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Speaker: Honourable Perry Trimper, MHA

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The House met at 10 a.m.

MR. SPEAKER (Trimper): Order, please!

Admit strangers.

Orders of the Day

MR. SPEAKER: I will now rule on the matter of privilege raised yesterday by the Leader of the Opposition. I have reviewed the circumstances and listened to Members speak on the issue. I will point out that my role as Speaker in this matter is laid out in O'Brien and Bosc at page 145, "... the issue put before the Speaker is not a finding of fact, it is simply whether on first impression the issue that is before the House warrants priority consideration over all matters, all other orders of the day that are before the House"

Speakers Osborne and Wiseman, in their decisions of May 29, 2017 and June 19, 2012, both indicated that "... it is for this House to decide what course of action will be taken when that happens"

An examination of a prima facie point of privilege in Maingot, page 227 quotes the United Kingdom Select Committee on Parliamentary Privileges asking "...Does the act complained of appear at first sight to be a breach of privilege... or to put it shortly, has the member an arguable point?"

In this matter, I do believe he does.

Parliamentary Privilege enables Members to fulfill the parliamentary functions for which they were elected, and enables parliaments to function. Any conduct which offends the authority or dignity of the House, even though no breach of any specific privilege may have been committed, may be a contempt of the House.

Privilege must be necessary to fulfill the functions of the House or the Member. The "necessity" test has been described by the Supreme Court of Canada in the Vaid case as follows: "In order to sustain a claim of parliamentary privilege, the assembly or member seeking its immunity must show that the sphere of activity for which privilege is

claimed is so closely and directly connected with a fulfillment by the assembly or its members of their functions as legislative and deliberate body... that outside interference would undermine the level of autonomy required to enable the assembly and its members to do their work with dignity and efficiency."

Some of the rights and powers of this House, and of all parliaments in the Westminster system of government are: 1. The exclusive right to regulate its own internal affairs (debates, proceedings and facilities) 2. The power to discipline; to punish persons guilty of breaches of privilege or contempt.

In considering all of this, I find that there is a prima facie breach of privilege by way of contempt. I will now ask the Leader of the Official Opposition to move his motion.

MR. CROSBIE: Thank you, Mr. Speaker.

The motion is:

WHEREAS the Member for Mount Scio has admitted to releasing to the news media investigative reports into that Member's conduct by the Commissioner for Legislative Standards before those reports have been tabled in the House of Assembly; and

WHEREAS the release of such reports of an Officer of the House is an indignity to the complainants that threatens to compromise the integrity of the investigative process and the public perception that justice is being served and prejudices the ability of the Members of this House to fulfill their responsibilities; and

WHEREAS the Member's attempt to use these leaked reports to influence perceptions of the report's conclusions before they have been presented to Members for debate, affects not just the integrity of the process but our ability to fulfill our adjudicated responsibilities.

BE IT RESOLVED that this matter be referred to the Standing Committee on Privileges and Elections for an investigation and a recommendation of an appropriate action to censure the Member for Mount Scio for what he has done.

MR. SPEAKER: I require a mover and a seconder.

MR. HUTCHINGS: Seconded.

MR. CROSBIE: Seconded by the hon. House Leader for the Opposition.

MR. HUTCHINGS: Opposition.

MR. CROSBIE: Thank you.

MR. SPEAKER: Thank you.

Before we proceed, I would like to instruct the Members that we will now be following the regular rules of debate according to Standing Order 46(1) and (2). I do remind all Members who wish to speak to this matter before we vote, that they are to be relevant – and I stress that – in their remarks.

The question we are dealing with is whether this matter should now be referred to the Privileges and Elections Committee, not whether the Member has committed a breach. Okay.

And with that, I would invite the Leader of the Official Opposition to commence with his remarks.

MR. CROSBIE: As you cogently put the matter in your reasons for proceeding just a few minutes ago, privilege is what is necessary for the House, this hon. House, to fulfill its mandate and the expectation of the people of the province that it can conduct its business as both a legislative and a deliberative body with dignity and efficiency. That is what is at stake in the matter now before us.

Dignity and efficiency, and in our capacity as a deliberative body, those words coming from the Supreme Court of Canada in the case you cited, Sir.

Dignity and efficiency is all the more necessary when the House is acting in its deliberative capacity because what we have before us, and the business of the House that gave rise to the conduct now impugned in the resolution by the Member for Mount Scio, involves the capacity of this House acting as an adjudicative body as distinct from acting as a legislative body passing

laws. There is an inherent jurisdiction in this place to regulate the conduct of its own essential internal processes and the conduct of its Members.

What we are confronted with, Mr. Speaker, is an attempt, which may well have had effect, by one of the Members, the Member whose conduct is impugned, to influence this place in its deliberative functions; to influence this place in its role as an adjudicative assembly, over the recommendations for sanction provided to this House, presented to this House, in reports tabled yesterday, and to decide whether we, as an adjudicative body, accept the recommendations, reject the recommendations, or prefer other forms of sanction than those recommended.

An attempt to influence us in the exercise of that essential function, and in our independence in how we exercise that function, is a grave and serious matter indeed.

Mr. Speaker, I listened with great attention to comments publicly made last night by the Member for Fortune - Cape La Hune, in which she explained that in her view what was at issue is the ability of the political process in this democratic polity, Newfoundland and Labrador –

MR. SPEAKER: Order, please!

I'm going to remind the Member regarding my comments on relevance.

The decision has to be in this debate whether or not to refer the decision to the Privileges and Elections Committee, or do we address it here, or through some other vehicle. So it's really on that very narrow decision, and it's going to be a challenge for us to comment on that, I recognize that, but I would ask all Members to stay focused on that very specific question.

Thank you.

The hon. the Leader of the Official Opposition.

MR. CROSBIE: Thank you.

So I interpret your instructions, Sir, to be that it's really a matter of procedure, and whether

referral to that body is the appropriate method of proceeding?

MR. SPEAKER: That's right.

MR. CROSBIE: Well, in that case, Sir, as I outlined, it is a grave enough matter that it deserves the attention of the Standing Committee on Privileges and Elections for an investigation and a recommendation of appropriate action, and I support the motion.

Thank you.

MR. SPEAKER: Do we have any other speakers?

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

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

And I'm glad to be able to stand and speak to this motion. I do support, and we do support as the Third Party caucus, the resolution that's being put forward by the Leader of the Official Opposition.

I think the most important basis for agreeing that we do have to have this investigated is the fact that we have a Code of Conduct and the Code of Conduct has high demands of us as Members of this House of Assembly and representatives of the people in this House of Assembly.

The Code of Conduct talks about our rejecting participation in unethical political practices which tend to undermine the democratic traditions of our province and its institutions. It says that we will – we've all signed this. It says that: Members will act lawfully and in a manner that will withstand the closest public scrutiny. We are here to protect the public interest and to enhance public confidence and trust. Members will base their conduct on a consideration of the public interest. Members should promote and support these principles by leadership and example. And the whole basis of our Code of Conduct is respect for one another, respect for the public and respect for our democratic institutions.

I believe that the actions that are leading to this resolution really do put in question what it means to live by this Code of Conduct, and I think it puts in question what do we do when this kind of event happens that happened, with regard to the reports being leaked by an individual Member before the House had its chance to deal with the reports.

So in light of our Code of Conduct, in light of our legislative standards, I think the most appropriate place for this to be considered is with the Privileges and Elections Committee. That's the role of the Privileges and Elections Committee. It would have the opportunity to do the investigation that it needs and then bring recommendations back to this House, though we don't know what those recommendations could be. They could even mean some legislative changes.

I won't anticipate what that investigation could be, but I think it is needed. If indeed there is a loophole that says doing this kind of thing, there's nothing to say that the kind of action that happened is something that shouldn't happen, then we should make sure that loophole gets closed, if there's something like that there. And that's the kind of thing that the Privileges and Elections Committee would be able to look at and come back with carefully, reasoned recommendations to the House of Assembly.

This is not something that's partisan politically; this is something that we all would agree on – something that we're all concerned about in this House, I know that. And I think doing it through our committee that's set up in our Standing Orders to deal with our legislative standards is the way to go.

Thank you very much, Mr. Speaker.

MR. SPEAKER: Thank you.

Further speakers to the debate?

The hon. the Member for Mount Scio.

MR. KIRBY: My Speaker, I don't have a whole lot to add to what I said about this yesterday – I stood in response to this. I will elaborate a little bit that in the discussion between my legal counsel and legal counsel for the Commissioner

for Legislative Standards, it was agreed that I was not bound by confidentiality in the release of these reports. Also when I stood yesterday –

MR. SPEAKER: Order, please!

I'm sorry, but I must remind the Member I do believe you might have remised my directions to the group to the House.

MR. KIRBY: (Inaudible.)

MR. SPEAKER: Fine. Well, then I would ask you to stay relevant to the – the question before us and the debate before us right now is whether or not to defer this resolution to the Privileges and Elections Committee, or perhaps to handle it here or in some other vehicle. So whether or not there's been a breach that is to be determined later.

Thank you.

The hon. the Member for Mount Scio.

MR. KIRBY: Yes, Mr. Speaker, I am arguing that it should not be for that reason – that the lawyers representing me and the Commissioner for Legislative Standards agreed that we were not bound by confidentiality.

When I stood yesterday as well – and I believe I'm entitled to make this point – I pointed out that my actions were no different than the Member for Terra Nova who released two reports, sometime between the 24th and the 28th of August. So why would I be singled and the other Member not –?

MR. SPEAKER: Again, Sir, I would correct you. I would suggest that the debate is to be focused on whether or not to determine if a breach has occurred by referring it to the Committee. Not whether there's (inaudible) – your context, your justifications for the initiative. It is whether or not – do we determine whether there's been a breach or not on this floor, or at the Privileges and Election Committee? The resolution is put it to the P and E.

The hon. the Member for Mount Scio.

MR. KIRBY: Mr. Speaker, so I'll stand on a point of personal privilege then. Because my rights as a Member of this Assembly are not any different than any of the other 39 Members of this Assembly. I have a right to be treated fairly, the same as the other Members. So I don't understand how it is there can be a motion or a ruling of any sort that singles out my actions which were exactly the same as the Member for Terra Nova.

MR. SPEAKER: Again, Sir, I would ask you to recognize the fact that we are dealing with a priority issue. It's a point of privilege raised yesterday by the Leader of the Official Opposition.

The debate at this time is whether or not to defer this determination to the Privileges and Elections Committee, not whether or not there's been a breach, or anything else related to that. Does the determination go to the P and E Committee or not? So I'd ask you to really focus your comments on that.

Thank you.

The hon. the Member for Mount Scio.

MR. KIRBY: So, Mr. Speaker, are you ruling that I am not entitled to make a point of personal privilege on this matter?

MR. SPEAKER: What I'm ruling is that we are, first of all, dealing with a priority issue that a point of privilege has already been raised by the Leader of the Opposition. That is the priority. I'm handling that one right now.

The hon. the Member for Mount Scio.

MR. KIRBY: So, Mr. Speaker, when will I be able to raise my point of personal privilege then?

MR. SPEAKER: It's typically at the earliest opportunity. If I could just have a minute, I'll confer with my Clerk.

I'm going to suggest that as it's a matter I've not encountered before, I'd like to take a recess. So we'll call for a recess.

Thank you.

Recess

MR. SPEAKER: Order, please!

I would like to remind Members that the House is currently debating a matter of privilege. This matter takes precedence over all other matters before this House.

Regarding the point of personal privilege raised by the Member for Mount Scio, and quoting from Bosc and Gagnon, Chapter 3, pages 161 to 162, Matters of Personal Privilege.

“The Chair may occasionally grant leave to a Member to explain a matter of personal nature although there is no question before the House. This is commonly referred to by Members as ‘a point of personal privilege’ and is an indulgence granted by the Chair. There is no connection to a question of privilege and, as Speaker Fraser who once noted, ‘[t]here is no legal authority, procedural or otherwise, historic or precedential, that allows this. Before rising to speak in the House, the Member must first give the Speaker written notice of the matter; oral notice may also be given privately to the Speaker.

“Such occasions are not meant to be used for general debate, and Members have been cautioned to confine their remarks to the point they wish to make. The Speaker has also stated that, as these are generally personal statements and not questions of privilege, no other Members will be recognized to speak on the matter. Members have used this procedure to make personal explanations, to correct errors made in debate, to apologize to the House, to thank the House or acknowledge something done for the Member by the House, to announce a change in party affiliation, to announce a resignation or for some other reason.”

So I do advise the Member that should he wish to raise a point of personal privilege he should follow procedure, as I have outlined, and I will consider the matter. However, I further note that in accordance with Bosc and Gagnon, at page 150, and dealing with matters of privilege, “When the motion being considered touches on the conduct of a Member, he or she may make a statement in explanation and then should withdraw from the Chamber.”

Should the Member wish to procedure in this matter, I will provide him more latitude.

You have 15 minutes, Sir, if you’d like to make a comment. And, as I said in my remarks, I will provide more latitude.

The hon. the Member for Mount Scio.

MR. KIRBY: Before I begin, Mr. Speaker, can you clarify your statement about withdrawing from the Chamber. I’ve not heard that here in the last seven years that I’ve served.

Thank you.

MR. SPEAKER: According to Bosc and Gagnon, at page 150, and as I alluded to in my preamble, we are dealing with a point of privilege. That is the priority.

If a Member wishes to make a point of personal privilege, there is a procedure that you need to proceed. You can advise me personally, you can send something to me in writing.

Given that this point of privilege deals with a personal – it’s personally connected to yourself – there is an opportunity in the guidance that I have through Bosc and Gagnon that the House will allow that Member to make a statement, there’s 15 minutes can be granted, but following your statement and given that we’ve given you that latitude, the direction of Bosc and Gagnon is that that Member should withdraw from the Chamber for the conclusion of the debate.

The hon. the Member for Mount Scio.

MR. KIRBY: Mr. Speaker, I’m still a bit unclear but I guess you’ll correct me if I go beyond whatever latitude it is you’re willing to grant.

As I said earlier, when these matters came to my attention and I retained legal counsel in May, there was a discussion between the legal counsel for myself and for the Commissioner for Legislative Standards about confidentiality and there was no agreement around confidentiality. I didn’t enter into any agreement. I didn’t sign anything, and there was very little discussion to that effect. Whether that’s right or wrong, people can judge accordingly.

I don't know why it is I was sort of stopped. I mean, obviously, it's your responsibility to maintain decorum and order here in the House and I respect your authority to do that, but I was trying to articulate the fact that my actions were no different than another Member of the House of Assembly who, you know, did practically the same thing as I did and I just think that we're all equal here in our right to be treated with fairness and to be treated equally.

So I don't know why you would refer a matter to the Privileges and Elections Committee pertaining specifically to me, when my actions are no different is – it's astounding to me, and I think it's really a violation of my rights as a Member of this Chamber. Whatever you think of what it was that I did or allegedly did, I think, and I think all Members should consider this, because it could be you at some point.

I won't belabour that because I did read that CBC story from the 28th of August into the record yesterday and Members are aware of what I'm talking about.

Just a couple of other things; the basis that the Leader of the Official Opposition uses to make this allegation that somehow I violated confidentiality is based on his reading or interpretation of a passage in O'Brien and Bosc, which basically says if you're a member of a standing committee, you're bound by confidentiality. If you're a member of a committee, you're bound by confidentiality. I'm not a member of any committee of this Legislature. I'm not a member of the Management Commission; I'm not a member of any committee here. So I don't know how it is that that pertains to this situation.

There's also a jurisdictional question here, and I think you want to go back and look at previous rulings in this House. None of this happened within the confines of the Chamber or the other areas of the House of Assembly. My office is in the West Block, in fact, so I'm nowhere near here.

