

December 6, 2017

[Original]

## Gender-Based Violence

**Mr. Higgs:** The Premier's words this morning conveyed an inspiring message. We must do whatever we can to eliminate gender-based violence. On this day, December 6, we are admonished to speak out, to raise our voices.

I would like to reflect back to a few weeks ago and to a motion that the official opposition put forward on November 16. With this motion, we were basically facilitating what the New Brunswick Student Alliance had brought forward in terms of mandating programs on campuses at postsecondary institutions. To have an alliance regarding sexual violence on our campuses was the motion's purpose—how do we reduce and eliminate it? All the members on both sides of the House spoke in favour of the motion and in support of it. However, at the end of the day, it was amended and nothing would change—there was no mandate, and there was no requirement. It was kind of like best efforts.

Today, on this day of all days, I am asking the Premier whether he would reconsider that motion and put it forward as originally planned. We will support it.

**Mr. Speaker:** Time, member.

**Hon. Mr. Gallant:** Thank you very much for the opportunity to address the comments of the Leader of the Opposition. First, I want to say a big thank-you to the opposition members for their statements. I think that they were certainly spot-on in saying the things that they said and that we have to do more to ensure that we end gender-based violence here in New Brunswick, across the country, and, frankly, across the globe as well. I thank them for using their member statements to raise awareness about this important issue.

I also want to thank all members of the Legislature who took the opportunity to come this morning to the vigil that we put on for the 14 young women that we lost 28 years ago in what is now known as the Montreal Massacre. The members and the Leader of the Opposition, in their statements, are all right to say that we have to work together. It starts with leaders in our province, and that means that the 49 of us in this Legislature have to do what we can to end gender-based violence. We certainly look forward to working with the opposition and with all New Brunswickers to accomplish this.

**Mr. Higgs:** I will come back to the motion because I know how the system works and I know that opposition-based motions rarely, if ever, get through. I know that is the system. What I am asking on this day is, let's move beyond that, and let's look at something that we all agree with.



We all have made statements, whether they be today's or whether they be during other opportunities, that we want to eliminate—reduce and eliminate—gender-based violence.

I am only asking that the Premier bring the motion back. It is basically what the Student Alliance put forward. As I said, we just facilitated the motion to get it in front of the Legislature, so it is being put forward by students who want to see a change on campus. I am just asking the Premier whether he would bring it forward to allow the motion to pass because the Student Alliance would like to see actions on its campuses to eliminate gender-based violence. Thank you.

[*Translation*]

**Hon. Mr. Gallant:** Once again, I want to thank the opposition for this statement and certainly for these comments. I also want to thank the opposition for presenting a motion to make New Brunswickers aware of what is happening in our communities and, in this case, specifically on our campuses across the province.

[*Original*]

I want to make it very clear that we appreciate very much that the New Brunswick Student Alliance has raised this issue with us and with the opposition as well. We appreciate the advocacy work that it is doing, and certainly, the goals and principles for which it is advocating, I think, are supported by every member of this Legislature.

I thank the opposition for putting the motion forward as well. I want to make it very clear that we definitely support in principle what has to happen to continue to end gender-based violence. That is why we supported the motion, and we can tell you that we are working with the NBSA to advance exactly what it wants to see on our campuses in this province.

**Mr. Higgs:** Just to conclude on this particular topic, if I understand the Premier correctly, he is working with the New Brunswick Student Alliance so that another motion will come forward that will reflect a mandated requirement on campuses to set up the right programs, set up the right practices, and ensure that action will be taken. It will not be just best efforts. It will be a real, concrete motion. I can assure the Premier that this side of the House will be supporting such a motion. Today, of all days, brings the truth back to us that we need to do better.

I will ask the Premier one more time if that is the message he is conveying, that a motion will come forward reflecting the concerns that the New Brunswick Student Alliance brought forward. That was all we were doing. We were representing what it says are real concerns on campuses.



