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Speaker: Honourable Derek Bennett, MHA

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The House met at 1:30 p.m.

SPEAKER (Bennett): Order, please!

Admit strangers.

Before we begin today, I'd like to welcome in the public gallery Lydia and Gordon Nijboer from the Vanda Maunder Dance Studio. They are visiting us this afternoon for a Member's statement.

Welcome.

SOME HON. MEMBERS: Hear, hear!

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

B. PETTEN: Thank you, Speaker.

Speaker, I rise on a point of order. We do not wish to question rulings of the Speaker or the Chair, but when it comes to acceptability of amendments brought before this House, there's a long-standing precedent in the House for the Speaker or Chair giving specific reasons for rejecting amendments. That is because such rulings become precedents of their own and the precedent only works if there's some record of why the ruling was made.

Yesterday during the PMR debate, the Minister of Health and Community Services proposed an amendment that was ruled by the Speaker to be out of order. Not long after, the Minister of Municipal and Provincial Affairs proposed a strikingly similar amendment, and it was ruled by the Speaker to be in order. They were substantially the same. We have lined them up side by side – and I have that here as well – and there's substantially no difference.

So in the interest of clarity for the public record and for the sake of establishing precedents, could the Speaker indicate precisely why the second amendment was

ruled in order and why the first amendment was ruled out of order?

One other point, it's our understanding that it's out of order to substantially change a PMR by way of amendment. The rulebook by Marleau and Montpetit states on the process of debate that the purpose of an amendment is "to modify the original motion in order to make it more acceptable to the House"

But as we saw yesterday, the amendment that went to a vote yesterday changed the original motion so significantly that Members that brought it – in fact, the entire Opposition side that supported the original motion – ended up having to vote against it.

So clearly, the amendment did not make the motion more acceptable; it did the opposite. It nullified the intent of the original motion, which is to expedite, include and give everyone somewhere to turn right away.

Obviously, if those who bring the resolution cannot support it once it's amendment, then the original intent of the resolution has not been preserved by the amendment. So perhaps the Speaker could explain what kinds of amendments are permissible and what kinds are not during such a debate, because sometimes, like yesterday, it's very perplexing, and that lack of clarity sets a confusing precedent to interpret.

Thank you very much.

SPEAKER: I thank the Member for point of order.

The hon. the Member for Humber - Bay of Islands.

E. JOYCE: Thank you, Mr. Speaker.

Yesterday when we were debating in the House, the Member for Corner Brook said that we must maintain the sanctity of this House. And I agree, we must – we must, whatever happens.

Over the years, I've been talking about rulings that you can't talk about because you can't question the Speaker, that have been inconsistent. This is another one yesterday. When we were chatting here yesterday I said, now, you can't pass that, that was the same one. But it was passed.

I know – and you know, because I just wrote the Speaker and the Management Commission on another inconsistency in this House. If we're going to maintain the sanctity of this House, which I agree, it can't be just for one party or another party, it has to be for the whole House.

This is what's happening. It's creeping in on a regular basis that you make a decision one day, the next day there's a different decision. Just yesterday, the decision was made the same day, a different decision.

We have to be consistent to remain and keep this House in order and have respect for the House. I agree with the Member that raised this point of order. Yesterday, I said, that can't – the same thing, and it was exactly the same, the same meaning and it changed the whole intent of the private Member's motion. When you look at the rules of a private Members' motion, you cannot make an amendment to change the intent, and the intent was changed yesterday.

I ask for consistency. I asked that over the years – I can name them, but I won't get into that right now – but yesterday was another prime example of the inconsistency in this House and it affects people on this side.

We must, no matter who you are, what party, the independents, we must be all treated the same. Speaker, you're the one that got to make sure everybody is treated properly.

Thank you.

SPEAKER: I respect the opinion of the Member for Humber - Bay of Islands, and I will take the point of order into consideration and rule later.

Statements by Members

SPEAKER: Today we'll hear statements by the hon. Members for the District of Humber - Bay of Islands, Labrador West, Lake Melville and Harbour Main.

The hon. the Member for Humber - Bay of Islands.

E. JOYCE: When a person enters public life, you are only as good as the person who is behind you. I am fortunate to work with that person who is dedicated to her constituents, towns, groups and individuals in time of need.

Judy Bolt is that person who selflessly gives her heart and soul to provide help, a shoulder to lean on and a person who listens and cares, as her motto is: Everyone deserves the same respect and assistance.

Over the years, I have noticed her compassion, caring and going the extra mile for constituents who are suffering, towns or groups who need help and Judy is always there in time of need. You know Judy is important when on many times, I answer the call: Hi, Eddie. Is Judy there?

SOME HON. MEMBERS: Hear, hear!

E. JOYCE: Judy, myself and the constituents of the Humber - Bay of Islands are indebted to you for your unwavering service, compassion and commitment to the vulnerable and everyone you have assisted and made their lives better over the past 31 years.

I could not have done this journey without you, nor would I have ever wanted to have this journey without you. Thank you, Judy, for all the service you gave to the people of Humber - Bay of Islands.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Labrador West.

J. BROWN: Thank you, Speaker.

I would like to take this opportunity to congratulate a milestone in our community. The Carol Players, a local community theatre group, is celebrating their 60th anniversary.

The Carol Players are a community theatre group that formed in Labrador West by our pioneers in 1964. With decades worth of history, they have performed for audiences of all ages in different venues, locally, provincially, and even internationally. From festivals in Ireland, to dinner theatre at the Legion, this group has worked to build a strong community presence where new and returning members can learn, grow and share their love of community theatre.

2024 marks 60 years of community theatre in Labrador West. For 60 years, people of all ages have put themselves out there on the stage of Labrador West. If you've ever been bitten by the theatre bug, you'll understand just how impactful the community theatre experience can be.

Thank you to our pioneers, our past and present Carol Players members for telling many stories over these years and inspiring our community.

I would like to ask all hon. Members in joining me and congratulating The Carol Players on their 60th anniversary.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Lake Melville.

P. TRIMPER: Speaker, at just two months of age, the Heart of Labrador 50 PLUS Club has burst on to the social calendars of several hundred eligible residents in Lake

Melville, including myself I am pleased to say.

Similar to other 50-plus clubs in our province, this open and inclusive group from Happy Valley-Goose Bay and surrounding area has come together to share interests, be more active and have fun.

From potlucks or card games, to walks and informative talks, events are happening every few days. The growing enthusiasm is infectious as ideas for new activities pour in. If you are unable to drive to an event, one of the other members will gladly pick you up.

The objective is to be healthier by keeping active. One of the leading authorities on wellness, Johns Hopkins Medicine, concludes that staying active as you age can work wonders for your physical and mental health, and lead to a longer life with greater independence.

Congratulations to Mary and Leo Abbass who started the Heart of Labrador 50 PLUS Club.

On behalf of this House of Assembly, I would like to extend my appreciation to everyone involved in contributing to this positive community organization that is propelling everyone forward.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: I'm honoured to pay tribute to Mrs. Vanda Maunder as she celebrates her 50th year of the Vanda Maunder Dance Studio in Brigus in the District of Harbour Main.

Mrs. Maunder started her dancing journey at five years old at The Sandra Casey School of Dance and other dance studios in St. John's until, as a qualified professional,

she studied in England and then the National Ballet School in Ontario.

For five decades she has taught dance in Conception Bay and the surrounding region, offering classes like ballet, Broadway, jazz and tap to the young and old alike. Some of her students have gone on to study at the Royal Winnipeg Ballet, others acting in national professional theatre and, next June, her step dancers will perform at the Grand Ole Opry in Nashville.

Mrs. Maunder has taught her students the importance of patience, work ethic, competence, kindness and always provided a loving and safe space for them to learn and grow. Her students adore her, and I know this to be true as I was privileged to be one of her baton majorette students many, many years ago.

I ask all Members to congratulate this remarkable woman on her 50th anniversary and the legacy she has created for her students and the community at large.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: Statements by Ministers.

Statements by Ministers

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

T. OSBORNE: Thank you, Mr. Speaker.

May 19 is World Family Doctor Day, and I rise in the hon. House today to celebrate family doctors for the care they provide to our communities.

This year's theme is Healthy Planet, Healthy People, which highlights the connection between the planet's health, our well-being and the role of family doctors.

Speaker, we are committed to supporting our family doctors and we value the

leadership and broad scope of skill family physicians bring.

The Shared Agenda for Family Medicine with the Newfoundland and Labrador Medical Association and our support for the Family Practice Renewal Program demonstrate our commitment to improve family medicine.

Over 100 physicians have been recruited in the past year due to our competitive recruitment incentives, including over 50 family physicians who work throughout the province in hospitals, long-term care facilities and communities.

We are expanding the number of faculty of medicine seats for Newfoundlanders and Labradorians, boosting recruitment and retention initiatives and developing Family Care Teams to increase access to health care and create collaborative environments for family physicians. We are working together to fulfill the promise of the Health Accord's transformation.

I ask Members to join me in applauding family doctors for their invaluable contributions to Newfoundland and Labrador.

SOME HON. MEMBERS: Hear, hear!

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

B. PETTEN: Thank you, Speaker.

I'd like to thank the Minister of Health and Community Services for providing me an advance copy of his statement.

Speaker, the Official Opposition stands with the minister in acknowledging Sunday, May 19, as World Family Doctor Day. We extend our heartfelt appreciation to the family doctors across Newfoundland and Labrador for their invaluable contribution to our communities.

While we are pleased to hear about the number of seats increasing for Newfoundlanders and Labradorians at Memorial University's faculty of medicine, the minister fails to recognize the anxiety and strain that this Premier Furey Liberal government is placing on our health care professionals, often forcing them to pursue opportunities elsewhere.

Our doctors and other health care professionals are pleading for help, they have the solutions. They need a government that listens to them.

The minister also fails to outline the critical role nurse practitioners can play in communities such as La Scie, which presently have no access to primary care providers. But, once again, the minister shuts them out.

Rural Newfoundland and Labrador, in particular, deserve access to timely medical care, with lives on the line and hundreds of kilometres between residents and shattered emergency rooms, now, more than ever, they need us to be there for them. Unlike the Liberals, we will.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Torngat Mountains.

L. EVANS: Thank you, Speaker.

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

We, too, celebrate family doctors and all health professionals who hold together our health care system. It is the shield that protects us from illness and disease. That shield is now fragile, so we continue our call for more resources to be invested in keeping our doctors in our province and retention by restoring quality of life to our

doctors and health care professionals so they will stay.

Thank you, Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: Order, please!

Before I move forward, we've had a point of order on the use of names. I will be doing a further review over the weekend, and I will be ruling on it on our next sitting day, Tuesday. I will make it quite clear what's not going to be tolerated with regard to the use of names in the House.

Oral Questions.

SPEAKER: The hon. the Government House Leader.

J. HOGAN: Speaker, I respect the points of order that were made over the last couple of days and will await your ruling, but, again, the point of order today I'm making is the same one that has been made yesterday and for the same reason, it's a continual use of names in this House of Assembly.

So while you haven't ruled on the previous one, I think it's not just a ruling – we all know what the ruling is, you can't use names, but my point of order is that it has continued to be used, and that a simple statement by you saying not to use it is obvious to everybody. I think you should consider the fact that this has been multiple times on multiple days.

Thank you, Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Opposition House Leader.

SOME HON. MEMBERS: Hear, hear!

B. PETTEN: They really want to hear from me, that's nice to hear.

Speaker, I don't disagree with the hon. Government House Leader whatsoever, but if anyone were to go back and check what I said, I said: Premier Furey Liberals. That's quite accurate and it's quite acceptable in this House to use the Premier of any administration. It's an accepted practice and I trust you will advise that I am correct. You can say Premier Williams, you can say Premier Ball, we can say Premier Furey. It's fair game, and that's what I said, I said Premier Furey Liberals, so I wait for your judgment. We spoke about this.

SPEAKER: We'll leave it there. I will rule on Tuesday.

I just remind Members that it is a long-standing tradition that we don't use names in the House.

Oral Questions.

Oral Questions

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

T. WAKEHAM: Thank you, Speaker.

Speaker, on late Tuesday afternoon, the president of the Teachers' Association said the Premier called them and indicated he was unaware that there was over a 500 per cent increase in unqualified emergency teachers.

