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Speaker: Honourable Scott Reid, MHA

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The House met at 1:30 p.m.

MR. SPEAKER (Reid): Admit strangers.

Order, please!

We have several guests in the public galleries with us today. I'd like to welcome Bill Tizzard, Cyril Sears and Crystal Hill from the Royal Canadian Legion Branch 1, visiting this afternoon for a Member's statement.

I would also like to recognize members of the RNC's Intimate Partner Violence Unit, here today for a Ministerial Statement, as well as representatives of the Paramedic Association of Newfoundland and Labrador, also joining us for a Ministerial Statement.

I also understand the Minister of Children, Seniors and Social Development's sister is here today in the gallery.

Lastly, I would like to welcome Ms. Delahunty's grade eight class from Amalgamated Academy in Bay Roberts today.

Welcome all.

SOME HON. MEMBERS: Hear, hear!

Statements by Members

MR. SPEAKER: Today we have Members' statements from the Members for the Districts of Windsor Lake, St. John's Centre, Topsail - Paradise, Terra Nova and Torngat Mountains.

The hon. the Member for Windsor Lake.

MR. CROSBIE: Thank you kindly, Mr. Speaker.

Surrounded by friends and family, Denley Stone passed away on October 17 in Clarendville from complications of diabetes, aged 72. Eulogist Ross Wiseman mentioned one of Den's final acts, which deserves the attention of all who doubt the resiliency of our system of government.

In palliative care and looking eternity in the eye, Den made a profound commitment to the democratic system of government which defines

the Canadian identity, and in which Den had invested his life as a volunteer and committed pillar of his community. Two days before he passed, he summoned electoral officials, signed his name to a special ballot and voted.

No truer love for our institutions of government and the privileges it brings has any person. May our younger generation carry his torch.

SOME HON. MEMBERS: Hear, hear!

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

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

A spirit of service defines the work of Branch 1 of the Royal Canadian Legion, and makes it the heart of St. John's Centre. Whether it's a bring-back-summer BBQ dinner and dance, an Elvis tribute concert, or a St. Patrick's Day dart tournament, Branch 1 finds creative ways to bring all members of the community together.

The first event I attended as MHA was the legion's Christmas in July party. Bouncy castles, a visit from firefighters, music, games of chance, a Christmas tree, and of course, a visit from Santa Claus all made for a fun time for the many families who attended, and I even got to play mummer – not pretty.

Branch 1 also looks after its own. The branch purchased two blanket-warming machines for veterans living at the Veterans Pavilion and twice a year prepares meals for them. It organizes events to acknowledge the service and dedication of its members and veterans, and to award scholarships to well-deserving students. The branch truly serves its community and country.

As we approach November 11, it's important to reflect on the other mission of the legion: to promote remembrance.

I ask you now to join me in expressing gratitude to the members of Branch 1 for their service to our community, our veterans, active military members and their families.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

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

Today, I rise to recognize a number of young athletes from Octagon Pond Elementary who have had an impressive standing during the Annual Newfoundland and Labrador Athletics Association Cross-country Running Series for Schools, which took place this past September and October.

The school placed first in the boys 2010 category for all three meets, and Ella Meade placed third in the girls 2009 category. In all three boys meets, Theo Tocknell placed second. Luke Fahey placed third in the first meet, and Ryder Mugford placed third in the second meet. A great show by all.

In preparation for the meets, the students would run in the school gym and the school grounds and use the beautiful trails of Paradise. Where obesity among young children is on the rise, it is encouraging to see young children being so active. The school tries to instill a love of running while being active and being part of a team which fosters a great sense of community within their school.

Mr. Speaker, I ask Members to join me in congratulating all athletes, and Octagon Pond Elementary school, on a job well done.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Terra Nova.

MR. PARROTT: Mr. Speaker, I rise today in this hon. House to congratulate the Bonavista Bay Search and Rescue team based in Glovertown, who celebrated their 25th anniversary on November 2.

Volunteerism is never more evident than it is with these organizations. Often, they embark on searches not knowing what the outcomes will

be. As individuals of the public, we only see happy outcomes. This is not always the case.

These members undergo extensive training with the RCMP in mapping, compass-reading, survival training, and some have even received helicopter and dog-search training. They put themselves out there so that others may live.

I would like to make a special mention of Alton Reid, who recently passed away, and thank his family for his 23 years of service to search and rescue.

Having personally worked with 103 Search and Rescue, I understand first-hand the sacrifices that organizations like this make. They put their lives on the line every time they receive a call.

Today, I would like to thank the Bonavista Bay Search and Rescue team, along with all other such organizations, for the good work they do.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Torngat Mountains.

MS. EVANS: I rise today to pay tribute to Tim McNeill, honorary recipient of the doctor of laws degree from Memorial University in the fall of 2019.

A true advocate, Tim came from humble beginnings. Born and raised in Makkovik, Labrador, he had to leave home at the age of 13 to attend residential school in North West River. He later studied at Memorial University and Mount Saint Vincent University in Nova Scotia. Maybe it was this struggle that made him such a strong advocate for Inuit access to education.

In 1990, Tim became education advisor to the president of the Labrador Inuit Association, a role he continued until 2005 when he was appointed deputy minister of Nunatsiavut government's Department of Education and Economic Development.

Tim's vision helped develop education programs for Inuit including the Inuit northern nursing program, the Inuit Bachelor of Social Work program, and the Inuit Bachelor of Education program.

Tim also helped to develop key training opportunities for Inuit with Voisey's Bay mining project, Lower Churchill project, and the Voisey's Bay Mine Expansion project.

He also served on the National Committee on Inuit Education, which led to the creation of the National Strategy on Inuit Education. Tim continues to be a strong advocate in advancing Inuit education.

Please join me in recognizing his contribution to the Inuit of Labrador.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Statements by Ministers.

Statements by Ministers

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

MS. DEMPSTER: I rise today to recognize November as National Adoption Awareness Month and November 9 as World Adoption Day.

These observances give us an opportunity to celebrate adoptive families for the incredible role they play in the lives of children and youth.

When families choose to adopt, they are making a decision that will change many lives, as a child gains a loving home and the family gains an enriching experience with a lifetime of joy.

Mr. Speaker, our government appreciates how critically important it is to have permanence in children's lives for their healthy development.

That is why, in 2018 and again in 2019, we dedicated additional resources to matching children and youth to adoptive families. I am very pleased to say this initiative is producing many positive results.

In June, we announced that we are undertaking the five-year statutory review of our adoption legislation. Later this fall, we are looking forward to hearing from key stakeholders and the public as we gather valuable input on how the legislation affects children, youth and families in our province.

We are committed to continuing to strengthen our legislation and practice in this very important area.

Mr. Speaker, I invite all of my hon. colleagues in this House to join me in celebrating the many families who have chosen adoption, and in doing so, have created or expanded their families by providing children of all ages with a permanent home.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Placentia West - Bellevue.

MR. DWYER: Thank you, Mr. Speaker.

I want to thank the minister for the advance copy of her statement. I join the minister to recognize November as National Adoption Awareness Month. Families opening their homes for children and youth are playing a significant role in ensuring these children are nurtured with love and happiness. We should be thankful to the key stakeholders engaged in ensuring children receive the best care possible.

On behalf of the Official Opposition, our sincere appreciation to our many adoptive families.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

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

I, too, thank the minister for an advance copy of her statement. I join in recognizing National Adoption Awareness Month and World Adoption Day. We, as parents, do not own our children. We are there to love them and guide them in their life choices. This is especially true for adoptive families.

In a statutory review, we hope to hear more about supports for families and progress being made in placing more children in loving, permanent homes.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Further statements by ministers?

The hon. the Minister of Health and Community Services.

MR. HAGGIE: Thank you, Mr. Speaker.

I rise in this hon. House to share an experience I recently had when I came upon an accident while travelling in my district.

In my previous career, I was used to being the one on the receiving end. The one at the hospital ready when accident victims and their family members arrived.

On this particular day, however, the tables were turned. In the midst of upset, I saw first-hand our paramedics in action. Calm, cool and collected. They displayed the utmost professionalism and were ready to help in any way they could.

Mr. Speaker, today on their Day of Advocacy, I want to recognize the Paramedic Association of Newfoundland and Labrador, and all of our hardworking paramedics across the province. They play a key role in delivering services with a shared objective of having healthier people, families and communities.

We value our working relationship. We will continue to work closely with the association and our communities as we take steps to improve services province-wide.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. Opposition House Leader.

MR. BRAZIL: Thank you, Mr. Speaker.

Mr. Speaker, I rise today to join with the minister to recognize the Paramedic Association of Newfoundland and Labrador on their day of advocacy.

Paramedics provide a critical service in our province. They tend to our friends, families and loved ones in times of urgent need. They often carry out these duties in challenging circumstances, circumstances that in some occasions can mean a difference between life and death.

On this day of advocacy, I invite all Members of this hon. House to listen to the concerns of the paramedics of our province. On every single day, they work diligently to save the lives of others. Let's work just as diligently to collaborate to improve upon their issues and concerns.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MS. COFFIN: Thank you, Mr. Speaker.

I thank the minister for an advance copy of his statement. We owe a great deal to our professional paramedics. When you need them, they are there.

With respect, I remind the minister, government also needs to be there for them. One of the many concerns the Paramedic Association has is the need for their service to remain public and deemed an essential service. None of us want to see profit introduced in the financing model of the vital service they provide.

We thank our paramedics for taking such good care of us in our most trying times.

MR. SPEAKER: Further Ministerial Statements?

The hon. the Minister of Justice and Public Safety.

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

I am proud today to stand here and recognize three outstanding members of the Royal Newfoundland Constabulary.

The RNC's Intimate Partner Violence Unit, consisting of Constable Lindsay Dillon, Constable Nadia Churchill and Ms. Malin-Enström, received a Public Service Award of Excellence in September – the highest honour an employee can receive from the Government of Newfoundland and Labrador.

Some of the initiatives of the Intimate Partner Violence Unit include: a pet safekeeping program that provides emergency shelter for pets belonging to victims leaving violent relationships; a lock exchange program that sees replacement locks installed at homes of women who live in fear; and a cellphone program which provides mobile devices to survivors who have had theirs damaged or stolen.

The unit is a small but dedicated team that focuses on building trusting relationships with survivors and communities. Using a person-centred approach, the team builds trust between police and the community, helping to break down barriers for people experiencing violence. The RNC's Intimate Partner Violence Unit helps survivors feel respected, heard and safe.

Mr. Speaker, I want to congratulate and thank Constables Dillon and Churchill, and Ms. Enström for truly demonstrating a commitment to building safe and healthy communities.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

MS. CONWAY OTTENHEIMER: Thank you, Mr. Speaker.

I'd like to thank the minister for an advance copy of his statement, and I'd like to join him in honouring the members of the Royal Newfoundland Constabulary's Intimate Partner Violence Unit: Constable Lindsay Dillon, Constable Nadia Churchill, and Ms. Malin Enström, who just received a Public Service Award of Excellence – the consummate honour for public servants.

Interpersonal violence is a nightmare for those who endure it. Without the assistance of police

officers and community groups, where would these survivors end up? I applaud these three individuals and all of their colleagues and like-minded individuals who are working with survivors on the very real challenges they face as they endeavour to escape violence.

As we debate a bill this afternoon, let's all take time to appreciate those who do this work, and let's encourage the government to do even more to support the personnel and programs that keep vulnerable people safe.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MS. COFFIN: Thank you, Mr. Speaker.

I thank the minister for an advance copy of his statement. I, too, congratulate these RNC officers and staff on their exceptional work. Anyone can be the victim of intimate partner violence, and it is important that we provide support for those in dangerous relationships who make the decision to escape them. All these programs remove barriers to getting out of an abusive relationship.

I'm also happy to note that the RNC and groups in my colleague's District of Labrador West have recently initiated these programs. This is an excellent initiative, and I look forward to seeing them roll out province-wide.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Further Ministerial Statements?

Oral Questions.

Oral Questions

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

MR. CROSBIE: Mr. Speaker, under the equalization system adopted by the Trudeau

federal government, Quebec receives over \$13 billion this year, which allows them benefits of a social nature including the most affordable child care in the country. We receive nothing.

Does the Premier think this is fair to this province?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Thank you, Mr. Speaker.

Well, no. I've said publicly that I don't think it's fair, but I also don't think it's fair when the Leader of the Opposition is basically putting this in the lap of just one prime minister. If he remembers, it was actually the Stephen Harper formula that we are now working under, Mr. Speaker. That is the formula we're working under.

I'm going to be tabling some letters in a few minutes that was asked of yesterday. I'm sure the Leader of the Opposition must have those since they were publicly released, and just a Google search would've had those.

Mr. Speaker, we do not agree with the current formula. That has been very clear. I've spoken loudly about that, Mr. Speaker. I've spoken to the prime minister, but it is a federal program, I would say to the Leader of the Opposition. He is very aware of that, and it was one that was designed by his friend, Stephen Harper.

SOME HON. MEMBERS: Hear, hear!

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

MR. CROSBIE: Mr. Speaker, as we seen on other occasions, the Premier is very fond of resurrecting ancient past history. The present equalization program was rolled over without any conversation or discussion by the Trudeau government last year.

The Government of Nova Scotia has been running surpluses for four years now and boosting health and education spending and cutting taxes. All the while, they received \$2 billion in equalization yearly.

Does the Premier think this is fair?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Mr. Speaker, I will tell you, there are a lot of unfair things that happen in our society. One of the things that is very unfair is what this province is subject to as a result of the project that you exposed it to.

We're currently having discussions – and I see your Members over there laughing right now. Mr. Speaker, I see some there right now. Maybe they're not concerned about the high cost of electricity rates in our province – nearly seeing the doubling of electricity rates, Mr. Speaker. These are ongoing discussions we are having with the federal government right now.

In the letter that I will table shortly, you will not see any recognition or any acknowledgement by your leader, Andrew Scheer, of the priority of rate mitigation to the people of Newfoundland and Labrador.

SOME HON. MEMBERS: Hear, hear!

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

MR. CROSBIE: The Premier says you, and I'm not sure who he's talking to.

As for our leader, Andrew Scheer, the PC Party of Newfoundland and Labrador is its own separate party. The Conservative Party of Canada is its own separate party.

This year, the New Brunswick government tabled a balanced budget that will see the province's net debt decrease for the first time in more than a decade, partly because they received more than \$2 billion this year in equalization. They got a similar amount for years now.

Does the Premier think this is fair to this province?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Mr. Speaker, no, it's not fair. It's not fair what's happening in Nova Scotia, PEI, New Brunswick, Quebec, Ontario and Manitoba right now. It is not fair the way the equalization formula is designed. We have made that quite clear.

Now, when he talks about his separate party – although, I do remember the 40 minute meeting you had with Mr. Scheer out by the airport. So for you to say it's a separate party, Mr. Speaker, I'd ask you: Why did you even go there if you want to separate yourself from Mr. Scheer?

SOME HON. MEMBERS: Hear, hear!

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

MR. CROSBIE: Unlike the hon. Premier, I take every opportunity I'm offered to lobby on behalf of the interests of Newfoundland and Labrador.

SOME HON. MEMBERS: Hear, hear!

MR. CROSBIE: I'm glad he brought up his dissatisfaction with the unfairness of the system, because in March 2017, the Premier said: "We're going to stand up for this province and ... make sure that we get our share." But he's sat on his hands ever since.

Does the Premier think this is finally the time to stand up and fight?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Thank you, Mr. Speaker.

Well, it's really a political stunt that we see from the Leader of the Opposition, to suggest I'm not speaking up for this province on things like rate mitigation. These are discussions that are ongoing with all levels of the federal government.

Mr. Speaker, I will say, I have not been silent on issues that impact our province when it comes to dealing with the federal government – not been silent at all. There's been over \$2.5 billion that has come in from the Atlantic Accord that you – I would say to the Leader of the Opposition – misled the people of the province about the value of that to Newfoundlanders and Labradorians.

There is a lot of work to be done when you look at the unfairness the people of this province has been subjected to. Some of those decisions were made by the party that he is now leading.

SOME HON. MEMBERS: Hear, hear!

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

MR. CROSBIE: Independent commentators, Mr. Speaker, have valued the Premier's so-called Atlantic Accord deal, the Hibernia dividend deal, at \$66 million a year, while the missing equalization payments to us that he's failed to secure are worth hundreds of millions.

We believe that we need, in this province, fundamental long-term changes to the Canadian system of equalization, and the way to get federal attention on it is through a referendum.

Is the Premier going to stand up and fight for equalization reform with the new federal Liberal minority government, and how does he plan to get their attention?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Thank you, Mr. Speaker.