So I didn't use the House of Assembly, and I didn't use the precinct of the House of Assembly to release these reports, which the public were entitled to read, since they paid something to the tune of a couple of hundred thousand dollars for

them. I thought the public had a right to read them, the same way as the Member for Terra Nova felt when he released these reports in August of this year.

After living with a cloud of suspicion for six months, I thought it was time to release this – with the understanding that I was not bound by any confidentiality, and I'm not sure that the Privileges and Elections Committee can make up rules pertaining to this situation.

The law is foundational. In addition to evidence – and I'm not a lawyer; the letters after my name mean something else. But the law is foundational, and that is, in addition to evidence, whether you agree with it or not when you're making judgment, you also consider precedent in previous cases. The law isn't made up as you go along.

So I don't understand how it is the Privileges and Elections Committee is going to sort of – or how the House of Assembly, by the way, is going to apply a confidentiality requirement to me when there was none previously. That's not the way rules are made. If the House of Assembly wants to make a rule, if the Privileges and Elections Committee wants to make a rule that in these cases, when there are investigations, all Members of the House of Assembly are bound by confidentiality, I got no problem voting for that and agreeing to it. That's completely fair. But you cannot retroactively apply a rule, and there is no such rule as it stands.

I guess the other point in all of this which has to be said – and we'll have a lot more debate about this, I hope – is that on or about the 28th of April of this year, my name was very publicly put out there in the media. There was about a two-week period where I was attached to this. I was guaranteed no confidentiality. The Commissioner had not even received a complaint, yet my name was out there being dragged through this media circus, and I was removed from Cabinet. I removed myself from the Liberal caucus. So I have rights as an individual too, regardless of whether you believe what the Commissioner found, whether you believe me or the complainants, I have rights too, my family has rights too, and I have a right

to be treated equal to every other Member of this House of Assembly.

What went on there was absolutely wrong; it would not happen in any other workplace. If I worked – my home position at Memorial University of Newfoundland if someone filed a grievance against me under the collective agreement for the Memorial University of Newfoundland Faculty Association, all of that would be kept private, and it would be a gross violation of the collective agreement if somebody went outside that and named me unjustly for things that have not been proven to be the case. But that did happen here.

So I was tired of living under a cloud of suspicion, and I felt my family, my friends, the people in this Legislature, the general public and, most importantly, my constituents, had a right to know what went on here, because I was so publicly identified unfairly last year.

I could go on; I'll have a lot more to say about this in the debate. I thank you very much for allowing me to state my peace and giving me some latitude to that. I appreciate it.

MR. SPEAKER: I thank the Member and I must instruct that, consistent with my direction, I will have to ask you to withdraw for the completion of this debate. I'm citing Bosc and Gagnon, page 150.

I thank the Member.

Are there further speakers to the debate?

Seeing none, I might invite the mover of the resolution to see if he has any further comments.

MR. CROSBIE: I have no further comments, Mr. Speaker.

Thank you.

MR. SPEAKER: Thank you.

Is the House ready for the question?

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

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

SOME HON. MEMBERS: Nay.

MR. HUTCHINGS: Division, Mr. Speaker.

MR. SPEAKER: Division has been called.

House Leaders, please call in your Members.

Division

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

MR. A. PARSONS: I'm just standing for the vote.

MR. SPEAKER: I seek some direction from the Clerk.

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

All those in favour, please rise.

CLERK (Barnes): Mr. Ball, Mr. Andrew Parsons, Ms. Coady, Mr. Haggie, Mr. Byrne, Ms. Dempster, Mr. Hawkins, Mr. Crocker, Mr. Osborne, Mr. Mitchelmore, Ms. Gambin-Walsh, Mr. Warr, Mr. Bernard Davis, Mr. Edmunds, Ms. Haley, Mr. Letto, Mr. Browne, Mr. Bragg, Mr. Derek Bennett, Mr. Reid, Ms. Parsley, Mr. King, Mr. Dean, Ms. Pam Parsons, Mr. Holloway, Mr. Crosbie, Mr. Hutchings, Mr. Paul Davis, Mr. Brazil, Ms. Perry, Mr. Kevin Parsons, Mr. Petten, Mr. Lester, Ms. Rogers, Ms. Michael.

MR. SPEAKER: Those against the motion, please rise.

CLERK: Mr. Joyce and Mr. Kirby.

Mr. Speaker, the ayes 35 and the nays two.

MR. SPEAKER: I declare the motion is carried.

The hon. the Government House Leader.

MR. A. PARSONS: Given the hour of the day, I would move that we recess until 2 p.m.

MR. SPEAKER: This House stands in recess until 2 p.m., and I do remind all the Members of this House that there will be a technical briefing that will commence here with the Commissioner for Legislative Standards at 12:30.

Thank you.

Recess

The House resumed at 2 p.m.

MR. SPEAKER (Trimper): Order, please!

Admit strangers.

I would like to recognize some visitors today that we have in the public gallery. I'd like to welcome Ms. Diane Molloy. She's the Executive Director of Newfoundland and Labrador Foster Families Association, and staff members Lori Petersen and Amy Powell. They are joining us today for a Ministerial Statement.

Welcome to you.

SOME HON. MEMBERS: Hear, hear!

Statements by Members

MR. SPEAKER: For Members' statements today, we will hear from the Members for the Districts of Virginia Waters - Pleasantville, Fortune Bay - Cape La Hune, Exploits, Torngat Mountains and Corner Brook.

The hon. the Member for Virginia Waters - Pleasantville.

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

I rise in this hon. House to recognize and congratulate Aluel Acheiek and Caitlyn Menchion of Virginia Park Community Centre on achieving their Silver Duke of Edinburgh Award.

It is important to remember that some of our most critical learning happens outside the classroom and lessons they have learned on this journey will help shape their future direction for

the rest of their lives. The time and dedication it takes to complete the silver level of this award is a sign of their passion and commitment; something they should be very proud of.

Prince Philip created the Duke of Edinburgh International Award in 1956 as a way to give people, like these young women, a supportive and non-competitive development platform. The Prince values activities that deepen self-awareness, builds confidence and broadens skills to further their growth as active and responsible citizens. I have had the pleasure of volunteering with youth my entire adult life and have seen first-hand the benefit that this award program has made in the lives of youth.

I hope this award is the step in a long life of activity, volunteering and working together to make our communities better.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for the District of Fortune Bay - Cape La Hune.

MS. PERRY: Thank you, Mr. Speaker.

I rise today to congratulate the 2922 Vimy Ridge Royal Canadian Army Cadet Corp of Bay d'Espoir award recipients who were honoured at the 2018 Annual Ceremonial Review. It is my great pleasure to pay them tribute.

Top Green Star went to Corporal Sarah Brushett; Top Red Star, Master Corporal Aisha George; Top Silver Star, Corporal Michael Willcott; Top Gold Star, Warrant Officer Christian Snook; and Top Master Cadet to Master Warrant Officer Samuel Davis.

The Marksmanship Award went to Sgt. Michael Willcott; Top Fundraiser, Sgt. Samuel Hussey; and CO's Choice Award to Sgt. Dante Felix.

Peer Choice recipients were Master Warrant Officer Samuel Davis and Sgt. Michael Willcott. Top Dress and Deportment went to Master Warrant Officer Samuel Davis.

I also highly commend all of those who received awards for their outstanding and excellent

attendance. I would also like to pay tribute to the Legion of Excellence recipient, Master Corporal Aisha George, who was honoured for enhancing the cadet movement aims and objectives. A huge bouquet goes to Warrant Officer Christian Snook for his receipt of the Lord Strathcona Medal, which is the highest medal that be awarded to a cadet in recognition of their exemplary performance in physical and military training. Congratulations, Christian, for attaining this highest regard by peers and supervisors as exemplifying the model cadet.

I ask all Members to join me in thanking these outstanding fine young youth.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MR. DEAN: Thank you, Mr. Speaker.

I rise today in this hon. House to commend the Botwood Mural Arts Society on hosting a most successful Global Mural Conference on September 12th to the 15th of this year.

The society has commissioned prominent mural artists to paint several eye-catching additions to the town landscape, depicting our history, culture and way of life, making Botwood the mural capital of Newfoundland and Labrador.

These murals have enhanced the beauty of the town and boosted the extent of tourism in the region. I would extend to all a warm invitation to visit and take a stroll through our town to view these magnificent conceptions.

I ask all hon. Members to join with me in congratulating the Botwood Mural Arts Society on its diligence, effort and success in hosting this global event, and the bringing of us to the world and the world to us.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MR. EDMUNDS: Thank you, Mr. Speaker.

I rise in this hon. House today to recognize a truly beautiful volunteer effort by an outstanding member of the community of Nain.

Mr. Simon Kohlmeister worked as a conservation officer, and sometimes his job involved visits to the local garbage disposal site to monitor wildlife. But he also recognized that some waste at the dump could be used for a better purpose, and it was to this end that Simon saw opportunity.

Simon took the garbage and turned it into something more valuable. In this case, Mr. Kohlmeister took broken bikes from the dump and began putting them back in working order.

Over the years, his efforts to fix broken bikes has proven successful. Now, other families have begun taking their broken and unused bikes to Simon to be repaired and give back to the kids of Nain. It is through his efforts that many young people in Nain have a bike to call their own.

I had the opportunity to speak with Simon last spring about his project, and while he's enjoyed the media attention, he's just satisfied in knowing that there are kids who are happy with a bike of their own.

Mr. Speaker, I ask all hon. Members to join me in congratulating Mr. Simon Kohlmeister of Nain for his outstanding community effort.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Corner Brook, who will ask for leave of the House before he speaks.

MR. BYRNE: Thank you, Mr. Speaker.

Mr. Speaker, it will be a very difficult day. It will be difficult to picture any day in Corner Brook without Craig Kennedy in it.

Mr. Speaker, Craig Kennedy was a friend of mine and a friend of many, and his presence was not just felt in my own hometown of Corner Brook but, indeed, across the continent.

Craig was a professional civil works superintendent and was recognized at an international level as a leader among leaders in his field. Craig Kennedy ran the Public Works department of the City of Corner Brook like no other. He had a style that made people want to work with him and to match him. But his most visible place in the community was on the ice or behind the bench at the storied Humber Gardens and the Corner Brook Civic Centre.

He led his teammates to the coveted Allan Cup win in 1986 and showed those same leadership skills years afterwards as a player, player-coach and coach for the best team in the Newfoundland Senior Hockey League: the Corner Brook Royals. Ron MacLean and Don Cherry – learning their friend, Craig Kennedy, had passed – celebrated his life with the entire country this past Saturday night on *Coach's Corner*.

Mr. Speaker, on behalf of us all, I offer my sincere condolences to his wife Christine, to his sons Colton and Jordan, to his mom Verna and to his entire extended family. Craig has left us after 61 years. His legacy of giving, caring and contributing, however, will last forever.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Statements by Ministers.

Statements by Ministers

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

MR. A. PARSONS: Mr. Speaker, our government is making it easier for Indigenous students from this province to have a career in law.

Through a new agreement with the University of Saskatchewan, two seats will be reserved annually in its College of Law program for Indigenous students from Newfoundland and Labrador. Upon graduation, the Government of Newfoundland and Labrador will allocate and fund two articling positions within the Department of Justice and Public Safety. Indigenous governments and organizations will encourage students to apply to law school and

fund or identify funding for educational expenses.

Mr. Speaker, the trilateral partnership between this government, the University of Saskatchewan and Indigenous governments and organizations will improve access to legal education and create new employment opportunities.

Our province is only the second jurisdiction in the country to partner with the College of Law at the University of Saskatchewan, and it is expected that the first two Indigenous students from Newfoundland and Labrador will enter the program in the fall of 2019.

Mr. Speaker, I want to take the opportunity today, to encourage Indigenous students from this province to consider a career in law. This is a profession where they are typically underrepresented. Individuals have until February 1 to apply, and it is through this partnership that we all hope to improve Indigenous representation in the legal system in Newfoundland and Labrador and to ensure better access to justice for everyone.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MR. CROSBIE: I thank the minister for the advance copy. And I join with the minister to encourage Indigenous students from Newfoundland and Labrador to consider a career in law. As the great English judge, Lord Denning, once said: the law must be certain, but it must never stand still.

I commend initiatives that allow for more Indigenous persons to receive training and experience, practising and defending the rule of law and that integrate Indigenous cultural experience into the great river of Canadian legal development.

SOME HON. MEMBERS: Hear, hear!

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

MS. ROGERS: Thank you, Mr. Speaker.

And I thank the minister. Creating opportunities for Indigenous students to pursue a career in law will improve our justice system, especially for Indigenous peoples who have been unrepresented in our legal system for far too long.

Reforms to the criminal justice system are among the many calls to action of the Truth and Reconciliation Commission, and these reserve seats are a step in the right direction. In addition to this measure, I hope the minister will continue to find further ways to better recognize and implement Indigenous representation and practices within our justice system.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Further statements by ministers?

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

SOME HON. MEMBERS: Hear, hear!

MS. DEMPSTER: Thank you, Mr. Speaker.

I rise today to pay tribute to a group of people who care deeply about the safety and well-being of children and youth in our province.

Throughout Newfoundland and Labrador, approximately 560 foster families provide safe, nurturing homes for children and youth.

Foster Families Week, held annually during the third week of October, is a special opportunity to express our heartfelt appreciation and respect for them.

These families play an inspiring role in the lives of children. Every child and every youth deserves to feel protected, safe and secure, and this is where our foster families shine.

Author and former professor Jess Lair said “Children are not things to be molded, but are people to be unfolded.”

Foster families open their hearts and homes to children and youth in need of comfort, safety and security. In doing so, they create endless opportunities for them to thrive and succeed.

The Department of Children, Seniors and Social Development recognizes the vital role foster parents play in our province and we work closely with the Newfoundland and Labrador Foster Families Association to recruit and support foster parents.

I invite my colleagues in this hon. House to join me in thanking our foster families for their inspiring and extremely valuable contribution to the future of this province, in Newfoundland and Labrador.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for the District of Fortune Bay - Cape La Hune.

MS. PERRY: Thank you, Mr. Speaker.

I thank the minister for an advance copy of her statement. On behalf of the Official Opposition, I join with the minister in extending a sincere appreciation and words of encouragement to the foster families throughout this province.

Mr. Speaker, these families provide comfort, motivation, protection and nurturing to those often vulnerable children in their care. I also wish to thank the Newfoundland and Labrador Foster Families Association who work tirelessly to support foster families and who recruit families to ensure placements are always available in this province when needed.

To families and persons who are interested in learning more, I encourage you all to reach out to the Newfoundland and Labrador Foster Families Association for more information and to consider becoming a foster parent.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

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

I, too, thank the minister for the advance copy of her statement. I'm happy to use this opportunity to thank the Newfoundland and Labrador Foster Families Association and congratulate them on their ongoing development as an organization. Each time I interact with them I'm impressed by the work that the families themselves do along with the organization.

I wish them all the best this year as they implement their new strategic plan which emphasizes education, capacity building and very important cultural awareness.

Thank you very much, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Further statements by ministers?

The hon. the Minister of Transportation and Works.

MR. CROCKER: Thank you, Mr. Speaker.

Mr. Speaker, I rise in this hon. House today to highlight the enhancements we've made this season in the provincial highway transportation network.

Our work to enhance our province's highways keeps people working in their communities, facilitates increased tourism and trade, and ultimately fosters growth in our local economies.

We released our Five-Year Provincial Roads Plan in January 2017, and we knew that issuing tenders earlier in the year would lead to a stronger and more productive road construction season. The Heavy Civil Association of Newfoundland and Labrador has applauded our plan for that reason.