Speaker, I ask the Premier: Why were you unaware of such an important issue?

SPEAKER: The hon. the Premier.

A. FUREY: Thank you, Mr. Speaker.

Indeed, we did have a conversation with the president of the NLTA. It was a good conversation. We agreed to work collaboratively towards eliminating the need for emergency teachers. What I said was, I was unaware of the increase rate of the use of emergency teachers.

It's something that both sides – and I'm assuming that side of the House as well – does not want to see people relying on. We committed to working with the NLTA towards pilots, in addition to the supports that we have in place towards things like recruitment and retention, mental health and an ongoing working committee between the deputy minister of Education and the president of the NLTA, all of which he said were good steps.

SOME HON. MEMBERS: Hear, hear!

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

T. WAKEHAM: Speaker, we don't allow untrained and unqualified doctors to perform surgery.

Why are we allowing untrained and unqualified people to teach our children?

SPEAKER: The hon. the Minister of Education.

K. HOWELL: Thank you, Speaker.

Again, I would like to correct, for the record, that the increases in the number of available resources that could be, potentially, used for emergency supply and that was a deal that was struck with the faculty of education at Memorial University prior to COVID, which gave us an increased resource in the education students in the faculty that could be utilized during COVID as a part of an emergency supply measure.

So, again, there is a process that's in place when we determine the appropriateness for teachers for classrooms, as is part of the collective agreement with the NLTA. We always endeavour to have a teacher who is primarily trained in the specific subject area to fill the role. If that's not an option, then we do have to proceed further to fill the role to ensure that there is someone available to teach students in our classrooms.

SPEAKER: Order, please!

The minister's time is expired.

SOME HON. MEMBERS: Hear, hear!

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

T. WAKEHAM: Speaker, a 500 per cent increase in unqualified and untrained people in our classrooms is significant and alarming. The Teachers' Association has been sounding that alarm for years about the shortage of teachers and resources in the classroom.

Again, I ask: Premier, why are you now only hearing the school bell?

SPEAKER: The hon. the Premier.

A. FUREY: Thank you, Mr. Speaker.

Again, we want to continue to work with the NLTA. We've been forward thinking with respect to transforming the entire education system with respect to announcing the Education Accord. Again, we are somewhat constrained with respect to our fiscal envelope.

We could hire 5,000 new teachers today, but guess what? Seven hundred and forty million dollars, which is what it would cost, is going towards rate mitigation, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

T. WAKEHAM: Speaker, I'm talking about our children's education and the Premier simply wants to deflect. He wants to deflect. Again, we're celebrating 75 years of Confederation, yet teacher credentials have gone back 75 years. It used to be a requirement in the '50s that you needed six weeks of training before you went into the classroom. Now you only need high school.

I ask the Premier: How did that happen?

SOME HON. MEMBERS: Oh, oh!

SPEAKER: Order, please!

The hon. the Minister of Education.

K. HOWELL: I would like to correct the information that's come from the other side. The credentials for teachers have not changed in this province. Actually, for the record, we do have the highest trained, highest qualified teachers.

SOME HON. MEMBERS: Hear, hear!

K. HOWELL: We have the most masters prepared teachers per capita. We have the most experienced teachers per capita in the country.

SOME HON. MEMBERS: Hear, hear!

K. HOWELL: So they are providing an invaluable service to us and to suggest that the credentials have decreased is a blatant slap in the face to the people who take the time to invest in their education, to further their education so that they can provide better classroom services to our students.

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

SOME HON. MEMBERS: Hear, hear!

T. WAKEHAM: Speaker, the Newfoundland Teachers' Association would not agree.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: Order, please!

T. WAKEHAM: Thank you for the applause.

Speaker, the Newfoundland Teachers' Association do not agree. They're the ones sounding the alarm, they're the ones telling us there's a 500 per cent increase in unqualified and untrained individuals in the

classroom. Again, Speaker, government approves each and every one of these hires.

So I ask: How is it possible that this Liberal government weren't aware of this?

SPEAKER: The hon. the Minister of Education.

K. HOWELL: Thank you, Speaker.

Again, I'm not sure why the message that I'm sending is not being received. The 500 per cent increase is the number of available resources that have been instituted in the need for emergency supply. It is not the use of emergency supply.

So when we're talking about the people that are available, we wanted to use the students at Memorial University who already have a passion for teaching. Those who have already decided that this is the career path they wish to pursue. We wanted to give them the opportunity to avail of emergency supply positions in the event that it happens.

We utilize those students, we get them into the classrooms, we further grow their desire to be part of the solution and then they are likely to become full-time teachers when they are certified to practice in this province.

SOME HON. MEMBERS: Hear, hear!

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

T. WAKEHAM: Speaker, it all sounds wonderful but the bottom line is a 500 per cent increase.

SOME HON. MEMBERS: Oh, oh!

SPEAKER: Order, please!

T. WAKEHAM: Five hundred per cent increase.

SOME HON. MEMBERS: Oh, oh!

SPEAKER: Order, please!

The hon. the Leader of the Official Opposition.

T. WAKEHAM: Five hundred per cent increase, imagine that, in unqualified and untrained individuals.

Speaker, the latest provincial reading and mathematics assessments have 43 per cent of Grade 3s not meeting expectations, 53 per cent of Grade 6s not meeting expectations and 77 per cent of Grade 9s not meeting expectations.

Are these children falling behind because of unqualified teachers?

SPEAKER: The hon. the Minister of Education.

K. HOWELL: Absolutely not.

SOME HON. MEMBERS: Hear, hear!

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

T. WAKEHAM: Speaker, the numbers are alarming and are continually there and they don't lie. Three quarters – three quarters of the Grade 9 students are failing – failing to meet performance standards.

Is there any correlation between what grade levels these unqualified and untrained teachers taught and those results?

SPEAKER: The hon. the Minister of Education.

K. HOWELL: Thank you, Speaker.

When we look at the way that course curriculum is delivered in this province, there is an outline, there is an expectation of delivery, so ever in the event that the original classroom teacher is not available,

there is a process by which the educational outcomes are still measured and are still delivered.

When we look at the most recent results that the Member opposite is referencing, we have a consideration of learning loss that occurred during COVID. That has been recognized in this province and every other province across the country in post-secondary institutions, as well as K-to-12 systems.

Here in Newfoundland and Labrador, we were proud to promote our social and emotional learning aspects, which were the focus of our students and our teachers during the COVID time. We wanted to ensure that their mental health was sustained, that we were able to protect that integrity. We can work on furthering their math skills, but we wouldn't have been able to work on their mental health.

SPEAKER: The minister's time has expired.

SOME HON. MEMBERS: Hear, hear!

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

T. WAKEHAM: Speaker, our education system, just like our health system, is in a crisis.

So I ask the Premier: Given these significant poor results, will the Premier commit to getting to the bottom of these poor results and take the appropriate action?

SPEAKER: The hon. the Premier.

A. FUREY: Thank you, Mr. Speaker.

Again, we've already said in this House many times, and hopefully we'll get input from the Members opposite as well as stakeholders around the province, the importance of transforming the education

system to meet the demands of a modern Newfoundland and Labrador, Mr. Speaker.

We're doing that through an Education Accord. We've seen how we can get a strategy and a vision that works in Health, we need to have the same all-party approach, non-political approach, for the betterment of our students so that they are being trained to meet the modern demands for a modern Newfoundland and Labrador, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Opposition House Leader.

B. PETTEN: Thank you, Speaker.

Speaker, yesterday, the Premier's Liberal government amended our private Member's resolution on mental health and addictions to delete –

SOME HON. MEMBERS: Oh, oh!

SPEAKER: Order, please!

The hon. the Opposition House Leader.

B. PETTEN: It must be like the last day of school. We're not finished, though. We're here until next week apparently.

Our private Member's resolution on mental health and addictions to delete the reference to the important words "expedite," "include" and "right away."

I ask the Premier: Why was that deleted?

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

T. OSBORNE: Thank you, Mr. Speaker.

Mr. Speaker, the All-Party Committee was put in place to remove politics to ensure that all parties engaged with stakeholders listened to individuals with lived experience

for the betterment of mental health and addictions in this province.

What the hope is, is similar to the previous All-Party Committee, Mr. Speaker, to bring forward recommendations to further improve mental health and addictions as we move forward to build on the solid foundation of *Towards Recovery*, and the recommendations as a result of the previous All-Party Committee.

The intent yesterday was to remove some of the politics from that. If the All-Party Committees co-operate without politics, Mr. Speaker, in a respectful way, we wanted to remove some of the politics from that amendment.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Opposition House Leader.

B. PETTEN: It's astounding how he refers to that removing the politics. There's no politics there; I think it's a very important issue. You need to ask the people out in this province who are looking for help; ask them about the politics.

AN HON. MEMBER: Right away.

B. PETTEN: Right away, exactly.

Speaker, also yesterday the Premier's Liberals amended our private Member's motion to remove the reference to including people with lived experience and people with specific expertise on the All-Party Committee.

I ask the Premier: Why?

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

T. OSBORNE: Mr. Speaker, the truth of the matter, the previous week that the Legislature sat, the Member opposite asked why we weren't engaging individuals with

lived experience. The private Member's resolution indicated that these individuals were being left out.

The truth of the matter, at every meeting of the All-Party Committee, I had asked individuals to bring forward names of stakeholders, whether it was people with lived experience or organizations, to present to the All-Party Committee. No names were brought forward, Mr. Speaker.

The intent of that private Member's resolution was to make it look like we weren't engaging. I had asked every single meeting for individuals to bring forward interested stakeholders that we could meet with.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Opposition House Leader.

B. PETTEN: We know how sincere the minister is when he has three meetings in eight months, and the only time he starts bringing people in is when he gets publicly called out here in the House and in the media. That is what the minister is doing.

SOME HON. MEMBERS: Hear, hear!

B. PETTEN: Speaker, when you do not stand on these principles to act right away to ensure people with mental health and addictions have somewhere to immediately turn, what is the point of this All-Party Committee?

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

T. OSBORNE: Mr. Speaker, so the minutes, which are posted online, the very first meeting we had asked for individuals to bring forward interested stakeholders because they had indicated they were speaking to individuals that wanted to present.

The second meeting, we asked the same thing. With no stakeholders being brought forward – yes, there was a lag between the second meeting and the third meeting. The second meeting was in December; the third meeting was in February.

At the third meeting, I had indicated that officials will present a list of – actually, that was the second meeting that they would present a list of stakeholders in the province: Please pick and choose from those, which ones you want to meet with. There was still nobody brought forward so at the third meeting in February, I had asked officials themselves to contact stakeholders and bring them in for meetings.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Opposition House Leader.

B. PETTEN: Thank you, Speaker.

This is semantics. We have no problems with the list that the minister provided. I was on the *Towards Recovery* committee.

SOME HON. MEMBERS: Oh, oh!

SPEAKER: Order, please!

B. PETTEN: These are provincial bodies. The minister is playing politics; we all know that. I don't think the Committee would serve any good by having everyone lined up at the door to get in to tell their personal stories. There are 40 elected Members in this House of Assembly that hear their stories every day and bring their stories forth to the minister. The minister's not listening. I can't answer him for that – he's not listening, nor is his government.

Speaker, for the second time in seven years, there's an All-Party Committee on Mental Health and Addictions. All the while, the recommendations of the first report are not fully implemented.

How can people who are struggling to access services have any faith this Premier's Liberal government is listening?

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

T. OSBORNE: Mr. Speaker, the stakeholder that we met with last week had indicated to the All-Party Committee there was tremendous improvements in mental health and addictions in this province since the first All-Party Committee, that there were a number of services put in place and many improvements, but there was still more work to be done.

So the first All-Party Committee, Mr. Speaker, as a result of that, we have FACT teams, ACTT. We have mobile crisis units in the province; 811 have the ability to deal with mental health and addictions issues. We have expanded services throughout the province as a result of the first All-Party Committee.

Yes, Mr. Speaker, my desire is that this Committee doesn't have politics influencing the Committee, but yes, we do have to meet with stakeholders, and it is incumbent on Members on that side to bring forward names of stakeholders as well.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: Speaker, the current limitation on civil claims within the Newfoundland and Labrador Provincial Court, specifically the Small Claims Court, is capped at \$25,000. Other provinces in Canada have raised those limits.

Will the minister consider increasing the maximum limit within our province's Small Claims Court system?