I will tell you, I will always stand up when it comes to bringing benefits for Newfoundlanders and Labradorians, and we have brought quite a few of those benefits.

SOME HON. MEMBERS: Hear, hear!

PREMIER BALL: Now, Mr. Speaker, there are political stunts the Leader of the Opposition is referring to today. I'm surprised it took him four questions to get to where he really wants to be.

Mr. Speaker, when you look at the whole idea of a referendum, number one, it is not legally binding in our province. Number two, it would not trigger the opening of any equalization formula change. It just simply would not do that, Mr. Speaker.

We widely know some of the political stunts the Leader of the Opposition has been trying lately, and this referendum is just another one of those stunts.

SOME HON. MEMBERS: Hear, hear!

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

MR. BRAZIL: Thank you, Mr. Speaker.

Mr. Speaker, the provision of *Emergency Health and Paramedicine Services Act* received Royal Assent on December 5, 2018, but is not in force. The minister said the regulations could be in place within six months or less, as it was a priority for his department. It is now almost a year later.

I ask the minister: When will the regulations be completed?

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

MR. HAGGIE: Thank you very much, Mr. Speaker.

Again, I'd like to recognize the work our paramedics do. I see some of them in the gallery; they were in the department this morning. I'd say to them what we said this morning: They don't need a day of advocacy to get through our doors, they're always open.

SOME HON. MEMBERS: Hear, hear!

MR. HAGGIE: We have been working diligently with the regulation piece. There are a lot of moving parts to it. We are breaking ground in this province, Mr. Speaker. The important thing is to get it right.

The discussions with the Paramedic Association of Newfoundland and Labrador will continue, and we look forward to getting them right. That's the important thing. It's on its way.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. Opposition House Leader.

MR. BRAZIL: Thank you, Mr. Speaker.

I do agree with the minister that you want to get it right, but time is very important here. We have professionals who can provide better services with better dialogue.

Our caucus met with the Paramedic Association of Newfoundland and Labrador today. They shared their views on how to improve

paramedicine services in our province. To date, they've been consulted on equipment requirements for ambulances only, but not on other issues that are important for the regulations under the new act.

I ask the minister: Does he plan to consult with the paramedicine association to seek their input before finalizing the regulations?

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

MR. HAGGIE: Several things in that question, Mr. Speaker. We went to the paramedicine association today. So, yes, to the latter half of the question.

In terms of increasing the scope of service, community paramedicine, paramedicine at the end of life and these kind of newer approaches to defuse primary care are already started in this province. We have projects in Lourdes with community paramedicine. We have over 250 patients at the end of their life enrolled through Eastern Health's special patient number paramedicine-delivered service, going to their houses to save these individuals trips that are difficult to the hospital where paramedics can treat and leave these individuals in comfort in their own home.

Yes, Mr. Speaker, it's come, it's here and will get better with time.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. Opposition House Leader.

MR. BRAZIL: Thank you, Mr. Speaker.

Mr. Speaker, a provincial centralized medical dispatch was the cornerstone of the Fitch report and is the key to improving ambulance services. Fitch recommended in 2013 that it be operational within 18 months. Six years later, it's still not in place.

Minister, when will the provincial centralization medical dispatch be fully implemented?

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

MR. HAGGIE: Thank you very much, Mr. Speaker.

I would point out that the 18-month deadline from 2013 fell clearly in the Member opposite's rule prior to the election.

Having said that, Mr. Speaker, Central Medical Dispatch in Eastern Health is up and running. We are in discussions with the ambulance providers because, courtesy of the old-style contract arrangement we have with them, we do not yet have the agreements in place for the private operators to use Central Medical Dispatch. That is on the horizon and is part of the ongoing work of negotiations with the private operators. Again, it's nearly there, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Stephenville - Port au Port.

MR. WAKEHAM: Mr. Speaker, last week, the community of Noels Pond and the Town of Stephenville were impacted by flooding caused by significant rainfall. Flooding is not something new to the people who live in these areas. In fact, they have had their land and their homes held ransom for way too long.

Mr. Speaker, I ask the minister: Will he immediately take the necessary steps and action to permanently fix this problem?

MR. SPEAKER: The hon. the Minister of Transportation and Works.

MR. CROCKER: Thank you very much, Mr. Speaker.

I thank the Member for the question. Mr. Speaker, as the Member alluded to, this has been an ongoing issue for many, many, many years. I think there has been a bypass road that previous administrations announced a numerous amount of times. It's something I can assure the Member that we take seriously. There are some issues around actually how we would do it.

Mr. Speaker, if the Member opposite would like to sit down with myself and discuss some of

those options, I would be more than open to doing it.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Stephenville - Port au Port.

MR. WAKEHAM: Mr. Speaker, because of the continued flooding in Noels Pond and surrounding areas of Stephenville, farmers are not able to plant crops, so valuable farmland is not being used. This drainage issue is a man-made problem and requires a man-made solution.

Mr. Speaker, I ask the minister to commit that he will ensure a solution is implemented so that the people living in the area do not have to continue to worry about future damage due to flooding.

Thank you.

MR. SPEAKER: The hon. the Minister of Transportation and Works.

MR. CROCKER: Thank you very much, Mr. Speaker.

Again, I thank the Member for the question. Mr. Speaker, in 2018 we did take some mitigating measures during that construction season. Obviously, there's more that needs to be done. Again, if the Member would like to take the opportunity to sit down and have a discussion about it, I'm more than open to that discussion.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MS. CONWAY OTTENHEIMER: Mr. Speaker, the Minister of Education and Early Childhood Development is aware that there's a child with a physical disability in my district who spends time in a split-parenting arrangement. While alternate transportation with a student assistant is provided while the child

resides at the mother's home, it is not provided while the child lives at the father's home.

How can the minister justify this blatant example of discrimination?

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

MR. WARR: Thank you, Mr. Speaker.

I have had conversations with the hon. Member opposite. Certainly, it's a situation that I've addressed. I sent the hon. Member back an email to that, and I wish not to speak to specifics with regard to this case, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MS. CONWAY OTTENHEIMER: Mr. Speaker, we're in the House of Assembly and the minister said he can't comment. We need to be able to discuss and debate important issues of public interest like this.

We understand that the request was originally approved by the Newfoundland and Labrador English School District, but overturned by the minister's department. I'm extremely disappointed by the minister's callous disregard shown to this child, and that he would allow this nickel-and-dime towards the most vulnerable in our society.

Why is the minister turning his back on this child with a physical disability?

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

MR. WARR: I take some exception, Mr. Speaker, to the hon. Member's comments. I take exception to that. She clearly read the email that I sent her, even though she didn't acknowledge the fact that she read it. She asked me for my input, I sent her back an email and she didn't acknowledge it.

To her point, Mr. Speaker, with regard to the alternate transportation, the student lives outside the alternate transportation area. And I'm not

going to comment again to the specifics of that, but she alludes to the fact that the district approved it and the department disapproved it. That is not accurate.

SOME HON. MEMBERS: Hear, hear!

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

MS. CONWAY OTTENHEIMER: There appears to be a strict adherence to a rigid policy here.

I ask the minister: Is that more important than the right of a child to an education?

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

MR. WARR: Mr. Speaker, again, I'm not going to debate this on the House of Assembly floor. If the hon. Member wishes to meet with me face to face and have this discussion, I'm willing to do that at any time. But again, I'm not going to speak to specifics with regard to this issue.

SOME HON. MEMBERS: Hear, hear!

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

MR. PARDY: Thank you, Mr. Speaker.

Just one clarification: I mentioned yesterday about the school with the model of where children come first. Maybe we should always look at all policies that we have and hold dear and really have it that where children come first would be our primary goal.

Mr. Speaker, the Newfoundland and Labrador English School District has embarked upon another five school systems with a review to closing schools.

Can the minister update this House on what parameters his department has given the board to find efficiencies?

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

MR. WARR: Thank you, Mr. Speaker.

Reviews by the school board happen on a regular basis. It's important to note that the review does not necessarily mean that the school be closed. This is a district, Mr. Speaker, that are doing their due diligence. It's something that's done on an annual basis and I'd be disappointed, really, with the district if they didn't do it.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

MR. PARDY: Thank you, Mr. Speaker.

The last time the Newfoundland and Labrador English school board conducted a review of school systems, the Board of Trustees ultimately rejected five of the six recommendations and only closed one school with no students.

Mr. Speaker, why is the minister causing stress and anxiety for our students and parents in Marystown, Stephenville, Pilley's Island, Glovertown and Carmanville areas if the process is flawed and will ultimately be rejected?

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

MR. WARR: Thank you, Mr. Speaker.

As the hon. Member had pointed out, there are five areas of which there are going to be reviews. One of those areas, Mr. Speaker, is in my own district. It is a part of a process that is ongoing. The district, again, are doing their due diligence and following through on making sure that the policies are adhered to and they're looking at all schools, Mr. Speaker. These are the five that they've acknowledged this year and are going to be doing their review.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

MR. PARDY: Mr. Speaker, the Newfoundland and Labrador English School District passed a

resolution in June of 2018 to postpone any further school review processes, pending the minister's departmental review of the Schools Act which started well over a year ago.

Again, why is the minister allowing the board to contravene their own decision in these communities?

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

MR. WARR: Again, Mr. Speaker, the school district, they have obligations here to government. They have obligations to the schools. They have obligations to the province as a whole and they're just doing their due diligence. There's nothing more, nothing less than that. They have a fiduciary responsibility at the district level and they're just carrying that through, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MR. PARDY: Thank you, Mr. Speaker.

My question is for the Minister of Education and Early Childhood Development again. Media reports have documented the sad story of a grade 12 student, Alex Mercer, who has been the subject of harassment and homophobia in one of our schools for months.

After bravely facing taunts and name calling for months, the family feels the system failed Alex and turned a blind eye towards this reprehensible behaviour.

Will the minister commit to a review of this situation?

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

MR. WARR: Mr. Speaker, it's disturbing to hear of such incidents. Student safety must be top of mind at all times in everything we do, whether it's in school, outside of school or in our communities. Mr. Speaker, we work closely with the school districts to ensure a safe environment for all our students.

Again, I'll be willing to sit down with the hon. Member to discuss this incident further, and we'll commit to the review, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MR. PARDY: Mr. Speaker, Alex Mercer was relentlessly bullied to the point he has left the province and has relocated to Fort McMurray to finish the school year. Alex stated: I no longer feel safe in the school.

In light of this shocking admission, how can the minister assure us that the Safe & Caring Schools Policy is working?

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

MR. WARR: I'm glad the hon. Member brought up the Safe & Caring Schools Policy, Mr. Speaker. We're in a position right now where we're reviewing that particular policy and, certainly, these incidents that the hon. Member has mentioned.

Again, safety has to be top of mind with regard to our students. I take that, as do my government, very seriously and we'll ensure that those policies are put in place.

Again, with regard to our educators, Mr. Speaker, it's important to note as well that we'll put training in the area of being able to recognize these incidents before they happen.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MR. PARDY: I thank the minister for the review.

Will the minister ask the Child and Youth Advocate to review systematic bullying in our schools?

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

MR. WARR: I didn't hear the question, Mr. Speaker.

MR. PARDY: I'm just asking: Will the minister ask the Child and Youth Advocate to review systematic bullying in our schools?

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

MR. WARR: It is our plan, Mr. Speaker, to be sitting down with the Child and Youth Advocate fairly soon, so I'll make sure that it's brought up.

Thank you.

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

MR. PARDY: Thank you, Mr. Speaker.

In a recent media story on school violence, 9 per cent of boys and 15 per cent of girls reported having been sexually assaulted. This means that in a class of 20 females, three report having been sexually assaulted by another student.

Mr. Speaker, what is the minister going to do to respond to this situation?

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

MR. WARR: Again, Mr. Speaker, it's our intention to work closely with the school district to ensure a safe environment for all students. School administrators have been directed to report any allegation of sexual misconduct to the regional assistant director of education.

Mr. Speaker, again, we're doing a review of our Safe & Caring Schools Policy and, certainly, this will be part of the review. To the Member's question, we take this very seriously.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. Member for Bonavista.

MR. PARDY: Thank you, Mr. Speaker.

I'm sure the minister does, no doubt.

One thing I would include in a review is that a national recommendation for school psychologists would be one in 750 students. A part of the review ought to look at the available school psychologists, for example, in the Avalon East which would be one for 2,600. I think you can look at school counsellors in the same.

When we looked at yesterday with the size of Heritage Collegiate where we have 33 students, the number of practitioners we have in our school system is certainly impacting a lot of the things that the questions evolved around and should be an integral part of the review.

The story also documented, the one I referenced recently –

MR. SPEAKER: I'd ask the Member to ask his question immediately.

MR. PARDY: I will.

Thank you, Mr. Speaker.

The story also documented troubling stories of a lack of documenting and reporting of sexual incidents –

MR. SPEAKER: I ask the Member to ask his question.

MR. PARDY: I'm asking it right now, Sir.

MR. SPEAKER: Yes.

MR. PARDY: Mr. Speaker, thank you.

What has the minister done to ensure appropriate reporting of these incidents, including notifying respective law enforcement agencies and the Child and Youth Advocate?

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

MR. WARR: Mr. Speaker, I thank the hon. Member for the question.

In the English School District, incidents of a sexual nature are recorded in Review 360, a program designed to provide data on all manner

of behavioural incidents within the school environments.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. Member for St. John's East - Quidi Vidi.

MS. COFFIN: Thank you, Mr. Speaker.

In the face of climate change, Equinor, our planned Bay du Nord partner, has a transition plan to get off oil. *The Way Forward* is not a transition plan.

I ask the Premier: If an oil company can have a detailed transition plan to get off oil, why can't we?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Thank you, Mr. Speaker.

What we know about the use of oil in our society today, it is still – from what we've been told and from what expectations would be is that the forecast is still to increase between now and 2040. Mr. Speaker, when you look at the GDP in our province right now, it's about 17 per cent dependent on oil, which is considerably less than where it was a few years ago.

Mr. Speaker, what I will say, as I mentioned here yesterday, when you look at climate change, this is a global problem. When you look at the amount of carbon per barrel of oil, Newfoundland and Labrador has some of the best in the world. So it's not unusual that companies like Equinor are looking at places like Newfoundland to invest, simply because the oil offshore Newfoundland and Labrador is some of the best and cleanest in the world.

SOME HON. MEMBERS: Hear, hear!

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

MS. COFFIN: Thank you, Mr. Speaker.

I ask the Minister of Justice, will he spare the Auditor General an onerous, costly and divisive

investigation and simply tell us why government did not cap the Muskrat Falls wetlands?

MR. SPEAKER: The hon. the Minister of Justice and Public Safety.

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

Certainly, I'd love to spare the Auditor General investigation, but the reality is I'm still wondering why I wasn't called to testify before the Commission of Inquiry. I'd be happy to speak about it.

Given the fact it was brought forward to the PAC and it has been moved to the Auditor General, I think I'm in a position where I will wait to hear from the Auditor General and I will be more than happy to tell my side.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Labrador West.

MR. BROWN: Mr. Speaker, in Labrador West people are couch-surfing, living in cars, using and losing temporary housing. Homelessness is increasing in the wealthiest district per capita in the province, and across Labrador.

I ask the Premier: Is this his idea of the way forward?

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

MS. DEMPSTER: Thank you, Mr. Speaker.

I thank the hon. Member, my colleague from Labrador, for the question. It gives me an opportunity to talk about some of the important work that's happening with housing, Mr. Speaker.

Back in the spring we signed an agreement, the Premier and I, with the federal government; a \$270 million agreement that will represent an historic level of investment in this province, Mr. Speaker.

What the Member is referring to is he makes his home in a mining town where a lot of times we see boom and bust, boom and bust. We're grateful to see that the mining activity is increasing there right now, but oftentimes that comes with challenges on the housing side.

I've been in touch with the Member. We have a number of vacant units in Labrador West, Mr. Speaker, and we are sending a technician there. We are going to do whatever we can to get those vacant units open to decrease the number of people wait-listed in the Labrador West area.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

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

Yesterday, the Minister of Municipal Affairs and Environment said he would not comment on a case before the court, and I was not asking for a comment. I was asking if he would render the case unnecessary. So this question is for the Premier.

Given the environmental disaster of some 2.6 million salmon deaths in Northern Harvest sea pens and the fact that an additional 2.2 million salmon may be destined for the same pens, I ask the Premier: Is he seriously considering proceeding with another costly court case instead of ordering a full environment assessment that includes the open-net sea pens?

