

**First Session – Forty-Third Legislature**  
**of the**  
**Legislative Assembly of Manitoba**  
**Standing Committee**  
**on**  
**Legislative Affairs**

*Chairperson*  
*Jelynn Dela Cruz*  
*Constituency of Radisson*

**Vol. LXXVIII No. 2 - 1 p.m., Monday, March 4, 2024**

ISSN 1708-668X

**MANITOBA LEGISLATIVE ASSEMBLY**  
**Forty-Third Legislature**

<b>Member</b>	<b>Constituency</b>	<b>Political Affiliation</b>
ALTOMARE, Nello, Hon.	Transcona	NDP
ASAGWARA, Uzoma, Hon.	Union Station	NDP
BALCAEN, Wayne	Brandon West	PC
BEREZA, Jeff	Portage la Prairie	PC
BLASHKO, Tyler	Lagimodière	NDP
BRAR, Diljeet	Burrows	NDP
BUSHIE, Ian, Hon.	Keewatinook	NDP
BYRAM, Jodie	Agassiz	PC
CABLE, Renée, Hon.	Southdale	NDP
CHEN, Jennifer	Fort Richmond	NDP
COOK, Kathleen	Roblin	PC
CROSS, Billie	Seine River	NDP
DELA CRUZ, Jelynn	Radisson	NDP
DEVGAN, JD	McPhillips	NDP
EWASKO, Wayne	Lac du Bonnet	PC
FONTAINE, Nahanni, Hon.	St. Johns	NDP
GOERTZEN, Kelvin	Steinbach	PC
GUENTER, Josh	Borderland	PC
HIEBERT, Carrie	Morden-Winkler	PC
JACKSON, Grant	Spruce Woods	PC
JOHNSON, Derek	Interlake-Gimli	PC
KENNEDY, Nellie	Assiniboia	NDP
KHAN, Obby	Fort Whyte	PC
KINEW, Wab, Hon.	Fort Rouge	NDP
KING, Trevor	Lakeside	PC
KOSTYSHYN, Ron, Hon.	Dauphin	NDP
LAGASSÉ, Bob	Dawson Trail	PC
LAMOUREUX, Cindy	Tyndall Park	Lib.
LATHLIN, Amanda	The Pas-Kameesak	NDP
LINDSEY, Tom, Hon.	Flin Flon	NDP
LOISELLE, Robert	St. Boniface	NDP
MALOWAY, Jim	Elmwood	NDP
MARCELINO, Malaya, Hon.	Notre Dame	NDP
MOROZ, Mike	River Heights	NDP
MOSES, Jamie, Hon.	St. Vital	NDP
MOYES, Mike	Riel	NDP
NARTH, Konrad	La Vérendrye	PC
NAYLOR, Lisa, Hon.	Wolseley	NDP
NESBITT, Greg	Riding Mountain	PC
OXENHAM, Logan	Kirkfield Park	NDP
PANKRATZ, David	Waverley	NDP
PERCHOTTE, Richard	Selkirk	PC
PIWNIUK, Doyle	Turtle Mountain	PC
REDHEAD, Eric	Thompson	NDP
SALA, Adrien, Hon.	St. James	NDP
SANDHU, Mintu	The Maples	NDP
SCHMIDT, Tracy, Hon.	Rossmere	NDP
SCHOTT, Rachelle	Kildonan-River East	NDP
SCHULER, Ron	Springfield-Ritchot	PC
SIMARD, Glen, Hon.	Brandon East	NDP
SMITH, Bernadette, Hon.	Point Douglas	NDP
STEFANSON, Heather	Tuxedo	PC
STONE, Lauren	Midland	PC
WASYLIW, Mark	Fort Garry	NDP
WHARTON, Jeff	Red River North	PC
WIEBE, Matt, Hon.	Concordia	NDP
WOWCHUK, Rick	Swan River	PC

**LEGISLATIVE ASSEMBLY OF MANITOBA**  
**THE STANDING COMMITTEE ON LEGISLATIVE AFFAIRS**

**Monday, March 4, 2024**

**TIME – 1 p.m.**

**LOCATION – Winnipeg, Manitoba**

**CHAIRPERSON – MLA Jelynn Dela Cruz  
(Radisson)**

**VICE-CHAIRPERSON – MLA Nellie Kennedy  
(Assiniboia)**

**ATTENDANCE – 6 QUORUM – 4**

*Members of the committee present:*

*Hon. Min. Fontaine*

*Mr. Blashko, MLA Dela Cruz, Mrs. Hiebert,  
MLA Kennedy, Mrs. Stone*

*Substitutions:*

*Mr. Blashko for Ms. Lathlin*

*Ms. Lathlin for Mr. Blashko at 2:08 p.m.*

**APPEARING:**

*Cindy Lamoureux, MLA for Tyndall Park  
Kathleen Cook, MLA for Roblin*

**MATTERS UNDER CONSIDERATION:**

*The Advocate for Children and Youth Act*

\* \* \*

**The Chairperson:** Good afternoon everybody. Will the Standing Committee on Legislative Affairs please come to order.

**Committee Substitution**

**The Chairperson:** I have a committee substitution. I would like to inform the committee that under rule 84 subsection 2, the following membership substitution has been made for this committee effective immediately, and that would be Mr. Blashko for Ms. Lathlin. Thank you.

\* \* \*

**The Chairperson:** So, this meeting has been called to consider the five-year review of The Advocate for Children and Youth Act.

Section 40 of The Advocate for Children and Youth Act states that within five years after this act comes into force, a committee of the Assembly must

begin a comprehensive review of the operation of this act, and must within one year after beginning the review submit a report to the Assembly that includes any amendments to this act recommended by the committee.