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

J. HOGAN: Thank you, Speaker, and thank you for the question.

The Member will be happy to know I'm already considering that. We're doing a full review of the Provincial Court Act and included in that is looking at the appropriate amount for today for small claims caps in Provincial Court in this province.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: So I'm glad to hear that he is looking at that and considering it, because we know that Small Claims Court proceedings are generally less expensive than those in Supreme Court. By increasing the cap, more cases can be resolved through a more simplified and cost-effective process.

Does the minister have any idea as to a timeline that such change would result in not only savings, but greater access to justice by the public at large?

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

J. HOGAN: Thank you, Speaker.

The review is ongoing. We have certainly looked at all kinds of options with regard to a cap, but there is obviously another side of that coin, too. Changing the cap, as the Member said, will increase the number of cases that go before Provincial Court. But we want to make sure that the court has the resources to handle the increased caseload as well.

So we need to look at all of those things before making any rash decisions that will harm the Provincial Court and its docket.

Thank you, Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: I ask the minister: In reviewing the impact that this possibly could have on the Provincial Court and an increased caseload, is that something that you believe would be an insurmountable issue facing the implementation of an increase in the cap?

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

J. HOGAN: No, Speaker, I don't think it's insurmountable. We do want to look at the number and the right number. In fact, since I've been minister, we've added resources to Provincial Court. We added an itinerant judge two or three years ago in the budget and we added a new, full-time Provincial Court judge in this budget just this year past.

So that's two new judges. That's a very, very big deal in the justice system, in the Provincial Court. To add two judicial resources in this province, to handle increased caseloads in the Provincial Court is a very big deal.

Of course, if and when there's an increase to the provincial cap that's something that we'll take into account too, how the new judges are working, in terms of the number of cases they can handle on a daily basis.

Thank you, Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Terra Nova.

L. PARROTT: Thank you, Speaker.

Speaker, residents of Gooseberry Cove have contacted the Department of Transportation and my office several times after a department of highways flyer went off the road in February. It damaged the

local cemetery, a guardrail, a retaining wall at the cemetery and, more importantly, a cemetery plot was extensively damaged.

Government has not done a thing to remediate the damage. Why?

SPEAKER: The hon. the Minister of Transportation and Infrastructure.

J. ABBOTT: Speaker, thank you for the opportunity to respond.

As the Member knows, it was a very stormy winter night when all of that took place. We will be making sure that if there's any damage to be remediated, we will do that and if there's a delay, I will apologize on behalf of the department.

Thank you, Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Terra Nova.

L. PARROTT: I know it was stormy, I was there. It was back in February, though, and there are bodies in that cemetery that are affected by it and they just passed away, and the department knows about it.

There's a significant smell of fuel on the site and the oil sheen is visible on the ground. There's a freshwater pond adjacent that the residents depend on.

Has the minister completed an environmental assessment yet?

SPEAKER: The hon. the Minister of Transportation and Infrastructure.

J. ABBOTT: Thank you, Speaker.

Again, I'll just repeat, we will certainly be doing whatever is required to remediate the site. If there is any fuel that went in the pond, then obviously we'll work with the

Department of Environment and Climate Change to address that.

I am not aware of that at the present time but that's something that our staff will be following up on. I thank the Member for bringing it forward.

Thank you, Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Terra Nova.

L. PARROTT: It's shameful, Mr. Speaker, the department is sending letters to the families – letters, not dealing with them. One or more bodies are going to have to be exhumed in order to allow for the remediation to happen and these families are being pestered.

Can the minister ensure that they will work directly with the families and the paperwork will be brought in together and there will be no cost to the families involved?

SPEAKER: The hon. the Minister of Transportation and Infrastructure.

J. ABBOTT: Thank you for the opportunity to respond

Well, all I can say on that is, if we're at fault, we will make sure that we cover all damages.

Thank you, Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Exploits.

P. FORSEY: Speaker, our fifth water bomber has been out of service since 2018, that's six years ago. The minister told the House this week that they are still working through the tender results.

When will this bomber be back in service?

SPEAKER: The hon. the Minister of Transportation and Infrastructure.

J. ABBOTT: Speaker, thank you for the opportunity to respond to the Member.

In terms of the fifth water bomber, we have gone out for proposals. We are evaluating those. It's going to be a costly undertaking. We have still to finalize our decision as to when and how we undertake that work. We are committed to the fifth water bomber.

That being said, we are obviously ready, as the Minister of Fisheries, Forestry and Agriculture said earlier in the week, for the firefighting season. The Premier has reached out our colleagues across the country. If we need to assist them, we will, but we will be ready and are ready.

Thank you, Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Exploits.

P. FORSEY: Speaker, with the forest fires raging through Western Canada, the Premier has offered up our crews and equipment, which is a nice gesture.

How many pilots do we have on staff to provide our water bomber service?

SPEAKER: The hon. the Minister of Transportation and Infrastructure.

J. ABBOTT: Thank you, Speaker.

It sounds like an Estimates Committee meeting here right now.

What I will say is we are fully crewed. We have four crews and they are fully staffed. We are in the process of hiring a fifth crew and if we need the sixth crew, we will do that as well.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

J. WALL: Speaker, on April 23, I asked the minister how many people were residing at the comfort inn hotel. The minister said – quote – the 13 individuals, which I believe is now 12 individuals, were all living there prior to the signing of the agreement.

I ask the minister again today: Can you please tell this House and the people of the province how many people are now residing at the comfort inn?

SPEAKER: The hon. the Minister of Housing.

F. HUTTON: Mr. Speaker, thank you for the opportunity to answer the question from the Member opposite.

The staff at 106 Airport Road are on site now, including security, including some of the NL Health Services staff and, as well, we have End Homelessness St. John's, the folks who have taken the contract to do the operational aspects of 106 Airport Road. Some residents are there. I can get back to the Member a little bit later with the exact number.

SOME HON. MEMBERS: Hear, hear!

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

J. WALL: Speaker, the minister doesn't know.

Again, on April 23, the minister stated – quote – End Homelessness are currently seeking staff. They put out a call for staff. We are going to have addictions counsellors. We are going to have mental health advocates there.

Can the minister please provide an update on the number of staff currently hired and those to provide wraparound services to our most vulnerable population that was supposed to be in there in March?

SPEAKER: The hon. the Minister of Housing.

F. HUTTON: Mr. Speaker, I don't know the exact number of staff who are down there. I know that End Homelessness St. John's are still recruiting and they have hired people. I know that NL Health Services have done the same. The hotel staff are already down there serving people and helping people who are living there on site and, as well, the people who are providing security services. The exact number, I can get for the Member.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Ferryland.

L. O'DRISCOLL: Thank you, Speaker.

Way back in November 2019, amendments were made to the *Highway Traffic Act* to allow speed cameras. Almost five years later, the minister is still analyzing and studying data from the pilot project rather than actually issuing tickets.

When is the minister finally going to issue a ticket and how many more years does she need?

SPEAKER: The hon. the Minister of Digital Government and Service NL.

S. STOODLEY: Thank you, Speaker.

I'm delighted to talk about speed cameras today in the House of Assembly, Speaker. We did a pilot last summer with three cameras in three locations, which found over 94,000 vehicles travelling more than 11 kilometres an hour over the posted speed limit, Speaker.

I ask the Member to wait another 10 minutes and I'll have an update and then I'm rolling out speed cameras as fast as possible.

Thank you very much.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Ferryland.

L. O'DRISCOLL: Wow, that's not bad. It took her five years; it gave us 10 minutes. That's not bad.

Speaker, other provinces have had speed cameras for 30 years. The minister has yet to issue a single ticket, not one. A letter from the local council does not curb this behaviour.

How many more years does she need to make this or are we going to get it in 10 minutes?

SPEAKER: The hon. the Minister of Digital Government and Service NL.

S. STOODLEY: Thank you, Speaker.

I'm delighted, again, to talk about speed cameras. It's not as simple as buying a camera. There are a lot of impacts on many different government systems on the justice system. We've done a tremendous amount of due diligence with many internal government departments –

SOME HON. MEMBERS: Hear, hear!

S. STOODLEY: – to make sure that we have the absolute best system, which can be rolled out across the province to ensure that we protect lives.

Speaker, on that note, I want to wish everyone a safe May 24 weekend coming up.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

J. DINN: (Inaudible) the policies administering the rental housing and assistant program and emergency shelter program, an on-site inspection of each shelter is required quarterly, at a minimum.

Since we have received no commitment from the Minister of Housing to table the current shelter standards used in his department, I ask the minister: Will he table the report from these quarterly inspections for each shelter and the criteria used by staff to inspect them?

SPEAKER: The hon. the Minister of Housing.

F. HUTTON: Mr. Speaker, I think I did commit to tabling the shelter standards when we get them in June from the steering committee that has a draft copy of it right now. The Member opposite knows that I had said that prior to today, on several occasions, that the report is a draft report right now. It's in the hands of the steering committee. We're getting it in early June. I think June 3 was the date and I'd be happy to share it with the public, the Member opposite and whoever else is interested in seeing it.

SOME HON. MEMBERS: Hear, hear!

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

J. DINN: I think, Speaker, I should wait for the answer and then tailor my question to the answer the minister just gave.

I asked for the current standards but I also asked for the quarterly inspections, I heard nothing on that, again.

Speaker, a separate ATIPP outlines that the province has paid just under \$750,000 from

December to March to a for-profit shelter. In a housing crisis that will not be cooled by this government, this shelter is raking in anywhere between \$6,900 to \$8,200 per month per client. The airport inn, a temporary measure, according to what the minister has said, isn't going to solve it.

Why does this government continue to rely on costly for-profit emergency shelters instead of building more community-based, non-market housing?

SPEAKER: The hon. the Minister of Housing.

F. HUTTON: Mr. Speaker, this government has made a commitment to housing in this province. We've doubled our budget.

SOME HON. MEMBERS: Hear, hear!

F. HUTTON: Now, there is an old expression and it's: You don't let the facts get in the way of a good story. The Member opposite could give a master class in it.

SOME HON. MEMBERS: Hear, hear!

F. HUTTON: The misinformation that he is continuing to spread about the situation with housing. It's important to us and we are handling this as quickly and as best as we can.

SOME HON. MEMBERS: Hear, hear!

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

J. DINN: Thank you, Speaker.

If a commitment involves evicting people from the Colonial Building when they have nowhere else to go, yes, they have a commitment to it.

Speaker, a recently started 205-student apartment project adjacent to Memorial University is slated to be ready in time for the Canada Summer Games. Regulations

were created at the snap of the finger to evict people from a homeless encampment. It's amazing what this government can do when it is trying to impress tourists, when it is politically motivated.

I ask the minister: What is stopping him from constructing affordable housing for people on low, moderate, or fixed incomes on the former Grace General Hospital site?

SPEAKER: The hon. the Minister of Housing.

F. HUTTON: We are addressing housing and I want to address the Member opposite's preamble. Nobody was evicted from the Colonial Building's campsite. We never said it was an intake site; it was never safe in the beginning. And I would tend to agree with the fire commissioner who went down and said the same thing, that it was not safe.

SOME HON. MEMBERS: Hear, hear!

F. HUTTON: What our staff did on a daily basis was provide safer options to people where they could go. Including 106 Airport Road, where people can go into their own room, a safe place that they can lock the door, there is security there and there are wraparound supports.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Torngat Mountains.

L. EVANS: Thank you, Speaker.

We're hearing horror stories about long delays in court proceedings in Labrador, especially in my district. These delays are causing great harm to those waiting for their day in court. People wait, delay after delay, not able to go on with their lives, reliving the stress and anticipation, night after night, year after year, waiting for justice. In some cases, the stress has been so much that

some individuals have taken their own lives waiting. The stress is too much.

I ask the Minister of Justice: Why has this government failed to ensure that resources are in place so court proceedings can be timely, giving Labradorians justice and closure, not more repeated harm?

Thank you, Speaker.

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

J. HOGAN: In the recent budget that just passed, there was money allocated for a policy position to review all the courts in this province, all the places where there are courts, to see where the number of cases are high, where they're low and then report back to the Provincial Court, to the chief judge there and work with him to see where we should allocate judges, where we should allocate other resources, such as staff, and maybe even build new facilities, if needed, in certain parts of the province.

