pattern of behaviour the purpose of which is to undermine the psychological or emotional well-being of the applicant or a child" and "conduct that controls, exploits or limits the applicant's access to financial resources for the purpose of ensuring the applicant's financial dependency"

Section 2 of the amendment states that: An emergency protection order does not prevail over an order under the *Adult Protection Act* that places an adult in the care and custody of the director of Adult Protection or another person. This is similar to the existing provision that

provides that an emergency protection order does not prevail over placing a child or youth in the custody of a child, youth and family services manager or a person other than the parent from whom the child was removed.

Mr. Speaker, section 3 of the amendment would provide that nothing in the *Family Violence Protection Act* affects the duty to report under the *Adult Protection Act*. Section 12 of the *Adult Protection Act* requires a person who reasonably believes that an adult may be an adult in need of protective intervention to immediately give that information, along with the name and address of the adult, to the provincial director, a social worker or a peace officer. The *Family Violence Protection Act* already provides for this duty in relation to children or youth.

Mr. Speaker, that's significant because, again, as I said in my earlier comments, we have a duty here in this hon. House to protect each and every citizen. The more we can do to ensure our seniors are protected, all of our children are protected, all of our women are protected – and our men. I will say again that although it's not as common, it certainly does happen. We need to be cognizant of the fact that each and every citizen deserves protection.

This piece of legislation is certainly going to strengthen our efforts in that regard. I certainly am pleased to see any effort to improve how we ensure the safety and well-being of our residents, Mr. Speaker. This bill is progress in that regard.

Like I said, we do still have a number of questions that we will be asking as the debate proceeds. But it certainly seems like reasonable amendments as physiological, emotional or financial harm is already taken into account during the existing process. This simply solidifies it in legislation and defines it.

It's a necessary amendment and one that will make the process more user-friendly for the applicant and the victim to define their situation. This is certainly a positive move, Mr. Speaker. I look forward to participating in this debate with my colleagues in this hon. House.

Not just ourselves as parliamentarians – we have a responsibility to enshrine protections into the

law – but each and every one of us as citizens have a duty to protect and care for others, including seniors, including children and including women. We have a duty to report wrong doings that we see.

The bystander effect is something that can no longer be tolerated. In standing by and observing any form of abuse, you are actually condoning the behaviour of the perpetrator, allowing it to continue and worsen. Who knows how many more people will be impacted.

All measures like this that we can introduce and enforce are certainly of benefit to the people who are victims of violence. This is certainly a very important bill that we have before us here in the House. I look forward to proceeding with the debate on this bill in the coming days.

Thank you, Mr. Speaker.

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

MS. COADY: Thank you, Mr. Speaker.

For those that are just tuning in I'd like to say that we're debating Bill 1, the *Family Violence Protection Act*. It's an amendment.

The bill will amend the *Family Violence Protection Act* to expand the definition of family violence; to replace references to the *Child, Youth and Family Services Act* with references to the *Children and Youth Care and Protection Act*; provide that emergency protection orders do not prevail over certain other orders under the *Adult Protection Act*; and provide that nothing in the act affects the duty to report set out in the *Adult Protection Act*.

This is a very important bill, Mr. Speaker, and I'm glad the Member opposite spoke firmly and positively. I think everybody in this House recognizes that violence in any way, shape or form, harassment, abuse, bullying is not tolerated, it's not to be tolerated, not to be accepted – not to be acceptable in our society. By expanding this definition of family violence, it's now including psychological, emotional and financial harm.

Many people who have come to me – now that I'm Minister Responsible for the Status of Women – have told me their stories. It is sad when you hear of the violence that some people have to endure in our society. They often tell me that it starts with some psychological abuse. It starts with financial abuse. It starts with controls being put in place. Mr. Speaker, this act now will offer those people protection before it gets to an escalated situation.

I'm proud of my colleague, the Minister of Justice and Public Safety. I can tell you without reserve, and I tell the people of this province and everyone here today present, that he is very focused on ensuring violence against women is not acceptable, but also that protections are there. The changes that are required in any legislation in our society, he's working to address that.

As a matter of fact, Mr. Speaker, we started an inter-ministerial committee because this is so broad. It reaches into many aspects, into Education, into Health and Community Services, into services that the Province of Newfoundland and Labrador offers; many, many departments. So we now have this ministerial committee that will hopefully – no, will, I won't say hopefully. It will make changes that are required to address the concerns that have been expressed to us, the concerns that we know as a society.

Mr. Speaker, I'm pleased to stand in the House today to discuss these proposed amendments to the *Family Violence Protection Act*. I think they will have significant impact to the lives of Newfoundlanders and Labradorians experiencing that psychological, emotional and financial harm. I certainly stand here as Minister Responsible for the Status of Women in support of this. I think everybody in the House will be in support.

As the Minister of Justice and Public Safety said, is it enough? No, of course not, but it, again, moves us in the right direction. I think that's important. It was very telling to have everyone in this House in support of the – or everyone on this side of the House in support of the recent Speech from the Throne and talk about and include this, include issues around harm to women, include issues around family

violence and make this Bill 1. So I'm pleased to see that.

I had the privilege earlier this week – and it's hard to believe it's the same week, Mr. Speaker. I had the privilege of joining ministers and parliamentarians from across Canada and around the world, as well as members of civil society, of labour, and I congratulate – labour's been very, very active on these files and have come to see us on many occasions and are working to ensure the protections of women and to ensure the equality of women.

People from the educational community were there at the United Nations Commission on the Status of Women. It was held in New York City at the UN. And the session at the United Nations really was integral to advancing the rights and equality of women and girls. It is an honour, it certainly was an honour to be there and be part of that, of an empowering general assembly. It was certainly – to participate in the sessions on gender-based violence, to participate in sessions on equality and how to ensure equality – very empowering.

It was said during that assembly, and I said it in the House earlier this week, that evidence proves that investing in gender equality and the health, rights and well-being of girls and women creates a ripple effect that spurs growth and progress for all.

Our government is committed to advancing the status of women and girls in Newfoundland and Labrador. I think we've seen that this week in the Speech from the Throne and in the introduction of Bill 1. We do not want half the population to be left behind in opportunity or advancement. I think what you're seeing really does speak to the voice of a government in trying to eradicate, trying to ameliorate all forms of violence, abuse and bullying to make sure that we are addressing the concerns women have in that way, but also to make sure that we are putting in policies and programs to ensure equality of women, Mr. Speaker.

I'd like to quote just one very significant paragraph that I found in the Speech from the Throne. It said, "Raising standards and expectations for how our society treats women is an important focus for our Government.

Violence against women and girls is one of the most serious issues facing society today. Unfortunately, many women continue to experience violence. Fifty per cent – 50 per cent, one in two – "over the age of 15 have experienced or will experience at least one incident of sexual or physical violence in their lifetime. The likelihood of experiencing violence is tripled" – tripled, Mr. Speaker – "for Indigenous women. Violence, in any form, is unacceptable."

That was right from the Speech from the Throne. I think what you're seeing is truly – and I went back to other Speeches from the Throne, and I found making sure that women's voices were heard, making sure that we are addressing these issue. We cannot wait one moment longer to do so.

Numbers are startling. I just told you that 50 per cent of women over the age of 15 – 50 per cent – will have or will experience at least incident of sexual or physical assault or violence in their lifetime. The likelihood of indigenous women is tripled.

One of the initiatives of the Women's Policy Office is the Violence Prevention Initiative. The initiative is a multi-departmental provincial government's community partnership to find long-term solutions to the problems of violence against those who are most at risk in our society. The Violence Prevention Initiative recognizes nine types of violence and abuse including physical, sexual, emotional, psychological, spiritual, cultural and verbal violence, as well as financial abuse and neglect.

Now by updating the *Family Violence Protection Act* to broaden the definition of violence we are better aligning this legislation with how abuse is defined by the Violence Prevention Initiative, the *Adult Protection Act* and the *Children and Youth Care and Protection Act*, which includes those forms of harm.

Expanding this definition to include psychological, emotional and financial harm allows the provincial government to convey the importance of recognizing these forms of violence. Changing how the government defines violence helps change how the public perceives that violence. A more inclusive definition

through the *Family Violence Protection Act* will convey a more thorough understanding of what constitutes a violent act and reflect what the public views as unacceptable behaviour.

This change will enable survivors of those types of violence to have access to programming they would not otherwise be able to access and will bring Newfoundland and Labrador in line with other jurisdictions across Canada. Most all other Canadian provinces have legislation similar to the act. Of the other jurisdictions, four have legislation that include broad definition of family violence, that includes both psychological, emotional abuse and financial abuse. Three other jurisdictions include psychological or emotional abuse but do not include financial harm.

As a government, we are proactively making changes to better meet the needs of women and girls experiencing violence, and those actions are not limited to those proposed today. We have heard from stakeholders and from survivors who have experienced the need for changes such as these. We heard, we acted and we'll continue to do so, Mr. Speaker.

Following the release of the Violence Prevention Initiative action plan back in 2015, we've consulted in all regions across the province. This has helped us guide and refine our ongoing initiatives related to violence prevention, including the *Working Together for Violence-Free Communities* action plan which is a living document, Mr. Speaker, and is responsive to the needs of the community.