Are there any suggestions from the committee as to how long we should sit this afternoon?

**Mrs. Lauren Stone (Midland):** I suggest two hours.

**The Chairperson:** Mrs. Stone has suggested two hours. Or, it has been suggested that the committee sits for two hours. Agreed? [*Agreed*]

The floor is now open for discussion.

**Mrs. Stone:** Thank you for the opportunity to be here today and to begin the important work of reviewing the MACY act. We know that there are too many children in care, and disproportionately Indigenous children.

These children deserve for us, as elected officials, to do a comprehensive review and execute this bill for the safety and best interests of our children and young people, which are of the utmost priority. And I think all of us around the table are in agreement with trying to get this process right, do it comprehensively and ensure that children and youth—we have their best interests at heart.

Therefore, I move

THAT, as per section 40 of The Advocate for Children and Youth Act, a subcommittee of the Standing Committee on Legislative Affairs be struck to manage the process of conducting a comprehensive review of the act as follows:

The subcommittee will consist of one government member, one official opposition member, and any relevant experts or representatives agreed upon by both members.

The subcommittee will have the authority to call its own meetings, the ability to meet in camera, and will be authorized to undertake duties it deems necessary in order to fulfil its responsibilities in conducting a comprehensive review of the act.

The subcommittee will report back to the Standing Committee on Legislative Affairs, with a review that has been approved by all subcommittee members.

The subcommittee will be assisted in its duties by the clerks of committees, who will be authorized to attend all meetings. Digital Media Branch staff will also be authorized to attend to facilitate virtual participation if necessary.

I am very happy to be here today. *[interjection]* Okay, thank you. Sorry.

**The Chairperson:** So, it has been moved by Mrs. Stone THAT, as per section 40 of The Advocate for Children and Youth Act, a subcommittee of the Standing Committee on Legislative Affairs be struck to manage the process of conducting a comprehensive review of the act as follows:

- (a) the subcommittee will consist of one government member, one official opposition member, and any relevant experts or representatives agreed upon by both members.
- (b)–

**An Honourable Member:** Dispense.

**The Chairperson:** Do I hear dispense? Okay.

And so the motion is in order.

The floor is now open for questions.

No questions? Is the committee ready for the question?

**An Honourable Member:** Question.

**The Chairperson:** The question before the committee is as follows:

THAT, as per section 40 of The Advocate for Children and Youth Act, a subcommittee of the Standing Committee–

**An Honourable Member:** Dispense.

**The Chairperson:** I hear dispense.

Shall the motion pass?

**An Honourable Member:** No.

**The Chairperson:** Okay. I hear a no. Honourable minister? *[interjection]*

#### Voice Vote

**The Chairperson:** All those in favour of the motion, please say aye.

**Some Honourable Members:** Aye.

**The Chairperson:** All those opposed motion, please say nay.

**Some Honourable Members:** Nay.

**The Chairperson:** In my opinion, the Nays have it.

The motion is accordingly defeated.

#### Recorded Vote

**Mrs. Stone:** I call for a recorded vote, please.

**The Chairperson:** A recorded vote has been requested.

Once the count in the committee room is complete, we will conduct an alphabetical roll call of members participating virtually as well. For this step, I will call each remote member's alphabetically, and they must state their vote responding with either, I vote yes, or, I vote no.

#### Committee Substitution

**The Chairperson:** Okay. Before we proceed to the vote, I will need to announce another substitution. Ms. Lathlin for Mr. Blashko.

\* \* \*

**The Chairperson:** And proceeding to those participating virtually–*[interjection]*

Okay. All–okay. Thanks for your patience, everybody.

*A COUNT-OUT VOTE was taken, the result being as follows: Ayes 2, Nays 3.*

**The Chairperson:** The motion is accordingly defeated.

\* \* \*

**Hon. Nahanni Fontaine (Minister of Families):** I just want to say miigwech for putting the motion on the floor. I appreciate the intention behind it, and what I would suggest is that, as I'm sure the member knows, and folks around the table would know, that Manitoba actually has a pretty robust standing committee process, and in fact across the country, we're one of the few jurisdictions that actually have this infrastructure in place that allows citizens and organizations and folks that are concerned about a particular issue to come actually to committee and be able to present, either physically or virtually, or actually also to submit a paper to the committee.

So, I feel that this committee is in the best position to be able to undertake a comprehensive review, in

partnership with MACY. Of course they are a partner in this as well. And so—and of course everybody around the table as well.

\* (13:10)

So I would move—to that end, I move

THAT, as per section 40 of The Advocate for Children and Youth Act, the Standing Committee on Legislative Affairs conduct a comprehensive review of the act as follows:

- (a) the committee will firstly call the Manitoba Advocate for Children and Youth as a witness to provide her recommendations and answer questions.
- (b) the committee will secondly hear public presentations on the act. Any member of the public may register, and registrations will be accepted for 10 days after the committee report of this meeting is presented to the House. Public presentations will be up to 10 minutes long, followed by 10–five minutes—up to five minutes for questions and answers with MLAs.
- (c) written submissions to the committee from members of the public will be accepted until the committee has completed hearing public presentations.
- (d) after the standing committee has conducted steps (a) through (c), a committee report will be presented to the House that contains all the recommendations from the Manitoba advocate for youth—children and youth, a list of all public presenters and all written submissions received.