But that policy position is there to review that, to figure out where those resources need to go, where the courts need to go, where the judges need to go and where the staff need to go to address everything, so people do have access to justice throughout the province.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The time for Oral Questions has expired.

J. DINN: Speaker, point of order.

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

J. DINN: Section 49, "No Member shall speak disrespectfully of Her Majesty, nor of any of the Royal Family ... nor use offensive words against any Member of this House."

Now, the Minister of Housing chooses to characterize what I'm saying as misinformation, which is tantamount to basically saying I'm lying or that I'm misleading. It's interesting to note that while I was asking the questions –

SOME HON. MEMBERS: Oh, oh!

SPEAKER: Order, please!

J. DINN: – even before I could finish the questions, the minister was on his feet to answer, which indicated to me that he wasn't even giving me the courtesy of letting me finish the question.

SOME HON. MEMBERS: Oh, oh!

SPEAKER: Order, please!

J. DINN: So if indeed –

SOME HON. MEMBERS: Oh, oh!

SPEAKER: Order, please!

I want to hear the Member speak.

J. DINN: If indeed here we've got the use of unparliamentary language to lie, mislead, I would put misinformation in that same category, Speaker.

As you've asked me to withdraw – and whether the minister chooses to withdraw next week or sit out for a few weeks, that doesn't matter to me, but at some point I ask him to withdraw that comment.

Thank you.

SPEAKER: I'm going to have to review *Hansard* now. To be quite honest, I could not hear all the response from the Member speaking because of chatter going back and forth, so I'll take it under review and report back to the House.

Presenting Reports by Standing and Select Committees.

Presenting Reports by Standing and Select Committees

SPEAKER: The hon. the Member for Exploits.

P. FORSEY: Thank you, Speaker.

I am pleased to present Report 4 of the Public Accounts Committee for the 50th General Assembly.

This report reflects the Committee's review of the Auditor General's report respecting *Physical Mitigation of Muskrat Falls Reservoir Wetlands*.

SOME HON. MEMBERS: Oh, oh!

SPEAKER: Order, please!

Hold on just one second.

It is next to impossible to hear the Member speak. I ask all Members if you want to have conversations, take them outside. It's very difficult to hear inside the House.

The hon. the Member for Exploits.

P. FORSEY: Should I start again?

SPEAKER: I didn't hear it; you can start again.

P. FORSEY: I am pleased to present Report 4 of the Public Accounts Committee for the 50th General Assembly.

This report reflects the Committee's *review of the Auditor General's report respecting Physical Mitigation of Muskrat Falls Reservoir Wetlands*, and I recommend the report to the House of Assembly.

In tabling this report today, I wish to thank Members of the Committee for their diligence and work towards fulfilling our mandate to ensure accountability on behalf of the Legislature and the people of Newfoundland and Labrador. I also wish to

acknowledge the Auditor General and the employees of that office for their work on this audit and their support to the Committee.

Thank you, Speaker.

SPEAKER: Any further reports by Standing and Select Committees?

Tabling of Documents.

Notices of Motion.

Notices of Motion

SPEAKER: The hon. the Minister of Digital Government and Service NL.

S. STOODLEY: Thank you, Speaker.

I give notice that I will on tomorrow introduce a bill entitled, An Act to Amend the Highway Traffic Act and the Provincial Offences Act, Bill 79.

Thank you very much.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: Any further notices of motions?

Answers to Questions for which Notice has been Given.

Petitions.

Petitions

SPEAKER: The hon. the Member for Bonavista.

C. PARDY: Speaker, cancer patients served by Bonavista hospital have not had access to chemo treatments locally for approximately two years. These patients have to travel to the next closest site over 1½ hours away. Travel becomes arduous and costly.

We, the undersigned, call upon the House of Assembly to urge the Government of Newfoundland and Labrador to reinstate the chemotherapy service at Bonavista hospital immediately to better serve the residents of the Bonavista Peninsula.

I find sometimes when we identify an individual with a crucial service that's needed, sometimes it's more impactful. I want to present to the House of Assembly a gentleman by the name of Harv Hayley who was just diagnosed with a lymphoma in Bonavista. He will begin his treatment soon.

Up to two years ago, he could always get his treatments at the hospital in Bonavista. Now he'll need to travel from Bonavista to Clarenville on a fairly regular basis in order to get his 4½ hour treatment.

We look at what we can do for cancer patients. We want to make sure they're well and looked after as best we could. And, second, we want to make sure they don't encounter undo hardships, like expenses that they would have to incur.

After his treatment, he's got to travel Route 230, down the peninsula, which is in horrendous shape. He's got to travel over that road, again, not feeling well. Whereas, prior to two years ago, he could've had that in Bonavista, he's 10 minutes to his own home on Strathies Road, and he could have the chemotherapy done and over with.

The other thing is the cost of fuel and the cost of which he has to endure to go back and forth. One would say: Well, it could be longer than an hour and a half each way. It sure could be. But if it was 10 minutes at the local hospital for Harvey, it would be a much better and a much more appropriate service.

There is a committee formed to look after health care in the District of Bonavista and they've been quite adamant – and they're not protesting, they're advocating for health services in Bonavista. They have a public

meeting on Thursday, May 23, at Discovery Collegiate. One of the items that's on that 7 o'clock meeting would be the chemotherapy. The other would be prolonged waiting in order to get a service at the blood clinic in Bonavista, some waiting three to four days.

So I would ask the minister, these are two issues that are ongoing, that are operational issues that I would hope they're on the cusp of solving and helping out the people.

SPEAKER: Order, please!

The Member's time has expired.

C. PARDY: Thank you.

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

J. DWYER: Thank you, Speaker.

These are the reasons for this petition and the background of this petition is as follows:

This is a petition urging the House of Assembly to ask government to amend the *Limitations Act* to clearly state there is no limitation period for civil claims involving child abuse of any form.

Various forms of child abuse often co-occur and are highly interrelated. Treating child sexual abuse differently from non-sexual child abuse for limitation period purposes is inconsistent with the shift in society's awareness and understanding of the damaging effects of child maltreatment.

Eliminating the limitation period for child abuse ensures those responsible for heinous acts can be held accountable, regardless of how much time has passed. This will act as a deterrent for child abuse, increase access to justice and ensure all victims receive the redress they deserve. It would also bring Newfoundland and Labrador's approach to child abuse claims

in line with human rights standards and revised statutes in most other provinces.

We, the undersigned, call upon the House of Assembly to urge the Government of Newfoundland and Labrador to amend the *Limitations Act* to remove limitation periods for civil child abuse claims.

This is something that we're going to continue to do until we see the legislation come to the floor of the House of Assembly. I think it's imperative that we do it. It's long overdue. I know that the Minister of Justice is onboard; I think he is. I know that he has a great moral compass and he will bring this forward.

But we want it done in this session because it has gone on for too long. We want to make sure that we have the opportunity to debate this and make sure that the people that are here as leaders in the province are leading to make sure that our most vulnerable, especially our children, are looked after and well represented because they can't really represent themselves. They really don't have any idea of what's happening to them half the time until they're out of that care, that abusive care.

So I would really ask the government to bring that legislation forward. We are asking from the bottom of our hearts to make sure that this gets done. We need it done to protect the most vulnerable in our society.

Thank you, Speaker.

SOME HON. MEMBERS: Hear, hear!

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

P. DINN: Thank you, Speaker.

WHEREAS affordable, reliable and safe child care is a necessary component of a functioning society, especially one that expects to reduce poverty, create employment, decrease out-migration and

increase in-migration, all of which are essential for a growing economy; and

WHEREAS accessible child care is as much vital and important for a growing economy and flourishing population.

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 immediately take the necessary action to ensure that accessible child care is just as much available as it is affordable.

Speaker, I get calls on this all the time. We heard another announcement yesterday on child care. We heard many other announcements on child care and yet we still hear people who are giving up their jobs, mainly women, giving up their professions to deal with their children, which is their number one priority.

Just this November past, the Premier announced 160 new spaces to meet the needs of medical professionals to be opened in May – this month. We find out through Estimates it's not going to happen this month. It's going to be further down the road. It was acknowledged in Estimates that there's a need for staff.

In September, it was announced, \$7.5 million to create 750 Create-A-Space Incentive Grant spaces throughout the province. We also heard, through Estimates, many of this won't be for another two years.

There has been concerns also raised about inclusive spaces and, again, it was acknowledged, through Estimates, that there are different operators, operating at different tiers. This will come out as part of the Operating Grant Program Review.

So there are lots of announcements, lots of issues out there, but the individuals who have a career and want to continue their

career, again, mainly women, need daycare and child care.

I had one health professional who had a job lined up with a professional health team ask for a half an hour delay in the workday so she could get her child to daycare – a half an hour, 30 minutes. Guess what? She was told we can't employ you. A health care professional who asked for 30 minutes delay in the morning to get her child to daycare and was not hired in a Family Care Team. That's where we are with health care in this province.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: The background to this petition is as follows:

Whereas affordable and reliable child care is necessary for a progressive society, especially one that ensures equal opportunities for all, encourages a strong workforce and values the importance of family.

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 take immediate action to ensure that accessible child care is just as much available as it is affordable.

Speaker, the key here is immediate action. This is one of the major issues from the perspective of women in our province. They feel they have to unequally bear the brunt of this inaccessible child care system. We've heard from so many parents, so many families, so many moms and dads like one that is in our gallery today.

Ms. Alexia Pardy is present in the gallery. Her story is one and reflects one of hundreds of women and moms in our province. She had to give up her job as a

nurse in the health care profession in our province, and let me tell you, she loved her work.

She was a licensed practical nurse with Eastern health for six years. She held a permanent full-time position there. She contacted her manager right away when she learned that she was pregnant. She asked maybe if they could hold her position. Unfortunately, they could not and she had to resign.

Why did she have to leave her job? She tried everywhere – and this was back in 2020 in the heights of COVID – in CBS and even some regulated daycares along her route to work. She put her name on every list wherever she could, but, essentially, the child care wasn't there for her.

Fast-forward to 2021, she found out she was pregnant with her second child. She put her name again on every list she could. And guess what? The same result. Fast-forward to now, she has all of the same issues with daycare. She's looking well in advance at all the daycares in the area for her baby who's due in 2024.

Unfortunately, the reality is she had to give up her work and she didn't want to, Speaker. And this is the reality. This is the lived experience in our province. They need immediate action, not funding announcements that may or may not happen.

SOME HON. MEMBERS: Hear, hear!

H. CONWAY OTTENHEIMER: Immediate action, Speaker.

SPEAKER: The hon. the Minister of Education for a response.

K. HOWELL: Thank you, Speaker.

I'm glad that the attention has come to this important issue today, as just yesterday we had a chance to meet with our federal

counterparts who reaffirmed their commitment to the Canada-Newfoundland and Labrador Early Learning and Child Care Agreement that we have in place. That will see us with an additional \$13 million to take immediate actions.

We recognize that there were specific challenges in getting some of these spaces open and having access. But again, space creation is not linear. When you look at announcing a space versus filling a space, there are some times when there are issues that arise. We recognize that there were barriers. We have additional funding available now to address some of these barriers. We have particular people in the Department of Education who are assigned to work with these organizations, to reduce the number of barriers, and to continue working on making these spaces accessible.

We've also done great work in our early learning and child care portfolio, in terms of our gateway, which will allow parents the opportunity to roster their child and to let us know where the biggest needs are so then we can move on those centres immediately.

We've very pleased to see yesterday we stood in the facility that will be a child care centre for health care providers – and I certainly do appreciate that there are many health care professionals who have had similar challenges. But we recognize that we need to move on that one as part of our recruitment and retention efforts and instead of offering three centres now, we've added an additional centre and will be offering four centres for the children of health care providers. These are going to be moved on immediately, given the fact now that we have an increased flow of money.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Torngat Mountains.

L. EVANS: Thank you, Speaker.

This petition is for timely and adequate access to health care for our Northern Labrador residents.

We, the undersigned, are concerned citizens of Newfoundland and Labrador who urge our leaders to ensure Northern Labrador residents are provided with access to timely and adequate health care.

Frequently, patients are prevented from getting out to their medical appointments.

Patients who manage to get out often face long delays trying to return home.

Patients often can't get timely appointments to see a nurse at their clinic, and this is a critical delay for stroke, cardiac, cancer and other medical situations. We are asking for a standard to be established for appointments, especially, when dealing with fill-in nurses.