While we have implemented many of the actions of the plan, we know that we must continue our work to prevent violence and harassment in our schools, workplaces and communities. *Working Together for Violence-Free Communities* is a living document, as I said, and responsive to the needs of our communities. This allows us, as a government, to respond when action must be taken to prevent and eliminate violence. This year, we will further explore how we can build on the progress so far.

Most recently, at the December 8 meeting of the Ministers Committee on Violence Against Women and Girls, stakeholders, again, stressed the importance for the system to be more

responsive to the needs of survivors of violence and to provide culturally appropriate services. They also discussed ways to improve the justice system, including the importance of updating emergency protection orders to better respond to women, girls and anyone experiencing violence. Changing the definition of violence in the act is a step in the right direction.

To complement the ongoing work, as I earlier said, I'm pleased to chair the committee of ministers representing multiple departments tasked with addressing issues of violence in our society, in our communities. This committee oversees collective actions to address issues of violence in the province. The committee consists of ministers responsible for Justice and Public Safety; Education and Early Childhood Development; Health and Community Services; Children, Seniors and Social Development; Service NL and Advanced Education, Skills and Labour.

Through these efforts we are ensuring the voices of those experiencing violence or harassment are heard when we are updating any program and policy throughout government. We're committed to providing safe learning and work environments for everyone, but especially girls and women. Currently, legislation and policy, including the Safe and Caring Schools Policy, the *Residential Tenancies Act* and the *Municipalities Act* are being reviewed to that end.

By examining current policies, programs and legislation, we are working to address root causes. We accomplish this through initiatives such as mental health and addictions initiatives, including implementing recommendations from *Towards Recovery*, a report by the All-Party Committee on Mental Health and Addictions; housing, including the upcoming provincial housing plan to end homelessness; the Poverty Reduction Strategy and other programs and measures to reduce income equality.

Ending violence requires a collective response and it is not the work of any one committee, one community group or government department. Our government works in collaboration with community stakeholders to find long-term solutions to eradicate violence.

The Women's Policy Office provides core funding to 10 regional committees against violence, eight women's centres, the Transition House Association of Newfoundland and Labrador, the Newfoundland Aboriginal Women's Network and the Newfoundland and Labrador Sexual Assault Crisis and Prevention Centre. These organizations provide valuable services to survivors of violence in our communities. We are proud to partner with these organizations.

This includes the Safe Harbour Outreach Project, which received core funding recently. This program supports sex workers who are at a higher risk for violence but are less likely to receive medical care or other community supports due to the stigma they have to experience in the community.

We also fund the Intimate Partner Violence Prevention Unit with the RNC and the RCMP who ensure that our police forces receive training and support. This way, when they respond to a call related to intimate partner violence, they know the best way to ensure that the survivor of violence has access to the supports that she needs.

We also fund the Multicultural Women's Organization of Newfoundland and Labrador. This organization provides a variety of services to women with broad-ranging backgrounds and experiences. The women at the Multicultural Women's Organization of Newfoundland and Labrador provide culturally and language-specializing programs to ensure that all women in Newfoundland and Labrador are aware of, know how, and are empowered to access the programming and services that are available to them. This is not only important for those women but also encourages women who immigrate to Newfoundland and Labrador to stay here, raise their families and help us to build our province for future generations.

We also supply support for indigenous women as well as men, girls and boys through the Indigenous Violence Prevention Grants Program. This program provides project funding to indigenous organizations and governments to identify and implement culturally appropriate responses to violence. Indigenous women are particularly susceptible, as I said earlier, to

violence, and across the country they are three times higher than a non-indigenous woman to experience assault, and six times more likely to be murdered, Mr. Speaker.

As I said, we provide funding for the Indigenous Violence Prevention Grants Program. This year \$205,000 in project funding was announced in February during the province's Violence Prevention Month.

Projects eligible to receive funding include those that focus on developing violence prevention action plans, public awareness and education materials or activities, providing healing programs in relation to the effects of violence, improving programs and services at shelters for indigenous women, developing community capacity and leadership and improving cultural strength of indigenous communities with the objective of reducing violence.

We also support indigenous women in finding culturally appropriate responses to violence in their community through the empowering indigenous women for stronger communities project funded by Status of Women Canada. On November 21 and 22, 2017, Mr. Speaker, the Women's Policy Office, in collaboration with the provincial Indigenous Women's Conference steering committee, hosted the 10th provincial Indigenous Women's Conference. This year's conference brought together women representatives from indigenous governments and organizations to discuss the direction of the three-year project.

It's a very innovative project that brings together women leaders from every indigenous organization and government in our province. There is no other project like this across Canada. I attended the conference; the positive energy was evident from all attendees. It was certainly about coming together to solve the issues, to share the problems and to find the best ways to deliver programming. The conference provided an opportunity for indigenous leaders to discuss and identify strategies related to four issues acknowledged as priority areas in indigenous communities: Violence against women, mental health, homelessness and reconnecting generations and engaging youth.

The prevention of violence and harassment in our homes, in our schools, in our workplaces and our communities is everyone's responsibility. Changes such as those proposed today indicate our government's steadfast commitment to those experiencing violence in our province.

Our commitment is this: You are not alone. If you are experiencing violence in any way, if you're having issues, please reach out. We certainly want to make sure that you have the supports around you that you need.

We'll continue working to prevent and eliminate violence in Newfoundland and Labrador. This is another step forward, Mr. Speaker. I congratulate the minister for bringing it forward to this House and I thank my hon. colleagues for their support.

Thank you very much.

SOME HON. MEMBERS: Hear, hear!

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

MR. P. DAVIS: Thank you very much, Mr. Speaker.

Thank you for giving me an opportunity to rise this afternoon and speak to Bill 1. It's, no doubt, an important bill. More importantly, it's an important topic in our society today, not only in our society, Mr. Speaker, but virtually everywhere, certainly, in Canada, the United States.

It's a very important topic of violence and abuse that occurs. To amend the *Family Violence Protection Act* to improve and strengthen definitions is always a positive step in the right direction.

Mr. Speaker, what this bill will do is expand the definition of family violence. I heard the Premier last week make a comment that it was going to redefine assault, but I think what he was actually meaning was it's going to expand the definition of family violence.

The difference, Mr. Speaker, is that assault is a form of family violence. All family violence is

not necessarily a form of assault, but assault is a form of family violence. I think the broader term of family violence is important to use and recognize. Expanding the definition for this under the *Family Violence Protection Act* is going to strengthen the ability to apply for actions and resolutions under the act.

Emergency protection orders came into being, Mr. Speaker, I think about eight or nine years ago, if I remember correctly. Maybe a little bit longer than that, maybe about 10 or 11 years. In 2007 I think it finally came into being. They allow for an intervention when sometimes no other alternatives are available. The reality of family violence is that it can happen anywhere at any time. There's no neighbourhood or community who can say it's never going to happen in our community, it's never going to happen in our area. There's no time of day or day of the week where you can say it's not going to take place.

In the province today we have what's known as WASH Court, which refers to weekends and statutory holidays. It allows for court to take place 365 days a year, 12 months a year, throughout the entire year – obviously, 365 days a year is throughout the year. It provides that important service. It's not interrupted by weekends or holidays or Sundays or statutory holidays or if it's Christmas or Easter; the justice system will continue to flow.

Mr. Speaker, the current act defines some aspects of family violence. I had a look at the Women's Policy Office; I went to their particular site. The minister opposite, I know, just spoke to this; I listened to her comments this afternoon.

The act right now, currently, only applies to some of the forms of domestic violence that are recognized by the Women's Policy Office. The Women's Policy Office, it's available on their website. There's a section on defining violence and abuse, and it actually outlines nine distinct forms of violence and abuse.

It includes physical assault, sexual assault, emotional violence, psychological violence, spiritual violence, cultural violence, verbal abuse, financial abuse and neglect. The current legislation under the *Family Violence Protection*

Act, when I look at section 3(1), it defines family violence and it means one or more of the following acts or omissions committed against an applicant or a child by a respondent.

It goes on to lay out – the first one is assault. An assault here under this act consists of an intentional application of force that causes the applicant to fear for his or her safety but does not include an act committed in self-defence. It also outlines an intentional, reckless or threatened act or omission that causes bodily harm or damage to property; an intentional, reckless or threatening act or omission that causes a reasonable fear of bodily or damage to property. It also outlines forcible physical confinement without lawful authority.

The second specific distinct form of violence listed on the Women's Policy Office site refers to sexual violence. That's also referred to in the *Family Violence Protection Act* where it outlines sexual assault, sexual exploitation, sexual molestation or the threat of sexual assault, sexual exploitation or sexual molestation.

Even though this act lays out different forms, specific forms, I know the *Criminal Code of Canada* refers now only to sexual assault. At one time in the Criminal Code, Mr. Speaker, and you'd be somewhat familiar with it, it laid out different, defined forms of sexual assault. Today's criminal law refers to sexual assault and encompasses a very broad range, a full broad range, and then there could be sexual assault causing bodily harm and so on, but the definition of sexual assault really depends on the circumstance in many ways.