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

MR. BYRNE: Mr. Speaker, before the hon. Member qualifies and dictates that there was an environmental disaster, I would encourage the Member to seek informed opinion, informed advice. The Department of Fisheries and Oceans Canada is conducting an investigation under their jurisdiction. The extent of that investigation should be revealed by them.

I would encourage all hon. Members and any one who has an interest in this issue to reach out, as I have done, to the federal government to seek

exactly where this may lie, if there any charges pending under the *Fisheries Act*, the Canadian Environmental Protection Act, the Canada Shipping Act or the Migratory Birds Convention Act. With that information, we can all make better decisions as well, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MR. J. DINN: Again, I'm asking not about the investigation by DFO, I'm asking about the ecojustice court challenge that will start tomorrow.

I'm asking, simply by allowing a full environmental assessment of the sea pens, we can nullify the expense to the province and get some straight answers that might even help with the investigation that the minister just referred. So, I would like an answer on the ecojustice case.

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

MR. BRAGG: The case in which the hon. Member refers to is before the courts and while it is before the courts, we will not be making any comment on that case. When it comes out of the courts, Mr. Speaker, we will comment at that time.

Thank you very much.

SOME HON. MEMBERS: Hear, hear!

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

Presenting Reports by Standing and Select Committees.

Tabling of Documents.

Tabling of Documents

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Thank you, Mr. Speaker.

Yesterday, in Question Period, the Leader of the Opposition made reference to some letters that came back to the province in response to a letter that I sent to all national leaders.

Mr. Speaker, I will say before I table these reports – I have them here – they have been publicly available now for a few weeks. The information is there and I'm sure it will be interesting reading for the Leader of the Opposition. Especially the one I would draw his attention to is the one from Mr. Andrew Scheer.

Thank you.

MR. SPEAKER: Notices of Motion.

Notices of Motion

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

MS. GAMBIN-WALSH: Mr. Speaker, I give notice that I will ask leave to introduce a bill entitled, An Act To Amend The Automobile Insurance Act, Bill 9.

MR. SPEAKER: Further notices of motion?

The hon. the Minister of Fisheries and Land Resources.

MR. BYRNE: Mr. Speaker, I so respectfully give notice that I will ask leave to introduce a bill entitled, An Act To Amend The Forestry Act, Bill 10.

MR. SPEAKER: Further notices of motion?

The hon. the Minister of Justice and Public Safety.

MR. A. PARSONS: Mr. Speaker, I give notice that I will ask leave to introduce a bill entitled, An Act To Amend The Enforcement Of Canadian Judgments Act, Bill 12.

Further, I give notice that I will ask leave to introduce a bill entitled, An Act To Amend The Public Trustee Act, 2009, Bill 11.

MR. SPEAKER: Further notices of motion?

Answers to Questions for which Notice has been Given.

Petitions.

Petitions

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

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

WHEREAS many students within our province depend on school busing for transportation to and from school each day; and

WHEREAS there are many parents of school-aged children throughout our province who live inside the eastern school district's 1.6-kilometre zone, therefore do not qualify for busing; and

WHEREAS policy cannot override the safety of our children;

THEREFORE we petition the hon. House of Assembly as follows: We, the undersigned, call upon the House of Assembly to urge the Government of Newfoundland and Labrador to eliminate the 1.6-kilometre policy for all elementary schools in the province, and in junior and senior high schools where safety is a primary concern.

Mr. Speaker, this has been a petition that has been presented a number of times by a number of Members. I continue to get requests from my constituents on the safety issue that surrounds the 1.6-kilometre zone. In my district alone, there are four K to 6 schools, as well as a K to 4 school. All young children all trying to get to school in areas in which there are no sidewalks or no place for them to walk to get there.

I understand now, or people can just realize, that if you look at the Farmers' Almanac, we're projected to have one of our worst winters of all. During that time, you're going to have a lot of snow on the ground; people will not be able to get to school. Places to walk certainly will be eliminated. I think we need to step up.

I think about what the minister responsible said today: Student safety should be top of mind. That wasn't me; that was across the way –

student safety should be top of mind, and we take this very seriously. This is a student safety issue. Getting kids to school safely and making sure their pathway there is safe and not treacherous is something we should be keeping top of mind.

I ask, on behalf of these individuals, that we, as a government, reconsider this and eliminate the 1.6-kilometre policy.

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

MR. WARR: Thank you, Mr. Speaker.

I thank the Member for his petition. Mr. Speaker, I'll start off by saying that our province has one of the best busing policies in the country.

SOME HON. MEMBERS: Hear, hear!

MR. WARR: I'll repeat that, Mr. Speaker: We have one of the best busing policies in the country. When the House of Assembly recessed in June, we had 649 courtesy stops. I've taken every phone calls from every Member opposite; I've taken every phone call from every Member on this side. To date, Mr. Speaker, we have 705 courtesy stops.

SOME HON. MEMBERS: Hear, hear!

MR. WARR: That's an additional 57 stops where we went and investigated. Every phone call that we took from Members, Mr. Speaker, I can assure you were investigated.

I've been working with regard to the safety – and I appreciate the Member bringing up the safety aspect because it is paramount. I've been working with both the Minister of Transportation and Works and the Minister of Municipal Affairs and Environment on several initiatives around student safety. Again, our current policy is working and we'll continue to work with the district to recognize areas that need to be changed.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Torngat Mountains.

MS. EVANS: Thank you, Mr. Speaker.

I present this petition on behalf of the residents of Rigolet, Labrador.

The new ferry schedule for 2019 cuts our transportation service in half. This is a drastic reduction.

We are isolated for seven months out of the year. To have a ferry steam past within a mile of the dock is doing us great injustice.

We will lose a reliable and affordable service that can connect us to the south and beyond. We also stand to lose the Cartwright, NL connection to a highway that leads us in a timely manner to other parts of the province.

We utilize the ferry service at every opportunity. It's the only economical means of travel and freight provision that is provided to our community by the province for five months out of the year.

THEREFORE we petition the hon. House of Assembly as follows: we the undersigned residents of Rigolet, Newfoundland and Labrador call upon the House of Assembly to urge the Government of Newfoundland and Labrador to reinstate the ferry service to include our community on the South Coast run.

Now, why is this petition important? This petition is very, very important to the residents of Rigolet because they are isolated. There are no roads. Not like on the South Coast where you can get into your vehicle and you can drive, get on a highway, leave the province and visit family and friends in other communities. This service is critical.

As this petition says, the ferry now steams within a mile of the port of Rigolet. There are family and friends in Cartwright and in Black Tickle that they can't visit. When I mean can't visit, it's because their only means of transportation is once per week during the summer the North Coast ferry will take them into Goose Bay. With all the weather delays and

that, they don't even have access to that anymore.

What I'm saying is in order for people to be able to travel and visit their friends and their family in other communities, Cartwright and Black Tickle, right now the only means for them is to fly. In actual fact, they can fly into Goose Bay at a cost of \$361 but then they have to hitch a ride from Goose Bay to Cartwright or they can fly standby on a medical flight at a cost of \$391.88. So what's happening right now, if you want to visit your mother or your grandmother in Cartwright or vice versa, it's going to cost \$800, and that's basically flying stand by.

I think the reason why this petition is so important is because that's unacceptable. I talk about erosion of services, and I think what people are saying on the North Coast is true. Erosion of transportation services is actually a form of resettlement by this government, and I challenge anyone to prove to me different.

MR. SPEAKER: The hon. the Minister of Transportation and Works.

MR. CROCKER: Thank you very much, Mr. Speaker.

I thank the hon. Member for the petition. Mr. Speaker, over recent weeks I've met with the NG, I think on three separate occasions. I've met with the Innu.

Mr. Speaker, we know the first year of this ferry service there are going to be some changes, and a conversation is going to happen this winter. I committed Thursday past in a call with Minister Mitchell of the NG to actually forming a committee this coming winter; a working committee to make sure we work out some of the challenges we found in this system over this season.

Mr. Speaker, the reality is it's not all doom and gloom. This season, for the first time ever, we've moved over 10,000 tons of freight up until the end of October; a 34 per cent increase year over year. If you think about that, in 2018 we moved 8,000 tons of freight. This year we've moved 10,700 tons of freight. Mr. Speaker, for the first time ever, we've moved over 350

personal vehicles on a RO RO service that wasn't offered before.

There are some challenges with this system, but we look forward to an opportunity this winter to work some of those challenges out.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MR. LESTER: Mr. Speaker, the Adopt-a-Highway program exists in most provinces and provides organizations, volunteer groups and businesses the opportunity to contribute to local communities and our province by removing litter from roadsides or interchanges.

Under the program, volunteer organizations participate in the clean up on the right-of-way of provincially designated highways. This is consistent with the province's objective to enhance tourism by beautifying transportation infrastructure.

It gives residents an opportunity to engage in a meaningful environmental endeavour which enhances their communities. After a cleanup our province benefits in many different ways; instantly the appearance of our province improves, the environment is aided, tourism is strengthened and wildlife's attraction to roadways is reduced.

THEREFORE we petition the hon. House of Assembly as follows:

We, the undersigned, call on the House of Assembly to urge the Government of Newfoundland and Labrador to reinstate the Adopt-a-Highway program in our province to aid in environment and strengthen our tourism.

Mr. Speaker, this program existed for decades, and for whatever reason it was cancelled several years ago. Not only does it aid our environment, it also provides people with the opportunity to get out and feel productive, get exercise in the fresh air and really make a difference to the possibility of increasing tourism and improving the environment. It's just a great thing to do. It's

a really feel good thing, and it's beyond me why we can't put this policy back in place.

The desire is there from different communities, the desire is there from different organizations. It's a win-win situation for all.

On behalf of the signatures underneath, I therefore present this petition to the minister for his comment.

MR. SPEAKER: The hon. the Minister of Transportation and Works.

MR. CROCKER: Thank you very much, Mr. Speaker.

I thank the hon. Member. Like the hon. Member, I'm not sure when this program was cancelled or was left or abandoned but it's certainly something I would take under advisement and go and look at.

Mr. Speaker, as a government – and I know the previous administration, as well, invested in cleanups. I know the Outer Ring Road is particularly a problem as it leads to Robin Hood Bay. This past year I know we did invest in a cleanup along with Clean St. John's – and Metrobus was also a part of it – to actually clean up the Outer Ring Road.

Anything that we can do on our highways and our roadways throughout the province to clean them and make sure – many community groups throughout the year have spring cleanups. Mr. Speaker, anything we can be doing to encourage that, I strongly support.

I thank the Member for his petition.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Orders of the Day.

Orders of the Day

MR. SPEAKER: The hon. Government House Leader.

MS. COADY: Thank you, Mr. Speaker.

Order 3, second reading of Bill 6.

MR. SPEAKER: The hon. Minister of Justice and Public Safety.

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

I move, seconded by the Government House Leader, that Bill 6, An Act Respecting Disclosure Of Information Under An Interpersonal Violence Disclosure Protocol, be now read a second time.

MR. SPEAKER: It has been moved and seconded that Bill 6, An Act Respecting Disclosure Of Information Under An Interpersonal Violence Disclosure Protocol, be now read a second time.

Motion, second reading of a bill, “An Act Respecting Disclosure Of Information Under An Interpersonal Violence Disclosure Protocol.” (Bill 6)

MR. SPEAKER: The hon. the Minister of Justice and Public Safety.

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

Today, I’m very happy to be able to stand up here and to be dealing with this act, which when you read it on the paper, when you read its technical name or its full name, I don’t think quite imparts the magnitude that I think a bill of this nature will have, nor the common title that’s associated with this. The act is An Act Respecting Disclosure of Information under an Interpersonal Violence Disclosure Protocol, but it’s more commonly known as something called Clare’s Law.

One thing I will point out to any of those who may be listening or watching or wondering about this piece of legislation, I would point out right off the top that this is a piece of legislation that is enabling in nature. The legislation here itself will not see the implementation of the protocols that normally accompany a law of this nature. This piece of legislation will allow this protocol to happen. It will allow us to go to work, to commence the work that is necessary to make the protocol happen here in this province.

I can say, after speaking to staff within the department, after looking at other jurisdictions, the fact is that this work will likely take somewhere in the realm of 12 months, based on other jurisdictions and what they’ve seen.

So, I will go back to the beginning when we talked about what is Clare’s Law. Clare’s Law is a law that originated out of the UK. It comes from something that – it’s not just a Newfoundland and Labrador problem, it’s not just a Canadian problem, but, sadly, it’s a problem we face all over this world, and that is domestic violence. That is violence amongst partners, primarily affecting women.

In the UK, what happened in that particular case was a dad led the crusade after his daughter was murdered by a partner that she did not realize had a violent criminal past and previous instances of domestic violence. This was an individual who had a past, who had a history and had a very strong prevalence of continuing to take up this type of abusive, criminal behaviour with partners that he had. In this case, the young woman did not know any of this; did not know about the past, did not know about the criminal record, did not know about the abuse until, sadly, her life was taken.

If there’s a silver lining to come out of that is that her father, and many others in the UK, led the charge to have something called the Clare’s Law or this interpersonal disclosure. What this does is it allows for police forces in the jurisdiction to release information to those individuals who are prescribed to have the right to know of a person’s previous criminal history when it comes to certain offences, which sounds very good.

The reality is – and I’ll get into all the different issues that arise from something like this when we talk about privacy, when we talk about access to information, when we talk about safety. There are so many different aspects to this which makes it an interesting but complex piece of legislation and protocol to put into place. One that we still do not have, even when you look at the research coming out of the UK and being used by other jurisdictions, we don’t have the full extent of the success of this protocol.

Again, this would probably be a good segue to today we recognized three individuals with the Royal Newfoundland Constabulary: Constable Dillon, Constable Churchill and crime analyst, Ms. Malin Enström. They were awarded the Public Service Award of Excellence. What they deal with is the Intimate Partner Violence Unit.

Ms. Enström said to me today – we had an opportunity to have a chat. We talked about their work earlier, and sometimes she said it's hard to quantify the stats because it's preventative. If you prevent it from happening, there is no stat. That's one of the things, we don't fully see it.

Again, to segue back into this, I've read a lot of the research. I've read a lot of the stories, news commentaries and writings by academics. A couple of the individuals talked about the success of this disclosure protocol. They talk about, does it really benefit? My primary question that I would toss out is, does it hurt? And the fact is, it does not. This will not get in the way of doing its intended purpose, which is to help save lives, which is to help prevent women, primarily, from entering into relationships or being in relationships with those with a previous abusive past.

Now, that sounds great and that sounds very easy and simple, but we all know – and especially those individuals here today with the Royal Newfoundland Constabulary know – that just this one piece of legislation is not going to be the cure-all, is not going to be the be-all, end-all of stopping domestic violence, stopping violence between people.

We know that some of these issues exist that are outside of Justice. I look at my colleague who is responsible for Housing, and we know that housing is an issue. We talk about it all the time. The fact that leaving a relationship – sometimes, sadly, people stay in these relationships because, where do they go?

We talk about the financial impacts. I look at my colleague, the former Minister Responsible for the Status of Women, the current Government House Leader. I look at my colleagues, all my colleagues in the House have played a role in this. We've talked about some of the challenges we face – when we come at the financial challenge, when we look at children, we look at

the court system. We know the work doesn't end, but this is one thing that I think will have benefit. It will not fix everything, but I think it will bring some positivity, and hopefully some productive means to help. Again, it's one step in the right direction.

So going back to the legislation itself, Mr. Speaker. The act itself is not substantive, and anybody who looks at it can tell. A very simple reading of it, it clearly mentions in the legislation the regulations a number of times. The regulations are the protocol, and that is what's going to be drafted once this bill is implemented. Again, I'm assuming there's going to be good debate to this, but I'm strongly hoping there will be support of this piece of legislation so that we can begin the hard work of figuring out, how do we implement this concept into our current system.

The law itself doesn't fix the situation, it's the protocol that emanates from this piece of legislation. When we look at it, we talk about an applicant, disclosure information, protocol, police force, person at risk.

Again, it's very simple: “3(1) A police force may, in accordance with the ... Protocol, provide disclosure information to (a) an applicant; (b) an individual referred to in subsection (2); or (c) a person at risk.

“(2) An individual or a class of individuals”

So sometimes it's not just the individual. Many people have a very tough time going to police forces reporting this. We all know that for every case that's reported, there are countless others that go undocumented. They are never reported, and for various reasons, and that's the sad part here. In many cases it's the family, the loved ones, the friends of those individuals.