**The Chairperson:** There was just one mistake—a tiny mistake here that states—there was just one tiny mistake.

Can we accept the motion as written? *[Agreed]*

*THAT, as per Section 40 of The Advocate for Children and Youth Act, the Standing Committee on Legislative Affairs conduct a comprehensive review of the Act as follows:*

- (a) the Committee will firstly call the Manitoba Advocate for Children and Youth as a witness to provide her recommendations and answer questions.*
- (b) the Committee will secondly hear public presentations on the Act. Any member of the*

*public may register, and registrations will be accepted for 10 days after the Committee Report of this meeting is presented to the House. Public presentations will be up to 10 minutes long, followed by up to five minutes for questions and answers with MLAs.*

- (c) written submissions to the Committee from members of the public will be accepted until the Committee has completed hearing public presentations.*
- (d) after the Standing Committee has completed steps (a) through (c), a Committee Report will be presented to the House that contains all recommendations from the Manitoba Advocate for Children and Youth, a list of all public presenters, and all written submissions received.*

**The Chairperson:** It has been moved by the honourable minister

THAT, as per section 40 of The Advocate for Children and Youth Act, the Standing Committee on Legislative Affairs conduct a comprehensive review of the act as follows—

**An Honourable Member:** Dispensed.

**The Chairperson:** I hear dispense.

The motion is in order, and the floor is now open to questions.

**Mrs. Stone:** You know, it's great to see that we have all political parties represented around this table. I think it's a testament to this important work that is about to be undertaken.

I think we can all agree there are too many children in care and too many tragic deaths are occurring. Our children and our future deserve for us, as elected officials, to ensure that we get this process right. This is not political. It should not be partisan.

Our children and youth and all Manitobans deserve for this process to be as transparent, accountable and comprehensive as possible. And I truly believe that this review is something that we can work across party lines to accomplish to ensure no more children fall through the cracks.

So, to speak to the minister's specific motion in front of us today, I have to ask the minister if she can explain, for the benefit of everyone today and all Manitobans watching, why she has chosen to go with this process as opposed to striking a non-partisan, independent committee to comprehensively undertake this important work.

**MLA Fontaine:** Miigwech, again, to my colleague across the way. Again, I appreciate—and again, I think that it's in respect of my previous comments, we do have an infrastructure here at standing committee that we're able to hear—that supports citizens that want to come forward and participate in a review. And that we're able to hear from them directly here at our standing committee.

And again, for the member, because, you know, prior to COVID, we actually didn't have this infrastructure—this virtual infrastructure. And so, if you wanted to come and make a presentation to committee, you actually had to physically be here, or sometimes, right, you could make a submission—a written submission.

But now we have the infrastructure not only in our standing committees, but certainly in the Chamber, as well, for members that, you know, for whatever reason, can't make it to the House. But we do have the infrastructure that supports Manitobans across the province to be able to present directly to members here.

And then, again, I want to point out that the committee also does accept and allow written submissions. Again, not every jurisdiction across the country even has this infrastructure or has this table where you can make in-person or virtual or written submissions.

So again, I recognize that, you know, members opposite would like to strike up a subcommittee, and I appreciate that; I really do. I think what it does, though, is it's creating a little bit extra layer of bureaucracy to a process that is pretty straightforward of which citizens actually have a direct access to us here in this room and those that are around the table, and, like I said, I would agree with my colleague.

You know, I would submit that everybody around the table cares deeply about children in care and cares deeply about the province that we have for our children, and, you know, that doesn't—that shouldn't—and I suspect and I would submit, it doesn't matter what political party you belong to, we all want what is best for Manitoba children. And so, again, this is a direct line of communication from citizens who want to be able to offer their expertise and their recommendations.

**Mrs. Stone:** You know, I'm very glad that the minister has brought up other jurisdictions and the process that is undertaken. With my analysis that I've done as how other jurisdictions have undertaken similar reviews,

having a subcommittee of independent experts is the gold standard. This is best practice across the country.

So, can the minister please explain why she's not following best practice and what has worked with other provincial jurisdictions when undertaking similar reviews?

**MLA Fontaine:** Again, I appreciate that the member has looked at other jurisdictions, and, again, I think what's missing in that analysis is that what we have here, other jurisdictions don't have, right? There are other provinces and territories that, actually, citizens don't get that opportunity to present directly to, you know, the folks that are in charge, the folks that are elected to do this work, right?

This is—this standing committee infrastructure that we have in—here in Manitoba is very unique, and it gives the public and citizens and organizations and parents, or whoever it is, direct access for us to be able to hear them directly.

**Mrs. Stone:** Understand the work of public consultation and presentations that go through a normal bill committee process; however, can the minister explain why she is opposing independent experts?

We have some great experts here in Manitoba that really want to see this review and this process done right, and why they shouldn't be around the table making those decisions as independent as possible and recommendations to the public.

**MLA Fontaine:** Again, I can't stress enough that the experts and you—the member and I absolutely agree, we have phenomenal experts here in Manitoba that care deeply about this issue that have been working on this issue for many, many years and don't do it for political gain or political clout.

But they are able to make their recommendations. There are—able to make their recommendations and their expert opinions on, you know, child welfare or the continuum of care for children in Manitoba, literally right at the front, right here; this first desk right here is where they come and make it.

So it's not like, and I—so I want to disabuse the member opposite when she says that they're not able to; they're literally able to make those recommendations and those interventions like, whatever, that's 20 feet away.

**Mrs. Stone:** Thank the minister for her remarks. Public presenters have a limit of 10 minutes to speak. So, can she please explain why she wants to limit experts in how they prepare their recommendations?

**MLA Fontaine:** You know, the structure of this committee, which is founded, as the member knows, is founded in our rules and procedures, right? But there's nothing to say that—you know, by agreement our committee can do anything. So if it's the members' will or suggestion that maybe we even open it up a little bit more; maybe it's 15 minutes. Like, I'm not opposed to that, and I don't think anybody around the table is opposed to that.

\* (13:20)

So certainly, I think, by leave, and maybe our clerk can correct me, but I'm pretty sure by leave we can determine what that process looks like here. Certainly I think that's something that we could work on together.