So the current act has that as well. The current act also talks somewhat about what I would consider under number seven of the nine distinct forms of violence and abuse, as outlined by the Women's Policy Office, and that's under the next paragraph here, it refers to conduct that causes the applicant to reasonably fear for his or her safety, including contacting, communicating with, observing or recording a person; deprivation of food, clothing, medical attention, shelter, transportation or other necessities of life.

By doing that verbally would somewhat cover what the Women's Policy Office defines as verbal abuse. On their site, by the way, they

define – I was going to say diagnose, but they don't diagnose verbal abuse, they define verbal abuse as: Verbal abuse occurs when someone uses language, whether spoken or written, to cause harm to an individual.

Mr. Speaker, that allows then, under the current act, these three areas of nine, and what the bill is going to do, is it's going to add emotional violence, psychological violence and financial abuse to the legislation. It's laid out in the bill: "conduct that causes psychological or emotional harm or a reasonable fear of that harm, including a pattern of behavior" – so it doesn't have to be a single event, it can be a pattern of behaviour – "the purpose of which is to undermine the psychological or emotional well-being of the applicant or a child."

Mr. Speaker, it is not unusual for psychological and emotional abuse to be a pattern, over a long period of time, not a single event but for a period of time where it's that pattern of constant emotional or psychological harm or fear of harm or threat or a pattern of behaviour exists, and the bill covers that. So that's three and four on the list from the Women's Policy Office.

It also covers then: "conduct that controls, exploits or limits the applicant's access to financial resources for the purpose of ensuring the applicant's financial dependency." Financial abuse is number eight on the list on the Women's Policy Office. Financial abuse they refer to and the Women's Policy Office refers to: "Financial abuse occurs when someone controls an individual's financial resources without the person's consent or misuses those resources."

Similar kind of intend, it sounds like, Mr. Speaker, as laid out here in the bill, but a different language. Plain language instead of legislative language is used by the Women's Policy Office on their website.

Mr. Speaker, I have to say, by the way, it's a very interesting read for me to go on the Women's Policy website to have a look at this and to read through it because it's not a bad thing. It's a good thing, to take some time for all of us to better understand violence, to better understand what some people and some families have to endure and experience. If we never had

that as an issue, these items wouldn't be listed out on their website, Mr. Speaker, but we do.

Not only do we have the Women's Policy Office, but we also have a large number of community stakeholders throughout our province. Many, many areas of our province who are there to assist and support, particularly women and girls, women of all ages and younger women and girls as well, who need help and assistance because of incidents of violence or fear of violence or under a threat or duress or anyone of these nine distinct forms of violence or abuse that occurs. Mr. Speaker, I'd be remiss if I didn't take a moment to express our thanks and appreciation and acknowledge the importance of the work they do.

I actually spoke to a stakeholder today, early this morning, about this very bill and very topic. The person I spoke with this morning raised the fact that it's a good thing they're adding to the definition, but also pointed out that one of the issues and concerns when it comes to family violence in our province today is how challenging the limited resources are for those who work to help others and that the resources are very challenged.

While they are expanding the definition, which is a good thing – all these resources that work in the community, Mr. Speaker, they'll respond and help and assist in any of these distinct defined areas of violence or abuse, but it's not just recognized in the legislation. One of them today said to me, while they recognize the importance of including more distinct forms of violence and abuse, it's also saying we don't have the resources to cover the incidents that are seen today. They're very challenged by that, Mr. Speaker, and I think it's an important point to make.

One of the questions we're going to get to in Committee, maybe later today, is that there are still three forms of violence that are not included in the legislation. Three forms of violence and abuse, distinct forms and definitions of violence and abuse that are not referred to in the legislation. I'm sure we'll have time to ask the minister later today for some discussion on why they were left out of the bill or why they are not being considered here.

One of those is spiritual violence, which is defined as spiritual or religious violence occurs when someone uses an individual's spiritual beliefs to manipulate, dominate or control that person. The second one here is cultural violence; I'll get back to that one in a second. The third one is neglect. Neglect under the Women's Policy Office occurs when someone has the responsibility to provide care and assistance for an individual but does not do it.

I want to go back to cultural for a minute because the minister just referred to some of the work being done with indigenous communities and indigenous members of our population. We'll be looking for some discussion in Committee on why cultural violence would have been left out of the bill, because cultural violence occurs when an individual is harmed as a result of practices that are part of his or her culture, religion or traditions.

I'm not sure why that wouldn't have been included. We're going to expand the bill. We thought it would have been important to consider all forms of violence as defined by the government themselves. They haven't done that. So we're going to ask some questions about that when we get to Committee.

Mr. Speaker, the bill also does a couple of other things. It replaces references to the *Child, Youth and Family Services Act* that are outdated because the new act has changed language; director versus manager as an example. It's also going to refer to the *Adult Protection Act* and it's going to "provide that emergency protection orders do not prevail over certain orders under the *Adult Protection Act*" I expect today we're going to have some discussion about that.

What the *Adult Protection Act* does, in a nutshell – and just very briefly – there are cases in our province, I've seen them myself over the years, where an adult is living in a circumstance where they're just not able, for one reason or another, to care for themselves. They need intervention and they need someone else to help them live. Prior to the *Adult Protection Act*, there was no legal authority for anyone to have an influence or to try and improve the quality of life for that person. That's essentially what the *Adult Protection Act* does.

For example, if I have a friend or family member, or someone I don't know, they can be placed in my care under the *Adult Protection Act*. Maybe that person, for some reason, is not able to care properly for themselves. That responsibility can be placed on an individual such as myself.

What the bill does here is that in a case of an emergency protection order – and I should talk about those a little bit – an emergency protection order will not prevail over a person who has been designated under the *Adult Protection Act*. We have two people, as I read this here – and we had a discussion about it in the briefing. I thank the minister and the officials in the department for a good briefing and discussion we had a couple of days ago on the bill.

It outlines that the *Adult Protection Act* will prevail over an emergency protection order. An emergency protection order – I referred a little bit earlier to WASH court and courts available. In a case of a family disturbance – I've seen many, many times on a Friday night at 11 o'clock or on a Sunday morning or Saturday morning at 2 o'clock in the morning all the resources available during a business day would not be available.

An emergency protection order is a mechanism to seek an emergency protection for an individual when there may be violence or threat of violence or fear of violence in a home, yet no criminal act has taken place or there's no ability to lay a criminal charge or make a criminal arrest. It allows, as an option, to apply to a judge and say: I need an intervention, we need an intervention here. Or an individual applies to the judge and says: I need an intervention, I need your help to make sure that I can be kept safe. The order is designed to do that on a temporary basis.

What this act reflects is that if an adult protection order is in place, an emergency protection order cannot impact that adult who is under an order. So if I was to have a person under an adult protection order, under the *Adult Protection Act*, and an EPO was sought for me to leave the house, as an example – I'll use myself as an example – then the *Adult Protection Act* would take precedence. We need to have a bit of a discussion about that when we

get to Committee as well later today and understand how the precedence had been set in that circumstance.

Mr. Speaker, cleaning up some language as well. It says the three main things that Bill 1 does – I was a little bit surprised because Bill 1, historically, is the signature bill and so on. While this is a very, very important matter and topic and discussion, I was a little bit surprised when I saw that it's a relatively short bill and a relatively small bill; yet, could have the potential for important improvements to how family violence is responded to in our province.

The *Family Violence Protection Act* refers extensively to emergency protection orders and how they can be sought, applied for and obtained for that emergency intervention in a case of family violence or domestic violence in a home anywhere in the province.

Having the WASH court, as I referred to earlier, weekend and statutory holiday court available 24-7, seven days a week essentially, then an emergency protection order can usually be obtained fairly quickly by filling out an application form by an individual. An individual can make the reference to it. Police officers have forms available to them. Counsellors and social workers have forms available to them. They are available in courthouses around the province as well. It's not difficult to get access to them, but in those cases when you need those emergency protection orders, expanding the definition of family violence will benefit those who are seeking safety and security while waiting for a longer-term solution. So it will certainly benefit there, Mr. Speaker.

I'm going to finish my comments today. I'm going to take my seat, and I look forward to having a discussion with the minister when we get into Committee.

Thank you, Mr. Speaker.

MR. SPEAKER (Warr): The Chair recognizes the hon. the Member for St. John's Centre.

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

I take my place to rise to speak to Bill 1, An Act To Amend The Family Violence Protection Act.

This is an act that we certainly will be supporting. We're very happy to see this act come to the floor and presented by government. It's an act that will help support the protection of women and children who are predominantly the victims of domestic or family violence and gender-based violence. So we certainly will support this act.

Mr. Speaker, I'm going to just briefly talk a little bit about what the act is going to do, and then some of the concerns I've heard raised by some of those folks directly involved in working in the area of violence against women and children. I'm sure they are issues that can be addressed. Maybe not entirely in the scope of this act but they are resolvable. They are challenging but certainly not insurmountable.

Section 3 of the *Family Violence Prevention Act* defines – what this is about is that this helps further define the issue of what family violence is. As we know, Mr. Speaker, more and more people are self-representing when it comes to the courts or comes to the justice system because it's very expensive. It's very, very expensive to have representation, so people are more and more self-representing.