Again, you talk to social workers, they hear this, they see this, and it places, in many cases, a duty on them to disclose this. One of the things I like about this, it's going to enable various classes of individuals to apply for the information, and also safeguarding that information as well. I would point out, that in many cases police forces already have a pre-existing ability to disclose information. That's already there. That's not a

new concept. The police have already been able to do that.

We move forward; again, it's not huge here: confidentiality. Simple things. Obviously, the information has to be given out for the right purposes. We want to avoid situations which – again, something we see so constantly now in every facet, whether it's financial or health or personal, private information, the disclosure of it for negative or criminal or malicious means. We see that all the time.

It wasn't that long ago we were dealing with intimate image legislation here in this House, where people were sharing images, sharing information to hurt someone. The same goes for this. This is information, and all information has power, the ability to hurt somebody if it gets in the wrong hands or it's used for the wrong reasons. So we want the information to be disclosed here, but it has to be done for the right reasons.

We move forward, and then we get into the regulation side of it. That's where the hard work is going to come in. Again, I wanted to make quite clear, as we were talking amongst the department this morning, and in previous weeks and previous months, we talked about how this is a big piece of legislation, but we want to make sure the public doesn't think that this law is now in place and that you can go forward and get this. We wish that was the case, but the reality is it takes a substantive amount of work, a significant amount of work, and that work has to happen. There's no point of putting forward a protocol that is not well thought through or that, in many cases, may cause more problems than it fixes.

That's a reality when we talk about something so significant as this, when we talk about situations involving individuals, when we talk about privacy, when we talk about criminal records. The reality is that safety – one of the issues that comes up, in many cases what we've seen in the past, the person gets the information, they're able to be put in a position where they can make a decision. Sometimes after that decision is made, that's when sometimes the trouble can really start as well, when we talk about a relationship that ends. This is sensitive stuff and that's why we've been very careful

with this. We will continue to be careful and do this and do it right.

The protocol is different everywhere. We cannot do the same as they do in the UK. There are other jurisdictions in this country; Saskatchewan is probably in the lead right now. They've brought their piece of legislation into force. It received Royal Assent, it's been proclaimed and now they're working on that protocol. British Columbia has done a private Member's resolution on this in their legislature. Alberta is moving forward with this.

When you talk about that, one of the big things they talk about: Why are we doing this? Saskatchewan, I think the stats will show, is in the top three highest rates of violence against women. It's a startling, startling number and the fact is we have a significant amount here. Are we in that same range? No, we are not, but we have too much – we have too much. That is the sad reality is that the documented rates are high and the undocumented rate, one can only assume makes that rate higher.

We go back to what happens here. Well, we have to figure out a number of steps. Who can apply exactly? Is it the individual who's at risk? Is it the individual who is on behalf of that individual? There are sensitivities here. Can anybody just walk in and request information on another person? We have to figure that aspect out.

What information are you allowed to receive? Are you allowed to receive any part of their criminal record? What if they have non-violent crimes? What if the crime does not show a pattern of harm, maybe it's something different? We have to figure it out. In the UK they have a list of offences that qualify for this protocol; others don't.

Every place is different in terms of their police forces. In this province, we have two police forces that would be responsible for the safety of our populous, but that's not the same in every province. In some other provinces – in Alberta, for instance, they have municipal police, they have city police in Calgary or Edmonton and they also have their RCMP. Every province is different. That's why the protocol will be different.

What I can say to those that might be listening is that I think this is a good opportunity. We will be reaching far and wide when it comes to the development and implementation of this. We're lucky to have great police forces. We're lucky to have good relationships with other jurisdictions to see what the pitfalls were when they went through this process. What have they learned through this process?

Saskatchewan, particularly, we've had an amazing relationship with. They've done good work and it's a chance for us to take that and bring it back here and apply it here. We'll be speaking to women's groups; we have a department responsible for the Status of Women. We have so many advocates in this province and I've been very lucky to sit at tables with many of them. Survivors of violence, they're going to want to have a say here. There's a lot that goes into it.

Not only that, we've consulted with the Privacy Commissioner on this because, again, we are talking about individual's information. Depending on who you talk to, some would say that safety trumps information, and that very well may be the case. I can tell you that if it involved my daughter, that's the viewpoint I would take. But, at the same time, we have to realize that we cannot just – again, we could go down a rabbit hole here talking about safety and personal protection and the disclosure of information.

We've dealt with that, not just in this country but in this continent. It's going to be a significant process here. I'm happy to be a part of that work and I look forward to the work that's going to be done by multiple Members of this House, multiple people in various departments, because it's not just a Justice issue. Health has been playing a role here. Children, Seniors and Social Development has been playing a role here. Education has been playing a role here.

The other thing – I keep going back to this. To me, when we talk about this issue, talking to the individuals today because we're dealing with reactive, but we have to deal with preventative. In many cases, we're talking with individuals who acknowledge and realize what they do is

wrong, but we have to find the resources to help these individuals to fix this problem.

One of the things I keep coming back to: kids. We have to get them at their earliest. We have to teach them at their earliest, and I don't think I'll ever get a dispute over that.

Another issue that comes out of this: What's the timeline on this process? How does it work? A couple of things I will point out, that I think are interesting, we would definitely like to see an online component to this so that an individual does not need to report to a police station to do this. I think somebody should be able to do it from the safety and security of their own home or a place that they feel comfortable. That's one component.

The other thing is being able to do it in your own language. Labrador – and again, I look at my colleague for Lab West. We spoke just in the last couple of weeks when I was up in Labrador and we were over in Happy Valley-Goose Bay. I don't think there's much point to this if you're being forced to do it in not your first language. We want to make sure that this is something that's accessible by all in whatever language that they speak: Innu-aimun, French, English.

This is something that we're working on. We need to make sure that this is accessible to people where they are, when they are ready to do it. You only have to talk to one employee at a women's centre. It's funny, I talked to Tanya Hawco who is the executive director of the one back in Port aux Basques and she talked about a person that came in, just as Tanya was leaving for lunch. Tanya said we'll sit down and we'll talk. This person had driven by five times that morning, parked, left – driven by, parked, left, because they weren't ready. They were not ready.

So we need to make sure that we are ready whenever they are ready to talk and to be ready to move forward. That's a huge component of this. You can't just expect – this not a 9 to 5, Monday to Friday deal. This is 24-7, sadly. When it comes to people being able to talk and share their information and build that trust and that confidence that they need so that they can feel safe and secure doing that, that's what we need to enable.

That being said, Mr. Speaker, there's a lot I could talk about, but I would just be belabouring the point, and I realize that we'll have more opportunity during debate and we'll have more opportunity during Committee.

I would like to thank the staff of the Department of Justice and Public Safety who I understand did give a briefing to Members of government caucus, as well as Members of other caucuses, and I hope that that was informative. I certainly appreciate the work that our staff have done moving this forward. I got to tell you, we're lucky to have them doing this work, doing the legwork behind it, and I appreciate that and appreciate them. And again, they will be listening to this, because they have a vested interest in this too. This is work that they want to be doing, and they want this to succeed as well.

On that note, Mr. Speaker, what I will say is that I'm very happy to stand up here today on second reading. I look forward to the forward progression of this piece of legislation, and, more importantly, once I assume that this bill is passed, I look forward to the work, seeing the protocol get done, established, and hopefully one step further in making this a safer province for women and girls.

Thank you very much.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (Bennett): The hon. the Member for Harbour Main.

MS. CONWAY OTTENHEIMER: Thank you, Mr. Speaker.

We commend and support the government for following the lead of Saskatchewan, British Columbia and Alberta in bringing forward this legislation. Clare's Law originated, as the minister has stated, in the UK. It is commendable that now we have four provinces that will be following their lead.

We know that interpersonal violence is a serious issue in this province, and we have seen too many cases of interpersonal, domestic and sexual violence here. I could quote statistics, but the stats would probably be wrong. That's

because almost every authority believes that violence is grossly underreported, and only a fraction of those who are subjected to interpersonal violence reported to authorities.

As for unreported cases of violence, we've heard that only 5 per cent of sexual assaults are reported to police – 5 per cent. And Indigenous women are 3½ times more likely to be victims of violence. Nearly 80 per cent of rapes and sexual assaults go unreported, according to a justice department analysis of violent-crime stats in the United States; but, again, we know that unreported crime is far too common. The reality is it's very common, especially for sexual assault survivors, most frequently women, to decline to report the offence to police. Survivors cite many reasons for this reality, including worries about retaliation, fear of revictimization and so on. Again, unreported assaults are pervasive.

Not all, but certainly most of the victims or survivors, if they survive, are women and girls. They may not report these incidents out of fear or intimidation or embarrassment, or a false belief that they are to blame for provoking the violence, or because the perpetrators are so close to them – maybe partners, relatives, people in authority, positions of trust, employers and so forth. They may already have seen signs of violence but they may be in denial, believing it could never happen to them or it's not a big deal or it will get better on its own.

Friends or relatives of the person may be more aware of the threat they face than they are. Perhaps the person in the relationship is blinded by love or by something they believe is love, but they may be at great risk. Perhaps they are at a moderate risk, but a risk nonetheless. If there is a way to let them see more clearly whether there is a real evidence-based reason for them to be wary of the person they are with, then, by all means, we have to protect them by helping them become aware of it.

Clare's Law has been presented as a groundbreaking piece of legislation to help protect victims of domestic violence from their partners. It is designed as a tool for individuals who think they may be at risk of interpersonal violence or domestic violence and to get knowledge that will allow them to make those

necessary decisions, those tough, hard decisions, though, that they have to make to increase their safety, to help prevent trauma and tragedy if someone is seeing signs of abuse in a relationship.

The whole point of Clare's Law is to provide a means, a way of showing a person at risk that they are indeed at risk; but, of course, we are tipping the balance just a bit away from, for example, the presumption of innocence. We have to be mindful that the Charter of Rights and Freedoms protects that precious presumption of innocence.

There is a fundamental right to be presumed innocent until proven guilty and the prosecution must also prove that guilt beyond a reasonable doubt. So we are at the boundary of competing rights, the rights to privacy and presumption of innocence. We have to be very cautious.

There may be good evidence-based reasons for believing a person is likely to be violent, but if the person has not been convicted of a violent crime and has no public record of violence, what should be done in that instance, Mr. Speaker? Should we do nothing, or should we create a means for that evidence to be placed before someone who may be in harm's way?

Even so, the consequences of violence are so profound, we must not fail to act just because the legal landscape is a difficult one. That's why, we understand from what we've heard in the briefing, it will take 12 to 15 months to develop the protocol that will lay out in great detail the rules for giving effect to this law. The other three provinces are also treading very carefully, but moving forward with determination nevertheless.

Given the implications of what is being done here, we do impress upon the government the importance of being completely open and transparent about the protocol. We realize that the protocol, being fixed in regulations rather than legislation, will be amendable at the ministerial level outside the Legislature and will take effect when gazetted. Still, we urge the government to publicize every development with the protocol, issuing news releases and informing the Opposition and the public

immediately when anything changes so people are fully aware of the rules.

We will have the benefit of learning from the UK and other Canadian jurisdictions, which they have a couple of years lead on us, but this is a new kind of law and we must ensure that we handle it properly so it serves its purpose without causing unintended harm. As the minister mentioned there, he indicated that they have a lot to figure out. So we have to be very clear and very careful that this is handled properly.

I don't want to walk through all the possible pitfalls of legislation like this. I prefer to focus on the positive, on the good that can result when someone at risk is shown that they are at risk and can take appropriate action.

Obviously, this initiative must be accompanied by community supports. That is a must. A person who discovers they are at risk may need help taking the next step. There may be a domino effect of consequences following from that, so we have to ensure that a person has a safe place to go or someone to turn to when a risk is disclosed. So vulnerable people will still need considerable support mechanisms to help them leave risky relationships, because the risk of harm often intensifies when people try to break off relationships. Victims of domestic violence must have and require a great network of support.

I also wonder about the implications for a person who is deemed to be at risk of perpetrating violence. I'm not sure what the answer is there, but it's something we also need to be talking about.

There's also another aspect of this law that we need to consider. We must be particularly sensitive to the circumstances of women and girls in Indigenous communities because of the lessons we learned from the recent inquiry into Missing and Murdered Indigenous Women and Girls.

The inquiry was commissioned for a good reason, and mainly at the behest of the Indigenous communities themselves and the families of victims and survivors. It is imperative to work closely with Indigenous

communities and listen closely to the testimonies and the recommendations that have come from the inquiry. We simply have to do better to protect people at risk of violence before they suffer harm, if at all possible.

Many of our communities are small and closely knit, so we will need to listen carefully to those in our communities with wisdom to offer about the best ways to proceed. At the briefing on this bill, we were told that this is one more tool in the toolbox to protect vulnerable people. This is a tool we don't yet have, and it will make a difference for some. And, as the minister pointed out, perhaps saving lives.

But because it is a significant change in approach, we must ensure we are very carefully monitoring what is being done and what is happening as a result. Someone should be tasked with the job and the responsibility of reviewing and reporting on the impact of what this law is doing.

The minister pointed out that we don't have a lot of information regarding the success of the UK scenario. So it might be a difficult task, but we need to know how often this law is being used, how often the process is informing people that they are at high or moderate risk of violence. Information is necessary to create the appropriate checks and balances. And, at the same time, it is imperative to protect people's privacy to the greatest extent possible.

So let's talk about privacy. It's a very important piece here. One of the most controversial aspects, actually, of Clare's Law is that allegations of domestic violence will be made available to those who request it. Anyone worried about their own safety will be able to ask the police to disclose their partner's history of domestic violence. So this triggers the important question of one's privacy rights.

The Charter of Rights and Freedoms, through section 7 and 8, afford protection of privacy interests. And not only the Charter, but our courts, including the highest court in our land, the Supreme Court of Canada, has recognized that the value of privacy is fundamental to the notions of dignity, autonomy and integrity of the person.

We all understand that. We all recognize that it is fundamentally important that privacy rights of the individual have to be respected. Regarding privacy rights, it is important to note that irrelevant past criminal charges, like shoplifting or impaired driving, would not necessarily be disclosed or discoverable. The minister pointed that out with respect to criminal offences that are not relevant.

As Justice critic and critic for the Status of Women, I will be watching the disclosure rules closely and carefully monitoring that as well because privacy, Mr. Speaker, is a right. The presumption of innocence is a right and freedom from violence is a right. Balancing rights and freedoms is seldom easy, but protecting people from harm is an obligation we cannot shirk. There are people in our province right now who are at risk of harm from interpersonal violence. How far will we go to protect them?

I think this legislation is a step in the right direction to offer greater protection to people at risk. We need to be taking these steps. Police protection and assistance can be an important ally in the fight against an abusive partner, but we also should be mindful of the fact that Clare's Law is not a panacea for eliminating domestic violence. Hopefully, it will increase prevention and reduce the prevalence of interpersonal violence in our communities, but there's no simple fix here to these problems.

These problems are complex, they're deep rooted and they're societal. The problem of domestic and interpersonal violence is indeed a huge one. We, therefore, need to address it very seriously at every level. We need to examine, and critically examine, the crucial underlying issues of violence and ensure there is adequate funding for the crucial services to help victims of this kind of abusive and violence. We need to have more education about healthy relationships and gain a better understanding of the whole psychology regarding and around abusive relationships. There needs to be more public awareness campaigns about violence. We also need more enforcement of existing laws in relation to crimes of violence.

So we need to be taking these steps because the status quo is still not good enough. Women and girls, and many others in our communities, are

still not safe enough. Violence is still far too prevalent, and that's not okay. We have to find new and better ways to protect the vulnerable.

This second reading debate is about the principle of the bill. We support the principle of the bill. We look forward to working with the government, however we can, to flesh out the details of the protocol. We applaud the police forces in this province for being partners in bringing forward this initiative.

We believe other community groups will complement these efforts to reduce violence and protect the vulnerable. Let's continue to collaborate on solutions. Let's continue to think outside the box. Let's not become complacent when people need our help, but let's hear them, let's listen and let's find new ways to protect them from harm.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Minister Responsible for the Status of Women.

MS. HALEY: Thank you, Mr. Speaker.

As the Minister Responsible for the Status of Women, I welcome any opportunity to speak to legislation that improves the lives of Newfoundlanders and Labradorians, especially women and girls. I feel this piece of legislation, when enacted, will do just that, Mr. Speaker. It is but one example of the fine work being done through the Minister's Committee on Violence Against Women and Girls.

While we have been working diligently on the Violence Prevention Initiative and several initiatives have already been enacted, we will leave no stone unturned, Mr. Speaker, as we strive to minimize the incidents of violence in our society.