Makkovik patients don't even have access to a doctor compared to other communities where doctors visit throughout the year.

Now, Speaker, this is really important. It has always been important, but what we're seeing now is a lot of people diagnosed with cancer too late. That's the words I'm told by the people on the North Coast: diagnosed too late. We've actually had people diagnosed and die within weeks from cancer. And it's not only cancer, this failure to adequately address patients' needs and get them properly diagnosed so they can begin successful treatment is also impacting people with diabetes, people with cardiac disease.

In actual fact, we need access to health care because what's happening now is people are starting to become really, really stressed and it's impacting our mental stress. It's not only about our physical stress. We talk about the social determinants of health. In Northern Labrador we are set back by the past policies of government that has really

impact our ability to be able to access these social determinants of health, such as access to quality food, nutritional food or any food, in actual fact, the cost of food is so expensive; housing; mental stress; and even with access to justice.

Speaker, I asked the question in the House earlier about access to justice, because now we're seeing the delays that people in Northern Labrador are facing. It's not only about access to health care; it's access to justice that impacts our health. There is a direct link between access to health care and to all the other things that we can't access.

Access to justice: We've actually had people now who are in the court system but they're so stressed day in and day out just waiting for their trial to go ahead. There are multiple delays that they have no control of. In actual fact, what I'm doing is I'm getting calls now from people who have actually lost people to suicide, and that's unacceptable, right?

This is not about a delay of convenience. It's a delay to actually be diagnosed so you can have half a chance of having quality of life and not dying. That's what this petition is about.

Thank you, Speaker.

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

P. LANE: Thank you, Speaker.

We, the undersigned, call upon the House of Assembly to urge the government of Newfoundland and Labrador to amend the *Limitations Act* to remove limitation periods for civil child abuse claims where the abuse complained of occurred against a minor: within an intimate relationship; a relationship of dependency; or where the defendant was in a position of trust or authority.

And amend the *Limitations Act* to state limitation periods do not run during any time a defendant willfully conceals or misleads the claimant about the essential elements of the claim; or willfully misleads the claimant as to the appropriateness of a proceeding as a means of remedying the injury, loss or damage,

The above-mentioned legislative changes should be retroactive and apply regardless of the expiration date of any previous limitation period.

Mr. Speaker, I present this again, as other Members have on this side of the House. I don't want to sound like a broken record. I know the Minister of Justice – I really believe he's committed to getting this done. I've got a feeling that it's going to happen sooner rather than later, but this is to encourage, I guess, to give a little nudge, once again, to the Minister of Justice to get this legislation now on the floor for debate.

We all know the story of Mr. Whalen. There are probably a lot of other people that were in the same boat as Mr. Whalen. We know of the horrific things that happened at Mount Cashel, as an example. We know the horrific things that happened in residential schools, but we also have horrific things that have happened to children that were in care of the Crown of the province at group homes and at places like, I guess it was, Whitbourne, where Mr. Whalen was to, under their care. While it may not have been sexual abuse, it was definitely, based on the descriptions we've heard, described by many as torture, quite frankly. Torture, physical abuse and emotional abuse. It's only right that people like Mr. Whalen get his day in court, get his justice that he deserves for the way that he was treated as a minor.

So again, I urge the Minister of Justice, do the right thing. Let's get this on the floor of the House of Assembly as soon as we can to have a fulsome debate and to get some

legislation in place to address this serious issue.

Thank you, Mr. Speaker.

SPEAKER: Orders of the Day.

Orders of the Day

SPEAKER: The hon. the Deputy Government House Leader.

L. DEMPSTER: Thank you, Speaker.

I call from the Order Paper, Motion 1.

Speaker, I move, seconded by the Minister of Fisheries, Forestry and Agriculture for leave to introduce a bill entitled, An Act to Amend the Crop Insurance Act, Bill 76, and I further move that said bill be now read first time.

SPEAKER: It has been moved and seconded that the Deputy Government House Leader shall have leave to introduce Bill 76, An Act To Amend The Crop Insurance Act, and that said bill be now read a first time.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Motion carried.

Motion, the hon. the Minister of Fisheries, Forestry and Agriculture to introduce a bill, "An Act to Amend the Crop Insurance Act," carried. (Bill 76)

CLERK (Hawley George): A bill, An Act to Amend the Crop Insurance Act. (Bill 76)

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

When shall the said bill be read a second time?

L. DEMPSTER: Tomorrow.

SPEAKER: Tomorrow.

On motion, Bill 76 read a first time, ordered read a second time on tomorrow.

SPEAKER: The hon. the Deputy Government House Leader.

L. DEMPSTER: Thank you, Speaker.

I call from the Order Paper, Motion 2.

SPEAKER: The hon. the Deputy Government House Leader.

L. DEMPSTER: Speaker, I move, seconded by the Minister of Digital Government and Service NL, for leave to introduce a bill entitled, An Act to Amend the Vital Statistics Act, 2009, Bill 77, and I further move that the said bill be now read a first time.

SPEAKER: It is moved and seconded that the Deputy Government House Leader shall have leave to introduce a bill, An Act to Amend the Vital Statistics Act, 2009, Bill 77, and that said bill be now read a first time.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Motion carried.

Motion, the hon. the Minister of Digital Government and Service NL to introduce a bill, "An Act to Amend the Vital Statistics Act, 2009," carried. (Bill 77)

CLERK: A bill, An Act to Amend the Vital Statistics Act, 2009. (Bill 77)

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

When shall the said bill be read a second time?

L. DEMPSTER: Tomorrow.

SPEAKER: Tomorrow.

On motion, Bill 77 read a first time, ordered read a second time on tomorrow.

SPEAKER: The hon. the Deputy Government House Leader.

L. DEMPSTER: Thank you, Speaker.

I call from the Order Paper, Motion 3.

SPEAKER: The hon. the Deputy Government House Leader.

L. DEMPSTER: Speaker, I move, seconded by the Minister of Digital Government and Service NL, for leave to introduce a bill entitled, An Act to Amend the Credit Union Act, 2009 No. 2, Bill 78, and I further move that the said bill be now read a first time.

SPEAKER: It is moved and seconded that the Deputy Government House Leader shall have leave to introduce a bill, An Act to Amend the Credit Union Act, 2009 No. 2, Bill 78, and that said bill be now read a first time.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Motion carried.

Motion, the hon. the Minister of Digital Government and Service NL to introduce a

bill, "An Act to Amend the Credit Union Act, 2009 No. 2," carried. (Bill 78)

CLERK: A bill, An Act to Amend the Credit Union Act, 2009 No. 2. (Bill 78)

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

When shall the said bill be read a second time?

L. DEMPSTER: Tomorrow.

SPEAKER: Tomorrow.

On motion, Bill 78 read a first time, ordered read a second time on tomorrow.

SPEAKER: The hon. the Deputy Government House Leader.

L. DEMPSTER: Thank you, Speaker.

I call from the Order Paper, Motion 4.

SPEAKER: The hon. the Deputy Government House Leader.

L. DEMPSTER: I move, seconded by the Government House Leader, that not withstanding Standing Order 63, this House shall not proceed with Private Members' Day on Wednesday, May 22, 2024, but shall instead meet at 2 p.m. on that day for Routine Proceedings and the conduct of Government Business; and that, if not earlier adjourned, the Speaker shall then adjourn the House at midnight.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Carried.

The hon. the Deputy Government House Leader.

L. DEMPSTER: Thank you, Speaker.

I move, seconded by Minister of Justice and Public Safety, that this House do now resolve itself into Committee of the Whole to consider Bill 71, An Act to Amend the Correctional Services Act.

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 Bill 71.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Motion carried.

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

Committee of the Whole

CHAIR (Gambin-Walsh): Order, please!

We are now considering Bill 71, An Act to Amend the Correctional Services Act.

A bill, "An Act to Amend the Correctional Services Act." (Bill 71)

CLERK: Clause 1.

CHAIR: Shall clause 1 carry?

The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: Thank you, Madam Chair.

I'd like to make a few brief comments before I ask some questions of the minister on this amendment. Those comments are just by way of background, Madam Chair.

I think it's important, first of all, to note that when we're talking about our correctional system in the province and our criminal justice system, I think an important theme and important principle is when we look at the safety and the well-being of not only our inmates in these correctional facilities, but also the correctional staff in our adult correctional facilities. It is imperative that we ensure that they have humane conditions by which to live under and to work under and to be treated fairly within those institutions. Only when we have those things happen, Madam Chair, I would submit, is it possible for us to really achieve any rehabilitation in our society with these individuals that are housed in the facilities. We know that the rehabilitation of our inmates is really the best protection that we can provide for our society. So I think it's important.

We know when we look back on the history of our correctional system and, in particular, HMP in our province, it's not a pretty picture. We can go back, if you will, to the *Decades of Darkness* report or we can look at the *Deaths in Custody Review*, which is often referred to as the Jesso report, the reviews that have been done, and then the Auditor General's report, which was a scathing report of the conditions and the operations in the HMP, which is only recent. I believe that was last year.

We know that there are serious problems within our correctional institutions, in particular, HMP, but when we look at the Jesso report – and I think I'll tie this into this particular piece of legislation, Madam Chair, because the Jesso report had many recommendations in it but the first one is critical. The number one recommendation that was outlined by Marlene Jesso, whom was an independent retired RNC officer but wrote a very thorough report on our correctional systems and basically,

Recommendation 1, the very first recommendation was: "It is recommended that the provincial government take immediate steps to proclaim the new *Correctional Services Act* and ensure all associated regulations and policies are updated."

That report was completed in 2018 – 2018, almost six years ago. It was December of 2018. So here we are almost six years later and that recommendation, I will say, and I'm happy and pleased to say, that this Minister of Justice has taken that action to bring this forward. Even if this step is a minimal step, but it is a step nevertheless, because I would say this step is one of modernizing the legislation.

We know that it hasn't been proclaimed and we've heard from the minister that it is to be proclaimed in the very near future, basically, when the regulations are formulated, but we have to say and we have to acknowledge, recognize, appreciate and give credit that the amendments, the spirit of them, are positive. They basically are enshrining important terms in the legislation, so that needs to be done. It's absolutely a first step and there's no question about that.

There is a commitment from the minister there to modernize our approach with respect to the language. That's all good. There's a commitment to ensure best practices are put in place. That's all good, too. So there's no disputing that.

This act is to amend the *Correctional Services Act* and there are a number of things that are set out in that act which, clearly, we do not dispute. What I am concerned about – and I need to say this before I get into the questions – is that this legislation, when we look at it, this amendment, although it does take initial steps, the problem is I don't know how long we're going to have to wait to see this legislation proclaimed.

We know that the *Prisons Act* of 1990 – it was passed in 1970, actually – there have been few substantive amendments since that time. In 2008, the *Decades of Darkness* report that I referred to, even then it said that the legislation was outdated, and that's in 2008. So we're going back a long time. But credit to this minister, he's taken that action to move this, to move it along and that has to be commended.

SOME HON. MEMBERS: Hear, hear!

H. CONWAY OTTENHEIMER: I still reserve my concerns because this has taken so long and this isn't about the blame game. As I said, the *Decades of Darkness* goes back to 2008. So there were different political parties – parties from both sides. This isn't about political issues or politics. This is about getting this work done and getting this legislation proclaimed.

Why is that important, Madam Chair? It's important because when policies and laws become outdated like this one – because, in essence, the *Prisons Act* is still in effect. The *Prisons Act* of 1970 is still in effect, essentially. So what does that mean? That means when policies and laws become outdated or are not enforced, there's a huge gap between what are best practices and operational reality. We know that that's a huge gap, and why is that a concern? Because that means there's no guidance. When the policies are outdated, when the law is outdated, how are things to be followed? The result is a lack of meaningful guidance.

What does that do? That's a problem because it opens it up for arbitrary decision-making, and that is not what we want in any of our systems. That's not fair to the inmates and that's certainly not fair to the staff either who work, for example, in the HMP. What happens when policies are ignored or when they become outdated, as this one surely is – and we see the many problems that the HMP has had for the years and years and years.