There is an effort to make our laws, our processes and our regulations more accessible and user-friendly language. Also, any applications and any paperwork that is needed in order to seek help from the justice system, also to ensure that is more accessible and user-friendly for those who need to seek protection from the court – go to the court for protection, not seeking protection from the court itself, but who are seeking protection because of the issue of domestic violence or family violence or gender-based violence. We use all those words, sometimes interchangeably; sometime they have changed over the years.

Initially, section 3 of the family violence act defined family violence for the purpose of the act as: assaults – that's pretty understandable – acts or omissions causing bodily harm or property damage or reasonable fear of same; forcible confinement; sexual assaults, exploitation or molestation or threats of same;

conduct that causes a reasonable fear of safety, for example, following someone, recording someone, et cetera; deprivation of food, clothing, medical attention, shelter or other necessities of life.

These are all tools that are often used by someone who is endeavouring to have complete control and power over someone else by weakening them, by isolating them, by harming them in a number of areas.

What this amendment intends to do is expand that definition of family violence to include – and these are a little more difficult to define but I think are understandable and are very necessary – “conduct that causes psychological or emotional harm or a reasonable fear of that harm, including a pattern of behaviour the purpose of which is to undermine the psychological or emotional well-being of the applicant or child” Mr. Speaker, we see that so often

Thirty-six or 37 years ago I was involved in helping to start the first Iris Kirby House. At the time we called it Transition House. It was at a time when violence against women, domestic violence – we called it domestic violence at the time or family violence – wasn't out there in the public agenda. As a matter of fact, there was a high level of denial that it even happened here in Newfoundland and Labrador.

As someone who was a social worker and also working at the Women's Centre with the St. John's Status of Women's Council where the first Transition House was our project – we raised the money for it, we did community organizing, we were also doing a lot of public education around the issue of violence against women – I, myself, would give training programs to the police, to medical professionals. Oftentimes, there was a real resistance because there was a denial; there was a denial that there was family violence in Newfoundland and Labrador.

It was a very difficult time. It's very interesting to watch over those 36, 37 years to see where we have come now. Iris Kirby House has expanded; unfortunately, the need is still there. We would have thought, Mr. Speaker, with adequate and continual public education and empowering

women, that we would see the end of this. It's still a big problem. As a matter of fact, I believe the problem has increased here in Newfoundland and Labrador compared to other places in Atlantic Canada.

Mr. Speaker, we also looked at: What were some of the tools of an abuser? What was that kind of abuse really all about? Oftentimes, we have to face the hard reality; for the most part it is male violence against females. Some people say it's just that he's angry and he can't control his anger, but it's not just about uncontrolled anger. It's not that, because the person who will abuse his wife or his partner often does not abuse his employer or his colleague or his friend. This is not an issue about some kind of unresolved anger or uncontrolled anger, because it's very targeted. The tools that are used, it's about power and control. It's about controlling the woman.

That's why this is so important, Mr. Speaker, because it's not your usual kind of spur-of-the-moment violence. It's a violence that is intended to control through demeaning, through physical violence, through confinement, through controlling every aspect. That's why this is so important and that's why this is different than somebody who may physically assault you, who is not your partner or not a former partner. This should also relate to former partners as well. This is a very specific type of violence where the perpetrator uses some very specific tools to control their victim.

The amendment would expand the definition of family violence to include, "conduct that causes psychological or emotional harm or a reasonable fear of that harm, including a pattern of behaviour the purpose of which is to undermine the psychological or emotional well-being of the applicant or a child." Again, that control; controlling the woman, controlling the children to have power over. Two, "conduct that controls, exploits or limits the applicant's access to financial resources for the purpose of ensuring the applicant's financial dependency."

Mr. Speaker, we have seen that and we've heard that. A lot of this work and what we're seeing here today is work that is as a result of the work that advocates and anti-violence groups, mainly women's anti-violence groups, have done over

the years to try and understand exactly what contributes to domestic violence, to family violence and what is it the victims most need in order to get on with their lives, to be protected.

Oftentimes, after a period of violence, if a woman is trying to get out of a relationship that is violent – and let's not forget the whole mechanisms of control – often that is the time when she is most vulnerable. It's often the time as well, when we see most murders happen, sometimes murder-suicide but certainly murder. It's so important. This time when a woman is seeking protection because she either is leaving or has to leave, or because she has to have the abuser stay away from her and her children, is a time when she is often most vulnerable. That's why these EPOs are so very important.

I would like, Mr. Speaker, to just take a few moments to highlight some of the issues that were raised by some of the folks who are working in this area. They are happy to see this legislation. They're happy to see this come before the House. But they do have some concerns and I'm hoping they're concerns that can be addressed.

One other thing, for folks who don't know, a woman who is seeking – again, predominantly women – an emergency protection order, the application is online. This is also about making that process a little more accessible and more understandable.

What happens is that a woman will make an application. It goes and says I need protection from this individual because this has happened, because this is what I fear. I need protection and my children need protection. Then, that goes before a judge and a judge will make a decision based on her application. The judge then can make an order that can last as long as 90 days. Some of the folks I've spoken to feel that they would also, at times, like to see a minimal number of days. I think that might be a little bit difficult, but it's something that tells us about a problem.

One of the problems that have been identified – then the emergency protection order, if the judge puts it in place, will decide how long that is in place for and it has conditions; for instance, you have to leave the house, you cannot go to the

woman's place of work or you cannot go to the place of the daycare where the children are, you cannot call the woman. There are different orders within an emergency protection order and it is meant to be a stopgap order.

What happens in that period of time is some women may have to find a new place to live for her and her children, or if she has no children where she can live safely. She may have to find a new place of work, may have to find a new school for the children. We can't forget this is a time period where she's very vulnerable and which is often very dangerous, because the research has shown us that and the statistics have shown us that.

That's why that's important as well. She may need to seek medical help. She may already be in a shelter. She may have gone to a shelter for protection, but unless she has an emergency protection order in place, she may not be able to leave that shelter for fear of the abuser approaching her, calling her or taunting her. Even if a woman has refuge in a shelter that is set up specifically to protect women who have been victims of violence, she may still also need this in order to protect her so that she's not being harassed and so that she's not confined just to the four walls of that shelter.

Some of the feedback that we got – because, of course, with something in this area it's very important to be able to get feedback from transition houses, from women's groups, about what they feel about this act and whether or not they feel it goes as far as it should. Is it causing any other problems or do they have some comments that might add to the power and strength of the act?

One person who's very much involved in the front lines said it's good that it expands these types of violence. But she also feels other areas that aren't covered by this act are cultural, spiritual and spiritual neglect. That was captured by the Women's Policy Office here within our public sector. They say these are important issues.

If someone is prevented from their culture or from their own spiritual practice and neglect, that also should be covered. It might be that the minister may feel, and the fine folks – we got a

briefing. I'd like to thank Chad Blundon and Kendra who did a really good job of briefing us. They took the time that we had because we had to talk a little bit about fully understanding some of the other issues.

AN HON. MEMBER: Kendra Wright.

MS. ROGERS: Right, Kendra Wright.

We had to take a little bit of time to understand how this might interact with the *Children and Youth Care and Protection Act* and the *Adult Protection Act*, but I think that we all went away with a full understanding of that thanks to the generosity of Kendra and Chad. Folks may feel that in fact those specific categories would be encompassed under emotional abuse, but that's a conversation we certainly can have.

The other concern was really what is emotional abuse and how can that be defined? It will be incumbent upon the applicant to be able to define how she feels that she has been emotionally abused. So her role and whoever may be helping her – and that's another issue we want to talk about as well, Mr. Speaker. The role of that application is to help the judge understand the scope of the abuse, the scope of the risk, the scope of the danger so that the judge may make a decision based on the reality that is facing the woman who has been victimized.

The other issue that was raised was that emergency protection orders are not passed as frequently as people may think they have been. Oftentimes, what happens is women may show up to court and they've been abused, they're in crisis. They may be in trauma and they probably have no legal counsel. They may have someone to help them, maybe from Iris Kirby House or from a violence prevention organization or from a women's centre, but the Crown is there to take care of dealing with the abuser.

The RNC have been great partners in this area. Most of the people that I spoke with spoke very highly about the RNC and the important role they play and the work they do to help women through this process, but there's often no one there specifically at court to help the woman. It takes a while to apply for legal aid. We know that our Legal Aid is very overburdened with a lot of cases, so it takes a while to get

representation. So it's very, very difficult for the woman to be able to clearly represent herself.

We can imagine how difficult it would be for any of us here in this House to represent ourselves in a court of law. But imagine if you are someone who has been controlled emotionally, psychologically, physically abused, where your money has been controlled. You are traumatized and you are there to represent yourself before a court of law which, in and of itself, is so very intimidating.

I'd like to also state that we believe the folks who are working in the courts are very sympathetic and try to be helpful but, again, there's no one there specifically to help the woman through this process.

It's all about the documentation. The woman might be scared to death and she is afraid. Then what happens, if she's not able to clearly articulate the danger, clearly articulate her needs, clearly articulate her risk, then the judge does not issue an emergency protection order. It's a really tough position to be in.