[Translation]

**Hon. Mr. Gallant:** Once again, I thank the Leader of the Opposition for bringing up this very important topic. Yes, we do indeed support the motion. As a matter of fact, this is why our government supported it. Yes, we do indeed support the principles and goals of the New Brunswick Student Alliance, and we will work—and continue to work—with this organization to take concrete steps to do exactly what is in the motion.

[Original]

The motion that was introduced by the opposition, prepared by the New Brunswick Student Alliance, is very much appreciated. It certainly starts the ball rolling by raising awareness of this important issue. I can tell you right now that after supporting that motion, our government, through the minister, is working with the NBSA to ensure that we take concrete action to instill the principles and goals of that motion here in this province.

Again, I thank the Leader of the Opposition. I look forward to working with all members to ensure that we end gender-based violence in this province once and for all.

**Mr. Higgs:** I have one more point in that regard, since we are completely in line on the end goal and on where we need to go with this. The amendment that was brought forward neutralized the motion. It did not cause any concrete action. In fact, that is the issue. Action is what is required here, and it seems that we completely agree that action is what is needed.

To that end, I would certainly volunteer, as would my colleagues—and I assume the leader of the third party would be interested in this as well, but obviously, he will speak for himself—to meet with the Premier and to move forward a motion that, on this day, is more important. It emphasizes the reality in which we are living in this world of ours. If that opportunity exists, I will certainly be part of that. I would encourage the Premier to do more than, basically, just talk about supporting the principles and actually support the actions that are needed to make a difference. I would ask one more time if the Premier will do that.

[Translation]

**Hon. Mr. Gallant:** Once again, I repeat that we specifically support the principles and goals in this motion. That is why we supported it.

[Original]

Yes, we are working with the New Brunswick Student Alliance to take concrete action. Certainly, the motion prepared by the NBSA and introduced by the opposition helps to raise awareness. It certainly puts into this Legislature what needs to happen to improve the state of affairs when it comes to gender-based violence on our campuses. That is why we supported it. It is a motion, and from that motion, we are going to work with the NBSA to take concrete



action where students, professors, the university communities, and the college communities around our province will be able to see the concrete actions that we will be able to take with student leaders.

I want the media and New Brunswickers to hear right here and now that we acknowledge and thank the Leader of the Opposition for the role he has played in introducing this motion, and we look forward to working with him.

### Property Tax

**Mr. Higgs:** It has been said that true leadership takes more than its share of responsibility and less than its share of credit. The idea also on all true leadership is that actions are much stronger than words. Whoever said that was not speaking about the current Premier of New Brunswick, who never takes responsibility and never misses a photo op. It is never too late, though.

My question to the Premier will be this: Will he advise the House as to whether a statement made by his Chief of Staff that it was the Premier who brought the idea of the fast track to the Premier's Office in May 2016 is accurate or whether the Premier's statement to the Auditor General that he was not aware of the fast track until March 2017 is accurate? We have asked numerous times which story is correct. That is all that we are asking. Just clarify one of them because they are different and cannot both be right. Thank you.

*[Translation]*

**Hon. Mr. Rousselle:** I thank the Leader of the Opposition for his question, but I will repeat once again that, since 2011, an incredible number of property assessment errors have been made—thousands and thousands of errors. Contrary to what the Leader of the Opposition said when he was a minister, we do not believe that it is a fair and just system. We are determined to find solutions and to work with Service New Brunswick so we can make sure that, from now on, people get the fair and just system they deserve.

I want to repeat, for the Leader of the Opposition, that the Auditor General did a thorough job. After analyzing all the documents and interviewing several people, she came to the conclusion that there is no proof—I am indeed saying none—that could link the Premier or his Cabinet to that story about a fast-track procedure. The answer is clear: an excellent job was done.