But what this does, when the law has not been acted on, when it's not been proclaimed, when it's not in effect, it sends a message to staff that maybe policies are peripheral. Maybe they're not important to the daily operations, when that is not the case. They need to be integral. They need to be the driving force behind every action and every decision. So that is the problem that exists with the fact that we do not have the *Correctional Services Act* proclaimed. That is a problem. So at least the minister has seen to it to get this moving.

On that note, I wanted to put that background so that people that are viewing would understand the importance of this first step. But we have to see action, quick action, on this. This cannot be delayed any further. Of course, everyone says we want to get the best legislation. Well, that goes without saying. We don't want bad legislation. We want to get the legislation right. Obviously, we don't want to get it wrong. So we need to make sure that this legislation is right.

The one thing that I need to point out is with respect to the disciplinary hearing process that has currently been in place at the HMP. It has been described as the kangaroo court or the internal jail court, which is fraught with problems, fraught with inequities, fraught with unfairness in terms of how sanctions or sentences are handed out within the internal process and how inmates are disciplined when they violate internal rules.

That is a problem because we need to see due process, we need to see fair procedure, we need to see things that are in accordance with the Charter of Rights and Freedoms, and that applies, not only outside custodial settings, it applies in custodial settings. So we need to ensure that basic procedural fairness is brought to our HMP and that unfair institutional charges do not take place within the internal system in the HMP.

So, on that note, I only have a few brief questions to ask of the minister.

SOME HON. MEMBERS: Hear, hear!

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

J. HOGAN: Thank you.

I don't know if I overstepped there, but I appreciate the opportunity to respond. I'm just going to make four points.

One, I agree with everything the Member said; nothing in there that I disagree with and I think it was a great background of how we got here, history of facilities in this province that obviously – there has been reports into those facilities for reasons and they're unfortunate incidents and reports that have recommendations that needed to be dealt with. That's the first point I'll make.

With regard to – I know I'm going to get the question anyway, but it was mentioned by the Member about this is just a step. It is just a step. It does need to be proclaimed and put in force. I'm looking at the old act here which was proclaimed in 2011, so 13 years ago. I wasn't married. I didn't have two kids, so that was a half a lifetime ago for me. So that's too slow and, again, I appreciate her comments but let's not blame anybody about this because it's not about blame. It's about getting this legislation right.

So I agree with that as well, but in terms of the question I'm going to get, I am committed to having this enforced and having the regulations done within three to six months. Probably sometimes you're not supposed to make those commitments, but we have been working on this, not just the statute, not just the act, but the regulations as well. That is certainly the target that that I'm committed to, to get that done.

SOME HON. MEMBERS: Hear, hear!

J. HOGAN: In terms of the Member's comments about how rehabilitation is important, she's been asking questions on this for I don't know how long but certainly since I've been minister and probably before that about prisons in our province and facilities and, in particular, HMP. The old act, while again not enforced, does have principles enshrined in the act, which the principles should be the overarching guiding light for everything that's done in corrections in Newfoundland and Labrador. This new act has two new principles so we added principles and I think it will go towards treating people more humanely and working towards rehabilitation.

I just want to read these into the record. One of the principles is that inmates shall obey correctional facility rules and will be subject to the least restrictive matters consistent and necessary for the protection of the public, staff members, visitors and inmates. As well, a new principle that says inmates are entitled to equitable access to health care. So I think those are two new important principles that we enshrined in the legislation.

The last point I'll make is, one of the reasons I know that the regulations are important is because the disciplinary process that the Member mentioned will be outlined in the regulations.

So while, again, we won't see those publicly for three to six months, I think it's important to say that the disciplinary process, which will be in the regulations, will be an independent process. There will be an independent adjudicator and when I say independent, I mean independent from the correctional officers in the facilities. There will also be an independence for appeals as well. Not only that, there will be an emphasis on early alternative dispute resolution mechanisms before it gets to an adjudicator. So I think that will help the process as well.

Thank you, Chair.

SOME HON. MEMBERS: Hear, hear!

CHAIR: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: Thank you.

Well, obviously, that is very encouraging news, to have a target of three to six months. We welcome that and I commend that commitment to do that because this has been a long time coming and it certainly represents a very positive step forward.

The minister has answered a couple of the questions that I was going to ask, but with respect to the independent adjudicator, so that adjudicator will be from outside the correctional system. Could you please describe the independent adjudicator process that you envision?

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

J. HOGAN: It will be from outside the system. Obviously, I said it will be separate from a correctional officer, which is what it is now, but it will be from outside the system as a whole to make sure there's independence.

The important part here is that a correctional officer, for example, who lays a charge, for lack of a better word, is not making the decision about that because really you're in a conflict of interest when you do that. So there will be an independent adjudicator. Again, it will be in the regulations, but just for an example, it could be a roster of independent lawyers throughout the province, it could be someone from the Department of Justice and Public Safety, a lawyer designated for that purpose.

But the important point, which I know the Member stressed the importance for this, is that it will be independent of the correctional system.

CHAIR: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: So will the inmate have the right to legal representation at any tribunal process or hearing process?

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

J. HOGAN: It's my understanding that they would always have a right to legal counsel for any issue. There are places in this act that you can see that there are attempts to make sure that access to justice is as easy as possible.

CHAIR: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: With respect to the right to appeal, will there be a right to appeal? If so, appeal to whom? Of course, this goes to the independence. I'm sure that it would not be any jail staff or correctional staff overseeing the appeal process, but could you please elaborate on any appeal process.

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

J. HOGAN: Yeah, so we are repealing section 21(1) of the act, maybe it's not necessary to look at that, but what section 21(1) will say now is: "The minister may appoint persons as appeal adjudicators to conduct appeals of decisions of hearing adjudicators in respect of disciplinary hearings." So it will be in the act specifically that there is that right to appeal and the appeal adjudicators will be appointed – may be persons appointed to conduct those separate appeals from the initial hearing.

CHAIR: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: With respect to inmates, for example, who have low literacy or perhaps cognitive impairment or

any type, persons with disabilities, will there be allowances or accommodations or plans to assist individuals in the hearing process?

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

J. HOGAN: I'm just looking at one of the principles here and obviously we're not going to speak specifically about the regulations, but one of the principles that I spoke about earlier, principle 4(h), it will be now: "... policies, programs and practices will be responsive to the particular needs of women, gender diverse individuals and Indigenous peoples, the needs of offenders with particular mental health and addictions requirements, and the needs of other groups of offenders with special requirements."

So I would certainly interpret that – again, this is an overarching guiding light for how all the sections of this piece of legislation should be interpreted – and that if people have special needs, whatever they are, wherever you come from, whatever your background is, that needs to be taken into account when dealing with any sections under this piece of legislation.

CHAIR: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: Thank you.

Do we have any estimate of the cost that will be envisioned for these independent adjudicators?

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

J. HOGAN: I don't have the estimate right now at my fingertips, but I can get it for the Member.

CHAIR: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: Okay, thank you.

With respect to independent outside adjudicators, I know that there are other jurisdictions that have – they're called jail investigators, as opposed to adjudicators. Is that something that you reviewed or considered in this amendment?

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

J. HOGAN: I guess if can ask the Member to clarify what she means in terms of investigations, but I can jump ahead and give an answer if it's what I think she means, is that whether there should be some sort of mechanism for transparency and oversight for correctional facilities in this province?

H. CONWAY OTTENHEIMER: Yes.

J. HOGAN: It's absolutely something I've looked at. In fact, there is a working group in this province that has delivered a report to me about a recommendation on – I think the word they used was an inspectorate. I've met with them on several occasions over the past maybe six months or year and – the Member said this was a small step, and I agree this is a step – my sort of thinking is this kind of the phase one, this needs to be put in place, this needs to be passed. My plan is to look at that as a phase two approach to corrections in this province.

CHAIR: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: Thank you.

Actually, that completes my questions. I thank the minister for his answers.

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

P. LANE: Thank you, Chair.

I'm not going to take too long. I don't want to be too repetitive, but I guess for the record I'll be supporting – I think I might have said that at second reading – but I will be supporting the bill. I'm sure every Member is going to support the bill.

I think the important point that we all need to understand, and I think the general public needs to understand as well is, like it or not, there are going to be people in society that are going to break the law, for any number of reasons. Some of those people it's going to happen because of socio-economic issues; some people it's going to happen because of mental health issues. Of course, if somebody is breaking the law because of mental health issues, it's very important that they receive medical treatment, not necessarily incarceration. I would hope that that would be one of the principles.

The minister talked about a couple of principles, I didn't hear him specifically reference that, but I would hope that one of the principles in all of this is that we're going to make a clear separation between criminal activity by someone who is in their right mind, who is making a choice to break the law, versus someone who might have a mental health issue, or an addictions issue, which is more of a health issue than it is a criminal law issue, making that division and ensuring that people are not locked up behind bars that should be in a hospital setting getting the treatment they need whether it be for their mental health or their addictions and so on.

Now, there are going to be times as well where it's going to overlap, but at least some of things I have read and experience with talking to people over the years, I've certainly got the sense, anecdotally if nothing else, that often there have been people, over the years, who have been locked in Her Majesty's Penitentiary when really what they needed was to be seeing a medical professional and being in a health care setting, not incarceration. I would hope that one of the guiding principles has to be

making that separation between someone who has a health care issue and somebody who is just involved in criminal activity as a choice, so to speak.

I think another thing that's important for us all to realize, and as I said, there will be people no matter what we do that are going to break the law. Depending on what they do, of course, but for the most part, in this country certainly, we don't have capital punishment, for one thing, in Canada. I'm not a lawyer but I think life in Canada is 25 years, not life is life the way it is, maybe, in some States in the United States.

The point I'm making on that is that they're coming back. They are going in; they are being locked up, but they are coming out. At some point in time, offenders are going to go behind bars for a period of time, but at some point in time, they're coming back out in society living amongst us once again. Therefore, it is critical that when they come out, hopefully they're better, but certainly we don't want them to be worse than when they went in.

That's one of the other things, again anecdotally, that you hear and have heard over the years is that because of the program, because of the conditions, because of the treatment, perhaps, because of the lack of mental health services, because of the lack of addiction services and so on, people would argue that people came out of the system and they were actually worse when they got out than when they went in there to begin with.

That has to be something, again, that's sort of an overarching guiding principle that we're going to really focus on rehabilitation. As my colleague from Harbour Main said, rehabilitation can only occur if when they are in secure custody, that they have humane conditions and that they have the programs and so on in place to try to rehabilitate these offenders. That's going to be a change from what has happened, perhaps, over the years.

That's not saying that everything is bad. That's not saying that everyone who worked at the HMP – there are a lot of great people worked at the HMP, doing great work. That's not to, in any way, cast aspersions on them, but it's like every workplace, there's good and there's bad, I'm sure. But we need to make sure that we create the environments, and it has to include the built environment, which is why we need that facility.

I understand over the years it was never built; it was never a priority for any government, I guess. Quite frankly, if you go and you talk to people in your districts and so on, people want a new school, they want a new recreation centre, they want a new swimming pool and a new hockey rink. Nobody says we want a new penitentiary – nobody says we want a new penitentiary. Therefore, it never becomes a priority.

It's important that we finally get this penitentiary built, and it's very important, what the minister is doing, bringing this legislation forward. We need to get this legislation proclaimed.

SOME HON. MEMBERS: Oh, oh!

CHAIR: Order, please!

The hon. the Member for Mount Pearl - Southland is speaking.

P. LANE: Thank you for the protection, I guess.

CHAIR: It was getting a bit noisy.

P. LANE: Anyway, I appreciate that.

But it is important that we get the facility built, it is important that we get this legislation proclaimed and get those policies and procedures, get that legislation in place. Of course, once again, I will say no different than other pieces of legislation that have come before the House, that the nuts and bolts of this are going to be contained within

the regulations. I will put my trust in the Minister of Justice and his staff that we are going to get that right.

The key piece for all this is going to be the regulations and those processes, and to have a fair process for disciplinary matters that occur inside of our prison facilities and to make sure that everybody, regardless of what they've done, they still have a right to due process and fairness. If that's not happening – and from what I'm hearing, it's not happening. I heard my colleague refer to kangaroo court, I believe, was the term that she used. To have people that are going to be judge, jury and executioner, so to speak, just to turn a phrase, in these facilities is not going to work.

I absolutely agree 100 per cent that we need an independent process with an independent adjudicator in place and to allow individuals who are accused of doing things inside the facility to have their right to legal counsel and so on. The only question, I suppose, I would have and concern I might have around that piece is it has to be timely.