This past year, we have brought forward several new measures intended to address this problem, Mr. Speaker. In November of 2018, Premier Ball saw fit to establish the Minister Responsible for the Status of Women as a stand-alone role. Also, instrumental to the cause, is the advancement of the work of the Minister's

Committee on Violence Against Women and Girls. This group has been working very hard on our behalf.

We have not been satisfied with the status quo. This year, more than \$2.6 million has been allocated for Status of Women Councils, including funding for a new Status of Women Council in Port Saunders, which I had the opportunity to visit just this past week.

We are also implementing new bail supervision rules and electronic monitoring programs to help lower levels of recidivism and improve safety for women, Mr. Speaker. We have implemented improvements to the occupational health and safety regulations, including provisions to address workplace harassment and worker-on-worker violence.

We have also implemented changes to the Residential Tenancies Act to allow for early termination of rental agreements in cases of domestic violence, as well as changes to the *Labour Standards Act*, allowing victims of family violence to take a total of 10 days leave per year, Mr. Speaker.

We will not stop here. Our government recognizes there is a need for further tools to protect those at risk of intimate partner violence.

Mr. Speaker, our government has taken steps to help create safer communities through such things as legislative changes, direct investments, accessible housing and the creation, of course, of the ministerial committee designed to identify and address the changing needs of our communities and citizens as they arise. Central to all of this, of course, has been our commitment to working with our community partners.

Violence in any form is unacceptable, Mr. Speaker. As a society, we cannot and we will not accept that some of our citizens must live in fear of physical, sexual or emotional violence. It must stop, Mr. Speaker. It definitely must stop. We must all play a role in ending violence against women and girls. Working collaboratively is essential to creating a safe environment for women and girls in our province.

As we take another step forward with this new legislation, we are continuing this progress. In 2017, Statistics Canada reported that over one-quarter of all victims of police-reported violent crime were victims of intimate partner violence. This is indeed disturbing, as it reiterates that which we have been told for some time: Violence isn't always perpetrated by strangers. In fact, about 25 per cent of the time, the perpetrator is someone we know and trust; someone very close to us. As the Minister Responsible for the Status of Women, I am alarmed to learn that the majority of these victims, approximately 79 per cent, were women – women. We must work to change this statistic.

Interpersonal violence disclosure legislation, also known as Clare's Law, as the minister has stated, Mr. Speaker, was introduced to honour Clare Wood, a woman who was murdered by her partner and was unaware of his violent past. Clare's father fought for an initiative that would release relevant information about prior criminal history to intimate partners who are at risk, Mr. Speaker.

This legislation is designed to enhance protections for individuals in intimate relationships who are at risk of violence from their partners by disclosing an individual's risk based on the relevant prior criminal history of their partner. The protocol would also provide the person at risk with information for next steps and support, Mr. Speaker. Introducing legislation such as this would help further the efforts made by government to help make Newfoundland and Labrador a safer place for women and girls.

Mr. Speaker, this is progressive legislation. It has the potential to provide greater safety to those unaware that are on the cusp of entering relationships where their safety could be greatly compromised. When it comes to combating violence, we are all in this together. I ask all Members in this hon. House to give their support to this very important piece of legislation.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Grand Falls-Windsor - Buchans.

MR. TIBBS: Thank you very much, Mr. Speaker.

I want to thank the colleagues across the way, and my colleague, as well, from Harbour Main on the great work that's been put into this. It's much needed for the province, I think in my mind, if done right and correctly. And the other provinces, I think, will show that this can be a tool that can be used for preventative measures, not after-the-fact measures, which is where a lot of victims end up going to and when it's too late. So I applaud everybody for the work that they put into this and I say thank you.

Any sort of violence in our society should not be tolerated and is avoidable. There are many forms of violence: mental violence, verbal violence, sexual violence, and, of course, physical violence. Violence does not discriminate against race, religion, geography or sex. It rears its ugly head throughout the world, including right here in Newfoundland and Labrador at home.

We know that violence can be found in many facets of our daily lives. Violence can be at work, it can be at school, social settings, but, of course, more commonly, domestic violence right here at home. Behind closed doors – we've heard that many, many times when it comes to domestic violence. Behind closed doors you can use in quotation marks and not as well. It can be interpreted figuratively or, of course, literally.

Literally, as it happens behind the doors where nobody can see it, it happens in our province every single day. It happens across the country every single day. Unfortunately, the people that are behind the closed doors, you don't get to see what they're going through until often too late.

But just as important, figuratively, it's never talked about. The victims often sit behind that closed door feeling hurt, ashamed, embarrassed and, most of all, abandoned. They feel as though they have nobody. Those that may be embarrassed or ashamed will not reach out to family or friends, Mr. Speaker. They won't reach out to colleagues, and of course they won't reach out to any of the police or anybody within health, because they feel as though they'll be

persecuted or the violence will increase upon them. Of course, we can do better than that.

We know more often than not, that door opens and the victim who has gone through the violence will come out with a smile on their face; they don't show their wounds. Often the wounds can be mental health as well, but they try to cover them up as best they can and the world doesn't see them. They will face the world with a smile on their face, whether it be young girls, men or children, these wounds are not seen by the general public and that's unfortunate.

I think that's where the statistics fail us. Of course, we know most are not shown within the public and the stats won't show that there are more people out there than not that are being abused with violence in our society, and that's shameful. Stats tell us it's women and young girls who make up the majority of those victims. If we dig even further, Indigenous women have a history with this violence put upon them. This is all too fresh as we remember Chantel John from Conne River just this past year, an Indigenous woman who lost her life from domestic violence.

I can't help but think if we had to have a law like this that was passed back then, would that beautiful young girl still be with us today in Conne River. I know her family, her friends and the people in Conne River – it could have been used back then, I think, to that situation possibly, possibly not, but it's a tool that we need to use if we have it afforded to us.

Mr. Speaker, as we applaud the steps in the right direction, there is so much more work to be done with this bill, of course. If we're going to take on a bill like this, it supersedes such a broad community group such as the Status of Women, which we talked about and housing. We know a lot of women with their children and whatnot, one of their main reasons for not coming forward is they're going to have no place to live. I have no place to live so if I come out against my husband or my partner or my wife, whatever, they know that this takes me out of my home and now where do we go.

The province does have a housing problem with the people that are out there now. I can't imagine if everybody came forward that needed

a new place to stay because of violence. We have to find a place of these people, a safe place for these people. So that's something that we'd have to look at as well.

Child services is another one. In a lot of these homes with women being abused, there are children present. I also know there are a lot of women out there that won't come forward and a lot of the reason is because they're afraid they're going to lose their children. If they brought up their children in a violent home, they're afraid they're going to lose their children. Whether it be if they separate from their husband or their boyfriend sort of thing, the possibility of losing their children will keep them there. Often, that is a threat upon them as well.

The police and security services in the province – we can't say enough about them as well. They do an absolutely fantastic job and we have to make sure that we coincide with them. There are many facets, many groups there, that we have to make sure are on board with this bill if it comes through.

Everybody needs to be on side to ensure these people are protected, supported and feel safe. There are too many reasons victims do not come forward and we need to break down those barriers. I also believe in the old saying, Mr. Speaker: Violence incites violence holds true; therefore, we must ensure witnesses, such as children, have the proper support once removed from that situation. That's something we have to look at as well. End the cycle, and what a vicious cycle it is, I'm sure.

Mr. Speaker, I also think the victims are not the only ones at risk when it comes to this bill. The perpetrators, too, need help to deal with the problem so we can possibly save another victim. There is rehabilitation. We can't just throw the perpetrators to the wolves, sort of thing, and say you move on now to the next one, and then we'll do a background check again and again and again. I think the proper supports need to be in there for the people that are committing these crimes. It's important as well.

If this disclosure can help prevent violence in Newfoundland and Labrador, it is worth the time that we are going to put into it. Disclosure can be used as a wonderful tool to help end violence

right here in Newfoundland and Labrador and we need all the tools we can get at this point. In doing this, we must remember privacy is a right and it can be a slippery slope once we begin.

I was just sitting here, Mr. Speaker, taking some notes, and I was just thinking about the background checks on people and whatnot. My colleague from across the way for Burgeo - La Poile said the same thing, where do we start it, where do we stop it sort of thing. Which crimes can go into this? What age can go into this? Is it a 16-year-old, an 18-year-old? Where do we draw that line for the age?

Who gets this information? Where does it stop? Does it begin – to a wife, a girlfriend, a mother, a sister, colleagues, a workplace, an employer? It opens up a whole door that we have to make sure that we get this right. The 12 to 15 months, I think, is a good time frame to make sure we get it right because it's something that's going to stick with us for a long, long time. I think it's something that's going to help this province and help the people in the province for a long, long time as well.

Getting back to the privacy – and 100 per cent, I support the bill totally, but I just want to make sure that privacy isn't forgotten about here. If we take a 16-year-old person that had one incident of violence in his lifetime, is that something that's going to stick with him at 45 years old if he is rehabilitated or if he does go through the process of getting help or not and getting the help he needs so this does not happen again? I think that's something that has to be looked at as well.

I urge all victims, obviously, to seek help that's out there, but it's often too late. This is the opportunity we have now for preventative measures, which is one of the best tools. Together, I am sure that we can prevent violence in Newfoundland and Labrador.

It's sad, you know, you sit back and you think about the young people who don't come forward, the women, the young girls that don't come forward – be it sexual violence, or any violence for that matter, if they don't come forward, of course, we can't have the stats. So it's going to be hard to judge, sort of thing.

I think if we can get this right, it'll serve as a preventative tool. I just want to touch on that for one more minute. The preventative tool can prevent these crimes from happening. It can get a person out of the situation before the situation even begins, Mr. Speaker.

Like we say, oftentimes it's too late where somebody loses a piece of their life, if not their life. If we can prevent this from happening, I think it's an absolutely great idea. I commend the other three provinces for bringing it in. I commend the UK for starting it. It's something that is needed here. I think it's something that can work here, and I look forward to working with it in the future.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MS. DEMPSTER: While we're waiting to speak, Mr. Speaker, we're always working away in our seats. So we're not always on the ball here as we should, but it's nice to be back in the Legislature, Mr. Speaker, for the fall sitting of the House.

Yesterday the House opened, and it actually happened to be an anniversary for me. It was six years ago, November 4, 2013, that I took my seat representing the good people of Cartwright - L'Anse au Clair for the first time.

SOME HON. MEMBERS: Hear, hear!

MS. DEMPSTER: Lots of changes, Mr. Speaker, in the Legislature over that six-and-a-half-year period since I've been in here, but one thing that never changes is who you work for. So it's always important that your first loyalty be to those individuals.

Mr. Speaker, I'm very pleased to stand here today – and I've been listening with intent to my colleagues talk about Bill 6. I'm pleased to – as the Minister of Fisheries and Lands would say – enthusiastically show my support for this very important bill.

Before I start, I want to throw a bouquet to my colleague, the Minister of Justice and Public Safety –

SOME HON. MEMBERS: Hear, hear!

MS. DEMPSTER: – for bringing in this piece of legislation. Mr. Speaker, I went back six years and he was one of the guys that was travelling around with me six years ago and getting flat tires on gravel roads and things like that, so we do go back a long way. What I appreciate about my colleague, the Minister of Justice – he's brought in a number of really valuable bills – he has a young family. That makes a difference, too, I believe. He has a beautiful young girl. This stuff hits home.

We have an opportunity while we are here in this Legislature, Mr. Speaker, to change the course of time, to bring in bills that we pass and that become law to make life better. We're not only making life better for the residents of Newfoundland and Labrador, it's our family. When we talk about things like interpersonal violence, it impacts us all and some of us closer to home than others. Many would know here that my family went through a terrible time with a murder in our immediate family – my brother, at the tender age of 21. So we know the impact that violence has on a family, the long-lasting impact of violence.

Also, I represent a riding in Labrador. I'm from Labrador, a proud Labradorian born and raised. I say born and raised and my husband corrects me because I was born in Botwood. My mom is from Point Leamington, but spent my lifetime in Labrador, pretty deeply rooted. Some of the Members today shared statistics. I'm not going to go down the road of statistics because we all can look up the same. They're very startling, they're very concerning and they're very staggering. That's why we're talking about this bill.

One of the realities is that the percentage of violence in Indigenous communities, Mr. Speaker – and I'm a Member of the NunatuKavut Community Council – is significantly higher. It's not easy to talk about. One of the things I started doing when I first came to St. John's and I took my seat in the Legislature was I had heard about the missing

and murdered vigil that would happen annually. I thought, I'm going to go to that and I'm going to show my support as a female and as a Labradorian.

My daughter was here in town at that time. She was still in her last year of high school but she had been in town that time and it was held at the Holiday Inn. She came with me at 17 years old. So, for people watching or people in the Legislature who may not be familiar, what happens is there are the names of individuals who have been murdered, you can participate and you go up and you read the name, you read the date of their birth and you read the date of their death and how they died. It's a very, very heavy ceremony, Mr. Speaker.

The biggest thing that stayed with me from that first fall that I was in town and attended that was, on the way home, I said to my daughter: What did you think of that? That's pretty heavy stuff for a 17-year-old coming from a very sheltered little coastal community where everybody in the town, practically, you're related to and the ones you're not, you still call them aunt and uncle and you think you are. She said: Mom, what stood out for me is that those women were not just killed but they were killed over and over again. I said: What do you mean? She said: Shot repeatedly, stabbed repeatedly, brutal things.

Too many of us here in this Legislature – because our province is not that big, 526,000 – we know families today that are living with the pain, the grief, sometimes the guilt because they feel like they should've done something, should've seen something that comes with this type of loss.

Loretta Saunders, I talked about Loretta when I was in Opposition at some length and I know her family very well. I still run into her mom and dad from time to time. They're going to be tremendously pleased with legislation like this.

When I spent a lot of time around municipalities and provincial boards, I knew a lady whose daughter was murdered. Mr. Speaker, people who get up every day and they carry that weight, that loss and, in many cases, maybe it could have been avoided with something like this.

This bill, known as Clare's Law, I think about that dad and how he was driven in the United Kingdom five years ago after the 36-year-old woman, a daughter in her prime, should have had her whole life in front of her, didn't get to see what she could have become, what she could have done, how she could have left her mark, how she could have contributed to our society, Mr. Speaker, murdered by a partner that the police knew had a violent record; taken at the hands of some else.

We have to do better. We have a responsibility, those of us who are lawmakers, to do better. One of the things, Mr. Speaker, when you lose a significant person in your life, you can't change that, and everybody deals with it differently. There is no manual for finding your way through grief, but there are people who choose to want to add meaning to the life and death of their loved one. They want to add some purpose, so they go out and they advocate for change, Mr. Speaker. That's what we see here with Clare Wood, not aware of her partner's violent history and her dad went out and he advocated for this change.

Again, I want to throw a bouquet to the Minister for Justice. I have sat in this Legislature and I have been pretty proud of some of the legislation that he's brought in, Mr. Speaker. We mentioned – it was said today by one of my hon. colleagues – the intimate partner violence.

I have a young daughter, Mr. Speaker, and it's a different age now. We say it; we all say it to ourselves. It's different now than when we grew up, and some of us grew up in smaller communities where you had that protection. Now we're in a social-media age, we're in a technological age, and people have devices on them; they can take a picture and they can do things with that picture, and that picture could end up anywhere. That young individual who does that, in that moment, may never know the far-reaching impacts – heavy stuff, Mr. Speaker. People have took their lives because of things like that that have happened, so I applaud the Minister of Justice for bringing in the *Intimate Images Protection Act*.

Mr. Speaker, today, Bill 6, An Act Respecting Disclosure of Information Under an Interpersonal Violence Disclosure Protocol, just for the purpose of the people watching today,

this bill would provide authority for a police force to disclose information regarding interpersonal violence to a person at risk, or to an applicant in accordance with an Interpersonal Violence Disclosure Protocol established by the Lieutenant-Governor in Council.

Mr. Speaker, I've talked a little bit about the personal aspects of this, but I also happen to be, right now, the minister responsible for Children, Seniors and Social Development – child welfare is housed in there – and Housing and Poverty Reduction and things like that, and I can tell you, as a government, even at times when we were navigating through some pretty heavy fiscal conditions in this province, there was money put aside by the Premier for low-income families. We did that right out of the gate for *Budget 2016*.

Over at Housing, Mr. Speaker, we had questions today about wait-lists. Yes, we have wait-lists. There's a lot of need and oftentimes there's not enough resources to meet the need, but I can tell you that when somebody is in a violent situation, when a young lady with children is fleeing domestic violence, we elevate them up the list. They don't come in in lines, so we certainly prioritize in housing those individuals.