This year, we have paved 568 lane kilometres through the plan. Add an additional 244 lane

kilometres of paving throughout this year on the Trans-Labrador Highway, and that's over 800 lane kilometres that have been paved in Newfoundland and Labrador by our contractors hired by our department this construction season.

Our work this year has resulted in significant improvements to some of the higher-traffic routes, including the Outer Ring Road, Pitts Memorial Drive, and Peacekeepers Way. Work completed on various other sections of provincial highway includes mill and fill from Goobies to Clarendville, rehabilitation of Elliston Road, and the completion of resurfacing of Bald Mountain to North Branch.

We will also be opening the latest phase of the Team Gushue Highway this fall, connecting Kenmount Road to Topsail Road, which will relieve traffic flows in the metro region.

And work will soon begin to add climbing lanes to sections of the Veterans Memorial Highway that will help increase safety by creating opportunities for motorists to pass slow-moving vehicles.

Mr. Speaker, our five-year Roads Plan is working. Our annual public consultation process is currently open until November 16, and we encourage the public to let us know where they feel we should focus our efforts in 2019.

We look forward to seeing continued success under our five-year Roads Plan for the benefit of all Newfoundlanders and Labradorians.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MR. PETTEN: Thank you, Mr. Speaker.

I thank the minister for the advance copy of his statement. Mr. Speaker, the importance of the province's road network cannot be overstated, and we welcome all initiatives that make improvements for our motoring public.

I, too, encourage residents of the province to reach out and tell the government which roads require work. I hope these additional roadwork projects will get the attention they deserve. It would be nice if residents could participate in the process with full knowledge of where the particular roadwork complaints and requests stand in terms of priority with the government.

I would like to, once again, take this opportunity to call upon the minister to release the complete list of all ranked roadwork requests, those selected for work and those that your government have rejected, so that the people of province can see exactly where their roads rant under the Liberal's Five-Year Roads program.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

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

I, too, thank the minister for the advance copy of his statement. The minister notes work will begin soon on climbing lanes for the Veterans Memorial Highway. I'm sure the minister is aware, and I know he is, this work cannot begin soon enough. The safety and the very lives of those using that highway everyday are at risk. It's not enough that we ensure roads are built and paved, we have to be certain they're also designed to be safe.

Thank you very much, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Further statements by minister?

Oral Questions.

Oral Questions

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

SOME HON. MEMBERS: Hear, hear!

MR. CROSBIE: Mr. Speaker, my question is for the Premier.

In the spring of this year, the Premier stood in the House and defended the process to use the Commissioner for Legislative Standards to deal with complaints. However, yesterday the Premier said – and I quote: "... the process has had many questions and, no doubt, has been flawed"

Let me ask the Premier what specifically he feels is flawed about the process.

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Thank you, Mr. Speaker.

When we first had to deal with these allegations and the allegations that were brought forward in the spring of this year, based on the legislation and the act that we had in place in this House of Assembly, done by Chief Justice Green, I would say, at that point that was a process that was outlined, that allegations – and I think that was clearly articulated to all Members of this House of Assembly today. I think the Member understands that. But given the fact that we've been through now what's been a lengthy process, reports have been tabled and the feedback that we've been given by all those who have participated – they've outlined a number of concerns about the process.

I will say that I was not involved in this process at any point at all. I will say now that given the fact, as we've been getting feedback, there are a number of areas where we see flaws in this process. That's the reason why we need to make sure that we take the appropriate amount of time to make sure that we can bring improvements, Mr. Speaker, so that anyone else in the future that would have to deal with this, we can get it right.

SOME HON. MEMBERS: Hear, hear!

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

MR. CROSBIE: Mr. Speaker, in fairness, we all acknowledge that – the Green report was focused on other issues, namely of a financial nature; so, no doubt, improvement is needed.

Last spring the Premier said: I just want to make sure that the comfort level of all those that are involved, as they participate, that they're comfortable with the process. Does he still stand by these words, given the dissatisfaction expressed by at least two complainants, as well as those who were investigated; and what action does the Premier intend to take to address their comfort level?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: One of the things, Mr. Speaker, I think what we can do is take this from the floor of the House of Assembly and put it into an arena where the people who have been through this process will not continually be exposed to the discussion that we've been having here.

Many people in the past have talked about one of the problems that have existed, the fact that they were not given the opportunity to actually have a private conversation with someone to talk about a process. This was one of the problems that was highlighted – everyone has been through this – is the fact that indeed what happened, in a very specific nature, they were dealt with in the public arena, Mr. Speaker. I'm sure the Member opposite has heard those concerns as well.

What I've made a commitment to is zero tolerance and to make sure we take the appropriate time to make sure we can do whatever we can to correct this process, which as seen by everyone that's been involved in this, to have a number of concerns and a number of flaws.

SOME HON. MEMBERS: Hear, hear!

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

MR. CROSBIE: I thank the hon. the Premier for those remarks.

I would like to ask him whether he feels it is now appropriate to adopt one of the recommendations in one of the reports, I believe it's a Kirby report, that the House adopt the practice of instituting sensitivity training, specifically in the legislative context for

Members in their interactions between themselves and with ministers, and whether that should be done in the immediate future?

MR. SPEAKER: Order, please!

I'm going to interrupt the Member on this point because the matter of an improved process has been referred by unanimous decision of this House to the Privileges and Elections Committee. So recommendations coming from the P and E Committee would come to this floor, and then we would be debating it at that time.

So, I just make that point. I'm not sure if the Premier wants to respond. I'm going to go back to the Member, the Leader of the Official Opposition, please.

MR. CROSBIE: Naturally, I take your guidance on that, Mr. Speaker.

The Premier may or may not wish to respond.

MR. SPEAKER: The hon. the Premier.

Apologies for the confusion there.

PREMIER BALL: First of all, Mr. Speaker, I appreciate the role that you play. I think it was obviously a little bit out of line to come to me, but I don't mind him asking the question. The Members of this group have taken harassment training, Mr. Speaker. I said it quite clearly in the spring that it should be mandatory, it would be mandatory, for all Members of this House of Assembly to take harassment training. I said that publicly; I stood here.

Mr. Speaker, if all of us in this House of Assembly, if we haven't learned anything from this exercise that we've been through, if there are no lessons that we've learned already, that politicizing these events that we've had to deal with in the last six months – this is an individual, and it's unfortunate that I have to raise this, that said he should never waste a good crisis.

Mr. Speaker, this is a crisis in people's lives here. We need to get this in the right arena, get us to the point where we can have a debate that we can actually restore this process to the

benefit of all Members and the public of Newfoundland and Labrador.

MR. SPEAKER: Order, please!

SOME HON. MEMBERS: Hear, hear!

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

MR. CROSBIE: Thank you, Mr. Speaker.

Crises are events that need to be learned from and adapted to, and improved on the circumstances that gave rise to them, and I think we can all agree with that.

There has been comment outside this House that this was not the best process to be followed, and that people may not be coming forward with complaints due to what they've witnessed, that in fact they may be deterred.

Is the Premier concerned that this may be happening?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Mr. Speaker, am I concerned? I think just yesterday if anyone in this province, especially the Leader of the Opposition, was paying attention to what was said, I said I was concerned. I was concerned that women in this province would not put themselves – they would not come forward in leadership roles.

My concerns have been expressed publicly many, many times. I took swift action in the spring. It was taken to the appropriate measures, Mr. Speaker. The independence – as we heard today by the Commissioner for Legislative Standards – was there.

Mr. Speaker, I am very concerned about where this is, but I want to let the Leader of the Opposition know, and every Member of this Opposition know, it's the House of Assembly, all Members here, that we collectively have the responsibility to put in place better measures so people are not exposed to what they've been exposed to, and that women in this province will feel comfortable in coming forward to put their

names on the ballots to sit in the very chairs that we sit in today.

SOME HON. MEMBERS: Hear, hear!

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

SOME HON. MEMBERS: Hear, hear!

MR. CROSBIE: Mr. Speaker, given the acknowledged flaws in the process that we've been witness to and which lie behind the reports tabled recently in the House, does the Premier believe it is due process and fair to those against whom findings have been made to apply that process to decide their fate, or should a new process be implemented?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Mr. Speaker, we've had concerns. It is one of the reasons why – to the private Member's resolution here some months ago – that we've established, through the Privileges and Elections Committee, to get examples and ideas; all Members that sit on that. The Leader of the Opposition knows this. He's quite aware. He knows exactly the answer to the question he just asked. That process is already ongoing.

Today, even with the recommendations that have come forward, we already know there's more that needs to be done. Chief Justice Green, when they put this in place some-10, 11 years ago, Mr. Speaker, things have changed over that decade. We can all learn lessons of what we've been through.

Mr. Speaker, my tolerance level on this is zero. We will bring improvements, Mr. Speaker, but it will take the collective group that we have in this House of Assembly to work together, to make the difference that everyone in this House deserves.

SOME HON. MEMBERS: Hear, hear!

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

MR. CROSBIE: Mr. Speaker, the question went more to whether the process that's being

implemented is so flawed as to undermine the justice of the outcome; but, I'll move on to the next question.

The former finance minister said her departure was related to bullying and intimidation within the Liberal caucus. Yesterday, reports detailed the poor conduct of MHAs and ministers within the Premier's caucus, noting the culture of harassment and intimidation was pervasive within the Liberal Party caucus.

What does this say about the Premier's leadership that these issues have been ongoing for three years?

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Mr. Speaker, and I hear some heckling from Members opposite, which surprises me a little bit given the serious nature that we're discussing here today. It really surprises me.

Mr. Speaker, what we've had here, and I would argue, and to the Leader of the Opposition, that you look at political parties in all jurisdictions in this province, federally, I would argue with any Member of this House of Assembly that they cannot point to any jurisdiction where they have not had to deal with things like we've been dealing with. The difference is I encourage people to come forward. I encourage people to bring their allegations, to bring it forward. That is the difference.

Mr. Speaker, Opposition parties that I'm looking at today, the Official Opposition and the Third Party, they've all had to deal with this. Let's not kid ourselves; let's be very honest with ourselves. Everyone has had to deal with this. We are not perfect. We have decided to deal with – it's not always easy to do. Families are attached, women are attached, and all Members are impacted by this. I am (inaudible).

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

MR. CROSBIE: I thank the Premier.

Mr. Speaker, in *The Joyce Report* the former minister of Finance stated that there was "fear among her colleagues of speaking up but said that it was not the result of a single individual's action, but rather was rooted in the culture"

I ask the Premier: What did he do to change the culture in the last three years?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Thank you, Mr. Speaker.

Well, what we've done is we've now taken these allegations that have come forward and we put them in the forum that was available to us. We've brought in place new harassment workplace measures, Mr. Speaker, for all of the public sector.

Mr. Speaker, I've reached out to those that have been impacted and made sure that if you needed to talk I was there to work with them through this process. The Employee Assistance Program that we have was always made available to people. There are a number of measures.

Mr. Speaker, let's not forget, let's not forget the responsibility for this to bring improvements is with every single Member of this House of Assembly, every single Member of this House of Assembly. So if the Leader of the Opposition is saying that this is only connected to this party over here, Mr. Speaker, I just need him, I just you to look to your right, over your right shoulder (inaudible) answer that question, that you are not aware of the concerns that (inaudible).

MR. SPEAKER: Order, please!

Order, please!

SOME HON. MEMBERS: Hear, hear.

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

MR. CROSBIE: It's generally accepted, Mr. Speaker, that top leadership sets the tone for an organization.

Looking back on the events leading up to the tabling of these reports, does the Premier believe if some or all of the complaints could have been avoided if the Premier had made his zero tolerance policy known at an earlier stage?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Mr. Speaker, I would think that anyone that has been aware and has worked with me, they have always known that I'm willing to talk to individuals if indeed there were concerns brought forward. When concerns were brought forward back in the spring of this year, I acted swiftly. We acted appropriately at the time, given what we had, the options that we had available to us. The options through the House of Assembly act, through the Commissioner for Legislative Standards, that is the appropriate – that was the action that we took.

Mr. Speaker, anybody anywhere in this House, regardless of any political party, I am more than willing to reach out. If they need to chat, if they need to talk, my door is always open, Mr. Speaker. I am accessible, more than willing to help whoever they are to work through sensitive issues that they have to deal with.

SOME HON. MEMBERS: Hear, hear!

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

MR. CROSBIE: Mr. Speaker, does the Premier think it's acceptable, as detailed in the reports that have been tabled, that a Minister of the Crown tried to circumvent the proper procedures for hiring within the public service and put pressure on colleagues to get his friends a job?

MR. SPEAKER: The hon. the Premier.

MR. OSBORNE: I'd be careful with that.

MR. SPEAKER: Order, please!

PREMIER BALL: Mr. Speaker, that has been dealt with in the reports. Mr. Speaker, that has been dealt with in the reports, and these reports will be debated and discussed on the floor of this House of Assembly, and I'll leave it – as I said yesterday in my comments, I think this is the appropriate place to deal with those reports; the

issues that were raised there, the recommendations that will come out of there, whatever the reprimands will be, Mr. Speaker.

I will say that right now there is a hiring process that's in place within the government that has been there, we've been dealing with for a number of years, and we expect people to work within the guidelines that we have in place, Mr. Speaker, with this government and within this public service.

SOME HON. MEMBERS: Hear, hear!

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

MS. PERRY: Thank you, Mr. Speaker.

In the report, one of the complainants – in one of the reports, Mr. Speaker, one of the complainants stated that the former minister of Education frequently made jokes referencing the school that burned, referring to Bay d'Espoir Academy which had burned tragically in January 2017 in a shocking act of arson. A former minister admitted that he made such comments and defended himself by saying that they were humorous in nature.

I ask the Premier. Do you think such comments and behaviour is appropriate for anyone, much less a minister of your Crown?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Mr. Speaker, I will say that I was not in the room when any of those comments were made. As a matter of fact, it was the first time I saw them, when I saw them in the report, Mr. Speaker.

I'm not aware of what context that would've been said, but anyone that would make comments about replacing a school with a burnt school, I would never take that as a serious option. It's not something that I'd be interested in discussing with. The people in Coley's Point right now, I've visited there many times, and we had the replacement of that school as part of our infrastructure program.

I think the Member opposite is quite aware of our commitment that we have to the people of

Coley's Point for that school, so we will deliver to the people of Coley's Point the school that they deserve.

SOME HON. MEMBERS: Hear, hear!

PREMIER BALL: By the way, when people opposite, when Members opposite had the option to deal with that, they refused (inaudible)

—

MR. SPEAKER: Order, please!

SOME HON. MEMBERS: Hear, hear!

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

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MS. PERRY: Thank you, Mr. Speaker.

According to the report, the former minister of Education said that practically every caucus Member was there when these jokes were being made about the Bay d'Espoir school.

So if the Premier, as he just said, wasn't there, perhaps the caucus Chair could answer, given that anyone can answer questions, or someone who was there can get up and answer: Is it accurate that almost every caucus Member was in attendance, cracking jokes about the burnt school in Bay d'Espoir?

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

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

I'll stand up in my role as Government House Leader, and I find it interesting today that we're going to debate a private Member's resolution entered by the Member for Fortune Bay - Cape La Hune, where she wants the Commissioner for Legislative Standards to come into this House and to explain, to give a full understanding of the process, and have any questions answered before they deal with the reports' findings and recommendations, yet the same Member stands up in the House and asks questions about these same findings and reports.

So I find it difficult to think that we should not debate this in the House, yet she thinks it's okay to stand up and ask questions for political gain.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Order, please!

The Member for Fortune Bay - Cape La Hune.

MS. PERRY: That's a shocking answer, Mr. Speaker, because this issue is of great importance.