That's what one of the agencies wanted to raise. I said: Why do judges say no at times? She said: Sometimes it's because they may not fully understand the risks. That, again, is a process then if a woman has to make application, if she doesn't have support there with her, then we can see where there's a weakness in the system.

Also, we were told in one case, for instance, where a judge did not issue an EPO. That judge said the woman is already at a shelter, why does she need an EPO, she's safe? The judge did not issue an EPO so, in fact, what happened, that woman was confined to the four walls of that shelter. She couldn't go to work. She couldn't go out for fear because the man who had abused her was not legally mandated to keep his distance from her. That was one problem.

Another issue is the whole issue of how long the EPO is. Sometimes there's a lot of work that needs to be done. Sometimes the EPO, in and of itself, is too short.

I see my time is running out here, Mr. Speaker. There are a few other issues I'd like to bring up. Perhaps I'll be able to bring them up either in

third reading or in Committee. I would like to say that there are those issues and I look forward to continuing this debate.

Thank you very much, Mr. Speaker.

MR. SPEAKER (Trimper): The hon. the Member for Mount Pearl - Southlands.

MR. LANE: Thank you, Mr. Speaker.

I'm glad to have the opportunity now to speak for a few minutes on Bill 1, An Act to Amend the Family Violence Protection Act.

I want to say from the onset that I will be supporting the bill 100 per cent. I want to also say – and I think it's important, it's worth noting – I believe I heard the Leader of the Official Opposition reference the fact that Bill 1 is traditionally a bill that sets the tone for the government, where they're going. It's kind of a signature bill, I think, he referred to it as.

The symbolism, if I can put it that way, associated with the fact that this would be Bill 1, I think that speaks volumes, it speaks highly of the fact that it would appear to be governments intent here that this is going to be a priority issue in protecting women, children, families and so on.

SOME HON. MEMBERS: Hear, hear!

MR. LANE: I think that's something that everybody in this House of Assembly, on all sides, would agree with and would support. I certainly commend the government for doing just that because, at the end of the day, Mr. Speaker – and this is just speaking, obviously, as a male, and I think I've spoken to a different bill or spoken to something, maybe it was the Speech from the Throne perhaps, I indicated we all have mothers, sisters – we don't all necessarily have sisters, but many of us have sisters. We all have mothers or had them, children, grandchildren and so on, we all want to make sure that all of the women in our lives, females in our lives, have equal opportunity, that they're treated with respect and that they can be safe at all times, whether that be safe at the workplace, whether that be safe in the community and, certainly, to be safe in their

home and safe from their partner, if that's an issue.

That can be an issue. We all know that can be an issue. It's not an issue that's necessarily tied to any particular culture or demographic, although, we do know that statistically there some areas where violence against women perhaps is a higher prevalence. That being said, violence against women and children can happen in all cultures and it can happen in all demographics.

Finances don't matter either. You can have abusive situations whether you're at the very lowest end of the income scale or if you're at the very highest. We see that, unfortunately.

As legislators, I think it's very important that we all work together to try to stamp out this scourge that occurs in our society. It's happening around the world. It's happening in our country and, yes, it's happening here in our own province, in our own communities. It could be happening next door.

How many times have you heard stories, and you talk to people where you hear of abusive situations that were actually occurring literally next door to you and you didn't know about it? At some in time, maybe it came out. It doesn't matter if you're in a good neighbourhood or, like I said, a low-income neighbourhood or subsidized housing. It doesn't matter, it can happen anywhere.

It's important, as I said, that we all do our part to support any initiative, whether that be through legislation, whether it be through education, whether it be through awareness and to utilize our positions in public office to work towards ending violence against women, against children and against families. This bill is a step in that direction.

I'm sure there are – I know, I'm not sure, I know for a fact – other things that we can be doing. I'm sure the minister and the government knows there are other things. I expect, as times goes on, we're probably going to see more initiatives. I'm sure everybody here in this House of Assembly welcomes each and every initiative that we can take to help make life easier, safer and more secure for women and children in particular, but everybody in our society.

Violence is not just something that happens. I think as the Member for St. John's Centre said: Violence is not just something that happens in the home between two partners or two spouses or whatever; it can happen in other aspects of society. It can happen in the workplace as well.

It's important that we concentrate on dealing with violence, wherever it occurs and in whatever form it occurs, regardless of what that relationship is between those two or more individuals who are involved; even in schools, initiatives around anti-bullying and so on. The whole aspect of somebody having control over another individual and abusing them in any way, whether it be physical, whether it be sexual, whether it be psychological, these are the types of things that we all need to work together to stop.

This bill, in particular, as has been said, that we're talking about is the *Family Violence Protection Act*. It's doing a couple of things. The main thing that it's doing is adding to the definition, expanding the definition of what is family violence.

Traditionally, when we think of family violence, we've thought of the physical and/or sexual abuse. That's generally what would come to mind, I suppose, but there are other forms of abuse, as we know. Psychological abuse and financial abuse in particular, are what's being added to the definition of family violence in this act to be included in the protection orders or in the application process for a protection order.

I think it's important because with these protection orders, as I understand it, it may not just be one form of violence. In a lot of cases it may be a combination of things. The decision to grant an order or not grant an order, in terms of weighing the evidence by the judge, in a lot of cases it could be a combination of things that have happened, a combination of incidents, a combination of things that one partner, as an example, has done to the other. Traditionally and usually male against female, it doesn't have to be, but traditionally male against female.

By adding to the list of considerations that would be considered by a judge when granting a protective order, I think, it's making it easier for the victim. The process is going to be a little bit

more user-friendly as the Member for St. John's Centre said when she talked about having it online, online access to the forms. Simplifying things, expanding the definition is going to make it, hopefully, easier to capture in the application the incidents, the type of incidents that have occurred to put in that application to hopefully ensure that, where warranted, the application is successful and a protection order is put in place by the courts, by the judge.

I think we all understand that. I think that's an important thing. When we talk about violence it's not just about somebody physically assaulting another person. We know the harm that can be done thorough psychological abuse. We've seen stories in the media, for example, with social media. Social media is a big thing now.

There was one story that comes to mind that was in the media. This wasn't a situation of two partners in a household; it was the case of a school situation where a child was being bullied continuously in school. The only escape the child generally would have would be: Okay, school is over, I'm home now. I'm in my safe zone, if you will. Only to come home and to be ridiculed continuously on social media; ridiculed, taunted and people saying things like: You'd be better off dead and all these types of horrible things. We've seen situations where children and teenagers have taken their own lives as a result of that type of activity.

This same type of thing can happen in a family, whether it be emotional abuse, being told by your partner on a daily basis that you're no good, you're stupid, you couldn't survive without me, you depend on me, you're a horrible mother, you're a horrible human being. All these types of things that you hear about can have such an emotionally scarring impact on a person psychologically. It is abuse. It is violence. Nobody can rightfully argue, I don't think, that it's not violence because it certainly is.

Having a situation where one partner has absolutely zero control of the finances, where the spouse holds the bank card, holds the credit cards and denies any money whatsoever to the other person, that way, if the person did decide that she wanted to leave, to get out of that situation, she has no way to leave. In a lot of

cases, not all, but you hear of cases where, traditionally – the world has changed over the last number of decades – it was a situation where the husband was the breadwinner. He worked and the wife generally didn't work. She stayed home; she took care of the children. She was a homemaker. Traditionally, that's the way it was.

The female never necessarily pursued educational opportunities and work opportunities and so on, so that person became totally dependent on the husband and the husband's income. Then for the husband to use that against his partner so that she couldn't leave, to use that to keep her under his thumb, so to speak, and to be able to justify other types of abuse going on in the home, and to have a situation where she would be fearful to leave because of financial reasons and have no access to any resources to leave if she wanted to, that, too, is abuse, that, too, is violence. That's another thing that's being addressed in this bill, in this definition, to speak about not just physical violence, not just sexual violence, but violence in terms of psychological and emotional abuse and financial abuse.

It makes a whole lot of sense to me, I have to say. I'll be honest; I was surprised it wasn't already there. I was surprised that was even required to be updated in the legislation because I would have thought those things would have automatically been there, but they weren't. They're going to be there now and it's going to make the process easier.

One of the other things that are contained in this bill, the other aspect to it is the impact these orders would have for an adult in protection. I think we're all familiar with child protection and a child who's in protection, but there could also be adults in protection.

Basically, as an example that we talked about in the briefing, which is important to note – it is important to note. For argument's sake, if the husband was being abusive to his partner and let's say the husband had a sibling. Maybe he had a brother with a severe disability or something, for argument's sake, who was in the custody of his brother living in that home, you couldn't just simply issue an order, kick the husband out on the street and there's nobody in place to look after the sibling to make sure that

adult who is in care – to ensure there is a system in place related to legislation to ensure that vulnerable individual who happens to be living in that home who, like a child, would be dealt with.