I'm assuming it would have to be timely because if you are inside of a facility, for argument's sake, and somebody breaks a rule – and it depends on what rule was broken and so on, but if it was a significant offence that occurred and it could have an impact on other inmates, it could have an impact on not just other inmates from their own safety, but even from the point of view of retaliation occurring and different things happening within that facility, then I would think that under the current system, as flawed as it might be, I would think that it's fairly swift. If something happens, then that person is dealt with in short order.

I think it's important that if we're going to have this independent process, that still needs to happen. You can't say an inmate did whatever it is and we'll get somebody in here now in three months' time to have your hearing to talk about what happened and

what the punishment is going to be. That's not going to work.

I'd be interested to see, in terms of these independent adjudicators, it can't be like the independent adjudicators we use in labour issues and so on, where I got to look at my calendar and you look at your calendar and by the time we actually have a hearing, it's three months or six months down the road. We need people available that when something happens, within short order, that particular investigation or that hearing can happen rather quickly. That would be one thing, I would think, that should be in those regulations.

With that said, my time is up. I do support and I commend the minister for bringing it forward.

Thank you.

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

J. HOGAN: Thank you, Chair.

I'd just like to address a couple of points raised by the Member. He spoke about people who might be in a facility and need access to health care.

I just want to note that a new section we're putting in is section 34.1, which is a transfer of inmate to a health care facility. It does allow, upon the advice of a medical practitioner or a nurse practitioner, when they determine that an inmate who is in a correctional facility is ill and requires treatment at a health care facility, that inmate can be removed from the facility and transported to a health care facility in this province.

So that is in there, if they need that health care treatment as recommended by a doctor and a nurse and they need to be removed from the facility, which is not what they were ordered to do, they were ordered to stay there, this act now allows that

movement from out of a correctional facility into a health care facility.

With regard to the timelines for disciplinary process, the Member is right, you can't have this drag on for one or two or five year because the individual might be gone. The regs are going to say that the disciplinary process will happen as soon as practicable, or no longer than 96 hours. So there will be a very strict timeline on that.

Thank you, Chair.

CHAIR: The hon. the Member for Torngat Mountains.

L. EVANS: Thank you, Chair.

I was just going to go straight to questions, but after sitting through and listening to several people speak, I just decided that there was a couple of points that I never got a chance when I was speaking last time, when my time ran out. So I thought it was a good opportunity for me to stand up, since I do have 10 minutes, to talk a little bit about some of those points. I do have questions at the end that I would like to be able to present.

On my first opportunity to talk on this, I think that was last week, I talked about how much time has passed. I did mention *Decades of Darkness Moving Towards the Light*, which was a comprehensive review on the correctional system, and there were many important recommendations that came forward. I did talk about them, about terminology in legislation that should be changed to reflect a more rehabilitative approach. That was one of the positive things that came about in the *Correctional Services Act*, modifications should include areas to ensure the rights of inmates are respected.

Now, we know as a society that's really important, and that was another thing with the *Correctional Services Act* that was actually being righted. I also talked about

the regulations, the recommendations that came out of the *Decades of Darkness Moving Towards the Light*. That really resonates with me, that title, but that was in 2008, and that's the point I made last time I spoke on this. So I'm just taking a few moments to go back and just revisit.

Regulations should be thoroughly revised and then approved by the province to include more modern language; a grievance process for inmates; search and seizure of contraband; the use of force; and other topics, that was so important. I also talked about other things in – I think I had 15, 20 minutes last time, that I spoke on.

But the *Correctional Services Act* was passed in 2011. That's the point I made last time. So much time has passed. It's problematic when we look at that, when we bring forward acts and they're passed and we expect them to be ascended and to be enacted and we expect their supporting regulations to be developed.

In our society, corrections plays a critical role. My colleague from Mount Pearl - Southlands talked a bit about inmates and eventually they'll be released. In actual fact, what modernizes our society and why we are a better place than we were decades, generations ago, is that we know that everybody is entitled to have a second chance to be rehabilitated. The failure to actually get the *Correctional Services Act*, basically, put in place and we start to use it, really, we lost a lot of time.

I had written here little notes on the side. I had: everyone has suffered because of the delay. But I'm going to correct that because I might be called and questioned on that. Really, society has suffered from these delays and we've got to ensure, as Members of the House of Assembly, that when acts are passed that we get the value of them. We don't have many long delays.

Also, the Member for Harbour Main talked about procedural fairness, not only now, but

she spoke about it last week as well and that's what guides her. I know her, personally, procedural fairness in her profession as a lawyer, it's so important. We have a great opportunity in the House of Assembly to comment on legislation and to pass acts and make recommendations for the regulations.

A couple of points that I had missed was under section 18 subsection 27(5) and section 20, what I'm getting at is it talks about effort, the word effort. I'll just read out one of them, under 27(5): "Where a search under subsection (1), (2) or (3) includes a strip search, effort shall be made to accommodate requests for inmates to have the strip search conducted by an authorized person of the inmate's preferred gender identity unless the delay that would be caused by complying with this requirement would result in imminent danger to human life or safety."

In actual fact, effort, what does that mean – effort. This is so important for the respecting of inmates. I think we should make every effort. I think the legislation should actually reflect that. I think we should, actually, have the word "every" – every effort made because it impacts, it can traumatize a person. Of course, being a female, I can relate to that. But we also have transgender people, we have males who may be sensitive to being strip searched by females. So it's so important.

The other note that I never got an opportunity to raise when I spoke last time is under 21(1). It good to see the addition of adjudicators. But, in actual fact, we should have the word "independent" in front of it – independent adjudicators used for all disciplinary court hearings taking place in the institutions.

Another part I missed there was under Part IV, continuity of correctional programs and services. When talking about programs, it shouldn't only be about mental health and addictions. We should talk about

rehabilitation of offenders. So maybe we could add a subsection in there: Rehabilitate offenders by providing vocational training and/or wellness programs. Because that's so important. We have the ability now to really rehabilitate people who've harmed others so that when they're released, they'll be contributing members of society, not, basically, in a position where they actually will reoffend. So there are a lot of things to talk about.

Also in Part IV, when we're looking at discharge planning. We see here about getting them rehabilitated back into society. There are also no amendments indicated around deaths in custody. So this is really important here. We need to reference the need for mandatory medical examiners inquest when a sudden death occurs in custody. That's something that I can relate to, especially with my constituents where we've had several deaths in custody. So that's so important.

But, Chair, my time is winding down, but I'm ready at any time to go into questions.

CHAIR: Go ahead, you have two minutes left.

L. EVANS: My first question is: What's the current status of the regulations that's to accompany this act? How many sets of regulations are there and how far are each of the regulations from completion?

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

J. HOGAN: As I said at the outset, my target is to have the act proclaimed along with the regulations in three to six months.

CHAIR: The hon. the Member for Torngat Mountains.

L. EVANS: Thank you.

When was the last jurisdictional scan completed on the act and what did it reveal?

Which places are lessons from the scan incorporated into the amendments?

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

J. HOGAN: The jurisdictional scan would be done before we bring in any new legislation or before we amend any legislation. In terms of any specific changes that were made to this piece of legislation, with regard to how it looks in other provinces specifically, for example is something here that was in Alberta versus something we've changed because it's in Ontario, I don't have that information. All I have in front of me are the current amendments compared to the old legislation. But that's something that any member of the public can look at other pieces of legislation and compare it to ours now.

CHAIR: The hon. the Member for Torngat Mountains.

L. EVANS: Thank you, Minister.

This legislation does go further to take care of the rights and needs of women, gender diverse and Indigenous inmates. Was there any consideration given to specifically naming inmates of colour as a group with unique needs? And if not, why not?

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

J. HOGAN: So that is a good question and the answer to that is yes, there was thought to that. I had discussions about that and, to be honest, the danger in starting to name specific groups, is that you potentially leave a group out. You also don't want to tie the legislation to be interpreted in a narrow way.

So the choice was made to leave, for example, principle 4(h) the way it is now. The discussions we had and that I had in the department was that the end of that principle is that the needs of other groups who are offenders with special requirements

need to be taken out, and I can say that my interpretation of that would be any group, any individual, anyone who is racialized would fit into that catch-all at the end of that principle.

CHAIR: The hon. the Member for Torngat Mountains.

L. EVANS: Thank you, Chair.

Under the definition of contraband, 2(e)(iii), includes a weapon or a component of a weapon possessed without prior authorization. In which cases would inmates or offenders be authorized to possess weapons?

Chair, I'll just qualify the question. That definition implies that offenders could be authorized to possess weapons.

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

J. HOGAN: That's a fair question. It does go on to say, "a component of a weapon or ammunition for a weapon" I guess it's open-ended there to give anyone prior authorization. People are pretty ingenious. They can come up with things that you wouldn't think are weapons and make them weapons.

It's open to interpretation there about maybe someone had authorization to have something that you and I might not think is a weapon but they can be interpreted down the road as a weapon. My colleague here, the Minister of Municipal and Provincial Affairs is saying, for example, a toothbrush, and he's not wrong.

CHAIR: The hon. the Member for Torngat Mountains.

L. EVANS: Thank you for that answer and I do understand the example you just gave.

The definition of health care facility only includes those operated by the provincial

health authority. Might there be cases where an inmate has been seen by a physician, specialist or other health care professional who does not work in such facility?

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

J. HOGAN: Sorry, could you just repeat that?

CHAIR: The hon. the Member for Torngat Mountains.

L. EVANS: The definition of health care facility only includes those operated by the provincial health authority. Might there be cases where an inmate has been seen by a physician, specialist or other health care professional who does not work for the provincial health authority?

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

J. HOGAN: Yes, health care facility has a definition. They might be seen by a health care professional which is defined as well, which is a medical practitioner under the Medical Act, a registered nurse under the Registered Nurses Act or registered psychologist under the Psychologists Act.

CHAIR: The hon. the Member for Torngat Mountains.

L. EVANS: Thank you, Minister.

I'll go to next one here. The definition of health care professional excludes a number of people whose services are essential to health and well-being, such as specialists covered under the AAHP or dentists. Why did the department opt to a more narrow definition in this case?

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

J. HOGAN: The narrow definition doesn't mean that they can't see those individuals. As I said earlier, too, one of the principles of this is that they have equitable access to health care, meaning that they would have access to things like dentistry as well. That wouldn't be equitable, obviously, if they didn't.

So the health care professional definition is there for other specific reasons throughout the act, but they are able to see health care professionals not just limited to what's in the definition of 2(1)(k).

CHAIR: The hon. the Member for Torngat Mountains.

L. EVANS: So paragraph 2(q) refers to inmate communication delivered to the correctional facility or sent from it.

Does email apply to this definition? Technically email is sent to an email address, not a facility.

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

J. HOGAN: I guess it would be interpretation of what the correctional facility is. Is the email received at the correctional facility or sent from the correctional facility? But if you're reading that as an email to someone at the facility itself, I guess that would be something different.

CHAIR: The hon. the Member for Torngat Mountains.

L. EVANS: Section 4(b) refers to maximizing individual opportunities for rehabilitation and integration; whereas the current not proclaimed act, the one I referred to earlier, mentions programming and services designed to promote rehabilitation and integration.

Now, this is a minor change, but the reference to programs and services is gone and replaced with reference to maximizing

individual opportunities. Does this subtle shift mean that the government is putting success or failure on individuals and de-emphasizing its own role in supporting inmates and offenders to rehabilitate?

This is basically a change in language, right?

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

J. HOGAN: No, it doesn't mean that. I'm just going to have a look at it to compare it.

I think the purpose of that is just to focus on the individual. The additional words there, as I can see it, are "maximizing individual opportunities for rehabilitation and reintegration" It's not putting the onus on the individual.

CHAIR: The hon. the Member for Torngat Mountains.

L. EVANS: Okay, thank you.

Once the act is proclaimed, what resources will the department allocate to ensure that section 4(f) is upheld?

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

J. HOGAN: I mean, the Department of Justice's budget is very large and a lot of money is put towards corrections. I don't have the exact number of what's being spent on corrections, but I can tell you, for example, last summer there was additional money provided for correctional officers, one-time bonuses to make sure that there was recognition of the hard work that they've been through and certainly at HMP in the last number of years.