**Mrs. Stone:** Thank you for that, Minister. And, you know, it's our desire, on this side of the House, to have as many people from the public engaged in this very important work and undertake it as comprehensively and thoroughly as possible.

So, can the minister just speak to how the reporting structure of this will—review will look under the motion that she has presented?

**MLA Fontaine:** Again, I think that that comes back to this committee. And again, you know, I want to just share, in respect of, I think the member opposite had said something about, you know, limiting presenters.

I remember years ago there was a bill that came before the House and it was—if I'm correct, I think it was, like, transfer responsibility or get rid of the taxi board. I can't remember, but it was about the taxis. The previous government had brought forward that bill. And I think we had, like—I can't even remember—upwards of, like, maybe two, three hundred presenters. And we were here for hours and hours. We would go every night until, like, midnight. I think we always stopped at midnight.

I remember when the previous government introduced bill 64, right? The school board bill. And before us, in opposition, the NDP in opposition, were able to get rid of those bills, there was upwards of, I think almost, like, 700 presenters.

So, this structure supports experts being able to come to this table and being able to present. So I don't think it's—again, I respectfully would disabuse the member opposite about, you know, in—that, in some way, this process would limit presentations. And certainly what we hear here helps to inform the final

recommendations. It's what folks bring forward that construct that final report.

So again, I think that—I just want to be very, very clear that this structure and this table that we have is one of the best mechanisms at which to hear directly from the experts and their recommendations and citizens and parents and, again, the whole—you know, all of the Manitobans that would like to present on this.

**Mrs. Stone:** So, does the minister agree that this review should be a non-partisan and non-political process?

**MLA Fontaine:** Again, I think that any time you have a review, certainly with something so sacred and so urgent as the welfare of our children, I would think, and I would submit, that everybody that sits at this table comes in the best way to do this work.

So, by nature of that, I would suggest that this very process is non-partisan, because we're all coming at it—all of us—and again, I said it in previous comments, no matter what party we belong to, at the end of the day, we want what is best for children.

And so I would submit we are coming at this in that good way. You folks are coming at this in that good way, that we're coming to do this work in a good way. And again, this is the structure that can best facilitate that.

**Mrs. Stone:** And, you know, I wholeheartedly agree that it should be non-political and non-partisan and, you know, my colleagues and I are here today to do that, you know.

But I have to ask, like, what is more non-partisan and non-political than an independent committee of experts?

**MLA Fontaine:** If I read your motion correctly, my colleague, I think your motion had said something to the effect of that it would be one government member, one opposition member, and then one community member. And I say this with the utmost respect, I say this on both sides: you know, are we the experts? Like, you just said that, why would we want to not have the experts? I would suggest that on neither side of the House are we the experts on child welfare.

We're elected to be here. We're elected into these roles but I don't necessarily think I was elected because I'm an expert on child welfare.

So, I—again, I would kind of disabuse that notion that if we had this structure of a government member,

an opposition member and somebody in the community; I think both you and I can agree that that probably—that somebody in the community would be an expert.

But I agree with your earlier comments. We have phenomenal experts that have dedicated their whole lives. They've done their masters, they've done their Ph.D., they've done 30, 40 years at, you know, looking at child welfare in the wide range.

I'm not necessarily convinced that either a government member or an opposition member would be that expert.

The other piece that I would like to share is that, you know, I think it's really important and, again, I think that this is the best structure in which that work can take place, is to be able to facilitate and encourage and nurture a decolonizing analysis of child welfare or of social services for predominantly Indigenous children.

I would suggest that—I'm not sure if there's experts that have that decolonizing lens on some sides of the House. So again, when we're looking at a review, in an era of reconciliation, in a reality in which Indigenous children are still paying the price for colonization and residential schools and '60s scoop and all of that, there must be a decolonizing lens. And so again, this committee can support that by having those experts with that decolonizing lens present to this table or to this committee.

**The Chairperson:** I would like to gently remind folks to put questions and responses through the Chair. And I'll call upon Mrs. Stone.

**Mrs. Stone:** I would just like to correct the minister that our motion says any relevant experts. This does not necessarily mean one community expert. You know, we could have elders around the table, we could have other experts that have taken similar reviews like this before across different jurisdictions. That is up for discussion.

I'm disappointed that the minister didn't take the opportunity, when our motion was in front of this committee, to ask some of those clarifying questions because we can have many experts around the table to help conduct this review, and that was in the motion.

So, I just wanted to make that clarification that we can have those conversations if you are open to that.

I want to ask the minister that—she had brought up jurisdictions before and, you know, like as I've mentioned, there have been—there's precedent across

other jurisdictions, which—of having a subcommittee of experts in the past. And this has even been done in Manitoba and it's been done through the accessibility act. It's been done through The Securities Act.

So I have to ask the minister, Madam Chair, why she believes that this act isn't important enough to go down that same route.

**MLA Fontaine:** Again, I believe that this is one of the most, I think, just in its totality, you know, the welfare of children in our province—and it doesn't matter which province you belong to—the welfare of children in any particular province or territory is of the most importance.

So I—again I want to just disabuse the member opposite for saying that I don't think it's important; I do. I think it's incredibly important; critically important. And certainly as someone, you know, as someone who has been in care herself, I understand it intimately; the need for services and infrastructure in our province that best serves children but best protects children, and so I know that on a level that not everybody around the table would understand. So again, I disabuse that.

\* (13:30)

Again, I just want to reiterate that this table has the opportunity—and the members that sit around this table have the opportunity—to hear directly from those experts. And I—as I said previously, I understand, perhaps, why the member would want to bring forward a motion like that, right? I understand that. But I actually want to hear from all of those folks. I want to hear from those folks directly, and I think that most people that would sit at this committee table would want to hear directly from those folks.