We have children, parents and teachers struggling every day, and we are very far from having a new school built, Mr. Speaker.

In his report, the Commissioner noted that another Member of your caucus acknowledged a culture of joking on the subject.

So I ask: What type of ship are you leading over there when this is acceptable behaviour in caucus – in your caucus?

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

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

Again, to reference one point made by the Member, she talked about a school. It's not my understanding that there are any delays with moving that school forward. Those children deserve a new school after that and certainly it's a commitment by all Members to make that happen.

SOME HON. MEMBERS: Hear, hear!

MR. A. PARSONS: But what I would ask the Member about, because she talks about shocking behaviour, perhaps she'd like to stand up and explain the comments she made to a member of my staff when she called them and verbally abused them about not getting seat funding that she wanted. Maybe she'd like to discuss that on the floor of the House.

SOME HON. MEMBERS: Hear, hear!

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

MS. PERRY: Mr. Speaker, the public can see for themselves the type of behaviour that's displayed in this House and judge accordingly.

The former minister, Education minister, and your caucus colleagues would have all been aware that 250 students and staff have been displaced by that fire in January 2017. And since that time, they have been attending a temporary school that does not have a cafeteria, a science lab or even wheelchair accessible bathrooms.

Can you tell the people of the province what you and your caucus found so funny about this situation, and can we have an update as to when we can expect to open the doors of a new school?

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

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

I think that all Members of this House like to see when there are new schools built in this province, no matter the district – this is in the best interest of the children of this province. The second thing I would point out is that the Member opposite actually voted against the budget that allowed for the funding to build that school.

And the last thing I would like to ask the Member opposite, if she would like to recall the comments she made to my staff when she called about funding for seat projects and said if she didn't get what she wanted, she was going to go to the Premier's office. I'd like to know what those comments were.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Order, please!

The hon. the Member for Fortune Bay - Cape La Hune.

MS. PERRY: Thank you, Mr. Speaker.

Certainly one of the positive outcomes of this process is that I will not be intimidated in this House of Assembly.

SOME HON. MEMBERS: Hear, hear!

MS. PERRY: And I will speak up on behalf of my constituents and all the people of Newfoundland and Labrador.

Mr. Speaker, the Commissioner stated that he felt that members of the public, particularly those in the district in which the school fire occurred – but elsewhere as well – would likely be upset to hear that the Member for Mount Scio, who was minister of Education at the time, made jokes about the burnt school. They'd certainly be very disappointed, and are disappointed, to know the entire Liberal caucus made jokes about the burnt school.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MS. PERRY: I agree wholeheartedly with his assessment; do you?

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

MR. A. PARSONS: Mr. Speaker, I actually find that the question asked by the Member was very offensive to many people of this House and is actually not cast in any facts or findings that were made in those reports.

The same reports that she would prefer – and again, in a PMR that we not discuss until we have an opportunity as Members to discuss this with the Commissioner for Legislative Standards.

So, we talk about a non-politicization; that's exactly what we're getting. But again, I'm not putting my answers out for the purposes of intimidating anybody, but I will tell you who was intimidated: a member of my staff who was called and verbally abused when they didn't give the money that a Member on the opposite side wanted.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

MR. PETTEN: Thank you, Mr. Speaker.

Mr. Speaker, yesterday the Members opposite took their direction from the federal government and finally gave the people of our province a peek at the new carbon tax they are introducing here in January. We now know the so-called temporary gas tax that the Liberals introduced has been morphed into the new carbon tax.

Why weren't you open and transparent about this new tax all along?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Thank you, Mr. Speaker.

Well, I could refer back to a few months ago with some public comments that I would have made about where the carbon pricing plan or the greenhouse gas emissions plan was going.

Mr. Speaker, the Member opposite, all you needed to do was look at the pan-Canadian framework with the annex that was attached to that and you will see there was a lot of flexibility in the negotiations that we had.

Mr. Speaker, I'm very proud to say that when you look at what we've been able to accomplish for the Province of Newfoundland and Labrador, for Newfoundlanders and Labradorians, no increase in home heating fuel, communities that are off-grid, aviation, municipalities. We've had our industry offshore, which is important for us that we make sure that Newfoundland and Labrador is an attractive place to invest. We've had greenhouse gas reduction targets.

This is a good plan for Newfoundland and Labrador. The temporary gas tax will come off, Mr. Speaker, and once again (inaudible) Newfoundlanders and Labradorians (inaudible).

MR. SPEAKER: Order, please!

Order, please!

SOME HON. MEMBERS: Hear, hear!

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

Before you proceed, I do remind everyone, the temperature's going up a little bit. I only want to hear from the person I have identified.

Please proceed, Sir.

MR. PETTEN: Thank you, Mr. Speaker.

I remind the Premier, that after this new carbon tax comes into effect it will cost you more to drive your vehicle. More for gas, more for diesel. Not cheaper, Mr. Speaker. With 300 new taxes and fees that's been there since 2016 and our economy that's under pressure, this will not help our cause.

Despite their reassurances, this new carbon tax will make things more expensive and do nothing to help the environment. Can the minister tell us that his new tax will reduce emissions?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Mr. Speaker, I'm very proud to stand in my place today and let the Member opposite know – so what he's saying to people in this province right now, the other option, which would have been the federal backstop, which is happening right now in Ontario, Saskatchewan, Manitoba and in New Brunswick, that was the other option. I could assure the Member opposite, if he looked at the details of that that would have had a larger impact on our province.

I want to say this one more time, that when you look at the impact on taxation and costs for Newfoundlanders and Labradorians – and I just want to refer the Member opposite to the Muskrat Falls Project, no bigger impact on Newfoundlanders and Labradorians, no bigger impact on Newfoundlanders and Labradorians, doubling of electricity rates (inaudible) –

MR. SPEAKER: Order, please!

PREMIER BALL: – Leader of the Opposition support us (inaudible).

MR. SPEAKER: Order, please!

Order, please!

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Conception Bay South for a very quick question, please.

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

I ask the Premier. How much revenue do you expect to generate from this new tax?

MR. SPEAKER: The hon. the Premier for a short response, please.

PREMIER BALL: Thank you, Mr. Speaker.

Some of it, I guess, will have to go to pay for Muskrat Falls, that's for sure. But, Mr. Speaker, any revenue that's collected will be used at the discretion and go back into the pockets of Newfoundlanders and Labradorians.

I still wait for the Leader of the Opposition to stand in his place, does he believe that it was a mistake or not? He needs to clarify this. People of Newfoundland and Labrador would like to know the answer to that question. Does the Leader of the Opposition –

MR. SPEAKER: Order, please!

PREMIER BALL: – believe that it's a mistake or not?

SOME HON. MEMBERS: Hear, hear!

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

MS. ROGERS: Mr. Speaker, yesterday the Premier said facts are important. I agree; yet, the Premier keeps trying to confuse the facts. The fact is Canopy Growth, the largest cannabis producer in the world, will get to keep up to \$40 million in withheld remittances. That's taxpayers' money that government won't have for schools, roads and health care.

I ask the minister. What is his plan to concretely support our own local producers who are trying

to work really hard to establish similar businesses around the province?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Thank you, Mr. Speaker.

Well, what I said yesterday, and maybe just to put this in context. If there's \$10 that will come in to the NLC, Mr. Speaker, for every \$10 that would come in \$3 would go to – for every \$10 in a sale, 30 per cent of that would go to NLC, which is \$3. Of that \$3, \$1 would go to the producer, and that program exists for anyone interested in producing cannabis within our province. That is then used to support the industry as it evolves.

Mr. Speaker, much of what in that production will then go for export or go for medicinal use. The other option, maybe the Member opposite is okay with the other option, which would be to import it from places like New Brunswick who – the facts do matter. Yesterday she said no other province had done it (inaudible).

MR. SPEAKER: Order, please!

SOME HON. MEMBERS: Hear, hear!

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

MS. ROGERS: Mr. Speaker, I ask the Premier: Are giveaways to large corporations such as \$40 million to Canopy Growth, \$45 million to Grieg Aquaculture and \$1 million to S&P Data to create low paying jobs, is that his idea of economic development?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Thank you, Mr. Speaker.

Yeah, it's the idea of this government, Mr. Speaker. And I'd encourage you to reach out to the people of the Burin Peninsula, reach out to the people, some of which are in her own district, Mr. Speaker. Reach out to the oil and gas industry, Mr. Speaker, and tell them – ask them just one question: Does the NDP, which she leads, not support job creation in our province? Because I've heard a lot of comment about this.

People with an aquaculture, agriculture, the tech industry, thousands of jobs are being created. Does she not support government partnering, working with industry to create jobs, sustainable jobs for Newfoundlanders and Labradorians? By her question, I take it the answer to that would be no for the Leader of the Third Party.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Order, please!

The hon. the Leader of the Third Party.

MS. ROGERS: Mr. Speaker, government gave a million-dollar contract to controversial international firm, McKinsey, to attempt to do in three months what government has failed to do in three years: advance the economic development of this province. As usual, government revealed few details on the scope of the work that the company has been contracted to do.

So I ask the Premier: Will he table the RFP for this work – if, in fact, there was one – and the engagement letter with a detailed work plan with deliverables and time frame, so that the people of the province have a clear idea what we are, in fact, paying for?

MR. SPEAKER: The hon. the Minister of Finance and President of Treasury Board.

SOME HON. MEMBERS: Hear, hear!

MR. OSBORNE: Mr. Speaker, I will say that the McKinsey information was put out in the RFP. But I'll ask the Member opposite – she seems to think that we haven't done anything.

Husky Energy: 5,000 person-years of work; Equinor: 11,000 person-years of work; Vale underground: 2,135 person-years of work; our infrastructure plan: 53,000 person-years of work; health care infrastructure: 46,000 person-years of work.

Aerospace: 150 new jobs; Canada Fluorspar: 3,000 person-years of work; Bluedrop: 50 new jobs; S&P Data: 500 new jobs.

SOME HON. MEMBERS: Hear, hear!

MR. OSBORNE: Quorum: 24 new jobs; Grieg aquaculture – which she did not support – 800 new jobs; Wabush: 1,800 new jobs.

Mr. Speaker, is that what she doesn't support?

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Order, please!

Order, please!

I ask for order. I'm going to turn the dial down on the temperature.

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

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

Yesterday, government announced its carbon pricing approach. We all need to do our part to reduce greenhouse gas emissions, but government has exempted offshore oil exploration.

I ask the Premier why we still need to subsidize multinational oil corporations – the largest corporations in the world that have profited so much from our resources, and plan to continue doing so into the future.

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

MS. COADY: Thank you, Mr. Speaker.

I agree with the Member opposite that we all have to do our part, and we all have to protect our environment and our planet for future generations.

Mr. Speaker, we all know climate change is very real and upon us, and we have worked very closely with industry. We want to ensure we have continuing growth and jobs in our economy. We still want to protect the jobs that we do have.

I can tell you that the offshore oil and gas industry will be paying their – they will have an impact on the carbon future. Mr. Speaker, they will have to keep their emissions 6 per cent

below their historical emissions. It'll go to 8 per cent. It'll go to 10 per cent. It'll go to 12 per cent. The reason why exploration is exempt, Mr. Speaker, is we want to develop our industry. This is exploration opportunities so that we can get into production, where they will be held accountable.

SOME HON. MEMBERS: Hear, hear!

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

The hon. the Opposition House Leader.

MR. HUTCHINGS: Thank you, Mr. Speaker.

I rise on a point of order, Standing Order 49. Today in Question Period, the hon. the Premier referenced the Member from our caucus, Mount Pearl South, and he's done this a number of times, in regard to an alleged incident that may have taken place outside this Chamber. My understanding, in speaking to you, and hearing from the Speaker's Office, that a determination was made that there was no finding, but we still hear a reference by the Premier to that actual event.

I would ask that that be settled here in the Chamber once and for all.

Thank you, Mr. Speaker.

MR. SPEAKER: I have ruled on this matter in the past and I have clearly indicated that had there been a point of privilege, that it should have brought forward immediately. I've asked that direct reference to same not be raised here because you had that opportunity.

So, I support the member's motion. I must say that I try to catch words and nuances and so on in responses and in questions. I have not had a chance to review *Hansard* from yesterday. We've been preoccupied with other matters. I will undertake to do that and report back to this House.

Thank you.

The hon. the Minister of Natural Resources first.

MS. COADY: Thank you, Mr. Speaker.

I stand on a point of order, Standing Order 49. Mr. Speaker, during Question Period the Member for Fortune Bay - Cape La Hune in her question really cast aspersion on mine and everybody else's character here in this room.

During her question, she referenced a comment in the report that is yet to be debated in this House, referencing that all of us were engaged in joking about a very serious situation in her community.

Mr. Speaker, I ask her to withdraw that comment. I ask her to withdraw that comment, as it is simply not true.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Any further discussion on this matter?

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

MS. DEMPSTER: Mr. Speaker, point of privilege, section 49.

I also took great exception to the Member for –

MR. SPEAKER: I'm sorry, do you mean a point of order or a point of privilege?

MS. DEMPSTER: Point of order.

I took great exception to the Member for Fortune Bay - Cape La Hune's comments and I would ask her to withdraw. I have a history of fighting for schools and children in this province. For somebody to stand and insinuate and state on the record here that –

MR. HAWKINS: In schools that we're building.

MS. DEMPSTER: – in schools that we're building right now, Mr. Speaker, that the other crowd with \$25 billion in oil didn't see a priority, I said I take great exception. I ask her to withdraw the comments, because they are 'infactual.'

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

MR. KING: Point of order, Mr. Speaker, section 49 again.

As chair of government caucus, I've been chair for over a year and have chaired a number of different meetings and I can state that that wasn't discussed in any of our caucus meetings, and it wasn't heard.

MR. SPEAKER: Do we have any further comment?

The hon. the Premier.

PREMIER BALL: Yes, Mr. Speaker, during Question Period if there are some comments that might have exposed or something that was inappropriate, you need not waste your time in actually reviewing the tape. If there's anything that I said that was inappropriate, I'd like to withdraw that statement.

I will say that there was no Member ever mentioned. All I said was look over your right shoulder. I'll leave it there, but if that was inappropriate, I'll just withdraw the statement.

MR. SPEAKER: Thank you, very much.

Any further comment on the earlier point of order towards the Member for Fortune Bay - Cape La Hune?

The hon. the Member for Harbour Grace - Port de Grave.

MS. P. PARSONS: Mr. Speaker, I would also like to speak on a point of order with regard to the school.

I am certainly not included in making fun of anyone, any child needing a school or a new education facility. Everybody in here knows a new education facility I've been lobbying for consistently prior to my time here in this House of Assembly has been of top priority. I want to state that for the record, Mr. Speaker, that it's very important and I take that very serious as the Member for Harbour Grace - Port de Grave with regard to Coley's Point Primary school and those students in particular.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Given the heat of the Oral Questions, I would prefer to review *Hansard* and report back to this hon. House tomorrow. So I'll have two undertakings for you tomorrow.

Thank you.

Presenting Reports by Standing and Select Committees.

Tabling of Documents.

Notices of Motion.

Answers to Questions for which Notice has been Given.

I do have time for one petition, if there's a petition.

Petitions

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

MR. BRAZIL: Thank you, Mr. Speaker.

The current 1.6-kilometre busing policy results in children walking to school in areas with no sidewalks or traffic lights and through areas without crosswalks. This puts the safety of these children at risk.

We, the undersigned, call upon the House of Assembly to urge the Government of Newfoundland and Labrador to ensure the safety of all children by removing the restrictive 1.6 kilometre busing policy where safety is concerned.