It's included in the legislation, already contemplated, but to make that link in this legislation to an adult who is in care, as well as a child who is in care, to make sure that vulnerable person, through this process, is not forgotten about and that person is looked after in circumstances where that is required. That's just a safeguard, and a very important safeguard. That's another vulnerable person in the equation of that bigger incident that has to be addressed, taken care of and so on. That's the other thing that is being done there, and that's an important one.

Mr. Speaker, time is running down there, but like the Member for St. John's Centre said, I suppose there are always going to be some questions.

Interestingly enough, I was at an event yesterday and we were sort of randomly seated. I ended up sitting next to a lady who brought up the issue of this act out of the blue. She knew who I was but I didn't know who she was at the time. She had some involvement with some agencies and so on that would be involved in these types of things, I'll put it that way.

She was glad to see these amendments. She was for these amendments, but the issue, she told me, that her group or groups of people she is involved with – I think she had attended some kind of a consultation. Maybe the minister is aware of what that would be; I can't remember the name of it. At some point in time there was some kind of a consultation or something among some of these groups that would be dealing with vulnerable people and discussing potential changes to this act and so on.

The biggest issue she said at least – I'm only going by what she was telling me – was that you have situations where the courts, and the judges in particular, felt they need more education around these type of issues, around the issues of violence, what constitutes violence, what constitutes abuse, to have a deeper insight into what it is like, I suppose, to experience those

types of abuse and to be able to recognize it and understand the implications of it to help guide them perhaps a little better in some of their decisions. Whether that be decisions like were mentioned here earlier around not issuing an order because someone is in at Kirby House or whatever, not taking into account the fact that person has to go to work, restraining orders and things like that, issues around that.

They were told that for judges in the courts and so on – whether this is right or not, I'm going by what she has expressed to me – it wasn't necessarily mandatory, if you will, for judges to receive any kind of training and additional education around these issues, and she felt that it should be. It was more of a voluntary thing.

In her understanding, if a judge wanted to educate him or herself better around some of these issues, they could do it but it wasn't something that was mandatory. They felt there should be some more education of the courts and so on around some of these issues, I guess. That was the comment she made to me, based on the group she had been involved with. Other than that, they were pleased with this.

I can see I'm running out of time. I'll wait to see what comes up in Committee and questions that are asked and the answers received, but I see no reason why I wouldn't be supporting it. As a matter of fact, I support it 100 per cent. Anything we can do, I say to the minister, whether it be on this particular bill or any other bill around this issue, I'm sure we'll all be supportive.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: If the hon. the Minister of Justice and Public Safety and Attorney General speaks now he will close debate.

The hon. the Minister of Justice and Public Safety and Attorney General.

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

I am happy to stand here and speak to the conclusion of second reading of this particular bill. I'd like to thank my colleagues all for their

thoughts and their comments on this piece of legislation. I won't belabour this part too much. Some have indicated they have questions and concerns, thoughts, and I'll take those during the Committee stage which will commence right away.

One point I will address, though, it's more of a philosophical thing. The Leader of the Opposition brought up, why is this Bill 1? The only way I can answer that is, why wouldn't this be Bill 1? This here shows how important an issue this is to our government.

Bill 1s have been different throughout to years. Some of them, in fact, have ended up being put on the Order Paper and being taken off, dying on the Order Paper, as they say. In this case, this bill might not be big in size but this bill is going to provide support and protection to those people right now who are not getting it. It's going to protect those people who are victims of domestic violence

SOME HON. MEMBERS: Hear, hear!

MR. A. PARSONS: Again, just to give some backdrop here. We gave notice to this bill – this whole lifespan has been very quick in terms of putting notice in, first reading, second reading and Committee. We want this bill done. We want it passed. We want it in force and we want those individuals out there right now who are, in many cases, living in very nightmare scenarios, we want them to be protected and we're going to make that happen. That's why it's Bill 1. That's why we're getting it done.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MR. A. PARSONS: Mr. Speaker, I move, seconded by the minister responsible for the Women's Policy Office, that the House resolve itself into a Committee of the Whole to consider Bill 1.

We forgot to do the reading.

MR. SPEAKER: Is the House ready for the question?

The motion is that Bill 1 be now read a second time.

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

SOME HON. MEMBERS: Aye.

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

The motion is carried.

CLERK: A bill, An Act To Amend The Family Violence Protection Act. (Bill 1)

MR. SPEAKER: This bill has now been read a second time.

When shall the bill be referred to a Committee of the Whole House?

MR. A. PARSONS: Now.

MR. SPEAKER: Now.

On motion, a bill, "An Act To Amend The Family Violence Protection Act," read a second time, ordered referred to a Committee of the Whole House, presently, by leave. (Bill 1)

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

MR. A. PARSONS: Mr. Speaker, I move, seconded by the minister responsible for the Women's Policy Office, that the House resolve itself into a Committee of the Whole to consider Bill 1.

MR. SPEAKER: It is moved and seconded that I do now leave the Chair for the House to resolve itself into a Committee of the Whole to consider the said bill.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

MR. SPEAKER: All those against, ‘nay.’

The motion is carried.

On motion, that the House resolve itself into a Committee of the Whole, the Speaker left the Chair.

Committee of the Whole

CHAIR (Warr): Order, please!

We are now considering Bill 1, An Act To Amend The Family Violence Protection Act.

A bill, “An Act To Amend The Family Violence Protection Act.” (Bill 1)

CLERK: Clause 1.

CHAIR: Shall clause 1 carry?

The Chair recognizes the hon. the Member for Topsail - Paradise.

MR. P. DAVIS: Thank you, Mr. Chair.

(Inaudible) this afternoon for clarification on some information.

First of all, I’d just like to point out, I just listened to the comments by the hon. minister in closing second reading and I certainly was not critical in any way of this being Bill 1. It’s a very important issue; I outlined that in my commentary. It’s a very important matter facing Newfoundland and Labrador. I even went on to say, beyond our barriers, in the country, the United States and beyond that, family violence is a very serious issue.

My comment was I said I was a little bit surprised when I finally saw the bill that it never had more content than what it did because, typically, the bills are more substantial in content, that I recall, on Bill 1. That was my only comment.

I, certainly, in no way, shape or form diminish the importance of focusing on family violence in our province and taking steps and work to improve opportunities for interventions, for assistance and support to people who find themselves in difficult circumstances that almost

always are absolutely no fault of their own – always no fault of their own – they find themselves in a circumstance looking for assistance. It’s a very, very important matter, Mr. Chair.

I did hear some commentary and I spoke, as I mentioned earlier, in second reading. I made some contacts today to get a response from the community, to get people’s feelings and how they feel about it and so on.

I know, Minister, last year there was a meeting, last fall, I believe, that Ms. Ross spearheaded to help coordinate in partnership with the minister. Other than that, I’d ask the minister: What other consultation has been done in development of this bill?

CHAIR: The hon. the Minister of Justice and Public Safety.

MR. A. PARSONS: Thank you, Mr. Chair.

I’ve had quite a bit of consultation and talk about this bill and the topic that’s outlined here. I would say, not just me, there are at least three or four other ministers.

I guess what I’ll talk to first, generally, is EPOs are something that I’ve had mentioned to me throughout the last two years in numerous meetings, in some cases, not specifically targeted to talk about that, but just brought up.

I had a meeting with various police officers. This was brought up talking about EPOs because they’re often intimately involved in EPOs in dealing with these situations. I’ve had it brought to me in Access to Justice meetings, people just bringing it up. I’ve had it brought to me by various advocates just in consultation.

Two meetings in particular that I want to talk about: one, we had a committee meeting back in early December with various groups and Members of the House. It was definitely one of the issues that did come up during that day. Secondly, we had a meeting; I think it was early in the new year, it was held at the minister responsible for Women’s Policy Office – I think it was her boardroom. The Minister of CSSD was here. I think the Minister of Advanced

Education, Skills and Labour was there, myself and our staff.

We met with individuals – I might not get everybody. I remember it was Mary Shortall and Lana Payne who are, obviously, very big advocates within the labour industry. This was one of the topics that was specifically brought up. In fact, what we have here, if it's not identical, it's extremely close to what they suggested.

This is something that was on our radar. It sort of crystalized at that moment and we were able to bring this forward here. There's been a lot of work to go into this. That being said, I am not opposed to taking the concept of emergency protection orders and finding ways to improve it.

We have many good things in the system, but that doesn't mean we can't always strive to improve them. I look forward to continuing to do that work.

CHAIR: The hon. the Member for Topsail - Paradise.

MR. P. DAVIS: Thank you, Mr. Chair.

I appreciate the information from the minister.

Minister, during my commentary in second reading I referred to the nine distinct forms of violence and abuse that are found on the Women's Policy website. As I referenced in second reading, I think it's fair to say that six of the nine are now outlined and referred to in the *Family Violence Protection Act*, three are not.

Can you give me some indication of why those three were not included in the expansion of the definition?

CHAIR: The hon. the Minister Responsible for the Status of Women.

MS. COADY: Thank you, Mr. Chair.

In consideration of those nine areas that he was referring to from the Women's Policy Office website it was felt that the general areas we've added to this bill cover those. They were the ones that the minister responsible for Justice and Public Safety just spoke of.