We have a system that supports it. We have an infrastructure that supports it where, you know, perhaps a, you know, several years back when I was just newly elected and this structure didn't allow for all of these other pieces that we now have, perhaps this conversation would've looked—or, this committee would've looked a little bit different today. But we do have the infrastructure that we can support; hearing from Manitobans from Tadoule Lake or Churchill or Brandon or Peguis or Sagkeeng.

Like, we have the infrastructure that we can hear from those folks that are on the front lines, those folks that are most impacted, from those experts that have dedicated their whole lives to this, to the Indigenous community that's on the front lines of trying to protect



their children and trying to reunify children. We can hear all of them right here in this space.

**The Chairperson:** Thank you, honourable Minister.

**Mrs. Stone:** We presented this motion because we believe that nothing is more independent and non-partisan than an independent group of experts. Everything that the minister has just mentioned can be done through this subcommittee. And I guess I'm confused as to why the minister is opposing an independent non-partisan committee of experts who know how to do this work and who have experience in these areas to come around a table and make these recommendations.

Can—I'm stumbling; I just don't understand why the minister is opposing a subcommittee of independent experts to complete non-partisan and non-political work, of which he—she has agreed that it should be non-political and non-partisan.

**MLA Fontaine:** I—again, I don't know how much more clear I can be in the sense that I'm not opposing anything to that respect about hearing any expert in the communities. Again, this is a structure, this is a space whereby we will get to hear directly from those experts and those folks that are on the front lines and again, as I've said, those folks that have dedicated their whole lives to doing that.

I know that I want to hear directly from them; I would suggest that my colleagues do, and I would suggest that, you know, folks opposite want to hear directly from them. And so this is the place to do that. And so I—again, I can keep answering the question, but my response will always be the same, is that this is the space that we can do that, and that those folks—again, we're so lucky in Manitoba and in the Manitoba Legislative Assembly, that we actually have the infrastructure, that we can hear directly from them.

**Mrs. Stone:** Just like to pass the floor to my colleague, MLA Lamoureux.

**MLA Nellie Kennedy (Assiniboia):** Sorry, am I able to make a comment? *[interjection]* Okay. So that is, essentially, what I'd like to do.

Certainly, as the minister has stated, I think it's very important that the people who sit around this table are, in fact, able to listen to the people who are here that will present. I think in the structure in which the members opposite has stated in their motion, that wouldn't be the case. And I think it's really important.

I know for myself, certainly, I would want to be hearing from the people who come to present.

And we have this structure in place specifically, which wouldn't prevent anything that's been presented in the motion; it's a structure that's already existing. And I think that the way in which it's done, it actually limits the bureaucracy of things. And certainly, I think the way that it's set up right now would accomplish all the goals that were set out in the motion.

**MLA Cindy Lamoureux (Tyndall Park):** I'd like to thank my colleague from Midland for just allowing me the opportunity to share a few words.

I do think it's extremely important that we're looking at different ways right now in the province of Manitoba to better be able to address and tackle the issue of children in care and child welfare. And I, personally, I support the motion. I think it's a good idea.

I think that we need to be looking outside of the box, because what is happening now is not working, and I think that would be unanimously agreed upon around the table. Nobody wants to see over 10,000 children in care currently in Manitoba. We need to switch things up. And I think that the motion that has been brought forward is a potential step towards that.

I think we need to, at the very least, be exploring it, giving it the opportunity. I know it's why I'm going to be bringing forward an emergency debate on Wednesday. I'm so grateful that I have the support already of one side of the House, and I'm really hoping that the minister is going to do her job. It is her responsibility to stand up for children in care here in Manitoba, and this is an opportunity for her to do that, to have this emergency debate.

And so, any opportunity that we are given, whether it be here at committee bringing forward this motion, whether it be at the debate being presented on Wednesday, I think we have an obligation to do everything we can to address the issue.

**The Chairperson:** Is there—are there any further questions?

**Mrs. Stone:** I'm just wondering if the issue, if the minister can speak to her concern about a subcommittee. Is it a timing issue?

**MLA Fontaine:** Again, perhaps. I'm not sure. I don't know if it's fair to say that that's a concern. It could be. We haven't, you know, discussed that. But again, I have to reiterate that—and as my colleague has said here—that, you know, I want to be able to hear the

recommendations and the lived experiences and the different narratives and the decolonizing analysis on child welfare or—ensuring that we have, you know, the safety for children. All children, but particularly, obviously, for Indigenous children. I want to be able to hear that directly.

And so, again, you know, we have this structure that we can all hear from them. And I know that the member opposite is saying, you know, coming at this an—in an—a non-partisan way. And again, I, you know, I would submit that everybody that sits at this committee, everybody that is, you know, taking those opportunities to lift up and to centre children are doing that in a good way.

I refuse to accept—of course, you know, there are committees that are highly charged, highly partisan, absolutely. When there is legislation that one side or the other side doesn't like, of course, those moments are, you know, perhaps not our greatest moments as legislators. But I refuse to believe or refuse to accept that those of us that sit in this committee would not come to committee in a good way, in a very sacred way, understanding the role that we have and the incredible responsibility that we have.

So again, I think it's really important to stress that we have this committee. We are one of the few jurisdictions across the country that have the ability to hear directly from those, again, that whole spectrum of Manitobans that we would want to hear from. And, you know, I personally look forward to hearing, you know, from those folks on how we can make the system better.

\* (13:40)

And again, you know, I don't think that—and, you know, I want to just correct the record. I think right now, and we're waiting for those latest numbers, but I think, you know children in care is at, I think it's 8,800 children, 8,800-something. And, you know, I don't think any of us want a province where children have to find themselves in care.