*[Original]*

**Mr. Higgs:** The Auditor General was very clear that the starting point for the fast track was a presentation made to the Premier on May 6, 2016. The Premier's Chief of Staff was also very clear that the Premier came from the presentation made to him on May 6, 2016, and spoke about fast-tracking the process. The Auditor General reported that the Premier told her that he was not aware of the fast track until March 2017. Those are conflicting accounts. The Auditor



General also indicated that she was getting conflicting accounts from the Premier's Office, from the Chief of Staff, and from the former CEO.

My question is for the Premier. Which is it? Did he learn of the fast track on May 6, 2016, as the Chief of Staff says, or was it in March 2017, as the Auditor General reports that she was told? Once again, it cannot be both. Thank you.

[*Translation*]

**Hon. Mr. Rousselle:** I want to repeat that we are looking to the future and that we want to resolve this situation once and for all. After a comprehensive investigation, the excellent report from the Auditor General showed us the flaws and problems at Service New Brunswick, and we are determined to resolve the situation.

That being said, it is discouraging, embarrassing even, to see the Leader of the Opposition so strongly criticize the independent and thorough work done by the Auditor General.

I would like to quote an excerpt from the Auditor General's report, which was presented last week to the Standing Committee on Crown Corporations and the Standing Committee on Public Accounts. Members had the opportunity to ask questions. Here is a question from the member for Gagetown-Petitcodiac.

[*Original*]

She was asked this: "Are you certain that the Premier's Chief of Staff did not order the fast tracking". Her answer was this: "Based on the evidence", that was not what happened.

[*Translation*]

It seems clear to me.

[*Original*]

**Mr. Higgs:** Based on the evidence, we have conflicting statements from the Chief of Staff and the Premier. That is the evidence of their direct quotes or what was told to the Auditor General. Evidence is good. Let's talk about evidence.

It was disheartening to learn, however, from a CBC story last night that the Gallant government is going to use its majority to defeat our request to find the truth about the property tax scandal. The Premier and his ministers have already said that they will vote down the motion to have the Chief of Staff and former CEO as well as senior executives from Service New Brunswick answer questions under oath about exactly how the property tax fast tracking was approved after the Premier was given a presentation on May 6, 2016.



If the government is so confident of the truth, then why would it avoid every avenue to ensure that the truth is heard? Thank you.

**Hon. Mr. Rousselle:** I want to be clear, so I am quoting her report in which she talks about “fictional conversation”. I am quoting the Auditor General because she confirmed through interviews that both these communications are not direct quotations and incorrectly imply that the Premier requested the fast track.

[*Translation*]

It seems to me that the Auditor General was very clear on this. I will come back again to the idea that it is discouraging and embarrassing to see the Leader of the Opposition attacking the work of the Auditor General like that. He did not want a report prepared by a former judge of the Court of Appeal of New Brunswick and, now, he is rejecting the report from the Auditor General. Evidently, the only—I do say the only—report he would find satisfactory would be a report that he himself had written.

[*Original*]

**Mr. Higgs:** There are members on both sides of this House who remember when, in 2004, questions arose around NB Power’s Orimulsion contract with PDVSA in Venezuela. The Crown corporations committee held televised hearings right here in the Legislature. Those hearings went late into the night, and everyone had a chance to ask questions of the key players in the Orimulsion contract. Seeking the truth through the legislative process is not a new phenomenon. It is one that has happened before, and it happened before under the previous Premier Bernard Lord.

Would the Premier commit today to following the precedent of the Orimulsion hearings so that we can answer outstanding questions about the property tax fiasco? All we want are the facts, and the minister has already said that he would like to have the facts. Unfortunately, he is not quoting all of them.

**Hon. Mr. Doucet:** I just cannot help but feast on the buffet. The member opposite mentioned Orimulsion. That has to be the worst scandal that ever took place in the province, and those people are responsible. I remember the hours and hours of testimony and the time that we spent talking about the Orimulsion contract in this Legislature. That was the biggest boondoggle, and it cost us about \$900 million, every man, woman, and child. If they want to talk about Orimulsion, I am more than happy to, because I remember sitting in the opposition and asking questions that went on and on about the Orimulsion contract.