When we met with the advocates, who really were helpful in making this change to the bill, they thought of these broader issues because as we start to add all the various forms, we're sure to miss something, Mr. Chair. We left them intentionally broad and it does meet with a lot of the jurisdictions across the country.

Thank you, Mr. Chair.

CHAIR: The hon. the Member for Topsail - Paradise.

MR. P. DAVIS: Thank you, Mr. Chair.

I appreciate the information from the minister.

Minister, during second reading you spoke about our indigenous communities. I thought when I was doing my research and reading as well that cultural violence might be a benefit to include specifically in the legislation.

I'm just wondering if you could probably expound a little bit on that particular form of violence as recognized by the government and, specifically, why maybe that was not further considered? I thought it would have been valuable to be included. I wonder if the minister could just make some comment on that.

CHAIR: The hon. the Minister of Justice and Public Safety.

MR. A. PARSONS: Thank you, Mr. Chair.

There are a number of reasons why this was not included in this piece of legislation. We stuck to the ones that were brought up, specifically, in the meeting we had. After looking into this, it's not found in any other jurisdiction in the country. A lot of the research we looked to, in fact, when we talk about the cultural protection, there's not a whole amount of research on that.

What we did think, though, is the way it's written out, psychological and emotional – because it was brought up earlier, too, spiritual – they can actually fall under this still in terms of psychological abuse and emotional abuse. We've talked about, when you get into culture, whether it's the honour killings and barbaric practices. These are treated very severely under the *Criminal Code* and that is there.

That's sort of the thinking behind this. After not seeing it anywhere else in the country – not saying that one wouldn't consider it, but right now we feel what we have certainly covers off a tremendous amount more than what was previously there.

CHAIR: The hon. the Member for Topsail - Paradise.

MR. P. DAVIS: Thank you, Minister. I appreciate that.

I also appreciate your comment earlier, especially when it refers to this – a couple of comments you made; one is that you're open to further changes and advancements. The other comment you just made – specifically cultural – you said there's not a lot research when it comes to cultural violence.

I'm glad you made both comments. I agree with you, if bills and legislation were here and finalized and didn't need to evolve and be approved, we wouldn't need the House of Assembly, we wouldn't need our Legislature and that's what we do. I'm glad the minister mentioned that.

Mr. Chair, the bill also talks about adult protection orders. The *Adult Protection Act* allows for orders, allows for investigations, applications and orders to take place – I'm just finding my notes here – when an adult is in need of protective intervention.

There are two ways an adult could be in need of protective intervention. It's in a circumstance where an adult who “(a) is incapable of caring for himself or herself, or who refuses, delays or is unable to make provision for adequate care and attention for himself or herself; or (b)” – under 5(b), I'm reading from the *Adult Protection Act* – “is abused or neglected.”

What this bill does is it sets out that emergency protection orders – which are provided for under the *Family Violence Protection Act* – do not prevail over the *Adult Protection Act*.

The first question I'd like to know from the minister: Can he tell me how many adult protection orders are in place in the province?

CHAIR: The hon. the Minister of Justice and Public Safety.

MR. A. PARSONS: Seven.

CHAIR: The hon. the Member for Topsail - Paradise.

MR. P. DAVIS: Thank you, Mr. Chair.

The reason I asked for it is it's relevant to how often this may come up. If there was a very high number, then it's very relevant. If it's a low number or none, or one or a very, very small number, then it's less prevalent or likely to be prevalent in the act.

Can the minister expound on how they decided to make emergency protection orders prevail over the *Adult Protection Act*? I can think of a number of circumstances where the *Adult Protection Act* would come into play and how that process of application, investigation and order could take place and probably a whole host of consideration, but the *Adult Protection Act* provides having prevalence.

The minister can comment on this if he wouldn't mind or she wouldn't mind. In a case where an adult protection order is in place, am I to understand that this allows that the adult protection order has to be bound or has to be agreed to first before an emergency protection order could change that circumstance? Maybe the minister could enlighten us on that.

CHAIR: The hon. the Minister of Justice and Public Safety.

MR. A. PARSONS: Thank you.

Again, in this case all we're doing is explicitly stating in the legislation what's essentially been in practice. The same provision has been in place for children or child protective orders since 2006. All we're doing is making clear that the judge that hears this cannot fetter upon an order that's found under that particular piece of legislation, the adult protection.

Obviously, as I say, there are seven right now in our province, which shows that it's extremely rare. All we're doing here is just making it clear that they cannot fetter upon that piece of

legislation. It does supersede custody orders under the *Children's Law Act* or under the *Family Law Act* or something under the *Divorce Act*, just due to the very nature of the application that's being made and the order that's being granted, which is also short.

It cannot fetter a child that's placed in the care and control of the provincial director or an adult protection order. It's just sort of clarifying what's generally been already there.

CHAIR: The hon. the Member for Topsail - Paradise.

MR. P. DAVIS: Thank you, Mr. Chair.

I thank the minister for the explanation. Colleagues may have a couple of questions, but before I clue up, I just want to take the opportunity to thank the minister for organizing the briefing with his officials earlier this week. They were quite helpful; we had a very good discussion. They were open to all of our questions and did everything in their power to make sure they answered appropriately. I just want to extend my appreciation for that as well.

SOME HON. MEMBERS: Hear, hear!

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

MS. ROGERS: Thank you very much, Mr. Chair.

For the minister, what I heard from a number of advocates in this area is their concern of sometimes judges not having a full understanding of the whole issue of trauma and how difficult it might be for a woman who has been victimized, particularly victimized over a long period of time. How important it is sometimes for a woman to be able to fully describe in the application what she has experienced. Sometimes their concerns were about whether or not the judge fully understands this in a trauma-based kind of way.

I'm wondering if the department is looking at any kind of training for judges that would help the judges fully understand the dynamics of domestic violence so they can better include these issues of physiological, emotional and

financial harm so that they would better understand them when they are making decisions with the EPOs.

CHAIR: The hon. the Minister of Justice and Public Safety.

MR. A. PARSONS: Thank you, Mr. Chair.

We somewhat have a situation where when we talk about the judiciary, I'm not in any position to dictate to them the training that they undergo. What I will do is make a very generalized statement that, basically, I think everybody, whether we're a parliamentarian, a judge, lawyer, child, anyone, I think that we all have an education that we should undergo when it comes to this, to this topic or any of these similar topics. I think that it's something that is incumbent upon us all.

I'd like to think that every one of our judges, whether it be the Provincial Court or Supreme Court, are extremely intelligent individuals.

We have seen cases in the past where people – thankfully, not so much this province, but we've seen some very well-reported cases of members of the judiciary in other provinces, especially in court, making comments that were very much criticized. We saw one recently where the judge, I think, actually removed himself after going through an investigation. We're very lucky to have a very good bench here.

I'd like to think that when it comes to this legislation, the same way that they've been applying it since it came into force in 2006, that they'll be able to take the amendments here and be able to do a good job in looking at these applications and making the decision on whether to basically grant an EPO or not.

The vast majority of them are granted when you look at statistics. The vast majority in our provincial court centres are granted.

Like I say, this is a change here, but I'm confident that our judiciary will be able to handle this and to ensure that the clauses are applied and that protection is granted to those individuals in need.

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

MS. ROGERS: Thank you very much, Mr. Chair.

I agree that we are so lucky to have those folks who have been willing to serve as judges in our province. It's a very difficult job. It's a crucial job. So that whole issue of a true understanding of trauma, a true understanding of the dynamics of domestic violence is really important, particularly when you are making decisions in this way.

Senator Kim Pate is in the process now of doing some training with the judiciary in different jurisdictions in the country and is very interested in offering her services here as well. She's very experienced. She's an experienced lawyer who is an independent senator now who sits in the Senate.

Yes, it's very important, that arm's-length distance between the Legislature and the judiciary and we very, very much respect that.

Again, what I'm bringing here to the floor of the House are issues that were raised, questions that were raised by folks who are on the front lines working in this area. One of them said: EPOs then are often not promoted by lawyers. She said: Is there any way to provide education regarding this tool for emergency protection orders and the role that they play in the whole area of domestic violence?

CHAIR: The hon. the Minister of Justice and Public Safety.

MR. A. PARSONS: Thank you.

Again, we come back to the first point that, obviously, education and awareness is key. I spoke about it during second reading how we need to communicate this.

When it comes to education for lawyers, I think the best bet is for the advocacy groups to – they get copies of all the legislation that gets changed. They would know that. That's done, but the Law Society would certainly, I think, be willing to entertain offers from individuals when

it comes to providing education, when it comes to providing awareness.

One of the things that the Law Society has done in the last couple of years is now that there's a continuing legal education component where you have to have X-number of hours – I think it's 15 hours a year – of continuing legal education, whereas in the past you never. There was no duty on you to keep up the education.

Once you finished law school, once you finished the bar course that was it. You kept up on case law. In this case now, you have to do it. In many cases there are seminars put off.

So, like I say, it's not up to me, I can't do that but I always encourage everybody, especially lawyers, to make sure that they're up-to-date on this and certainly I would be one of them.

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

MS. ROGERS: Thank you very much, Mr. Chair.

Again, I believe we all understand how important education is in this area so that the laws can be applied without relying on myths about behaviour.