And I can share that, you know, from almost—I think I was appointed minister, I'd only been minister for probably 48 hours—and, you know, have really worked with my department to stress the importance of transferring jurisdiction. Right now we're in a pretty unique historical moment here in Manitoba and across the country, but certainly for the purposes of our conversation here. You know bill C-92 enacted federal legislation that gives nations jurisdiction over their children, and that is the ultimate

goal. The ultimate goal is to restore that colonial history.

And, you know, child welfare here in Manitoba is going to look very different in the next year, in the next two years, in the next five years. Child welfare is going to look incredibly different here in Manitoba, and I'm excited to be a part of that. And until that happens, you know, I believe that we can all come to this table in a good way to ensure that until jurisdiction—until Indigenous nations have full control and jurisdiction over their own children, their own communities, we can come together in a good way and do what's best for our children.

**Mrs. Stone:** And just to qualify the motion for a subcommittee, which unfortunately was defeated, and it's unfortunate that no questions were asked of it, because a subcommittee, in by nature, is sub.

The motion reads that it will present and report to this committee that the minister has talked about, the difference being that you have this subcommittee of experts that then comes to this standing committee while still hearing public presentations from across the province. So, it doesn't preclude this committee from hearing from public presenters. As mentioned, it is subcommittee, subcommittee to this committee that we are at here today.

So, you know, again I ask the minister, is it a time-frame issue to have a subcommittee or is it a cost issue? What is really the holdback of having a subcommittee of this committee of elected officials?

**MLA Fontaine:** Again, I cannot stress enough, and I will continue to stress this, that, you know, we have an infrastructure in place here that very few jurisdictions have, that we can hear directly from folks.

And so, I want to ensure that we are creating space that we hear directly from those that are on the front lines and those that are the experts to give us that advice, and this is one of the best places to do it. These are the halls of power. There is no other more—actually, symbolically or literally—this is the halls of power, and these are where those decisions get made and those policies get made and those laws are enacted.

And so I think that this is one of the best places to hear directly from those Manitobans and those experts and those parents and those children and those—whoever is going to want to participate in the MACY review. There's no greater place than right here among all of us.

**Mrs. Stone:** Pass the floor to my colleague, the MLA for Roblin.

**Mrs. Kathleen Cook (Roblin):** I would—thank you, Madam Chair. I would submit that a full legislative review is different than a typical standing committee meeting. And I would agree with the minister's comments earlier that we, as elected officials, are not the experts on this important topic. And I think that's why my colleague's motion is proposing to give those subject-matter experts a real voice around the table and a say in the recommendations that that subcommittee would put forward in a report.

And, you know, I can recall working in this building almost 20 years ago when the previous NDP government would put forward legislation that would bring hundreds of presenters to the building, often very late at night, and I would submit that experts on this topic shouldn't have to advocate for children on this very important legislative review in 10-minute increments, potentially at 11 o'clock at night. They should be able to come to regular meetings and provide their constructive feedback around this table in a dialogue, at a civilized hour.

So, I guess I would just ask why the minister is limiting the input of those subject-matter experts, and why the minister is opposed to giving those subject-matter experts a real voice around the table.

**MLA Fontaine:** Again, I'm not doing anything to the—to what the member is saying. Again, this is the forum and the infrastructure in which folks can make their presentations to us personally or virtually or in written format. I'm not limiting any of those presentations, and I made the offer earlier to folks opposite, to your colleague, that, you know, at committee we can fully discuss extending the time if we wanted to do that.

But, again, I have to stress that I appreciate everybody that would want to come and make a presentation, that feels they have something to offer this Legislative Assembly in respect of, you know, the protections of children in its totality. And again, I know we keep talking about child welfare, but as folks know, MACY has an expanded mandate which includes education and justice.

And so, certainly this committee can hear from all of those folks right here or on the screen or in written form. And so it's not limiting anybody, it's not silencing anybody. It's a—the infrastructure that we have that I think works really well to hear directly from those folks.

**Mrs. Stone:** I pass the floor to my colleague online, MLA for Morden-Winkler.

**Mrs. Carrie Hiebert (Morden-Winkler):** Thank you, Madam Chairperson, and all those in attendance today. Want to take a—the opportunity to put a—some comments on record and to support my colleague, MLA Stone. We are here to discuss a topic that is incredibly important, that weighs heavily on the hearts of all of us in this room: children and youth.

Those are the—some of the most vulnerable of the ones who are looking to—and the ones who are looking to us to keep them safe and provide them with protection, to give them the security they need, both physically and emotionally. I'm relatively new to the elected-MLA position, but I am not new to the needs of a child in care, the harmful situations that they have been—found them—been found in, and parts of their pasts, and the toll it takes on their mental health.

I believe we must work together to come up with solutions. This would not be—this should not be a political—this should be a decision based on what needs to be done to reach the child and youth before harms happen, to give them the best chance possible—the future. My heart breaks for those who have lost a child, a sibling or a friend to suicide or violence. Mental health has taken a huge toll on families, affecting children and youth the most.

Many children in care are vulnerable and falling through the cracks. We need to figure out the best way to reach children and youth, that are the best—that are—sorry, 'bedest' ways so that we can avoid tragedies from happening before they are at risk of harms. This can be just—this can't just be a quick review. My colleague, MLA Stone, has shared with you today that we need to make an investment in creating a subcommittee; there needs to be a comprehensive review done by 'revelant' experts.

All of us sitting here today in this room need to make it a priority. Dollars need to be spent and invested. Also, time needs to be taken to do the right thing. Why would we want to cut corners when our children and youth are at risk, is my question. We need experts to—that have boots on the ground, experts that are experienced and working with children and youth to weigh in on solution-based results and solutions to help these situations that children are found to be in to end the crisis. Experts, both rural and urban settings, with no agenda other than saving lives and keeping children safe and cared for.