Mr. Speaker, we've had a multitude of discussions about this in the House of Assembly and we realize, and I think we all agree, it's an outdated policy that goes back decades, and we do look at the fact particularly in growth areas. Now we realize all children should be able to travel to schools safely and we do know there's an onus on parents and there's an onus on the general public and the drivers and on those children travelling to find the safest route possible. We have an ability to do that.

Our busing system is very much equipped to ensure kids get to school in a safe manner. What we don't have now is an understanding that in some growth areas, particularly, or in areas where the schools have changed and the routes or the access to it have dramatically been altered, that there are some challenges. We have more cars on the road. We have people who are distracted for various reasons. We have the walking public who are distracted, being those students, but we have an ability to do this.

We know there's a cost associated to everything, but as we look at the busing process – and I've dug into this – we are, on a yearly basis, eliminating some of the buses in some of our rural areas because the student population is decreasing. It's a reality, but in other cases we have growth areas where we have a multitude of challenges here, increased traffic flows.

We have growth areas, particularly like in my district, in places like CBS, in the Torbay area, in the Paradise area and a multitude of other areas, out in the Goulds and those areas, and other places in Newfoundland and Labrador where traffic has increased. Our road networks, unfortunately, are not conducive for kids to be able to walk in a safe manner. So what we're asking the government is take a serious look.

In some cases, I look at my own district – and I know courtesy busing is a program that was put in play a number of years ago and has been effective to address some of the needs but it doesn't address all of the needs and becomes a confusing and encompassing process for administrators, the school district and bus drivers themselves; whereas for a small investment we could eliminate these issues, increase our safety, take stressors off family members so that we would have a proper system in play.

I'm asking the minister, have a serious look at this. I'm even asking if he has the time someday to come to my district, walk the route that some of these kids have to walk in a growth area with thousands of cars on a daily basis travelling at sometimes speeds that are not conducive to any way, shape or form being safety.

So I do ask that we table this, and that if the minister was up to it, someday we'll take a walk

so he can get a better understanding of the situation we have here.

Thank you, Mr. Speaker.

MR. SPEAKER: Thank you.

Orders of the Day

Private Members' Day

MR. SPEAKER: This being Wednesday, I now call the Member for Fortune Bay - Cape La Hune to introduce the resolution standing in her name.

Motion 1.

SOME HON. MEMBERS: Hear, hear!

MS. PERRY: Thank you, Mr. Speaker.

It's certainly a great honour and a privilege for me to –

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MS. PERRY: – rise once again in this House on behalf of the constituents in Fortune Bay - Cape La Hune, and it's great, Mr. Speaker, to be back in the House after spending the summer in our districts.

I'm here today moving a motion on a matter that I think is of historical significance for parliamentarians. It's of huge importance to this hon. House here today, but I think it also – this experience that we're going through will make an impact in the work of future parliamentarians all across the British Commonwealth, I certainly hope, Mr. Speaker.

I, the Member for Fortune Bay - Cape La Hune, seconded by the Member for Conception Bay East - Bell Island, move that:

WHEREAS some Members have concerns about the process that the Commissioner for Legislative Standards had to follow in producing investigative reports of harassment complaints against Members; and

WHEREAS the Speaker has informed Members of the House of Assembly Management Commission that the Commission does not have the authority to summon the Commissioner but the House of Assembly does; and

WHEREAS questions about the process must be dealt with before the House can properly deal with the reports the process has produced; and

WHEREAS ensuring the integrity of the process is paramount in assuring the public that justice is done in matters of harassment;

THEREFORE BE IT RESOLVED that this House summon the Commissioner for Legislative Standards prior to debate on any of the investigative reports in order to answer questions and provide clarity on the process so Members can have a full understanding of the process and have any questions answered before they deal with the reports' findings and recommendations.

Mr. Speaker, I certainly hope that when we stand and call the vote today that we have unanimous support for this motion because I do believe that each and every person here in this hon. House is genuinely concerned about the circumstances that we find ourselves in.

I, for one, for the record, would like to say that I think this process has been hard on all of us, all of us MHAs, in particular the complainants and the respondents; and the Commissioner as well, Mr. Speaker, certainly has been placed in a difficult position in having to deal with this task. So it's of huge importance that we get this right.

Mr. Speaker, one of the things that's a bit upsetting to me about this whole process is that the option did exist for government to take leadership on the issue, but instead it had to follow this route of seeking an opinion of the Commissioner. So I followed suite with that process. I questioned the process from day one. I questioned it then, and I still question it to this day, because I really don't think it's an adequate process for the situation we find ourselves in.

The Green report did not properly, or did not address – not properly – did not address, really, issues like bullying and harassment because they weren't as prevalent at the time. Certainly, Mr.

Speaker, the issue of behaviour and conduct of MHAs – the Code of Conduct itself is so vaguely worded that it's very ambiguous and it can be open to interpretation in a lot of ways. So, in my opinion, it needs to be much tighter and spelled out much stronger.

Mr. Speaker, why this motion is important, I do believe here today, and why we do need to have some more clarity surrounding the process that was followed is because at least five Members have – or there are at least five reports of allegations of harassment against Members in this House, and these Members have entrusted their concerns to the process that currently exists under the *House of Assembly Accountability, Integrity and Administration Act*.

A new Legislature-specific harassment policy is now being developed by our Standing Committee on Privileges and Elections. In the interim, the House agreed to adopt a modified version of the Executive Branch Harassment-Free Workplace Policy for complaints when the respondent is a Member of the House of Assembly, but the Code of Conduct investigative process defined in the legislation also remained in place, and that's the process under which at least five complaints were submitted.

On May 16 and May 30 of this year, the Commissioner for Legislative Standards appeared before the Management Commission to assure Members that his office could handle investigative reports of this nature and a proposed alternative was to have the complaints dealt with by the Citizens' Representative, but we were assured that this process would be okay and that the Commissioner's office had resources to avail of outside support if required.

So, Mr. Speaker, we proceeded with this process. Again, as we've heard over the course of the last two days, it doesn't seem like there are too many people pleased with how it went. Perhaps if we had a clearly spelled out outline of what would be undertaken, what was expected of respondents and complainants throughout the process, that would have even been helpful, and what each were not able to do with respect to things like seeking witnesses and whatnot.

So there was really a lack of clarity for all people involved. I certainly speak in support of complainants, respondents, everyone who found that this process was very challenging, Mr. Speaker, and certainly one that we think has room for significant improvement. That improvement, I have no doubt, will be forthcoming from the work that's underway.

Mr. Speaker, the matter continues to be of public interest. Some of the issues with the process, when we started it, there were more questions than answers. In fairness to the Commissioner, we certainly appreciate that he wasn't able to answer a lot of the questions on the process we were seeking because it was so new. It was just the beginning.

The scope was not determined. The demands were not determined. The support that might be required was not determined. The timelines were not determined. Now that the process, though, has led to the production of at least five reports, the Commissioner will certainly have, I think, a lot more insight into how these types of matters will be addressed in the future.

The matter continues, Mr. Speaker, to be of public interest. It's been debated in the Legislature for days on end, and I have no doubt we have many more days left. In fact, it is the reason that we've been called back early.

The problem is that concerns about the investigative process have been raised. One of those concerns is that reports have been leaked prior to being tabled and published. Other concerns have been raised about the identification of Members, the inclusion of certain information and so forth. Questions have been raised about how things were investigated and by whom. How thorough was the process? Was every reasonable stone turned in the search for answers? How deep was the dig?

Were Members given the opportunity to refute allegations and counter allegations prior to the submission of these reports? Was there or is there an avenue for appeal? How were the dividing lines determined between behaviour that is and behaviour that is not, within the scope of what is acceptable? How rigorous was the balance of probabilities test that was used to resolve matters of dispute?

We have a right, Mr. Speaker, to ask these questions and other questions about the process before we debate the reports that the process has produced. If the process was above reproach, reports are more likely to be accepted as fair and just; but if the process was flawed, the reports and their conclusions may also be flawed.

Mr. Speaker, we've heard person after person after person rise in this House and suggest there were flaws in the process. Just to go over an outline of how many people have actually expressed dissatisfaction with this process, the Premier himself said in his Ministerial Statement on October 23, "A better, more defined process is required for the Members of the House of Assembly."

The Premier said this in answering questions on October 23, "In the Ministerial Statement, that I've just mentioned already, we do have concerns, like everyone else that's been through this process, Mr. Speaker, and we will be dealing with that."

The Minister of Service NL, an organization that is qualified in investigating conduct behaviour and behaviour as a whole, should have been the process that we took. The Minister of Service NL was asked about the investigation itself and she was asked if she was satisfied with the whole process, and she reported, no, I am not. I, myself, as complainant, will say, no, I am not satisfied with the process.

The Member for Terra Nova said in August: I have great concerns with the process, and one of the things I have said to the Commissioner when I did my interview was that I was concerned about – I didn't think his office had the experience to conduct an investigation into workplace harassment, bullying and intimidation.

Mr. Speaker, I'm sure that we are all in agreement when we say this is no reflection whatsoever on the Commissioner; it's a reflection on the fact that this is so new and we have not experienced it. We certainly have not experienced having to do an investigation into harassment and bullying in politics.

The Member for Mount Scio said: I just think that the report is a part of the violation of my

personal privacy. The political science doctor Amanda Bittner said: Are folks going to come forward now that you know it's just a joke, it's no big deal? Why would you, right?

People already don't come forward because we won't believe them, and to me I think what's more interesting about these reports is not so much what they were found guilty of, it's what they were found not guilty for having done. So what's the threshold that makes these two particular incidents acceptable or unacceptable and the rest of the stuff is no big deal.

So, Mr. Speaker, there's a lot of uncertainty in what's happening with this process, for all of us involved. And again, I will say it's regrettable that any of us had to go through this. It really is. It's not fair to the complainants. It's not fair to the respondents. It's not fair to the Commissioner. This should have been dealt with by leadership.

As many people have said, this has been going on all the time. It has never, ever escalated to this point because in the past it was addressed. Either Members left, were dismissed, were removed from Cabinet, or something. Some type of leadership happened to address these types of situations in Parliaments over the years, I'm sure. And in this situation we were referred to the Code of Conduct, and this is the process we find ourselves in today.

It's an unfortunate situation, Mr. Speaker, because at the end of the day, all anybody wants is a better Newfoundland and Labrador. As workplace parliamentarians, and as a complainant, I know all I want is a better workplace. I want to know that the constituents of my district, regardless of the fact that they are in an Opposition district versus a government district, will have fair and equal opportunity to government funding and programs.

These are the types of issues, Mr. Speaker, that the Code of Conduct speaks to. We need to ensure that all Members of this hon. House are held accountable to the highest standard of behaviour.

Does anyone here really think that the types of behaviours that we have all witnessed are acceptable in today's society? Do you really

think that we can stand proud in front of our children, our nieces, our nephews, our grandchildren about the type of behaviour and tactics that are displayed in this House?

In my opinion, Mr. Speaker, we all need to step back and say if we are going to raise the bar, it starts with us. And yes, things have happened in Parliaments over the past I would say, not just for the 20 years, 30 years, for the last 200 years. But if we going to make this a better place, it falls to us to take that responsibility seriously, Mr. Speaker.

So back to my resolution now in terms of the PMR to summons the Commissioner. I think, certainly, by coming before the House of Assembly, it gives the opportunity for all MHAs in this House to ask any questions and learn more about the process itself, and as well for the public at large to see first-hand what has been transpiring in this process.

We certainly would all welcome, I would think, feedback from the public at large, because we are here to decide how to regulate policies and how to allocate taxpayers' dollars in the best interest of all of the people of Newfoundland and Labrador.

One of the things, Mr. Speaker, the Green report was very clear on is that each and every Member treat each other with respect. So it comes down to a question of how we're going to define respect, perhaps. Because there seems to be different understandings of respect based on the process that we've been through over the course of this summer.

I've shaken my head at a lot of things. So certainly, before I have a comfort level in voting on some of the things that are in the reports, and whether or not they're even true – because if some of the statements that are in there are not true, and going back to Question Period today, we really need to take a whole look, Mr. Speaker, at all of this and say: Is this the process that we should be in? And certainly having the Commissioner before us will help give us all a better understanding.

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

MS. COADY: Thank you, Mr. Speaker.

I stand in my place today as a Member of the House of Assembly, and it is with regret that I have to speak to this issue, Mr. Speaker, I say that.

It is a difficult subject, and in particular I feel torn because I don't want to re-victimize people. I don't want to bring their names forward. I don't want to talk about what they've been through, and I won't, Mr. Speaker, and I won't when the debate is on these reports itself, because I think that bullying and harassment and intimidation is very, very difficult for people, and I think we, as a Legislature, have to understand that.

We have to understand the impacts are far beyond the politics; far beyond what's happening in our community right now in the House of Assembly, but there are others out there that are dealing with this every day. So I implore to my colleagues in this House to be sensitive to each other, and to be sensitive to those who are complainants in this instance and those who are respondents. There have been times over this last six months when I don't think we all have been.

I can tell you, as a person who has watched – I guess because we're all in this Legislature we've been party to a lot of what's gone on. It is very, very difficult on people. While over the next number of days and weeks we may have the opportunity to stand here, Mr. Speaker, I am asking each of us to do so with respect, for each of us to reflect on: There but for the grace of God go I; that old adage that says tomorrow could've been something that we had either been involved with or said or did, and to understand this is difficult. But as difficult as it is, we also are in an opportunity to address societal change.

So I hope over the – whatever period of time we take to find a better process, to determine what the outcomes of this process that we've been in, I hope we all reflect on this opportunity to rise and say that we have an opportunity to affect and show leadership to our society.

It's been about a year since the #MeToo movement started. Mr. Speaker, #MeToo started and the Time's Up movement started because

women finally stood up and said: enough. And I don't think it's just women saying that. I think it's women and men, and our societies, and our communities and our leaders, and all of us taking that deep breath and saying: enough. We can all change.

Mr. Speaker, I deal with a lot of violence-free community files, trying to effect change in that. This is all part of that incremental or arising amount of saying violence, harassment, all of those – what I'm going to call – negative societal impacts that we're experiencing in our communities, it's time for us all to stop. We all want a better world. There's not one of us, not one of us in this House, not one person listening, there's not one person in this province that does not want a better world. We can effect that change.

Mr. Speaker, we are speaking to a resolution today to bring before the House, the Commissioner for Legislative Standards, prior to debate of any of the investigative reports in order to answer questions and provide clarity on the process.

Mr. Speaker, I think there's not one of us in here in this House today to say the process was ideal. I can tell you within government – and there is a difference. I say this for the people that may be listening, there is a difference between government and the Legislature, in that government does effect policy it does for its workers, it does in the people to whom work for government, and it has – I mean government has put in an Harassment-Free Workplace Policy that is probably leading the country. I would say that. It was written by Rubin Thomlinson, who are experts in this field, and adopted and adapted for our use, for our employees.

Mr. Speaker, it's very, very important. It talks to – allow me to tell people, it brings greater awareness of workplace harassment. It does a lot of training and increases accountability for those in authority. It establishes timelines for formal investigations and includes a comprehensive complaint resolution process.

Mr. Speaker, when we all found ourselves in this situation – and if you read the reports it does give a timeline accountability of this. This came to the floor of the House of Assembly in

Question Period. There probably would have been different processes. There probably could have been different mechanisms to utilize, but we found ourselves in the situation where it was brought to the House of Assembly; therefore, unfolded a House of Assembly Question Period kind of response.

Mr. Speaker, I said at the very beginning, we have to be sensitive to the people that are involved here. I'm going to say that while we don't have a perfect process, and I don't think it was a perfect process because I would have liked to have seen some type of restorative justice, some type of better communication, some type of better processes, you know, different timelines, it is the process that we have. There are ways under the act – there are different sections under the act that – the House of Assembly accountability act, there's 36.1 where the Premier could bring forward privately to the Commissioner, the Commissioner can start an investigation him or herself. You can also have the complainant go to the Commissioner.