Sometimes that myth is out there that a man who may abuse his wife or his partner has lost his temper when, in fact, that's not the situation at all because they don't lose their temper with their employers or with their friends. It's a whole controlling, domineering way of dealing with their partners. That kind of being able to dispel those kinds of myths is so important in terms of how the law then will be applied.

The other issue that was raised is the issue of the length of the EPO. I spoke to this in second reading, that some of the folks who are doing front-line work were saying that sometimes the woman, and if she has children, need a little extra time and that the maximum amount of time for an EPO is 90 days. Sometimes they don't get that long, it may be kind of short. We know that's it an emergency stopgap measure. It's not meant to replace any kind of hearing. This is specifically a stopgap measure; it's an emergency protection order. Sometimes that's

necessary in terms of being able to relocate, if that's necessary, children to another school, deal with housing issues and deal with medical issues. Sometimes a longer period of time is necessary.

I'm not quite sure how to word this for the minister, but it's been an issue that was raised by a few different agencies about the concern for that. I know the EPOs are reviewed within a seven- to 10-day period, but that concern – I don't know how to phrase that in a question other than it's a concern that's been raised.

Thank you.

CHAIR: The hon. the Minister of Justice and Public Safety.

MR. A. PARSONS: Thank you.

That's a concern I've heard as well. I've heard concerns, actually, on the other side saying that 90 days with no notice is too long for somebody. If you go in, when you look at this order, in many cases there's an immediate vacating of the premises for 90 days. It's a balancing act. It really is.

What I would say is I understand the concern the Member is putting forward. That's not where we decided to go with it right now. As I've stated on numerous occasions, I'm always open to listening to the arguments, but we have to consider all the sides. This is where I'd like to do more work with these individuals who are seeing this every day more so than me.

One of the people that we need to speak with – I've spoken to police officers on this who, in many cases, are very much involved in doing these and helping people write these. I need to continue speaking to everybody.

As was said by the Leader of the Opposition earlier, that's why we have this Legislature. Laws sometimes take a long time to get amended, sometimes it doesn't. In this case, I'm always looking to the opportunity to make a piece of legislation better. I would have no problem considering that in and doing the due diligence to make sure that anything we bring in is right and proper and given full consideration.

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

MS. ROGERS: Thank you, Mr. Chair.

Another issue that was brought up was the issue of EPOs, particularly in smaller communities and in rural communities where housing is an issue. Sometimes the judge may feel they cannot issue an EPO that restricts a person from the house so that the woman and/or her children, as well, can stay in the house because there are no housing options in the community. So that, in fact, the EPOs would not be enforceable.

This particular agency said it would be very interesting to map where EPOs are passed and to see – probably, predominantly most of them are in the urban areas, but if someone has nowhere to go it's hard to issue an EPO and enforce it. They would like to see – because sometimes then what happens is an EPO is not an option – an asset inventory in communities to see if the assets in different communities line up with the policies of the EPO.

To be able to map them as key barriers to access the EPOs and then just so that the information is there, to say: Okay, if it's really not possible because of housing shortages or because there's no shelter for the person who is required to leave the home – if there's no shelter in the area or the region and yet that person needs to continue to work. If there's no affordable housing, if there's no housing period – then the EPO doesn't work in that situation.

They don't have a solution but they feel it would be interesting – not simply interesting, but important – to map those assets, to look at where and how EPOs are applied and where they cannot be and, then, is there another answer. What we're talking about is the safety of women. One thing we do know is when a woman takes direct action, oftentimes, that can be the most dangerous time for her.

I think it's kind of an interesting approach. I want to say that almost without exception everyone talked about how great the RNC have been in helping women in these situations and also the legal system as well, but there are some of these issues.

I just wonder if the minister has anything to say to that.

CHAIR: The hon. the Minister of Justice and Public Safety.

MR. A. PARSONS: Thank you.

That's a pretty significant piece of work. That's one that I have no personal issue with, but I would be willing to work with groups that are willing to help with the research that goes into it. I can't make any promises except that when I hear it, it makes sense.

There are a number of things we'll continue to work on. That would be one I'm sure. If any group is out there, I literally never turn down a meeting when it comes to talking about issues like this that are of importance. I'm always open to getting the ideas and submissions sent to me. We try our best with the resources we have to look at policy and change policies, so I'd be happy to.

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

MS. ROGERS: Thank you very much.

I wonder, too, if the minister can give us some clarification on the issue of cohabitation. This comes under the *Family Violence Intervention Act*. In relationships where there may not have been cohabitation – where perhaps there was a boyfriend-girlfriend or girlfriend-girlfriend, boyfriend-boyfriend kind of relationship that not necessarily defines a family unit or a cohabitating unit – does this apply as well to those situations? What is the understanding of the court and of the legal system in terms of EPOs in the context of someone who may have been seeing somebody for a while and there's no formalization of their relationship?

CHAIR: The hon. the Minister of Justice and Public Safety.

MR. A. PARSONS: I think the best answer to that question would be, in any of these cases you have to look to the definition section of the legislation to see who qualifies for an applicant and what qualifies as family violence. For each case there's an interpretation.

Most of these cases happen to be conjugal relationships between individuals in one residence. If there was a scenario that was outside that but it still qualifies as family violence, it would come down to interpreting the definitions.

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

MS. ROGERS: Mr. Chair, they raised the issue because they felt there was some kind of lack of clarity in that area. There are situations where it's a fairly new relationship and that violence – women are in risk and in danger.

My final point, Mr. Chair, is when women go to the court, sometimes they're accompanied but probably, more often than not, they do not have legal representation. It's an intimidating process. We all know how intimidating a process the court can be. Oftentimes, though, the abuser may come to court with a lawyer, so representation.

We know that in order for a woman – if she's not already been involved in the Legal Aid system – to get representation from Legal Aid, it takes a while. I understand that. So then we have women who have been traumatized, who may be very upset, who may be very vulnerable and who may have someone from a community agency. We know the clerks cannot provide any legal assistance or advice to any woman seeking an EPO, but the police may help them with their application, or they may not have called the police.

The clerk of the court may try to assist them in terms of the actual techniques and what the application is looking for, but sometimes the woman basically has to self-represent. I wonder if that's something the minister has considered. Is there anything in the area to look at how women can – at this time, when it's a very vulnerable time – get assistance with this?

CHAIR: The hon. the Minister of Justice and Public Safety.

MR. A. PARSONS: Thank you, Mr. Chair.

A couple of things, when it comes to these EPOs – just to make sure we clarify – the respondent is

not in court. So the respondent would not be there and would not have a lawyer. It's not like one side has a lawyer there and the other side doesn't. The whole purpose of this is it is done on an ex parte basis where you fill out the application and go into court. I agree; court for anybody is a trying process and difficult. I don't know how you would get to a legal aid process to cover this off. I don't think that's possible.

We do know we have our sex assault, legal support pilot that we're hoping to get underway. I don't know if that's something that it can fall under. I'm going to leave that to people like Nicole Kieley and Kevin O'Shea to work with me to figure that out. This comes down to this is a very quick stopgap measure that allows for somebody to get out of a situation and to diffuse a situation.

So I'll leave it at that for this point in time.

CHAIR: Shall the motion carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, clause 1 carried.

CLERK: Clauses 2 and 3 inclusive.

CHAIR: Clauses 2 and 3 inclusive.

Shall the motion carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, clauses 2 through 3 carried.

CLERK: Be it enacted by the Lieutenant-Governor and House of Assembly in Legislative Session convened, as follows.

CHAIR: Shall the enacting clause carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, enacting clause carried.

CLERK: An Act To Amend The Family Violence Protection Act.

CHAIR: Shall the title carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, title carried.

CHAIR: The hon. the Government House Leader.

MR. A. PARSONS: Thank you, Mr. Chair.

I move that the Committee rise and report Bill 1.

CHAIR: The motion is that the Committee rise and report Bill 1.

Shall the motion carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, that the Committee rise, report progress and ask leave to sit again, the Speaker returned to the Chair.

MR. SPEAKER (Trimper): The hon. the Member for Baie Verte - Green Bay, Chair of the Committee of the Whole.

MR. WARR: Mr. Speaker, the Committee of the Whole have considered the matters to them referred and have directed me to report Bill 1 without amendment.

MR. SPEAKER: The Chair of the Committee of the Whole reports that the Committee have considered the matters to them referred and have directed him to report Bill 1 without amendment.

When shall the report be received?

MS. COADY: Now.

MR. SPEAKER: Now.

When shall the said bill be read a third time?

MS. COADY: Tomorrow.

MR. SPEAKER: Tomorrow.

On motion, report received and adopted. Bill ordered read a third time on tomorrow.

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

MS. COADY: Thank you, Mr. Speaker

Noting the hour, I move, seconded by the Member for Placentia West - Bellevue, that we adjourn for today.

Thank you.

MR. SPEAKER: Sometimes the Speaker is the last to know.

It has been moved and seconded that this House do now adjourn until tomorrow, Monday, March 26, at 1:30 o'clock.

On motion, the House at its rising adjourned until tomorrow, Monday, March 26, at 1:30 p.m.