\* (13:50)

Let's agree to be putting children and youth first. I believe that there's more to be done to address the needs of children and youth, and a review by an independent subcommittee that reports to the standing committee is a good place to start.

Why would we not want to take extra measures to make sure that we are not missing anybody and that we have—able to hear everybody share and speak on this important topic?

**MLA Fontaine:** I want to just say miigwech for the intervention from yourself. And again, I think—I can't remember when we were here. Was this the MACY review? Yes, and I think that you shared your own experience. And I really—again, I think I—we spoke after that—or not the review, what was that? Annual report maybe?

I—again, I, you know, I want to just share that I really appreciated what you put on the record there and what you shared with all of us complete strangers of, really, your journey. And so I just want to lift you up for that.

I know that you mentioned, you know, ensuring that children and youth are the priority. And again, I would submit, everybody around the table, that our children in Manitoba are our priority.

But certainly, you know, as the minister responsible, that is something every single day, every single day, meeting after meeting after meeting after meeting, every single day is about prioritizing the protection of children and youth in our province.

And it's a responsibility that I take very, very seriously every day. And every day, I start my day smudging because of just how important the work is and how serious it needs to be taken and how comprehensive. And how we have to really dismantle and unpack the system as it exists, particularly for Indigenous children.

And so, as minister responsible, I take that very, very seriously. And again, this is an opportunity for all of us to hear directly from those experts and those Manitobans and those citizens that want to share, again, their recommendations, their research, their narratives, their personal experiences, their journeys directly with us.

And I think that that's important. I think that's really important for that to take place in this room, in this building, again, which I said earlier, like, the halls of power. It's really important for that work to be taken.

And had we not have, you know, the structure that we have, which again, is pretty comprehensive here in Manitoba. We've got here physically, we've got virtual, we've got written submissions. We will be able to hear from those that want to make the presentations to this committee and help inform the review for MACY as we move forward.

So again, I just reiterate that, you know, I want to hear directly, I'm sure that folks around the table want to hear directly. And we'll be able to do so here in this room.

**Mrs. Stone:** Thank the minister for her comments. And I really hope that she reconsiders in forming a subcommittee. You know, as I've mentioned before, a subcommittee, by nature, is a subcommittee of this committee. It doesn't replace the important work that this committee undertakes in hearing public presentations.

You know, I truly believe and, you know, following my comments from my colleague, the MLA for Morden-Winkler, these children deserve for us, as elected officials, to do a comprehensive review of this legislation.

You know, I think we've all seen, you know, over seven kids in care have tragically passed away in the past few weeks, including one within my constituency. And I believe that all of us around the table can agree that we don't want to see this continue to happen.

We have an opportunity around this table to get this review right towards fixing a system that has been broken for far too long. And we have to get this right for all the children that have tragically passed, for all the children that are currently in care and for our future generation of Manitobans.

And, you know, I just—I can't stress this enough about how important it is that we don't rush this process through. And, you know, we've all agreed here today that this should be non-partisan and non-political so that we do get that—this review right. Manitobans deserve that this process be transparent and accountable and comprehensive.

On our side of the House, and along with my colleagues, we believe that the most transparent way is to have an independent body of experts making recommendations to this committee, along with public presenters from across this whole province, so we can ensure that all Manitobans have the opportunity to be involved in this important work and that we do cover all corners of this province.

You know, appointing a subcommittee of experts, as I've said, it's the gold standard. In other jurisdictions across Canada, through our cross-jurisdictional analysis, this is precedent for what other jurisdictions have done, and is becoming precedent. We've already had this done in Manitoba, and I believe that of all legislative reviews that are done, this one, of all of them, should be so important that we have independent experts coming towards this committee and reporting into this committee.

You know, when the previous PC government passed bill 9, I believe the minister was around the table, and that five-year review is now upon us. This was intended to be non-partisan and non-political with a subcommittee of independent experts.

And to quote this minister, when that bill was passed, I would just encourage the minister to put the dollars forward that are needed by the office to be able to execute this bill in a thorough way, in a wholesome matter, for the betterment of our children here in Manitoba.

Let the historical record show that I wholeheartedly agree with the minister's previous comments at that time, and now the minister is in the position herself to put her words into action.

So, I strongly hope that she will reconsider the motion that we originally put forward. And with that, I would move the following amendment to the motion: to strike out everything after, quote, The Advocate for Children and Youth Act, quote, and replace it with a subcommittee of the standing committee—*[interjection]*

I'll just start from the beginning.

I move the following amendment to the motion: quote, The Advocate for Children and Youth Act, quote, and replace with a subcommittee of the Standing Committee on Legislative Affairs be struck to manage the process of conducting a comprehensive review of the act as follows:

- (a) the subcommittee will consist of one government member, one official opposition member, and any relevant experts or representatives agreed upon by the members.
- (b) the subcommittee will have the authority to call its own meetings, the ability to meet in camera, and will be authorized to undertake duties it deems necessary in order to fulfil its responsibilities in conducting a comprehensive review of the act.

- (c) the subcommittee will report back to the Standing Committee on Legislative Affairs, with a review that has been approved by all subcommittee members.

- (d) the subcommittee will be assisted in its duties by the clerks of committees, who will be authorized to attend all meetings. Digital Media Branch staff will also be authorized to attend to facilitate virtual participation, if necessary.

**The Chairperson:** It has been moved by Mrs. Stone that a—that the following amendment to the motion to strike out—

**An Honourable Member:** Dispensed.

**The Chairperson:** I hear dispensed.

The amendment is in order and the floor is open for questions. Are there questions?