So there are multitudes of ways it can be dealt with, including the House of Assembly could bring an issue to the attention of the Commissioner. So there are ways and means, but I'm going to say this: the process, while we may want to improve upon that process and I think we absolutely do, that work is underway right now with the Privileges Committee, and I thank them. I know they worked very hard during the summer.

It is an all-party committee, Mr. Speaker, just for those outside of the Legislature who may not know that. Representatives from all parties sit on that legislative committee, and it's very important. I think what you'll see coming out of that will lead the country, because this is a topic that everybody in the country is watching.

Mr. Speaker, I'm also going to say that in understanding what our precinct was going through, what our colleagues were going through, the Management Commission back in – I think it was June, I believe, did put an interim process in place to say we're going to follow the Harassment-Free Workplace Policy by government so that there was an alternative

mechanism. So there was an alternative mechanism.

So back in June, the Management Commission said, okay, we know that the Privileges and Elections Committee are reviewing all this work around harassment and process, but we're going to put in this interim process, which I'm glad we have – I'm glad we have. So if any of us are experiencing challenges in any way, shape or form, we can follow that process. So there is an alternative. I am just making sure that people understand that, Mr. Speaker.

So, here we are today, and I understand that everyone here in this House of Assembly has been briefed by the Commissioner as to what the process was, and what he did or did not do in that process. And, Mr. Speaker, I understand that he brought in a pretty reputable firm called Rubin Thomlinson. Rubin Thomlinson, by way of those who may not know, is a national firm focused solely on workplace investigations and training. The firm's experience in investigations, workplace harassment and misconduct is expansive.

I've already said that the former government, actually, engaged Rubin Thomlinson on a matter. They also earlier engaged them on starting to develop some work around workplace harassment, so they are known to this province and to our processes within our government. They have experiences in investigations, like I said workplace harassment, misconduct; their experience "is diverse and decades deep" and that's from their website, giving Rubin Thomlinson "unique insight into cases and their complexities." And we know by our briefing by the Commissioner that he engaged, as an independent investigator, Rubin Thomlinson.

As such, Mr. Speaker, I think it would be important, I think it would be very important, that we add – and this is a very friendly amendment – we add to the private Member's resolution brought forward in earnest yesterday, and I support that resolution; but I'd like to add to it by saying, and I guess I'm amending it, and I'm asking my colleague, the Minister of Health and Community Services, to second that motion.

Mr. Speaker, I move, seconded by the Minister of Health and Community Services, that the

private Member's resolution before this House be amended by adding immediately after the words "Commissioner for Legislative Standards" the words and commas "and Rubin Thomlinson, as investigators,".

So that's moved and seconded, Mr. Speaker – and the rationale here is that Rubin Thomlinson were the investigators, and we would like to be able to ensure that we understand their process as well as the Commissioner's.

MR. SPEAKER (Warr): The hon. the Opposition House Leader.

MR. HUTCHINGS: Thank you, Mr. Speaker.

I was made aware of this by the hon. minister. Just so we're clear, it involves the Commissioner as well as the investigators from the said – yes, okay.

Thank you.

And that's a friendly amendment that we certainly support.

MR. SPEAKER: Order, please!

The House will recess so we can take a look at the amendment and report back.

Recess

MR. SPEAKER: Are the House Leaders ready?

Order, please!

The amendment to the motion is said to be in order.

SOME HON. MEMBERS: Hear, hear!

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

MS. COADY: Thank you, Mr. Speaker.

I do want to thank my colleagues of the House. All colleagues in the House did support this friendly amendment and I think in the spirit of trying to find the best answers to the process and ensure that we have the information that we need as we move forward.

Mr. Speaker, allow me for a moment just to define a little bit what I understand Rubin Thomlinson's role to be, and that was as an investigator, and using their considerable expertise in harassment and workplace issues, they used theirs – where the Commissioner really has the oversight – the colleague from Fortune Bay - Cape La Hune actually said this: has really the expertise around the Code of Conduct.

So allow me to quote a couple of things from our Code of Conduct, because I think it's important. Mr. Speaker, it says: we have to serve our "fellow citizens with integrity in order to improve the economic and social conditions ... of the province."

We have to "reject political corruption and refuse to participate in unethical political practices"

We have to "act lawfully and in a manner that will withstand the closest public scrutiny."

Our personal conduct, "Members will not engage in personal conduct that exploits for private reasons their positions"

We'll carry out our "official duties and arrange their private financial affairs in a manner that protects the public interest"

And, Mr. Speaker, probably as importantly, "Members should promote and support these principles by leadership and example."

Mr. Speaker, I don't have much time left, but I will say this. I think it's very important that we have an opportunity now to show that leadership; to show how we can bring about some societal change. For all that has gone on in the last six months, Mr. Speaker, I think it speaks to where we are going as a community, as a province, as a society, as a country. That it is not to be tolerated: harassment, abuse, intimidation. It is not acceptable.

As the Premier says, zero tolerance. People are listening to what we're saying. People are watching what we're saying. The country is watching what we're saying. I think it's incumbent upon all of us to show that leadership

right now. Let's make this about betterment and improvement about societal change.

I remember once reading a slogan that said: add women, change politics. In the last 30 seconds I have, I will make this plea: to any female, any woman that is listening today, to think about going into the political realm, because add women, change politics. And just what I am saying today is let us all change societal requirements around harassment and bullying. Let's be leaders, and I implore upon that, and I thank you for supporting the amendment to the resolution.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

SOME HON. MEMBERS: Hear, hear!

MR. BRAZIL: Thank you, Mr. Speaker.

It's indeed an honour to stand and talk to this private Member's resolution put forward by my colleague, the Member for Fortune Bay - Cape La Hune.

Again, talking to the amendment which we will, and I know personally I will be supporting, because it adds another nuance to exactly the intent of this PMR, which is to have an open, a very inclusive, a very structured and a very beneficial process here of finding the proper information.

People need to realize – and I think in this House we have. This is uncharted waters that we've jumped into in this House of Assembly. It's uncharted because society has changed dramatically, and rightfully so.

We found ourselves in the midst of some serious situations here that we need to have a mechanism, we need to have the support process, we need to have a fluent, inclusive process that ensures everyone who's engaged and involved in this are safe, they are comfortable with the process, and they know that everything should be done in a manner that should be outlined, that's transparent, accessible

and publicly – to the point of view that the public would have confidence in exactly what we're doing here.

The process of bringing in the Commissioner is not new. It may be new to this because, as I mentioned earlier, this is uncharted waters. We're looking at something that's very serious and something that's very important that we get it right. We got an opportunity here to do the right thing.

Over the last number of months the process within government has been changing to ensure that employees are protected and that if accusations are made, that they're investigated in the proper manner and that people feel safe and confident that that process is to be followed. It's no slight to the Commissioner. It's no slight to Rubin Thomlinson, the company that were hired to do it.

What this was about – and I think one of the things that may have been missed in part of this discussion was because this was new, this was a new process, we wanted to – and I say we, I know on this side and a number of other people, including some of the people engaged in this process, the complainants and those who had to defend what was being – the accusations being put forward on them, didn't like the process because it wasn't all encompassing. Because there hadn't been a structure in the past that people were confident that it could work – and I have no qualms in explaining.

I was under investigation by the Commissioner at one point. Again, it was new uncharted waters a number of years ago. The Commissioner of the day had to go to Ontario for advice to figure out how you deal with that and what are the ramifications around the investigative process and the process around ensuring that everybody is given an opportunity to be included in the process, all evidence that's necessary should be shared with the Commissioner and discussed, and that the proper process would be followed.

I give full credence; at the time it was a fairly lengthy process, but it was done with due diligence. It wasn't at the same level as this or in the same chartered waters. It was very important and serious. Anything that talks about the

integrity of this House, talks about the responsibilities we have as elected officials and talks about the Code of Conduct, are very important. There is no slight of one over the other.

The difference here was we had never been down this road. Prior to that, they had never been down the road in a situation that I found myself in. So the Commissioner, through due diligence, went out and looked at other jurisdictions, looked at what would be the process and followed the process of the investigative mechanisms that would be in the best interest of ensuring that due diligence was done. At the end of the day, the report really reflected the circumstances around that particular issue, and that's all we were asking in this case.

We're not dismissing or saying in any way, shape or form that the Commissioner and the company hired didn't do that, but we do know at the beginning, because this was so new, everybody had reservations. Because even the Commissioner, himself, had acknowledged that he wasn't an expert. His office didn't have the resources to be able to do this, and to be able to do it in the timely fashion that would be necessary so that people's lives weren't held ransom for periods of time, because that does have an impact on all involved. It has an impact in this House, as we've seen with the issues that we're still facing today.

What it talked about was the culture of ensuring we find the proper mechanisms. What was suggested at the time is maybe we look at a new mechanism. Well, we didn't go that way. Unfortunately, it was decided to go the route that we've gone, and we're saying: okay, we're at that stage. We can't reverse that, but we need to know exactly the whole process that was used.

Asking the Commissioner to come in here – as we had a discussion earlier with the Commissioner. You can see it's evident that there are a number of questions that people have; their clarification they want. There is an explanation as to why certain methods were used or why certain methods weren't used in the investigative process, and what that meant to all involved and what should've been shared with the complainants; what should've been shared

with those who have been accused of a wrongdoing. And what role did the other players have in that, the House of Assembly? What role does the management committee have in the reporting process? What is private and should be privileged? What is open that the individuals can share with the general public?

So there are number of nuances here that need to be discussed. What's being proposed here I think is another example of openness, transparency and inclusion. Collectively, we're all working together to find the best solution so that we can address any issues in the future.

I think the bigger picture here is about having the discussion around: how do we prevent situations like this from occurring? The culture of a safe environment, a culture that people can have discussions and it not get to a point where it's harassing, or in any way, shape or form bullying. How people can feel safe about what's happening; but, as part of that, have a process in play that ensures that if the mechanism or whatever happens, if there is an accusation, the mechanism is fluent and everybody would know how to move that forward.

So we're not confident. I know we, on this side, are not confident. From what I heard from the majority of those involved in this whole process, they're not confident that this process was the best mode. So let's talk about what we did get from it. Let's pick what did work. Let's look at if there were some flaws in the process, and let's find ways to improve that.

We have a committee within the confines of the House of Assembly who can come up with a process, come up with a criteria that works to ensure what we ran into can be addressed in a proper manner and would have enough flexibility – because everything in life is a living entity. There are going to be other issues that we haven't planned for, that we haven't seen, that society changes in its different approach to it. So we need to be ready for those type of things.

Bringing in the Commissioner, I think it's a very open, it's a very inclusive process. Keeping in mind, the Commissioner himself had mentioned, he sees himself in the same light as the Auditor General, as an Officer of this House. And I see and I agree with him.

It's on a constant basis we bring the Auditor General in when the Public Accounts Committee has hearings to ask the AG's view on how they conducted a particular audit or an investigation, what they found, what their views were on the circumstances and the evidence that was presented; what they feel would be an appropriate action to move forward, and for them to also back up and defend the recommendations that they've made. That to me is logical. It's already in a proven process here.

So it's no slight to anybody. It's not dismissing somebody's role or responsibility or their competency or the work they have done. What we're saying is, particularly in this situation here, we have a very unique process, but we have a very keen opportunity here to get it right; to get it right forever and a day. Maybe it didn't work, maybe it was flawed, and there is no doubt there are concerns and situations here. So let's make sure we move it forward and we find the best approach possible.

Bringing in the Commissioner here, to me is a great opportunity for us to address exactly what policies we're going to put in play, what would work. What it does add to, too, is, don't forget, we've come a long way in the last decade or so when it comes to the operations of the House of Assembly from an integrity and an openness and a responsibility as elected officials, and the understanding by the general public of what it is, the privileges and the rights and the responsibilities that we have in this House.

Former Chief Justice Green put together a very inclusive, very in-depth outline of what the conduct should be in the House of Assembly by Members, but also outside of the House of Assembly by Members. Obviously, at the time, while he alluded to things like this and gave some parameters, it wasn't spelled out exactly what we would have to do, because it was a different time. There was a different issue that he was dealing with at the time that was very important. So we've evolved since that.

It's no doubt that some of the things he had talked about are still relevant and are directly important to what we do here in the House of Assembly. He spoke about the kind of behaviour that MHAs are responsible for. He spoke about the culture. He spoke about the professionalism

that has to be part and parcel of it. So all of these are things that are not new in our society and shouldn't be isolated to just financial matters. They should be isolated, or they should also be part and parcel of our thinking and our active processes in this House around everyday events; how we deal with people, how we communicate, our dialogue with our colleagues, our dialogue with bureaucrats, our dialogue with the general public.

It's no doubt, we all get frustrated at times and there are certain things we do, but we have a certain standard that we have to adhere to. He had noted at the time, that not only are we responsible for setting the bar, sometimes we have to push beyond the bar, because we're under scrutiny, but we're under scrutiny for a reason. Because people expect us to be able to provide guidance, to set an example. If we're going to, in the same light, decide on policies that have a direct implementation to people and impact on their lives, we need to know that we, in our environment, work as professionals and can collectively look at solutions that are in the best interest.

We may not always agree. This is not always about agreeing on what we do with each other, but it's about respecting different views. It's respecting different approaches. It's about being professional, and to do that we need to have mechanisms that are open enough that we can have particular confidences that whatever happens, whatever it may be, if it's something from the past, a past type of an event, if it's something that we've never been engaged in before, if there is a new piece of challenging issues that come to the House of Assembly, that there is a process in play.

Again, the Commissioner coming in here – as we saw this morning when we had some dialogue with the Commissioner, or lunchtime. There are a number of questions here about how we move this forward; but, particularly, before we get to that we need to know how we got to this point, how we got to these reports; the content, the structure of it, the components and the responsibilities.

The better we understand that, outside of some of the other challenges that people may have as part and parcel who are directly affected – we're

all affected, but people are more directly affected that has a play. We need to be able to frame out what the future is going to look like and how we're going to make the general public feel confident that no matter what happens down the road we have an ability to do things.

Just as important, we need to be able to put a framework in play that ensures that if somebody wants to stand for the House of Assembly, stand for election here, that they're comfortable, that they understand their roles, they understand their privileges, but they understand their responsibilities; and, if something happens, that they have a mechanism they can rely on to support whatever it is the issue may be that needs to come to the forefront.

So our discussion around here is particularly more relevant to us setting the bar. Are we setting the bar high enough and with enough openness that it's a flexible, floating bar, that we can move it up when we need to on new types of approaches, or we can laterally move it down to the side because there's another type of issue in society that affects us that we never thought of before that comes forward.

The Green report took a great leap forward, decades forward from where we were, but it still was more oriented towards financial responsibilities. Now we have to look at cultural responsibilities, behavioural responsibilities, how we interact with people that we represent, how we interact with the staff that we work with, how we interact with our colleagues. So it's a simple process here of asking that we bring the Commissioner in.

Now, in this case, the Minister of Natural Resources has made an amendment that we support. We're also going to bring in the professional company that the Commissioner had hired to outline exactly their process and what it was based on. We know that they have an expertise in particular areas around what was investigated on the complaints that were put forward; but I'd be curious, and I know my colleagues would be curious, and I would think everybody would be, including the general public, around what was that based on, what histories, what are the trends when you do investigation, when you interview individuals, to what context you're using the information, when

are witnesses called, when are they not, when is use of technology or information that's being sent through electronic devices are relevant to what the discussion – are they taken out of context sometimes versus an interview? When is there a dispute? If it's he-said-she-said, vice versa, what is taken in the medium there to prove one way or the other what is happening?