I believe, today, Mr. Speaker, this bill demonstrates our government's earnest commitment to address intimate partner violence in Newfoundland and Labrador by implementing new ways of protecting victims. It's been said numerous times, and it really don't need repeating, but I believe it bears repeating that you are at a higher risk of being a victim of violence if you are a woman or you are young or you are Indigenous. We cannot lose sight of that, Mr. Speaker: if you are a woman, if you are young or if you are Indigenous.

The recent stats in our province, Mr. Speaker, actually showed that we were slightly above the Canadian average when it comes to intimate partner violence – slightly above. There are some things we want to be leading in in our province and we want to be leading in this country. This is not an area where we want to be leading in, so we have to put measures in place, like this bill today that we are debating, the disclosure of information, to change the way that

percentage is moving, Mr. Speaker, and move it back.

Another statistic that I find very concerning, especially as I represent the people of Labrador, and I talked about that earlier, is that the rate of violence in Labrador is significantly higher than on the Island portion of the province with young women and young girls, once again, being at the highest risk of violence. I want to give a shout-out to the individuals in Labrador who work in shelters, who work in transition houses and say thank you for the very important work that you do.

Mr. Speaker, this is not infrastructure. This is not roads. This is not water and sewer. This is about supporting families. This is about helping our families become healthier and stronger so that our communities are healthy and stronger. The minister for the Status of Women was just up in Labrador and met with some of those groups and I appreciated her taking the time to go up there. There are a number of things that we do around violence prevention grants and things like that.

As Minister of Children, Seniors and Social Development, I am extremely concerned about the rates of child and youth victims of family violence in our province. We know those stories as well, Mr. Speaker, very heavy stories of where children have seen their mom be exposed. I just recently had an experience in my own district. I had a young lady serve me; lovely young lady, met her son; later saw a social media post that she had typed and deleted and typed and deleted and she decided – bold move, took the courage to share it with an effort to keep the conversation going that violence against women is not acceptable.

I just could not believe what I read, what that young lady shared publicly that she had been in a relationship for a year where she was beaten every week. She was beaten. Sometimes she did not get out of bed for two weeks, Mr. Speaker. That was by someone known in our community.

So it's very important that we bring in legislation like this, that we keep the conversation going. I'm pleased to be a part of a government that takes violence against women and girls very seriously. I am pleased with that.

SOME HON. MEMBERS: Hear, hear!

MS. DEMPSTER: I'm pleased that our Premier saw fit to put the first Status of Women independent stand alone, because that shows we're not just talking about it. Everybody can talk about it, Mr. Speaker, but it's about the actions and what you put in behind that.

I want to make sure that we continue to take every action possible to keep children, youth, girls and women in our province safe from violence whenever and wherever we can, and, Mr. Speaker, this bill is just one more piece. This bill is just one piece of the solution in addressing violence against vulnerable populations in our province.

As we often say, forewarned is forearmed. People have the right, Mr. Speaker, to be forearmed with information about their partner's violent past so they can make informed decisions to keep themselves, and in many cases, to keep their children safe. That is why I wholeheartedly support this bill, and I'm so pleased to see it brought in today.

There were a whole lot more notes I had, Mr. Speaker, but I'm going to take my place and give some other folks here an opportunity to speak. But I'll end with a quote. Martin Luther King is a guy, I follow him a lot. I quite like him. I was actually sworn in the first time in 2013 in July on his 95th birthday. I don't think that was a coincidence. He said: Our lives begin to end the day we become silent about things that matter.

That's a very weighty quote, Mr. Speaker, that has a lot of meaning for me. We all come into this House, we ask our various districts to represent us and we put our name forward, but it's important that we stay true to ourselves, to have the courage to always talk about what matters to us socially. So violence amongst women, young girls in our province, the percentage is higher than we want it to be, but this piece of legislation today is going to help us.

It's a move in the right direction, and we will continue as a government – I was a part of ministerial committees. The former Minister for the Status of Women, now the Minister of Natural Resources, we did a lot of work, Mr.

Speaker, around supporting women, and we'll continue to do that as a government.

Thank you once again for the opportunity to speak. I'm happy to support the bill.

SOME HON. MEMBERS: Hear, hear!

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

MS. COFFIN: Thank you, Mr. Speaker.

I commend government for tabling this legislation. It is very important legislation. I would like to point out the New Democratic caucus will be supporting this.

SOME HON. MEMBERS: Hear, hear!

MS. COFFIN: I am pleased to hear officials say the RNC and RCMP are on side with this bill. It's important that the two main collaborating entities will be taking part in this and that they will be working with government on developing the regulations and implementing them in practice. I think it's very important that we focus on what the regulations look like and how they are actually implemented.

Our bill sets out a very general context, and I would just like to speak a little bit about how those regulations may manifest themselves. The legislation will allow us to learn if individuals are in an intimate relationship with someone who has a history of violence. This legislation offers police a nuanced tool to be able to interpret lots of different pieces of information to be able to advise a man, a woman or a transgender individual, if they are in a relationship where they are potentially at risk of domestic violence. I think that is absolutely important.

I think it's absolutely important that we recognize that while this legislation is focused – and we've heard many of our colleagues here speak about the domestic violence and its effect on women, I think it's important to point out that men, too, are victims of domestic violence, as well as transgendered individuals. I think it's very important to have on record that their rights are included in this legislation as well. I look forward to seeing how the legislation is going to

address all three of those different individuals or different groups.

The bill will set out who the police can provide disclosure to. That is very, very important. People who are going to initiate this type of discussion could very well be the individual in the relationship who may feel at risk or may feel there's something more that they need to be aware of.

Sometimes, as we all know, early in a relationship – sometimes while you're in a relationship – you can be blinded by that relationship and the charm of the individual, the newness of the relationship and a lot of the emotion that comes along with that. Sometimes it's the people who are close to you, who are watching this unfold, that see there is a need to find out more about this person who is in your family member or your friend's life. They can do that with more objectivity and more decision.

Who the police are or who can go to the police is a very, very important piece. It should not be just the person who's potentially at risk. It is the people who love them, who care for them and who are very concerned for their safety. That will be a very important piece of our regulation in defining who can initiate this type of disclosure or this type of regulation. So I look forward to seeing that piece as well.

This, of course, extends beyond checking a criminal record. Police, of course, can do that, but not all incidents and not all indicators of a potential violent act is captured in a background check. Sometimes the police knocking on a door several times after the neighbours have called, after loud arguments or banging, that doesn't always get recorded. Those are the types of information that police can draw on.

Known associates of individuals, capturing that piece of information with past calls on an individual who could potentially be a violent person, those are nuance pieces that the police can now use when they analyze how much risk an individual is in. I think that's a very, very important piece.

We realize that the framework of this bill – and, again, it is a framework bill. There is not a lot of detail in it. So this framework of the bill talks

about the right to ask and who can ask but also the right to disclose and who that information gets disclosed to. I think both of those are very, very important pieces as well, because like my colleague for Grand Falls-Windsor - Buchans mentioned, confidentiality of information is absolutely vital.

I think as part of the development of these regulations, I would like to see extensive consultations with the Office of the Privacy Commissioner, just to ensure we have proper confidentiality and proper disclosure protocols there. That is very, very important for the individual receiving the information.

If you receive information about someone that might be negative or might reflect them in a poor light, the person who's receiving that disclosure information does not have the right to share that widely and post it on public bulletin boards or Facebook or make it publicly available. So that piece is very, very important as well. What type of information is disclosed and how that information is disclosed, as well as how that information is going to be kept confidential, is absolutely vital.

How we define who is a person at risk is very, very important as well. So from my understanding of the bill right now, a person is a low risk, a medium risk or a high risk. I think that graduation is going to be very, very nuanced, and it has to be a very clear graduation. I think the individual who is receiving that information needs to be aware of what a low risk means, what a medium risk means and what a high risk means and, if they find that they're at high risk, what is available to them to make sure that their risk is minimized. These things are very, very important pieces that we hope to see in the regulations.

As well, we also see that the bill outlines who can assist in making applications for disclosure. Those individuals who are close family and close friends, perhaps, are going to be defined in those regulations. But what if it's a colleague who sees you coming to work every day with a black eye or bruises? What if it's a teacher in school, or what if it's someone who sees you at the grocery store on a regular basis and recognizes that? Is that an individual who can assist in making an application? I think we need

to be very clear about who can be involved in something that is very, very intimate for anyone in this type of situation.

What information is considered disclosure is also quite important. Are we able to give away, say, financial information? Are we able to give away vital statistics? Are we able to give away, perhaps, confidential letters that someone has written to their own friends? The type of information considered 'discloseable' will be a very important piece of these regulations.

As well, I note there is a piece in the bill that points out that there are provisions that the act may not apply. So, there are exceptions going to be built into this bill. Who might be eligible for an exception? Would it be Members of the House of Assembly? Would it be members of law enforcement? Might it be members of the clergy? There is a wide range of people who could potentially apply for exemption. I think that also needs to be very carefully considered.

Again, critiques of this bill fall under – the details will be in the regulations, which I would like to point out government will issue, craft and implement without debate. Even if this bill does pass in the House of Assembly with all of our support, those regulations, which will get at the very heart of the matter, will not be tabled in the House for debate. I think that we need to put in place a mechanism to ensure that the nuance and the regulations and the way in which this bill is implemented must be addressed. This cannot be let slide. I think we need to give that very careful examination.

I'd like to also point out that the minister did note it will take some time to develop these regulations. I would prefer to take as much time as possible to make sure we get it right. However, I'd like to hearken back to a conversation we had during Estimates where I pointed out to the minister at the time that there were multiple communications individuals; however, there was only one legislative drafter.

Perhaps we can reprioritize some of our spending and maybe get another legislative drafter so we can move this along a little bit more. I would hate to see that the very important work of our Legislature is being slowed down

by the fact that we do not have enough staff to build the regulations to support this act.

Again, cautions about the exemptions included in the act. Confidentiality – we need to consult with the Office of the Privacy Commissioner. Here are a couple of questions I had myself. Are there any safeguards in place to prevent abuse of this particular bill? What privacy protocols are in place? These things are two that have not been addressed but I think ought to be, once we start developing the regulations.

I put a little note in here, I do not know this but there are – and I'm sure in a number of different ways, but also my colleague for Harbour Main did touch on this as well. I do not know the statistics for same-sex partners, male, female and transgender victims but, as my colleague for Harbour Main pointed out, even if we did look at the stats, so many individuals do not report because of the stigma, because of the shame, for all kinds of reasons. Even if we were to look at that data, I would suggest that much of that data underrepresents the actual issue. Perhaps we need to look at this with a slightly different lens as well.

When we talk about domestic violence, I know this bill only represents a small piece of a much, much larger problem. I welcome it, I think it is very important and I look forward to it being implemented. However, the causes of domestic violence are systemic and eradicating domestic violence will take a coordinated effort from many facets of government.

Many of these violent crimes, of course we know, are intimate partner crime so we need to focus on those. We do know that one of the key indicators of domestic violence or one of the key contributors to domestic violence is sexism. In addition to that, homophobia, racism, classism, ageism, ableism and religious prosecution also contribute to misinformation or are correlated with domestic violence incidents. I think that not only do we need to address this bill, but we also need to address much larger societal perspectives on how we treat one another.

Research also suggests that gender equality is associated with more peaceful and stable societies, as well as overall economic growth. So it only makes sense that we move in this

direction because our province certainly needs stability, as well as economic growth. I strongly recommend that government move ahead with this and move ahead with other ways of eradicating domestic violence.

In addition, there is a link between alcohol consumption and domestic violence. I will also suggest that financial hardships, addictions, lack of stable and proper housing and financial instability also contribute to domestic violence.

Ways in which we can go about addressing this, simple things that will give individuals greater control of their lives – first thing, education is the key to rolling this out; education is the key to eradicating domestic violence. In addition to that: pay equity. If a woman or a man or an individual knows that they had the financial means to move themselves outside of a violent situation, then they are going to be more likely to do that.

If they feel trapped because they have no money, because they have no resources, because they have nowhere to go, then they will remain in that situation, even though that is the most horrible situation that they could possibly be in. Fifteen-dollar minimum wage will provide better financial security and \$25 a day child care – if you know that you are fleeing a domestic violent situation and you can put your child in safe child care for \$25 a day, that is going to help your decision to leave a violent situation.

Safe spaces to disclose are important. We need more of those. Emergency shelters for pets, as we've just seen established in Labrador West, are an excellent idea. A lock exchange, if you are trying to get away from your partner and that partner has a key to the house that you're living in where all of your things are, then it's very hard to lock them out, but if you have a lock exchange, that person can come bang on the door and they are not getting in. You call the RNC and they will come get you. These are very simple ways in which we can help individuals who are suffering or have been inflicted by domestic violence.

I would like to take a moment to point out that violence against women happens in all cultures and religions, all ethnic and racial communities, at every age, at every income group. However,

some individuals are more at risk and we also know that women are particularly at risk. However, I would like to point out, Aboriginal women, First Nations, Inuit and Metis are six times more likely to be killed than non-Aboriginal women. Aboriginal women are 2.5 times more likely to be the victims of violence than non-Aboriginal women.

Rates of violent crimes against women 15 to 24 are 42 per cent higher than rates of women for 25 to 34, and they are nearly double that of women who are 35 to 44. So youth are particularly vulnerable for this or to domestic violence. Rates of spousal violence and homicide are highest for women between 15 and 25. This is awful.

Here's an even more tragic and sad, sad statistic. Women living with physical and cognitive impairments experience violence two to three times more than women living without impairments. Sixty per cent of women with a disability experience some type of violence. That is unacceptable.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

The level of conversation is getting a little too high.

Thank you.

MS. COFFIN: Thank you, Mr. Speaker.

Mr. Speaker, in conclusion, I'd just like to point out that I would like to see these regulations capture many of the concerns we've had addressed or we've had brought up by many of my colleagues here in the House. I think I would like to see a proper protocol in place where we can look at those regulations, we can review them, we can debate them before they're being passed, to make sure they do address our concerns appropriately.

I would once again like to reiterate my support and my caucus's support for this legislation.

Thank you very much, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MR. LANE: Thank you, Mr. Speaker.

Certainly, it's a pleasure to be back in the House of Assembly once again, and to get back to the people's business.

Today we're debating Bill 6, An Act Respecting Disclosure of Information Under an Interpersonal Violence Disclosure Protocol.

Mr. Speaker, first of all, I want to say that I will be – I'm sure, like everybody. I'm sure it will be unanimous that we'll all be supporting the bill. I put a little bit of a caveat to it, and certainly the Leader of the NDP has really encapsulated a lot of my thoughts about this bill. Unlike her, I don't have all these great notes that she seems to have there. I have a couple of hen scratches here that I made, but other than that, my notes are sort of stored up here in the memory bank. So maybe we were doing like a Vulcan mind meld or something and she was reading what I was thinking or something.

AN HON. MEMBER: (Inaudible.)

MR. LANE: Yes. She might have picked my brain, although some people might say that's pretty slim pickings.

Look, Mr. Speaker, at the end of the day, I think we would all agree that anything we can do in this House of Assembly that's going to end, or at least curb domestic violence in this province is a good thing. There's not one Member here that would be against that.

As the Member for St. John's East - Quidi Vidi indicated, this can happen to – while primarily it's male against female, males can be victims of violence. Of course, we have to consider the LGBT community and some of the issues that may be somewhat – well, it's basically the same but there may be some nuances.

Certainly, we have to consider the Indigenous community and any of the special considerations there, but we do know that primarily it is male against female. We all have women in our lives, whether they be our mothers or our daughters, aunts or sisters and so on, and there's nobody

I'm sure in this House that would not want to do all that we possibly can to protect them from any form of violence. In this case, we're talking about domestic violence.

With that said, in terms of the spirit and the intent of this bill, I'm certainly glad it was brought forward, that this was initiated – albeit through very tragic circumstances by that gentleman in England. I'm glad to see there are a couple of other jurisdictions that have brought it in, or are bringing it in. I'm glad to see that we here in Newfoundland and Labrador are going to be bringing in similar legislation to Clare's Law. I commend the Minister of Justice for doing so and the government, in general, for doing so.

The concern, however, that I have, that has been already alluded to primarily by the Leader of the NDP – although, the Member for Harbour Main, I believe, may have alluded to it as well, to some degree. The fact that all of the meat of this bill, if you will, is going to be contained in the regulations, or what's being referred to as the protocol. While I'm not questioning – for one second, I am not questioning the integrity of this government or this minister to bring forward the best possible regulations. I'm sure he is committed to doing so. I'm not questioning that at all.