Is the committee ready for the question, then?

**An Honourable Member:** Question.

**The Chairperson:** The question before the committee is as follows: To strike out everything that—everything after The Advocate for Children and Youth Act and replace with a subcommittee—

**An Honourable Member:** Dispense.

**The Chairperson:** I hear dispense.

Shall the amendment pass?

\* (14:00)

**An Honourable Member:** Aye.

**An Honourable Member:** Nay.

**The Chairperson:** I hear no.

#### Voice Vote

**The Chairperson:** All those in favour of the amendment, please say aye.

**Some Honourable Members:** Aye.

**The Chairperson:** All those opposed, please say nay.

**Some Honourable Members:** Nay.

**The Chairperson:** In my opinion, the Nays have it.

#### Recorded Vote

**Mrs. Stone:** I call for a recorded vote, please.

**The Chairperson:** A recorded vote has been requested.

Once the count in the committee room is complete, we will conduct an alphabetical roll call of

members participating virtually. For this step, I will call each remote member's name alphabetically and they must state their vote responding with either, I vote yes, or, I vote no.

*A COUNT-OUT VOTE was taken, the result being as follows: Ayes 2, Nays 3.*

**The Chairperson:** The amendment is accordingly defeated.

\* \* \*

**The Chairperson:** Are there any further questions on the main motion?

**Mrs. Stone:** You know, obviously very disappointed, and it's a shame that members opposite didn't take this opportunity to ask questions of my amendment to form a subcommittee for this review.

So I'm wondering, with the motion that the minister has presented, how the department will capture recommendations from this review process.

**MLA Fontaine:** Miigwech for the question. Certainly our department has a whole team of folks that are committed and dedicated to reviewing the recommendations that come in from this process and take very seriously those recommendations as they will be presented.

And, again, it's a—you know, work that is sacred work and very, very important, and as I cannot stress enough the team that we have that—in Families—some phenomenal individuals that really, really believe in the protections of children and youth.

And so, certainly those recommendations will be reviewed comprehensively, strategically, alongside myself and alongside our whole team.

**Mrs. Stone:** Will the minister undertake a public consultation on these recommendations?

**MLA Fontaine:** Could the member explain exactly what she means by that, what's she's envisioning by that?

**Mrs. Stone:** The recommendations that come from the experts and public presenters here, and this committee will be charged with developing those recommendations.

So, I'm wondering if the minister will undertake—undertake public consultation of the final recommendations that come forward from this committee.

**MLA Fontaine:** Certainly I think that that's something that could be explored. I haven't—because we're

just in the very beginning processes, right. I haven't really given that much thought at this point.

But certainly I think that that's something that can be contemplated, and certainly perhaps I would even make the offer that perhaps we could meet and you could share some of your recommendations on what that might look like and what that might entail.

But at this point I can't say either way, because I—again, we're just in those beginning stages. But certainly what I can commit to is taking that back and having that discussion.

**Mrs. Stone:** What were—what are the timelines that the minister is looking at for this review to be undertaken?

**MLA Fontaine:** I keep forgetting to put up my hand. I apologize.

Again, in concert with MACY, I'm hoping that this will happen relatively quickly in the sense that we'll begin the process to get everything structured and in place.

**Mrs. Stone:** Will the minister make the recommendations of the review public?

**MLA Fontaine:** That's a very good question. I don't know. I have to go back, and I can't answer that right now. I have to go back and see if I'm bound by some legislative framework that I'm not allowed to. But I don't know that.

But I will certainly come back and I will give an answer to that.

**Mrs. Stone:** As we go through this, this process and timelines, I'm hearing kind of to be determined. Will there be regular updates to the public as to how it's going?

**MLA Fontaine:** I was just clarified, which obviously makes sense here, that the recommendations brought to this committee are already public. Yes, thank you.

**Mrs. Stone:** Is this minister committed to implementing all the recommendations that are brought forward?

**MLA Fontaine:** I would imagine so.

And, you know, let me just share that, you know, I've been, for many years a fan of MACY. They do really important work and provide a very much-needed analysis and service to, you know, all Manitobans in respect of the protections of children and youth, and so I have enormous respect for the work that they do.

And our department has undertaken, you know, all of the recommendations that come from MACY that impact on families. We have undertaken a very methodical approach to implementing those recommendations.

**Mrs. Stone:** Is the minister committed to ensuring that this will be comprehensive and thorough?

**MLA Fontaine:** The review, yes.

**Mrs. Stone:** Thank you for that, Minister.

And I'm a new member of the House, but it's my understanding that with unanimous consent, we can get some of these timelines extended if timing is a concern of the minister.

On this side of the House we really feel that this should be done thoroughly and comprehensively and as if—if time is what we need, then we can certainly look at making that work.

**MLA Fontaine:** And I would suggest that you and I are on the same page, right? And, again, I think this goes back to kind of approaching this work in a good way, and we all want the same thing.

What I can commit to as well is, you know, ensuring that, you know, you are kept abreast of what's going on as well.

**The Chairperson:** Any further questions? No?

Okay, the question before the committee is as follows:

THAT, as per section 40 of The Advocate for Children and Youth Act—

**An Honourable Member:** Dispense.

**The Chairperson:** I hear dispense.

Shall the motion pass? [*Agreed*]

The motion is accordingly passed.

Okay. The hour being 2:08, what is the will of the committee?

**An Honourable Member:** Rise.

**The Chairperson:** Committee rise.

**COMMITTEE ROSE AT:** 2:08 p.m.

The Legislative Assembly of Manitoba Debates and Proceedings  
are also available on the Internet at the following address:

**<http://www.manitoba.ca/legislature/hansard/hansard.html>**