So, Mr. Speaker, again, I'm glad to be able to be the seconder for this PMR today, and I look forward to everybody supporting this, and getting down to business of looking at how we improve what we do in the House of Assembly, and improving everybody has a safe, harassment-free, bullying-free work environment.

Thank you, Mr. Speaker.

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

SOME HON. MEMBERS: Hear, hear!

MS. DEMPSTER: Thank you, Mr. Speaker.

I'm happy to stand in my place today and speak for a few minutes to the PMR that's on the floor of the House. Mr. Speaker, we're discussing an important topic today, a timely topic I believe, given the recent unfolding of some of the events here in the Legislature. There has been a lot of discussion around the process to date and whether that process was right or wrong, whether it unfolded as it should, whether people were right and wrong in their opinions.

I think the last few months have probably caused all of us to reflect, that have been here in this House for some time – me, not so long, only 5½ years, but I look around and I see lots of people that have been here less than me. We will all agree, Mr. Speaker, that when it comes to decorum in this House there's room for improvement.

I have a quote – I have many quotes, but one that I like in particular: I talk about the biggest room in any house is the room for improvement. When I look back to when I started in 2013, decorum in the House in particular, where we were then to where we are now, as the previous

speaker was alluding to, I believe there has been tremendous progress that have been made.

We've certainly moved the dial. When we formed government in the fall of '15 and I was given the privilege to be Deputy Speaker, only the second female to be named Deputy Speaker since 1949 and the longest-serving female Deputy Speaker, it was a privilege for me to be mentored by Speaker Osborne who worked tirelessly to raise the bar with decorum in this House, and certainly now we see people like Speaker Trimper and yourself also, that's very, very important to you guys.

Mr. Speaker, decorum can be improved but I have to say this over my 5½ years: When it comes to politics, the very business, the very nature, you're going to have spirited, lively debate – everyone, back and forth, and we've all been there and sometimes we're in filibusters and we're sitting late at night and sometimes the temperature goes up a little bit and there's spirited, lively debate. I guess sometimes lines get crossed there as well, and that is an important part of this conversation that we're having right now.

Everybody – I firmly believe that everybody, men and women, have the right to a safe and respectable workplace. There should be zero tolerance, Mr. Speaker. Everybody has the right.

Mr. Speaker, after Question Period today, I have to say that if everybody is to look inward, we've all been a little bit guilty maybe at times of going too far or saying something that we should not have said. That does not change the fact that this needs to be a very respectful workplace, but we can't get up on one hand and say we want respect. To some degree, it has to be earned. So we have to be very careful there.

I grew up in a household where sometimes oh, he did this or she did that and you get told: Now, now, look what happens when you point one finger; there are three pointing back. So that's what I mean by this discussion that we're having here is an opportunity for all of us, Mr. Speaker, to look inwardly – to look inwardly to say: How can we improve ourselves?

It can be a challenging time in public life right now. You know, it's a social-media age. I think

our colleagues in public life 10 years ago never dealt with some of the things that those of us who put our name forward deal with, Mr. Speaker, when you put your name on a ballot. And sometimes we get sucked down into the negative things about being in public life, but having the opportunity to serve a district, in my instance to serve at a Cabinet table, is a tremendous privilege, Mr. Speaker – it is a tremendous privilege. And I believe we need to talk about that in a positive light, despite some of the things we hear in social media.

However, Mr. Speaker, it is a privilege, but it is also a tremendous responsibility. We have a responsibility. Every one of the 40 Members in this House, it is incumbent upon all of us to live in a way that we are able to be held to a higher standard. The public that we work with and that we work for, they have to be able to hold us to a higher standard.

I look around the room, and many, like myself, you put your name on a ballot and up until then you like to think that you are a respected wife, a respected mother, a respected daughter, a respected member of your community. Then, all of a sudden, you're a politician. You know, they talk about perception is many people's truths, and sometimes then you're not held to that standard. But I believe that we all have a role to play to work harder to ensuring that we are. We are elected representatives of the people. We are trusted to be their voice.

The conversation that we're having right now, Mr. Speaker, is an important one. It's historic. The unfolding of this whole process, it is new for all of us. And I go back to before the House closed in April or May, and personally I did not think that politicizing these experiences was the right way to go. You had people that came forward and made complaints to the Commissioner for Legislative Standards and sometimes the very people that were saying this is wrong, this should not be played out publicly, where's the confidentiality in this matter were the very people saying tell us about this, tell us about that. So that's unfortunate, Mr. Speaker, and I believe there are lessons to be learned there in all of that as well.

Making political hay out of what have been very distressing periods of time for several Members,

I don't think, Mr. Speaker, is what this Legislature is meant to be. I have to put that out there on the record while I have a few minutes here because what we're talking about is an extremely important topic. It is a serious topic, Mr. Speaker. Everybody needs to be able to come into a workplace that is free, where they don't feel intimidated, where they don't feel bullied, where they feel respected in the workplace.

Today's technical briefing with the Commissioner has been helpful in outlining the process that has unfolded to date. A tremendous learning for me. If I was to be asked, up until last night, what did I think of the process? I never saw anything. I am just now coming into this process, just now reading reports, just learning about what happened. The technical briefing at lunchtime – I learned a lot about Rubin Thomlinson. Sometimes we joke, and I might say: my colleague, he wrote the book on that. Well, literally, Rubin Thomlinson wrote the book on workplace harassment, Mr. Speaker.

I heard a Member earlier today get up, Mr. Speaker – the Member for Fortune Bay - Cape La Hune – and really fired big shots at the leadership. This should have been dealt with by the leadership. The leadership should have done this, they should have done that. Well, do you know what, Mr. Speaker? I think if the leadership had dealt with this, they would have said there's a conflict of interest right there. So we took it outside.

The Commissioner for Legislative Standards is an independent statute office of this House. We took it outside, and he went further. He brought in resources that were experts in this field. I believe he was right in the technical briefing when he said, no matter what route they chose to go, there would have been somebody that would have said it didn't go far enough. It wasn't good enough.

As a number of speakers –

SOME HON. MEMBERS: Oh, oh!

MS. DEMPSTER: Mr. Speaker, I'm having difficulty with the heckling from the other side while –

MR. SPEAKER: Order, please!

MS. DEMPSTER: – I'm talking about harassment, Mr. Speaker, and looking for a more respectful environment here.

MR. SPEAKER: Order, please!

MR. K. PARSONS: He was (inaudible) yesterday, too.

MS. DEMPSTER: If the Member for Cape St. Francis wants to speak, I'm happy to sit down until he's spoken.

Mr. Speaker, I wasn't finished. I'm being totally bullied here today, Mr. Speaker, in the workplace. I can't have my time. It is not acceptable. Do not talk out of both sides of your face. Are we here debating for a better, healthier workplace or not? I'm given 15 minutes on the clock, and then I have these guys over there, Mr. Speaker. It is very, very unfortunate. Very unfortunate. I will try to carry on, Mr. Speaker.

Today's technical briefing was very beneficial to me. Mr. Speaker, I don't know if the Member for Cape St. Francis was at the technical briefing or not, but I learned a lot there. While the process may not have been perfect, as I said, this is historic. I've been here five-and-a-half years, I haven't been a part of anything quite like this before. So I believe that everyone is learning.

In response to these harassment complaints, MHAs were required to participate in harassment training, and it's a perfect example of where every one of us can learn something new everyday, Mr. Speaker. When I did the harassment training, I want to talk about for a minute something I learned. I don't know if you'd call it a bit of an aha moment, it was the platinum rule.

I grew up in a household where we often talked about the golden rule: Do unto others as you would have them do unto you. But the platinum rule, I'd never heard of, I must confess: Do unto others as they want to be treated. There's a difference in that. How I want people to treat me may be differently than how my colleague, the Member for Gander, wants to be treated.

So I found the harassment training very beneficial. I don't know if every Member of the House have done the training but I believe every Member here in this government caucus have done the harassment training.

Empathy is something that is often lacking, Mr. Speaker, in this Legislature, and if you've been here a little while you'll see it. I think we've made progress. As I alluded to earlier, the previous Speaker, Speaker Osborne that I worked closely with, worked very hard to increase and bring a better level of decorum to the House.

The ability to appreciate where someone else is coming from and what might be going on with them personally – there's a little quote out there, Mr. Speaker, that says: Be kind to everyone you meet because everyone is fighting some kind of a battle. We don't know everybody's stories.

We find ourselves in this Legislature, in the people's House, we're into a – there's always a bit of to and fro. As MHAs, we all lobby our colleagues and push. We were hired by people in the various districts around the province to represent them. So as a part of that, Mr. Speaker, I guess there's this – we're looking for things for our district and we push and things like that. That comes with a little bit of to and fro.

Evidence, governance, Mr. Speaker, have always been about the allocation of scarce resources. I guess we could call that the first principle of economics. So the type of work we do sometimes can be challenging as we are speaking and making a case for various things in our area, Mr. Speaker. Just all a part of the job as a Member. Serving as a Cabinet minister is an incredible privilege, but can also be very challenging. But I think keeping at the forefront of our minds that beyond party lines – beyond party lines – we are all working on behalf of our constituents to address the issues that matter to them, from job creation to clean drinking water.

Mr. Speaker, I want to highlight, before I sit down, in my last minute, some of the – and we're talking about harassment and bullying in the workplace, and we're talking about we want a better Legislature. I am really proud to be a part of a government that has made some significant historic actions, and I want to speak

about the past and current Liberal governments because they represent Liberal values and because they impact populations that have been marginalized and are for a multitude of reasons vulnerable to violence.

It was a Liberal government, Mr. Speaker, that established the first violence-prevention plan for this province. It was a Liberal government that established the first Child and Youth Advocate, and I have learned over the last year just how valuable that position is, and we always embrace her recommendations that come forward to try and make life better for children and youth in this province. Just recently, Mr. Speaker, it was this government that brought in the Seniors' Advocate so that this large, growing, aging population in our province could have an independent voice to bring their concerns forward.

So, Mr. Speaker, we recognize that without concerted effort, change can happen slowly – too slowly, maybe, arguably – but I believe we're moving in the right direction. I'm pleased to support this private Member's motion, brought forward today with the friendly amendment by my colleague, the Minister for Status of Women. And, Mr. Speaker, I look forward to us getting back to working together to create a more respectful workplace inside and outside this Legislature and to doing whatever we can to encouraging more women to take their place in this Legislature.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (Reid): The hon. the Leader of the Third Party.

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

And I am happy to take my place now to speak to both the private Member's resolution and the amendment to the private Member's resolution.

It's been a large two days, Mr. Speaker. They've been very intense. There's a lot that has happened. There's been a lot of dissension, exploration, caution. And I would like to thank all my colleagues here in the House for taking

part in this very important process, and also all the staff. The staff who have been part of the Management Commission's deliberations on this topic. The staff who've been part of the Privileges and Elections Committee. I would particularly like to also thank my colleagues who have been on both the Management Commission and the Privileges and Elections Committee, because they've been working really, really, really hard on something that is so very difficult but working with a commitment, with integrity.

Nobody gets paid extra for doing this kind of work. The people who are doing this kind of work are doing it because they know how important it is, and I want to make sure that we acknowledge the important work that they are doing. I would particularly like to thank the Commissioner for Legislative Standards and his office. It's been really tough. This has been tough work.

Also, there was by-election in the middle of all this. We know the workload that happens with his office when there's a by-election, and we have another one coming up – unless there's going to be an early general election, so we'll see. We'll see what's going to happen there. That's in the hands of the Premier and his caucus; who knows what will happen there.

But what we do know is that by-election or election, there'll be one coming up and so that office is stretched to the limit as well, and those from the Speaker's office who've been involved in this whole issue. So, it's tough.

And then for the complainants and the respondents and their families and their constituents, and the media has played a role in keeping the people of the province informed about what we're doing here, what we've been doing ever since April I believe it is. I looked back at *Hansard* at some of the work that we did in April when these issues arose.

I also want to make a point to let's remember that we're not really talking – the issues that we're addressing here today and the issues that we addressed yesterday were not issues about decorum in the House. Those yet have to be addressed, perhaps in another forum, in another way. But I'd also like to congratulate the

Minister of Finance during his tenure as Speaker of the House and also our current Speaker for the work that they have done to elevate the level of decorum here in the House.

I was first elected in 2011 and I can tell you there were times when I sat down because I could not hear myself because of the level of heckling. And it has changed. At times today we saw how heated things got, but that's okay because what we're talking about are such crucial issues, and they often are, the work that we do here in the House.

But because of what's at stake – there is so much at stake, Mr. Speaker. There is so much at stake for many individuals in this House, for the work that we are doing right now in this House. So because of that, we have to operate, we have to do our work ever so carefully, with caution, with an impeccable sense of fairness and justice that only comes if we have an impeccably fair and just process, and there's been a lot of confusion about that.

Some of the confusion has stemmed from a lack of information. Some of the confusion has stemmed from the fact that the process perhaps is not ideal. I believe it's probably not ideal. My concerns are the number of times that some of the complainants have complained about the process, how complainants have held back because of their concern for the process, how some of the respondents are now talking about the process in and of itself.

Again, because so much – so much – is at stake for those complainants and for the respondents, we have to get this right. Again, that points to the work of the Management Commission, the Speaker's office and the PEC, the Privileges and Elections Committee, the MHAs, my colleagues, the staff who occupy seats in those committees. Thank you for the incredible work that you are doing, and we have still so much work ahead of us.

The issue of confidentiality has always been a huge issue. How many complainants really second-guessed whether it was safe for them to come forward? There's still a lot of confusion and a lot of outstanding questions about the issues of confidentiality. That issue really affects

the sense of fairness and justice and reflects on, again, the reliability of the process.

So, Mr. Speaker, in the past few days – well, first of all, we had the debates in April, then we had the investigations that have been ongoing for a number of months. Yesterday we received five reports that we are going to have to debate. We also received a point of privilege that we had to speak to. Then today, we had a briefing here in the House, in an in camera session with the Commissioner for Legislative Standards, and there were some very important questions that were asked. Not everyone felt that the answers were satisfactory. Some of the answers were. But certainly, there wasn't enough time to again answer all the outstanding issues that many Members of this House have. So, I'm very happy that the Commissioner for Legislative Standards has agreed to return to continue the briefing.

And, in light of that, I would like to say that I fully support the amendment to this very important private Member's motion that was to us by the Member for Cape La Hune.

So, our caucus fully supports both the original private Member's motion and the friendly amendment that asks that we have also at this House the inclusion of the firm that was hired by the Commissioner for Legislative Standards, Rubin Thomlinson and the investigators.

Although it might be somewhat redundant, I would like to go on record saying that I think it's absolutely crucial that we have the investigator who sat in and did the investigations of all complainants, witnesses and respondents. I believe that is Cory Boyd.

I would like it on record, Mr. Speaker, that although it doesn't state this in the amendment, I would like to hope that it is the actual investigator who will be able to sit and be part of this briefing as well.

So, there have been a number of issues that have been before this House that have been in media, that have been out there on the public, pointing to a discomfort and a lack of confidence in the process, but then, once again, others who have felt a certain confidence in the process.

So, this is our chance to get it right, Mr. Speaker. Because there is so much at stake for so many who are involved, because of that, we have to be incredibly cautious, careful, attentive and let's do this right.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Thank you, Mr. Speaker.

Well, I appreciate this opportunity today to stand to this private Member's resolution here. On issues around harassment in this House of Assembly, I think it's worthwhile to take some time just to remind ourselves that we got to where we are on April 24 of this year through some answers to some questions on the floor of the House of Assembly that brought this issue to light.