However, I have to say that like other pieces of legislation before it, and specifically this piece of legislation, we're talking about such a sensitive matter when we're talking about the protection of people from violence. Trying to balance that with the legal rights we have for privacy and the right to be presumed innocent until proven guilty and so on – this is a very sensitive matter and these regulations or this protocol is going to be a fine balancing act, and we need to get that balancing act right. We absolutely have to get it right.

The only reservation I have about it is that I vote in favour of it in terms of the spirit of it, but I really have no idea – I can surmise what I think the regulations might look like. I guess I can give my opinion as to what I think they should look like. The Leader of the NDP, I think, raised a lot of questions that I would have. I have other questions about what the regulations would look like.

When you look at the bill itself – and I think this is important here. In section 9 of the bill we talk about the regulations: “The Lieutenant-Governor in Council” – which is basically the minister – “may make regulations (a) prescribing individuals or classes of individuals who may be applicants”

The minister is going to decide who can apply, whether that be the victim or possible victim. Or persons can apply for this information on behalf of a victim or suspected victim, whether that be a social worker, I suppose, or child, youth and family services or the police or whatever the case might be. So trying to understand who can apply.

Then it says: “(b) prescribing individuals or classes of individuals who are persons at risk” Who is that person at risk? Who decides who gets to apply? Who is at risk?

“(c) prescribing individuals or classes of individuals who may assist with or make an application on behalf of” that person. Is that an authority figure? Could it be social services? Could it be a family member? If it is a family member, is it any family member? Does it have to be immediate family?

“(d) prescribing an Interpersonal Violence Disclosure Protocol” What is that actual protocol going to look like?

“(e) prescribing information as disclosure information” What type of information will be disclosed?

One thing that comes to mind, for example, are we simply saying we're going to disclose if someone has a criminal record? Is that what we're talking about? Because in a lot of violence situations that we hear about, domestic violence, quite often the perpetrator of the violence, if you will, never gets charged. If you were to look up, I'm sure, a certain individual, for argument's sake, in this situation, the police could look up their name, and you would see suspect, suspect, suspect on this date, suspect on that date, suspect on some other date where there were calls made to the home that there was violence going ahead, and at the time when the police showed up, perhaps the partner came out and said: No, I'm fine. Nothing happened, b'y. I just dropped

something or they must have heard that the TV was too loud and they turned it down. There's nothing going on here.

The actual perpetrator, if you will, could have a very violent history, but was never charged, or maybe they were charged but they weren't convicted. Maybe it was thrown out of court by a technicality; maybe the charges were dropped. I don't know. But, my point is, when we're talking about the information being disclosed, are we talking about only when someone was convicted of a criminal record, or are we talking about every time they might have been charged or a suspect or a person of interest and so on? So, we don't know, at this point in time, what the information is that would be or could be disclosed.

I'm not going to read the whole list, but there's a whole bunch of things here. Really, the essence of the bill is contained in the protocol or contained in the regulations, whatever we're going to call it, at the end of the day. As I said, that's going to have implications. Yes, it's going to, hopefully, improve safety, and that's a positive thing that we all support; but, then again, there are also the rights of the other parties involved, and whether their rights are also protected, whether their privacy is being protected and so on and whether the presumption of innocence.

Like others have said, certainly when these regulations are being developed – and I'm sure this is going to happen, by the way. I'm not suggesting that it's not going to happen, but certainly the Privacy Commissioner needs to be involved in the development of these regulations or protocol. I would suggest the police should be involved, the members of the Law Society, perhaps. The women's groups, like the Status of Women and so on, should be involved; the Indigenous community, the LGBT community and so on. There are a lot of stakeholders, and I think that they all need to be involved, and their input has to be sought in developing these protocols or these regulations.

I'm sure that's going to happen, by the way. I say it for the record, I'm sure that's going to happen. Again, this is not in any way to suggest that the minister or the government is not going to take this seriously and put in the best effort

and do the best they can, based on the information they have. Nobody is suggesting that. I'm certainly not, but you have to appreciate, as a Member voting for a piece of legislation, like we do in other cases – and I know people will say, well, that's the way it's always been. The regulations are always made by the minister or the policies are always made by the department and so on. I realize that, the way it's always been. It doesn't mean that's the right way to go, but it is the way it's always been.

We're talking about a very serious piece of legislation here with very serious implications. We want to do the right thing and we're kind of taking a leap of faith, in a sense, saying to the government, yes, we agree with where you're going, in principle. We all want to protect the women or our province, or not just the women but anyone who could be subject to domestic violence. We want to make it safer. We want to make it better. There's nobody here saying that's not that case. We all agree with that I believe, but we are taking a bit of a leap of faith in the sense that once I put up my hand and vote, aye, then we are giving the carte blanche authority to the government, to the minister, to develop these protocols and develop these regulations and we would not see them until they're enacted and so on.

It's not coming back to this House of Assembly for any kind of debate. We don't have a committee system, which I think we should. We just went through a committee trial piece, I guess, on the real estate act, I think it was, an all-party committee. I'm not saying that every single piece of legislation and every single regulation, especially the more minor ones, but for something of this significance and this seriousness, perhaps those regulations, perhaps we should have a commitment from the government that before these actual regulations are enacted, which are going to be the meat of this, what we're trying to do, and given the seriousness of it, that those regulations would be brought before a committee, if you will, comprised of all parties and independent Members, if they so desire, to have a look at what these regulations look like, to ask all the questions, and to make sure that we get it right, and to make sure it's something that we can all co-operate, collaborate and agree with.

Because when this House first opened following the last election, I heard Members on all sides saying we all got a message, Mr. Speaker, from the people. The people want us to work together. They want us to co-operate. They want us to collaborate. I heard it from both sides. And the people do want that.

Here's an opportunity here where we have something very significant, cutting edge, arguably, great thing, great initiative – again, applaud the government, applaud the minister for doing it, good thing – but we have an opportunity now to show the people who elected us all, to show them that we can actually work together, co-operate, collaborate and make sure that we get this very, very serious piece of legislation done properly together. And we can all stand up and endorse it and say this was a good thing, this was good work that was done on behalf of the people to protect our fellow citizens from domestic violence.

So with that said, Mr. Speaker, I'm going to take my seat. Again, I'm going to support it. I'm going to support it because I agree with the spirit and I agree with the intent; I absolutely do. But I do so, once again, in emphasizing the fact that when I support this I honestly – unless government is going to bring forth some sort of a process as indicated, like a committee or something to look at the regulations together, then I'm really counting on government to do everything perfectly, to do it right. And what they do may or may not reflect what I would support. I hope it would – I'm sure it probably will in the end – but here's a chance to do it right.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (Reid): The Minister of Justice and Public Safety, if he speaks now, he will close the debate.

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

I appreciate the commentary from my colleagues on both sides of the House as it relates to this piece of legislation. There are a number of points that were raised during the debate, and I'd be certainly happy if perhaps it'd be best during

the Committee stage to try to answer some of those. I will point out that many of the questions were asked and answered during the briefing that was given, but again, this is why we have Committees, so we can hear and ask questions.

One of the biggest things, I think, that I noticed during the debate was the commentary about regulations, which is a fair point. The fact is, as with any piece of legislation, you have the regulations and they are going to dictate the actual practical application of a policy or a piece of legislation. That's a fair point, and that's why it's going to take time.

There's a lot of work that has to be done, but it's going to be done, I would point out, in a non-partisan and non-political way. This is not the Minister of Justice going to figure this out because I'm not an expert in that field. That's why we're going to be trusting our police, their analysts and all the other groups that have been mentioned to have some input and some say on that.

I usually take a chance to mention it during every session of the House. One of the things the Member for Mount Pearl - Southlands brought up was the talk of collaboration and co-operation. What I will point out, perhaps just for the record – and many of us, myself and the Member, have been here for eight years now. What I will say is I think I'm fair and I'm accurate in saying that our processes changed a lot in eight years.

Eight years ago you couldn't sit on that side and suggest change. You could not do that. There's a Committee structure that's moving forward and there are no threats, as we used to receive, about you're not getting a briefing today, that's how this is going to work. There has been progress in this House. I do remember those times.

I will point out for the record that the Member for Mount Pearl - Southlands was not delivering those threats, but I think it's important to note, the same way that it bothers me when the media talk about heckling in this House, the reality is that – and I look at the Member across the way for Cape St. Francis – what happens in this House now is much different than it was five years ago and, certainly, eight years ago. Pointing out this process is – I can tell you what,

the fact is all of our times here depend on the people that put us in these positions. What I can say is what we do will outlive that, the legislation, the policy and the decisions.

The fact is, this is hopefully one that will be here long after I ever have the privilege of making these decisions, and I certainly don't want to go to bed at night saying that I was a part of a bad decision. That's why I'm going to let the experts, the police, the other jurisdictions that have been here and we're going to – we all want the same thing.

There is at no point during this debate anybody saying we don't agree on the crux of this legislation and the to-be-development to protocol. That's the thing that I think is positive. There have been very good questions raised, concerns raised, points raised and that, I would suggest, makes constructive debate in this House. That's their duty to do that, and I appreciate that.

On that note, I will go to the Committee. What I will promise is this, that if there are questions I can't answer during the Committee stage, I will endeavour to deliver the answers during Third Reading or some other way. I think we've proven we're willing to provide information as it's requested. So I'll try my best to do that as soon as I can.

Thank you very much.

SOME HON. MEMBERS: Hear, hear!

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

The motion is that Bill 6 be now read a second 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.'

Passed.

CLERK (Barnes): A bill, An Act Respecting Disclosure Of Information Under An Interpersonal Violence Disclosure Protocol. (Bill 6)

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

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

MS. COADY: Now.

MR. SPEAKER: Now.

On motion, a bill, "An Act Respecting Disclosure Of Information Under An Interpersonal Violence Disclosure Protocol," read a second time, ordered referred to a Committee of the Whole House presently, by leave. (Bill 6)

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

MS. COADY: Thank you, Mr. Speaker.

I move, seconded by the Minister of Justice and Public Safety, that the House resolve itself into a Committee of the Whole to consider Bill 6.

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 this motion?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

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

Passed.

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

Committee of the Whole

CHAIR (Bennett): Order, please!

We are now considering Bill 6, An Act Respecting Disclosure Of Information Under An Interpersonal Violence Disclosure Protocol.

A bill, “An Act Respecting Disclosure Of Information Under An Interpersonal Violence Disclosure Protocol.” (Bill 6)

CLERK: Clause 1.

CHAIR: Shall clause 1 carry?

The Chair recognizes the hon. the Member for Harbour Main.

MS. CONWAY OTTENHEIMER: Simply, I’m asking that the minister, please, just briefly talk generally about the bill for the sake of the viewing public and for the record, clause 1.

CHAIR: Okay, it’s on.

Do you want to repeat the question, please?

MS. CONWAY OTTENHEIMER: Yes. Just simply with respect to the short title of clause 1, if the minister, for the sake of the viewing public and for the record, could just please talk in general about the bill, briefly.

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

MR. A. PARSONS: I think the question from my colleague was to discuss the bill in general again, but I’m just wondering, because I just spoke about it earlier during second reading, and I’m happy to speak about it again. I’m happy to talk about the bill, but my understanding is when we do the Committee stage, we want to get into the specific points regarding the bill. I’m happy to talk outside of the bill as to questions, concerns, regulation, whatever, but I don’t necessarily want to get back into a general conversation about the bill because it would be a rehashing of the points I made during second reading.

I hope that’s okay, Mr. Chair.

CHAIR: The Chair recognizes the Member for Harbour Main.

MS. CONWAY OTTENHEIMER: Okay.

Clause 2, can the minister explain briefly –

CHAIR: No, sorry, we’re on clause 1 first.

MS. CONWAY OTTENHEIMER: Clause 1, okay.

CHAIR: Any other questions on clause 1?

The Chair recognizes the hon. the Member for Mount Pearl - Southlands.

MR. LANE: Thank you.

Minister, I’m just wondering if you can give me your perspective on the issue I raised when I just spoke, and that’s the issue around what you would see as the type of information that might be released. Specifically, what I want to get at, as I said earlier, is this only somebody who has been convicted of a crime, or if someone might have been charged a dozen times and never actually convicted, or maybe they were a suspect a number of times but there were no charges laid, maybe there were charges dropped, that information.

CHAIR: The Chair recognizes the Minister of Justice and Public Safety.

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

It’s a good question. What I’m going to do, I will refer to some of the points that the staff put together. A couple of general points – and again, I’m not being specific per se because the fact is the protocol hasn’t been developed. I don’t want to say something that is black and white. The reality is that the work is yet to be done. The regulations, I will point out, will be LGIC as opposed to ministerial, but here are a couple things that stuck out to me when I look at this.

It comes down to best interests of the person. So, that phrase, we especially hear it when we talk about custody involving children: What’s in the best interests of the child? In this case, what’s in the best interests of the individual seeking the information? What’s in the best interests of that person?

The second thing is that there’s risk assessment that will be done by the police. The presence of a criminal record does not necessarily indicate

risk, nor does the absence of a criminal record indicate that there is no risk. So there is a lot of work to be done here.

I will point out that in the UK they enumerated specific charges, so it might be assault or assault with weapon. Again, the charges over there are different than our *Criminal Code*, they went through that way; but, the police already had the ability too, looking at a background and providing a risk assessment to the individual. So it opens the gamut there and there's a lot of information.

I know that's kind of vague, but I think you get the general gist at which we're starting here. The whole point of this is to prevent violence from happening to a person. So, we have to look at the situation. Like you say, the police would have records as to charges laid against an individual that were never pursued. In many cases, we see charges that are laid and later dropped at the request of the applicant.

There are so many things that happen in these situations that all have to be taken into context. I won't get into specifics, but I think that answers the point you raised about how we are doing this. I think we want it to be wide ranging in certain ways, but also specific because there are certain things. You may have a criminal record but it may be for an offence that carries no violence at all. There may be a case of you have tax fraud. Is that something that should be disclosed?

Again, without saying aye or nay, I will say these are all considerations that will go into it, but what we do have the benefit of is a piece of legislation and a protocol in the UK that's in operation, and three other jurisdictions – well, actually, two other jurisdictions, Saskatchewan and Alberta, that are ahead of us and we can work and collaborate with them. I think Nova Scotia is actually doing some work too, as well as all the groups that you named before.

CHAIR: The Chair recognizes the Member for Mount Pearl - Southlands.

MR. LANE: Thank you, Minister, for that.

I'm just wondering, Minister, it indicates here in the act, it talks about if someone obtains this

personal information, whether it be criminal in nature – I guess it would be criminal nature and not necessarily a conviction though – then they can't share that information with other people. You can't just take it now and find out the information, then put it on Facebook and tell the world or whatever, is what it indicates here. It doesn't say those exact words but it is here somewhere.

I'm just wondering: What remedies do you envision that would be in place for the victim of that type of situation? In other words, somebody obtains information about me and then, instead of keeping it confidential for their own purposes, they decide to tell the whole world for whatever reason and now, all of a sudden, everybody knows about my history. Do I have any recourse against that person or can that person be charged for doing that? What would you envision there?

CHAIR: The Chair recognizes the Minister of Justice and Public Safety.

MR. A. PARSONS: A couple of things to keep in mind there – and a good point because sometimes we see the provision of information in good faith which is then used for a bad-faith purpose. A couple of things to keep in mind: If you have a criminal record, that is, in most cases, public information anyway. Or even if you're charged, you're on a docket. If you are charged, you are on a docket. You might have seen a story from the weekend in *The Telegram* about that. If you are charged with an offence, you are placed on a docket which is public information available online. There's a whole conversation we can get into about that.

Coming back to that, there are a couple of things to keep in mind. One part of the protocol that we've seen elsewhere is that the information is provided verbally, as opposed to being done in email or written format which can then be put up. The second part is there are remedies you can put in place to prevent the disclosure of information for negative purposes which can be a civil offence; it can be a criminal offence. We've seen that happen in other jurisdictions. We've seen that happen here in this province as well.

At the same time, there is the possibility that if I get information about you, then – and this is

where we get into the philosophical debate about I get the information about you. It poses a risk to me. That's told to me. I may feel that I have a duty to pass that on to protect that individual. These are the questions that are asked in the protocol development. This is the problem. There's a lot of grey area here which is why, again, we're having this conversation, having this debate.

What I can say is I don't think there's a single question or point that will be raised here or that you have raised or that I've raised that hasn't been considered at some point in time. But again, that's why debate is necessary, because the possibility is that we can come up with the one that hasn't been considered and should be considered.