There was increase in pay for double time when they had to work on certain days. There is \$15 million that the Department of Transportation and Infrastructure is going to spend over the next two years to help do

upgrades at HMP. There's hundreds of millions of dollars for a new facility that's going to be built at some point in the very near future. So there are a lot of funds flowing through the Corrections division of Justice and Public Safety, including an increase in the budget this year for more correctional officers in Corrections in this province.

CHAIR: The hon. the Member for Torngat Mountains.

L. EVANS: Just looking at 4(f), inmates are entitled to fair treatment with access to an effective grievance and disciplinary procedure. It's been raised when we were actually discussing the act as well, so that's why we're wondering about the resources that would be put towards making sure that inmates do have access to grievance and disciplinary process because what's happening right now is unacceptable.

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

J. HOGAN: Yeah, so for that specific question – and the Member for Harbour Main asked that as well. I think she did the specific dollar figure that's going to be allocated towards the independent adjudicators. That money that's budgeted will be about \$360,000.

CHAIR: The hon. the Member for Torngat Mountains.

L. EVANS: Thank you, Minister.

Section 7 reads: The superintendents might have too much work and need to delegate tasks. What is it that this section is meant to address? What kinds of tasks or duties might be delegated? It's about delegation of work from superintendents?

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

J. HOGAN: Can you just tell me the section again, please?

CHAIR: The hon. the Member for Torngat Mountains.

L. EVANS: Section 7.

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

J. HOGAN: An adult probation officer amendment?

CHAIR: The hon. the Member for Torngat Mountains.

L. EVANS: It's the one that refers to superintendents. It says that superintendents might have too much work and need to delegate tasks. So what types of tasks and duties might be delegated?

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

J. HOGAN: Sorry, I –

CHAIR: The hon. the Member for Torngat Mountains.

L. EVANS: Oh, sorry, section 5(7), I guess. Sorry about that, it's been a couple of weeks since we did this.

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

J. HOGAN: Section 5(7) reads: "The superintendent may designate a staff member to exercise one or more of the powers or perform one or more of the duties of the superintendent where the superintendent determines it is necessary." Is that the one you're referring to?

CHAIR: The hon. the Member for Torngat Mountains.

L. EVANS: Actually –

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

J. HOGAN: I can't answer the question unless I can read it, so if you could pick out the –

CHAIR: The hon. the Member for Torngat Mountains.

L. EVANS: No, no, like I said, it's been a while since we did this. So I'll move on to the next one.

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

J. HOGAN: That's fine.

CHAIR: The hon. the Member for Torngat Mountains.

L. EVANS: So I'll move on to the next one.

CHAIR: Perhaps the Member can say what page it is on in the bill?

J. HOGAN: No, I got a different page, too.

CHAIR: You've got a different – okay.

The hon. the Member for Torngat Mountains.

L. EVANS: Looking at section 18(2)(b) – that's a clear one there – 18(2)(b) removes the reference to supporting the inmates healing as part of the needs addressed in their plan. My question is: Why was this goal removed?

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

J. HOGAN: Again, I don't see the reference, my 18 doesn't say that.

CHAIR: The hon. the Member for Torngat Mountains.

L. EVANS: The new section 18(2)(b).

CHAIR: Member for Torngat Mountains, is it clause 12, the amendment for section 18?

L. EVANS: Yes, it must be.

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

Did you find it?

J. HOGAN: Yeah, so the word healed was removed.

CHAIR: The hon. the Member for Torngat Mountains.

L. EVANS: Yes.

CHAIR: Does the hon. the Member for Torngat Mountains have additional questions?

L. EVANS: No, he did say it was removed. We were wondering what was the logic or justification for removing that?

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

J. HOGAN: It talks about a plan of an inmate at a correctional facility to meet their needs and appropriate programs. I guess healing, I would suggest, is a very subjective word. When an inmate might feel healed or may not feel healed, and a medical practitioner may feel an inmate is healed or not healed, I would suggest that enshrining that in legislation and trying to figure out exactly when someone is healed is an impossible task.

CHAIR: The hon. the Member for Torngat Mountains.

L. EVANS: Okay.

Looking at amendment 16, why was the necessity of informing the inmate in writing removed?

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

J. HOGAN: So what was changed, the word was as soon as practicable was changed to as soon as reasonably possible, and you're right, to remove it in writing. The purpose in doing that was so it could actually be done as soon as reasonably possible, because if you do have to provide it in writing, obviously it takes more time, the CO might have to go to their desk, write it down, print it out and provide it to them, so the purpose of that was to make this process quicker.

CHAIR: The hon. the Member for Torngat Mountains.

L. EVANS: Okay, thank you for that answer, Minister.

Amendment 18, can you define effort in this context? What would entail a reasonable effort to find an authorized person of the inmate's preferred gender identity to conduct a strip search?

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

J. HOGAN: I would interpret that to mean every effort possible should be made to make sure that's done.

I just will comment, as well, I was going to comment but I didn't get chance earlier during your statement, that you did talk about the dignity of inmates and a couple of changes that we have made here are related to that. That includes giving the inmate the ability to choose that person to do the strip search based on their preferred gender identity of the person to do it, because before the act said it had to be a person of the same sex.

The other thing that we did to help with the dignity of individuals who have to go through this process is to actually put a definition of strip search in the act, which wasn't there before. Now it is clearly defined what it is and not open to interpretation. I think it's important to note that strip search

means a visual inspection of a naked person by an authorized person.

CHAIR: The hon. the Member for Torngat Mountains.

L. EVANS: Thank you, Chair.

Amendment 21, why were the penalties increased?

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

J. HOGAN: Certainly, the monetary value given the passage of time is not the same anymore, \$2,000, however long ago this was, is probably closer to \$5,000 today, and essentially, one of the reasons is that the fines weren't necessarily working so there needed to be a bit of a change there.

CHAIR: The hon. the Member for Torngat Mountains.

L. EVANS: Thank you, Minister.

Amendment 23, the wording is changed in section 33(1) from a staff member to an authorized person. Does this change now restrict who can seize an object or substance?

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

J. HOGAN: Yeah, we included in the definition of authorized person that specific section, section 33. Now it's an authorized person that's able to do that. It's a little bit more clear. It's not vague as it would have been before.

CHAIR: The hon. the Member for Torngat Mountains.

L. EVANS: Thank you, Minister.

Amendment 23, the new paragraph 33(5)(b) shortens the period from three months to 30 days. What was the reason for this change?

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

J. HOGAN: It's really a reason to deal with the backlog of inventory at the facilities.

CHAIR: The hon. the Member for Torngat Mountains.

L. EVANS: Thank you, Minister.

Amendment 26, why has the reference to peace officer been replaced with police officer?

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

J. HOGAN: So this deals with arrests, and before it said a peace officer could do the arrests, but we want police officers doing the arrests, not a peace officer, who might be a probation officer, for example. That's not their job description to be arresting people, so we want to be specific that it's police officers.

CHAIR: The hon. the Member for Torngat Mountains.

L. EVANS: Thank you, Minister.

A lot of these questions are about getting clarity, and you are doing that, so we do appreciate that. It's not meant to cause you frustration or to challenge anything. A lot of this is about getting clarity.

Also, I do apologize for using section instead of amendment, that did cause some confusion with the minister in trying to locate what I was referring to.

So amendment 36, why was the decision made to repeal the Correctional Services (Amendment) Act, 2019 and include elements of it in this bill?

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

J. HOGAN: I guess this revision is to bring it up to current standards as we want it. This was the appropriate way to bring the legislation forward in the House.

CHAIR: The hon. the Member for Torngat Mountains.

L. EVANS: Thank you, Chair.

That's the end of my questions that I have.

CHAIR: Okay.

The hon. the Member for Harbour Main.

Sorry, the hon. the Minister of Justice and Public Safety.

J. HOGAN: I'm just going to respond to one of the other questions, because it's funny when you get a question and you wonder about it, like, why would someone have consent to have a weapon? They might have consent in the kitchen to be using a knife, so they would have consent to a knife. The second it's used as a weapon, you're going to take that consent away.

CHAIR: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: Thank you.

I do have one further question and it relates to the issue of access to medical care for inmates. It's just a question in terms of clarification, Minister.

It's regarding section 34.1, which is the transfer of inmates to health care facilities. So, basically, in essence, what the section 34.1 says is that you have a medical practitioner or nurse practitioner, they are the ones that determine whether an inmate – when they're ill and they require treatment at a health care facility, then it goes on to say the chief superintendent may, be order of the minister, remove the inmate, transfer him from the correctional facility and to health care facility.

Regarding this clause, I have to say I have heard from numerous, over the number of years that I've been – and it's five years today, actually, that I've been elected in the House of Assembly and as critic for Justice and Public Safety – I've heard issues repeatedly about inmates and their ability to access health care within the facility.

As recent as this week, a disturbing case of an inmate who has been diagnosed with schizophrenia and it's been determined by the medical practitioner that he is not to be transferred out to a health care facility to the immense concern of the parents who feel that his mental health is declining.

So what I want to understand, Minister, this provision here, this clause where it says that a medical practitioner or nurse practitioner, they are the ones, either/or can determine that an inmate who's detained – let's say at HMP – is ill and that requires treatment to a health care facility – let's say the Waterford. Is that the final step? Is there an appeal process? I'm just trying to be able to advise in terms of – and this is just that one case. I've had other cases.

Where do you go when one medical practitioner in HMP has made a determination – and I know you can't get into the specifics of the case or anything, but in a general way, is there an appeal process for an inmate who is clearly ill and needs to be transferred into a health care facility? Is there some sort of appeal process? Because we've heard cases of inmates dying and whether it's related to not getting proper health care, this is something that really needs to have clarification. So, hopefully, that is clear, what I'm asking you.

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

J. HOGAN: So there was a transfer of health care duties, I guess, for correctional facilities or for HMP to take it – I don't want to say take it away, but Justice no longer had control of it. It was transferred over to

Newfoundland and Labrador Health Services, which is the right thing to do. The Justice Department is not responsible for delivering or they didn't know how to deliver health care to individuals, whether they're in or out of facilities.

So this section then follows that, where for anyone in the public, whether you're in a facility or not, only a medical practitioner or a nurse practitioner, someone in Newfoundland and Labrador Health Services, is able to admit someone to a facility.

If I walk down the road today and say I am having an issue, mental health episode, heart, whatever, I'm only going to get admitted when a medical practitioner or nurse practitioner admits me to a facility. So it is no different than the situation that we have created here in section 34.1.

That's the first threshold that has to get over before that transfer will take place. Then she said it will go to the chief superintendent who can then do that transfer, upon order by the minister.

H. CONWAY OTTENHEIMER: Thank you.

CHAIR: Seeing no further questions, shall the motion carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, clause 1 carried.

CLERK: Clauses 2 through 37 inclusive.

CHAIR: Shall clauses 2 through 37 inclusive carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, clauses 2 through 37 carried.

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

CHAIR: Shall the enacting clause carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, enacting clause carried.

CLERK: A bill, An Act to Amend the Correctional Services Act. (Bill 71)

CHAIR: Shall the title carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, title carried.

CHAIR: Shall I report the bill without amendment?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

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

CHAIR: The hon. the Deputy Government House Leader.

L. DEMPSTER: Thank you, Chair.

I move that the Committee rise and report Bill 71 carried without amendment.

CHAIR: The motion is that the Committee rise and report Bill 71 carried without amendment.

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

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

SPEAKER (Bennett): Order, please!

The hon. the Member for Placentia - St. Mary's and Chair of the Committee of the Whole.

S. GAMBIN-WALSH: Speaker, the Committee of the Whole has considered the matters to them referred and have directed me to report Bill 71, An Act to Amend the Correctional Services Act, carried without amendment.

SPEAKER: The Chair of the Committee of the Whole reports that the Committee have considered the matters to them referred and have directed her to report Bill 71 carried without amendment.

When shall the report be received?

L. DEMPSTER: Now.

SPEAKER: Now.

When shall the bill be read a third time?

L. DEMPSTER: Tomorrow.

SPEAKER: Tomorrow.

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

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

J. HAGGIE: Thank you, Speaker.

Speaker, I move, seconded by the Government House Leader, that this House do now adjourn.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Motion carried.

This House do now stand adjourned until Tuesday at 1:30 p.m.

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