I became aware of this on the 25th of April, Mr. Speaker, and I think it's worthwhile to state, just reminding everyone how we got to where we are, recognizing that these can be very sensitive conversations. Within 24 hours, Mr. Speaker, at that time speaking with those that were ready to file complaints, official formal complaints, my suggestion then was to bring in an independent expert reviewer, an investigator to look at and to review and investigate these issues.

At that time, Mr. Speaker, one of the firms that we talked about was Rubin Thomlinson because they had some experience within our province back in 2015 dealing with the Valerie Penton issue within Service Newfoundland and Labrador – that was in 2015. So they had come; they were a little bit familiar with what was happening within our province. They had done some work in other jurisdictions as well.

Mr. Speaker, it was people in this province and MHAs in this Legislature, through some brave actions, had brought these issues to light. Then it came down to the question how we should deal with it. We dealt with it. We had a public release and announcement that was made, but it was after that that the Commissioner for Legislative Standards informed us then that it was in his jurisdiction, that he could do this. There were a

number of options, MHAs, Members of this Legislature, could actually have those allegations and those complaints dealt with.

There were four options. One, the House of Assembly could do this. The Commissioner himself could actually come, just listening to what was happening in the public airwaves and so on, and he could make a decision at the time. The Commissioner could make a decision, if he saw fit, to come in and do a review and investigate what had happened. The MHA could actually – or any Member could actually go through the Commissioner, or they could come to me and I could start the complaint.

So, Mr. Speaker, we know the process. We have a better understanding today of the process. But what we didn't know at the time is, as this all unfolded, what it would look like. We took immediate action. We dealt with it. As I said, the independent, external firm was our first reaction – our first response. And it was the Commissioner at the time who then said that it was in his jurisdiction, back in April 25 or 26, to say that it was in his jurisdiction to actually deal with it.

I'm pleased today that there's been amendment to this resolution that has been put forward by our Member from St. John's West. There seems to be that all Members of this House will accept the amendment, not just to bring in the Commissioner but also to bring in the investigators, in this particular instance, Rubin Thomlinson, who were key parts and participants in all of this.

Mr. Speaker, I think what we have to be mindful of, though, is that as we work our way through this process, and before decisions are made, we must still allow – as Members opposite have said – the appropriate time to have the proper debate, so that we can listen to the concerns of those that were involved in the process.

The other thing I want to make mention is that ongoing and concurrent to everything that's been happening over the recent months, we have initiated another review through the Privileges and Elections Committee. They're doing some work because they, too, recognize that through all of this – and that came from a similar resolution right on the floor of the House of

Assembly. So that work has already begun. And they have made a commitment to come back and to deal with the issues and even make more suggestions, and then we can further improve this process that we've been currently undergoing.

I've made a commitment to this province that there will be zero tolerance, and then we'll improve this. A concern for me is how individuals that are looking at what's unfolding, they're then publicly right now: Is this House of Assembly an attractive place for anyone to want even to be part of? We want it to be something that people would see as something that they want to do to represent constituents and districts all across this province.

We want to encourage people to be able to sit in the chairs. But, right now, Mr. Speaker, a lot of people over this summer have told me that: I'm not so sure that I would ever want to do that job. So the responsibility is on me as Premier of this province, and all Members of this Legislative Assembly, to make sure we bring the necessary improvements, so people are comfortable to put their names on the ballots. In particular, women in Newfoundland and Labrador who want to sit in the chairs that we sit in here today.

We have the responsibility, once the issues are brought forward, to make sure that we bring those necessary improvements. Zero tolerance means zero tolerance. So when something is recognized and brought forward, well then, Mr. Speaker, we deal with it. We have that responsibility.

But, Mr. Speaker, the motivations must be sincere – the motivations must be sincere. This is just not new; this has been around for decades. Let's not kid ourselves, let's be very honest with ourselves, all political parties, not only in Newfoundland and Labrador but in every single jurisdiction in this country, I would say in this world, have had to deal with similar circumstances.

The difference is right now we're dealing with it and, Mr. Speaker, I have made a commitment to every single Member here and every single Newfoundlander and Labradorian that we would bring the necessary improvements to make this a safe place to work.

Mr. Speaker, I also want to talk about, that as this process have unfolded in public, as people are thirsting for access to information, we must also consider and be aware, be acutely aware, that we have to be concerned about individuals' privacy as well, because it's just not the individual. There are children attached to this, there are parents attached to this, there are family, friends that are watching this unfold.

So we have to be careful that this doesn't become a bit of a political football. Let's be mindful of that, and let's respect each other. Mr. Speaker, if we are committed to improving this process, we will see through this; we will see that this is really about bringing the necessary improvements, and not just scoring what could be a political point. This has to be bigger than that.

This has to be about the future of Newfoundland and Labrador. It has to be about future MHAs that will sit in those chairs. When they make a commitment to the people in this province that they want to represent their constituents, and they do it in a very respectful way, that we must be able to treat each other with professionalism and with respect in the decisions that we make as we interact with each other, but also interact with our constituents.

Mr. Speaker, that's the challenge that's been given to us. We need to make sure that this place, that people come here, that we are held to a higher standard; that people that sit in those chairs, we are held to a higher standard. People expect more from us, and they should – they should – because we are responsible for legislation that impact lives of Newfoundlanders and Labradorians.

So if we cannot put in place proper legislation that impacts others, if we're going to do that and make that commitment, we must respect each other. We must respect each other because we have an impact, a very profound impact, I would say, Mr. Speaker, on every single Newfoundlander and Labradorian. Legislation that we bring forward in this House will have an impact on people that are not even born.

So, Mr. Speaker, the challenge is here. I'm committed to bringing the improvements that we need. That is why I think it's important that we

take the necessary time, that when we bring the Commissioner in, to make sure that we understand the details, we understand the process, we understand the thought process, we understand why decisions were made and how the review was done.

It's just not good enough to bring in the Commissioner because he happens to be the person that held the pen to this process, but bring in those that participated, people like Rubin Thomlinson who have been part of this. And we know the experience that they have had, but we can always do better. Maybe we can help make them – the questions that will come from the work that we will do on this floor, maybe it will even make it better for them as they continue to investigate and review jurisdictions in the future.

I had a conversation last night with an individual from outside the province who called and said, how are things going? We've been watching this unfold.

Mr. Speaker, people will look, in the future, as to what's happening and occurring in Newfoundland and Labrador. They will look back at decisions and processes that we will put in place in this Legislature and it will help lead others in the future. People from even outside of our province, to help and guide and lead them through circumstances that will unfold in other provinces.

We all know that harassment and bullying – we all know it has been hidden for decades. Fortunately, there are certainly movements around the world that are shedding light on those issues, and that's important. But, Mr. Speaker, I don't think any of us should have any fear in dealing with the issues as they come forward, but we must do it with respect. We must consider the privacy of the individuals that undergo these processes, but also do it so that there's room for public debate where people outside and watching us can have their say as well. Always be mindful that there are other people that are attached to the decisions that we make.

When this information is shared and debated publicly, let's make sure we do it professionally, we do it respecting each other, Mr. Speaker. I'm

confident that we can get there; I am very confident that we can there. We can improve on the process. We have learned a lot in the last few months. People have said to me already that they've learned a lot, and I agree.

We had Members that would ask the question: If I had to do this all over again, would I do it? Simply because of this process. The process should not discourage people from coming forward. We need to put in place effective processes so that people are comfortable in coming forward. That is exactly what we want.

We want to make sure that young people in our province that are watching our Members of this House of Assembly, they do so with respect and they say in the future that is something that I would like to do. Mr. Speaker, right now people are thinking otherwise. Women are thinking otherwise. There's a lot of people that would like to look at this profession and say, I want to make a difference in Newfoundland and Labrador. I want to be part of that Legislature. That is the way, Mr. Speaker.

I remember growing up when an MHA or a Member of this Legislature walked into the school or walked into a room, there was a lot of respect that was given those people. They earned that respect, and we must make sure that we do it again. That when people look at us – and so they should – either through social media or through regular media outlets, or just by people that are watching the webcasts, that are watching us, we need to make sure that we do so, we act professionally, we act respectfully and that when we interact there is zero tolerance.

Someone asked the other day what zero tolerance is. Well, zero tolerance for me is when an allegation or an issue is brought forward, Mr. Speaker, then we deal with it. We deal with it.

We're not perfect, Mr. Speaker, none of us. None of us are perfect, but there's an acknowledgement that in times when if we are not perfect, we must recognize those imperfections and make a commitment to do better. And as Premier of this province, I have made that commitment. I'm asking every single Member of this House of Assembly that as we go through this debate, let's not forget that we have Members that are revisiting the last few

months, but we also have family members that are watching what's happening as well.

So, Mr. Speaker, as we bring in the Commissioner, as we bring in Rubin Thomlinson in support of this motion that we have in front of us today, I'm going to be very pleased, as our caucus, to support this; very pleased to be able to say that we'll participate and be engaged, listening and watching intently to what's happening as we make decisions. Decisions that we make today will be not just on current Members, but decisions that we make today will impact future Members as well.

Mr. Speaker, I'll finish my comments today by saying that I'm looking forward to this debate, looking forward to doing so with a mindset of zero tolerance; looking forward to bringing the necessary improvements so that when people look at Members of this House of Assembly they do so with respect.

Mr. Speaker, my time's up, but I appreciate this opportunity and I look forward to the ongoing debate that will occur on this very floor over the next few days.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: If the Member for Fortune Bay - Cape La Hune speaks now, she'll close the debate.

The hon. the Member for Fortune Bay - Cape La Hune.

SOME HON. MEMBERS: Hear, hear!

MS. PERRY: Thank you, Mr. Speaker.

It certainly has been a fabulous afternoon here in the House, Mr. Speaker, to listen to the views of Members on this issue that is affecting all of us. I'd certainly like to thank the Minister Responsible for the Status of Women, MHA for Conception Bay East - Bell Island, the Minister of Children, Seniors and Social Development, the Member for St. John's Centre and the Premier for their words and participation in this debate here this afternoon.

Mr. Speaker, I was actually pleased to see the amendment brought forward today was a friendly amendment and one that we can support because both Rubin Thomlinson and the Commissioner were involved, and certainly it would be great to have them both here.

I think we probably all agree that more is required than an in camera hearing. We really need to have a session whereby we, as MHAs, and the public as a whole can glean a better understanding of this process. As was mentioned by many of my colleagues here, moving forward these types of situations can be perhaps addressed in a way that is less harmful, I guess, on all the parties involved and less stressful, certainly.

In camera processes are necessary at times to protect privacy and shield the vulnerable, but in matters of process that require public scrutiny on the public record, we also need a public hearing. I think as a result of this process that we will now undertake with this meeting with the Commissioner and Rubin Thomlinson, we can give people more confidence in the process. Mr. Speaker, certainly we're all anxious to resolve this issue.

I came into the House of Assembly myself back in 2007. My first time sitting here was in 2008, but I was elected in October of 2007. I think I may have discussed this previously in this hon. House, that when I came into politics the Green report was new. The financial scandal had just been finished, and that was the era in which I entered politics. So I felt like I entered politics at a time when the bar for standards was raised.

Certainly, Mr. Speaker, we've come a long, long, long ways in terms of addressing some of the issues that our parliament was facing, but we still have – very much so – a long, long, long way to go. I certainly hope to partake in voting on improved legislation as we go forward to address some of these issues, Mr. Speaker, and make the process better for everyone involved and to give confidence to those out there who may be considering the profession of parliamentarian.

What's very, very, very important, Mr. Speaker – and I know sometimes a lot of people get cynical with politics. They see this type of thing

which is happening here in our hon. House and they say I'm not even going to bother to vote. And that, Mr. Speaker, is very, very worrisome because the government of day and the Members of the House of Assembly have a huge responsibility – as 40 people for 500,000 people all across this province – making decisions on rules and regulations that affect our daily lives, making decisions on taxation that affect our income and our ability to feed our families, making decisions on infrastructure, Mr. Speaker.

So it is crucial that we bring and attract to this hon. House people of honour, integrity and intellect to ensure that the best possible decisions are made in the best possible interest of all the people of Newfoundland and Labrador, not whether if they're Liberals or NDP or Tories, but because they are people and citizens of Newfoundland and Labrador, all equally deserving of a fair government. And that type of fair government will be delivered through strong, competent, ethical, dedicated intelligent people, and these are the kinds of people we need to attract. These are the kinds of people, Mr. Speaker, who are looking at us probably and saying: Why would I leave my current career and go into that type of profession.

We've lost many, many, many good people, Mr. Speaker. Just a few months we lost one of our brightest. It's very unfortunate that that happened because of the environment and culture of politics, Mr. Speaker. We need to change that. We have a duty to change that. We have an obligation to change that, and that's what this process is all about.

I'm sure that all of us, on all sides of House, are deeply concerned about harassment and the kind of behaviour that we tolerate here. Because that's what happens: We tolerate it. I think if we're honest, each and every one of us, would say we tolerate it – we ourselves have tolerated behaviour that we would not tolerate in our own home or in our previous workplaces. And it's not right. It really isn't.

We're going to raise the bar. It has to be much more than words. We have to demonstrate by our actions that we really are improving the behaviours in this House and that there really is zero tolerance for any type of disrespectful behaviour, bullying or abuse of power, Mr.

Speaker. We want to create a space where women and men are welcome to come and serve.

This is our moment, as parliamentarians in the Newfoundland and Labrador Legislature. Our moment to break ranks with the past, with the old ways of doing things, and to stand with courage in defence of what is right. We have an obligation to each and every Newfoundlander, to our children, to our grandchildren. Would you want your child to go apply for a job after spending \$50,000 on their university education and telling them it's all about hard work; the harder you work, the better the job you'll get, only for your child not to be able to get that job because someone had a contact that you didn't?

These types of things can't happen in politics. That's what all the laws are about, Mr. Speaker, to prevent that type of thing. We, as parliamentarians, have that responsibility to ensure that this is what happens.

So, we are determined that we will not regress back to the old ways. The old rules and the term that I'm sure everyone has heard – I know all women have – the old Boys' Club, can't win unless we allow ourselves to be bowled over. The time for being intimidated and accepting this type of behaviour, that day is gone.

The House has lost Members, as I just said, who were fed up. But, Mr. Speaker, we have to continue the fight to make sure that all Parliaments improve. We're leading the way here in Newfoundland and Labrador and I trust that if we are able to resolve this issue and find the right policies and legislation, we will make a difference that will extend beyond Newfoundland and Labrador.

It continues here today – we've had a struggle for months. It continues here today with this resolution and we are not going to sweep this matter under the rug. We are going to ask the tough questions, even if that means things aren't resolved quite immediately and it's going to take a little bit longer. Because it's far better, Mr. Speaker, to do it right than to just rush through it.

Let's not be afraid to audit the process, test its findings and if things don't measure up, if we

have to send them back, that's all discussions we need to have and decisions we need to make. This is our moment to raise the bar and this is how we do it. And it's our right to measure the bar. It's our obligation.

So, Mr. Speaker, I'm very pleased that it looks like there will be full support to bring in the Commissioner. I would like to say, I guess, in closing to all of my Members, I know how politics works. I've lived here for 11 years. I'm going to write a book one of these days on the written rules and the unwritten rules. But, in the meantime, Mr. Speaker, we all have a responsibility here, and I implore each and every Member to use your own ethics, to use your own guidance, and let's not be afraid to do the right thing as we move forward in abolishing and eradicating disrespectful behaviour, bullying and harassment from politics in Newfoundland and Labrador.

Thank you so much, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

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

The motion is carried regarding the amendment.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

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

This amended motion is carried.

This being Wednesday and, in accordance with Standing Order 9, this House does now stand adjourned until 1:30 o'clock tomorrow.

Thank you.