CHAIR: The Chair recognizes the hon. the Member for Mount Pearl - Southlands.

MR. LANE: Thank you, Minister, for that.

Minister, I suppose there's a million questions I could ask, but the only other one I'm going to get into – and I'll let some of my other colleagues, I'm sure they have questions as well. It's on the consultation piece. And I'm pretty sure I know the answer anyway, that you're going to say, yes. But I would assume, Minister, it would be safe for me to assume that, as they regulations are developed, you will be consulting with the police, people in the law community, the Privacy Commissioner, Status of Women, Indigenous groups, LGBTQ, all those stakeholders or potential stakeholders.

I would assume that when you develop these regulations there's going to be some sort of a consultation process where any of these groups, or even a member of the general public, perhaps, could have some input as to what they would like to see in these regulations or protocols.

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

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

Again, when it comes to consultation, generally speaking, yes, I think it needs to be wide ranging. What I would point out, though, too, this is police-driven in the sense that they will be

administering the protocol, not the department, not the minister, not government – police-administered. So they will, in many cases, be a lead in the sense that they are the ones that have to formulate the risk assessment. They are the ones that have to get the information.

AN HON. MEMBER: (Inaudible.)

MR. A. PARSONS: I'm not done yet, either, so just give me a chance.

So the police were there, but we have to speak to absolutely everybody. So everybody will be consulted. Now, do I think there will be some kind of town hall on this? No, because I think we have the means now. I can tell you that having our emails available publicly, I get numerous emails from numerous individuals on a daily basis where we try our best to consult. And we can set up a means for people to get in touch. Or, in some cases, people want to touch base with a group and they'll bring that concern forward.

I don't think there will be any lack of ability or a lack of consultation when it comes to figuring out what's the best approach with this protocol. But the groups you named, specifically, police – again, being police-administered – they will play a large role. Again, do you think I want to walk into this House in a year's time and have somebody say you came out with these regulations and you didn't consult with the Status of Women? That's not exactly what I want to be asked.

So I'm certainly going to do everything I can to talk – I know ATIPPA was brought up and the Privacy Commissioner. They have been consulted, but they'll continue to be consulted. We need their guidance moving forward as well. I think that covers it, hopefully.

CHAIR: The Chair recognizes the hon. the Member for Mount Pearl - Southlands.

MR. LANE: Thank you, Minister. I understand where you're coming from about coming in this House and having it said, but I guess once bitten twice shy. I think about the Muskrat Falls inquiry; I was told lots of stuff and thinking that nobody would ever want to come in the House and have to face questions and stuff. Anyway,

we know what happened – and I'm not suggesting you're going down that road, but I'm just saying it does always cause me to pause and ask some of these questions.

The only other point or question I wanted to ask, based on the answer I just got: Would there be any willingness, Minister, through perhaps the engageNL – I just throw that out there – through the engageNL portal or process or whatever to be able to put this out so that if anyone wanted to have some feedback or input into these – because this is a very serious piece of legislation that's going to – yes, it's very important for the protection of the public but also there are so many questions and concerns I could see that people might have around the disclosure of their personal information and who can see it and who can share it, and all these things.

I'm just wondering, given the nature of that and this protocol, which admittedly – even you've said through your answers you don't know at this point in time because there's so much work to be done by the experts and people in the field and stakeholders, and I absolutely understand that, but given what we're talking about here: Would there be any willingness or opportunity to put it out through something like engageNL so that people could make commentary on these proposed regulations?

CHAIR: The Chair recognizes the Minister of Justice and Public Safety.

MR. A. PARSONS: While I appreciate where you're coming from, and certainly I share that mindset at times, I can't say for sure this would be something where we're just going to invite the commentary from anybody just because it's their point of view.

With a topic like this, I will say that my priority is that there are a lot of experts out there, a lot of active advocates and groups working on this who've done this work. We are lucky to not have any shortage of those individuals and groups that are going to want to contribute. I will take what they have to contribute as opposed to just putting it out there and opening it up to someone that may not have a learned point of view, we'll say, is the best term I can come up with right off the top of my head.

I hope you get where I'm coming from here, because this is not just a – I have a general point of view on this. This is something where we've got people that are studying this, dealing with this; we have police that are working on this, and there are a lot of people that don't, I think, fully grasp, and you know what? I freely admit that when I first started learning and listening, I didn't grasp the impact, the extent, just how big an issue this was and trying to understand from a victim's point of view.

That requires a lot of listening, and you know what? We've got a lot of groups out there. There's Violence Prevention. I'm lucky; I sit down with people like Val Barter, Georgina McGrath. I sit down with chiefs of police, the Status of Women. I look at Laura Winters, people like that. First Light are out there. I look at Odelle Pike. There are a lot of people out there that have some background.

Again, this is just me speaking now. The fact is maybe through this process they'll go some way, but this is a tricky subject. As important as it is, I think it's just as important to have the right consultation and the right information as opposed to something that just opens it up willy-nilly with no consequence as to the information that's given.

CHAIR: Any other questions on clause 1?

The Chair recognizes the hon. the Member for Harbour Main.

MS. CONWAY OTTENHEIMER: Will there be any options and supports offered to a person who is told that their partner may pose a violent risk to them?

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

MR. A. PARSONS: One of the issues we're dealing with and working on is – I've been lucky enough to have some research here and stories done. It's not just about getting this information. The information is just one part. It's what do you do with that information.

We are working so that police can provide some form of information. I have a note here; we can help people connect with programming, at-risk

programming, individuals, information. That's a part of this as well, that once the information is provided – again, it comes in different forms, too.

There's the risk assessment. In some jurisdictions they do high, medium and low. Depending on which level it comes in at, it might dictate a different response. There are some individuals, too, that also may get this information and, for whatever reasons, may not choose to do something with it. That's also one of the issues we deal with in this type of situation, sadly.

CHAIR: The Chair recognizes the hon. the Member for Harbour Main.

MS. CONWAY OTTENHEIMER: How much information can the police already disclose under existing laws?

CHAIR: The Chair recognizes the Minister of Justice and Public Safety.

MR. A. PARSONS: Thank you.

I don't have a specific answer to that. I know there are disclosure provisions that apply to both police forces. Exactly how much they can, I don't want to overstep or understate what actually can be put forward, but I will endeavour when this has third reading that I will be able to stand up and answer that question for you so that I get it right, as opposed to taking a shot in the dark and getting it wrong.

Thank you.

CHAIR: The Chair recognizes the Member for Harbour Main.

MS. CONWAY OTTENHEIMER: The reason I also ask that question is to understand what this act will do that the current laws cannot do. That would be in relation to that previous question as well.

With respect to the immunity issue, what sorts of immunity is the minister contemplating or does this legislation contemplate? Why does the minister believe that immunity is necessary? Is it because there is a concern that information might be used unfairly against an individual?

Are the police concerned that they might need immunity if they give an applicant a false sense of security about the risk they face? I'd just like to have some more clarification on the immunity issue piece.

CHAIR: The Minister of Justice and Public Safety.

MR. A. PARSONS: Again, my understanding here is that this is a fairly standard provision when it comes to this type of information, which is to protect the Crown and their agencies from people being able to take action against them, basically avoiding any number of Crown actions when something is done in good faith. It will be up to somebody to determine whether it's in bad faith or not.

The reality is this will be contentious, no doubt, to those people who are having their information disclosed. It would be especially contentious to those individuals who feel their information should not have been disclosed and there was some kind of reason behind it. The reality is, as it is in most cases, whether it's ATIPPA or government handing out information, the vast majority is done in good faith. Having done that and satisfied that, people should not be able to just automatically take action and tie the Crown up in unnecessary litigation or other actions when the reality is that we have a piece of legislation here. It's similar to the *Proceedings Against the Crown Act* in that there are similar provisions.

CHAIR: The Member for Harbour Main.

MS. CONWAY OTTENHEIMER: Confidentiality; we were told the government will not impose penalties under this legislation for disclosure. How does the minister hope to ensure confidentiality? Will a person have a recourse if he or she believes that the information has been disclosed about him or her that's false or if a person believes their confidentiality has been breached? Those are some concerns with respect to that piece of it, if you could answer.

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

MR. A. PARSONS: Thank you.

The section being referenced by my colleague is section 6: “A person shall not disclose any disclosure information that comes to the knowledge of that person under this Act, except where authorized in the exercise of the powers, performance of the responsibilities or carrying out of the functions of the person under this Act and the regulations.”

The reality is that, in many cases, when you think about it, you can put a section in there and say a person shall not do this, but a person many chose to do that and face the repercussions that come. What are the repercussions? That has not been determined through this protocol yet. The reality is, in other jurisdictions, the legislation has not made it an offence for a person to disclose that. Again, we’re talking about protecting victims and then is there the possibility of further victimizing a victim who inadvertently – I’m trying not to put out something so as to allow you to jump on that, but you get where I’m coming from.

The reality is that when it comes to this information, there’s a clause in here, if somebody does something – and again, I always come to back to good faith versus bad faith. If somebody is doing something in good faith, it’s going to be hard to penalize them; whereas, if they do something in bad faith, then they can prove that. Nothing is stopping anybody from bringing a civil action for some kind of wrong or tort committed and they can bring that – what is the actionable cause here? What are they going to do? Who knows how that will happen or if that will happen?

There’s still some work to be fleshed out on that as we go through this protocol because that is one of the issues we deal with, is that we have confidential information and we have private information. But again, I come back to the overriding point of this legislation, is to protect individuals from individuals who have a past record of violence, and that’s the main point that I keep in mind here. I get the balancing act that’s always got to be maintained but that’s one of the things that drives us forward.

CHAIR: The Chair recognized the hon. the Member for Harbour Main.

MS. CONWAY OTTENHEIMER: Could the minister explain which persons, classes of persons or specific circumstances might be contemplated as being outside the scope of the act?

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

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

So what I can point out is what we’ve seen in other jurisdictions – we have not determined that exactly here but what we have seen in other jurisdictions where the protocol has been developed, a person can self-identify or various entities, like a community health worker or a social worker, can apply on their behalf. Concerned family members or friends can also identify them as at risk and assist or make an application to the police.

The specifics for our protocol would be determined in this development process. When you think about it, family and friends, what part of family? Is it mom, dad, brother, sister, spouse, child? Are we going into aunts and uncles? When we talk about friends, well, who’s the friend? Maybe I’m not actually that close a friend but I think I’m concerned about you. These are the specifics that have to be fleshed out.

Generally speaking, I don’t think it will be limited to just the individual because it’s extremely tough to do. We know that many people – especially when we look at third-party reporting – have a tough time coming forward; they need help. What we’re trying to do is help these individuals, whether it’s a support person or a family member. We have to keep that in mind, but these will be top-of-mind considerations as we work our way into it.

CHAIR: The Chair recognizes the Member for Harbour Main.

MS. CONWAY OTTENHEIMER: One final question: Can the minister please tell us how closely he expects our protocol to mirror those of the other jurisdictions you just referenced, the other jurisdictions which have a slight lead on us?

CHAIR: The Minister of Justice and Public Safety.

MR. A. PARSONS: I can't say for sure right now. I honestly can't. The UK is obviously extremely different in various ways, as you would know, when we talk about just the *Criminal Code*, what we have versus what they have. When you look at the types of offences they have listed there, in some cases we have similar offences, different wording. The policing are different there. Obviously, it's a different structure altogether.

We look at our provinces here where we're more closely aligned; we have the same *Criminal Code*. I think they're all going to be generally close with some differences here and there, possibly, when we look at the police forces. There may be a disagreement or a change – I'll give an example, when we look at our SIRT legislation. We did a jurisdictional scan, what constitutes a serious incident and everybody had the same. They're 90 per cent the same. There might be a 10 per cent change here and there in that particular thing.

I think we're going to be fairly similar, because the same concept is overriding here which guides us, which is providing that individual with the information they need as it relates to preventing violence against them from an intimate partner. That's the guiding factor here. I think they're going to be similar but I don't want to say for sure yet.

BC's is a private Member's resolution. I'm not sure how far into this Alberta is. Saskatchewan's is the farthest ahead. Ours is similar but there are some changes. Ours has more consultation involved than I think theirs did, but they may also have some changes. Each legislature will do as they think is right.

CHAIR: The Chair recognizes the Member for Mount Pearl - Southlands.

MR. LANE: Thank you, Mr. Chair.

Minister, section 8, Non-application of the Act: "Any provision or portion of a provision, of this Act prescribed in the regulations does not apply (a) to a person or class of persons prescribed in

the regulations; or (b) in those circumstances provided in the regulations."

I'm just wondering: Who would this not apply to? I would think that you can have domestic violence, it doesn't matter where you work, what kind of a job you do, whatever, domestic violence is domestic violence. So who could possibly be exempted from this? Any idea?

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

MR. A. PARSONS: Certainly off the top of my head I don't see anybody as being exempted by matter of course. The reality is that I'm looking at this from if you're an individual, we're all going to be treated the same here.

One thing I do want to point out – and I can't remember if it was your question or the Member for Harbour Main – some people that are also qualified in this are the parents of minors are allowed to apply on behalf of a minor. So that's also going to be included in there.

Again, I don't know exactly what that applies to, to be honest with you. There's no provision that somebody's going to be exempted because they're anything. Everybody should be treated the same here, whether you are a Member of the Legislature, whether you're a member of – let's just say I don't see any diplomatic immunity going on here. If you're a police officer, if you're a regular citizen, doesn't matter who you are, at the end of the day this is all about getting information out that protects individuals.

But if there is something different that comes up, I will provide it.

CHAIR: The hon. the Member for Mount Pearl - Southlands.

MR. LANE: Thank you, Minister.

I guess if you don't have the answer there now, that's fine. Perhaps you could get us the answer, because, like you, I can't think of why anybody would be exempted. But if that's the case, then why even write it there? Why does section 8 exist? It exists for some reason. I can't see them putting a section of legislation in there for something that does not exist. So somebody

must have thought of some possible circumstance which I can't think of what it could be. If you could find out later, even, that would be fine.

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

MR. A. PARSONS: What I will say is that two things. Number one, everybody else has this in their legislation. So it's a clause that is taken from everybody else. The second part is I wouldn't think of it as much as is there somebody that's going to be exempted from being examined. What this is basically saying, any provision of this act – so this could be talking about something benign, as opposed to – where I think you're going with this is – is somebody going to be exempted from this for some reason. No, that's not going to happen.

What it's saying: "Any provision, or portion of a provision, of this Act prescribed in the regulations does not apply" This could be something very benign as it relates to the non-compellability section as it relates to a police force being forced to go in. It could relate to a regulation – section (g). You get where I'm going with that.

As soon as I get something more substantive, I'll provide that.

CHAIR: Any other questions?

Shall clause 1 carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those opposed?

Carried.

On motion clause 1 carried.

CLERK: Clauses 2 through 10 inclusive.

CHAIR: Shall clauses 2 to 10 carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: Opposed?

Carried.

On motion, clauses 2 through 10 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 opposed?

Carried.

On motion, enacting clause carried.

CLERK: An Act Respecting Disclosure Of Information Under An Interpersonal Violence Disclosure Protocol.

CHAIR: Shall the title carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: Those opposed?

Carried.

On motion, title carried.

CHAIR: Shall I report the bill without amendment?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those opposed?

Carried.

Motion, that the Committee report having passed the bill without amendment, carried.

CHAIR: The Chair recognizes the hon. the Government House Leader.

MS. COADY: Thank you, Mr. Chair.

I move that the Committee rise and report Bill 6.

CHAIR: It is moved and seconded that the Committee rise and report Bill 6 carried without amendment.

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those opposed?

Carried.

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

MR. SPEAKER (Reid): Order, please!

The Member for Lewisporte -Twillingate.

MR. BENNETT: Mr. Speaker, the Committee of the Whole have considered that matters to them referred and have directed me to report Bill 6 carried without amendment.

MR. SPEAKER: The Chair of the Committee of the Whole has reported that the Committee have considered the matters to them referred and directed him to report Bill 6 without amendment.

When shall the report be received?

MS. COADY: Now.

MR. SPEAKER: Now.

When shall the 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 Government House Leader.

MS. COADY: Thank you, Mr. Speaker.

Considering the hour of the day, I move, seconded by the Minister of Justice and Public Safety, that we do adjourn.

Thank you.

MR. SPEAKER: It has been moved and seconded that the House do now adjourn.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

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

AN HON. MEMBER: Nay.

MR. SPEAKER: One enthusiastic person here.

The House stands adjourned until 10 o'clock tomorrow morning.

On motion, the House at its rising adjourned until tomorrow, Wednesday, at 10 a.m.