I am telling you, I cannot understand how the members opposite could look themselves in the mirror and talk about Orimulsion. It cost the province \$900 million to convert a plant unnecessarily...



(Interjections.)

**Mr. Speaker:** The member for Riverview will come to order.

(Interjections.)

**Mr. Speaker:** The member for Riverview will come to order.

**Hon. Mr. Doucet:** That was for a contract that it did not have.

(Interjections.)

**Mr. Speaker:** The member for Riverview will come to order.

**Mr. Higgs:** I guess that was an acknowledgment that the legislative process was able to bring about an analysis of what really happened through bringing people in under oath, so the precedent has been set. In the past, it was a requirement. It was a requirement to ensure that all the facts were heard and the facts were real.

The Premier should have nothing to worry about if the Crown corporations committee is allowed to hear a motion on the outstanding questions regarding the fast tracking of property tax assessments. The Premier and his colleagues have the majority of seats on the committee. In this Legislature, we have precedents for holding hearings when there are outstanding questions from all New Brunswickers surrounding high-profile issues. Nothing is more high-profile than this one because it affected so many people, 17 000. That is a record—record—appeal rate in this province. It has never been seen before.

Whether it be the Orimulsion contract signed in 2003 or the property tax fast tracking done in 2016, will the Premier reconsider his decision to shut down debate, and can we finally find out who was responsible ...

**Mr. Speaker:** Time.

[*Translation*]

**Hon. Mr. Rousselle:** You know, the Leader of the Opposition seems to greatly favour the idea of getting things mixed up. In the case he is referring to, namely the actual Orimulsion scandal of 10 or 15 years ago, opposition members will recall that we were dealing then with a Crown corporation that regularly appears before a committee regarding its operations.

In the case currently under discussion, we are talking about an independent and comprehensive investigation by the Auditor General, which the Leader of the Opposition and the opposition members really wanted. The opposition was not satisfied with having a reliable former judge of the Court of Appeal of New Brunswick and of the Federal Court of Appeal do



the investigation and wanted it to be done by the Auditor General. According to the latter, after examining all the evidence, she can say that what the Leader of the Opposition claims happened did not. It is time for the Leader of the Opposition to realize that it is not for him to pass judgment and write his own report.

[Original]

**Mr. Speaker:** Time.

**Mr. Higgs:** Maybe it is a news flash, but we are talking about another Crown corporation, Service New Brunswick. That is not any different from the Crown corporation NB Power that was brought to the Legislature to get the answers. It is Service New Brunswick that we are talking about.

The Premier and the Health Minister often like to trot out the name of former Premier Bernard Lord when discussing the privatization of extra-mural services. It was Premier Lord who recognized that the right way to get to the bottom of questions surrounding NB Power's Orimulsion contract with PDVSA was to have the Crown corporations committee hold public hearings. He was not afraid to do it.

If it was right for Premier Lord in 2004, then why is it not right for Premier Gallant? Why is he refusing to do the same thing in 2017? Allowing the Crown corporations committee to question his chief of staff and the senior management from Service New Brunswick and allowing them to answer those questions about the property tax fiasco under oath is the way to get to the bottom of it. It ends it—no further discussion. Go under oath. Bring it to the Legislature. Let's do the right thing.

**Mr. Speaker:** Time.

[Translation]

**Hon. Mr. Rousselle:** I will repeat this: It is embarrassing and discouraging to see that the Leader of the Opposition cannot accept the findings of an independent and comprehensive investigation. No stone was left unturned. The Auditor General said this very clearly.

[Original]

There are no outstanding issues.

[Translation]

The Auditor General was very, very clear: She had the power to call witnesses and have them testify under oath. However, since everybody cooperated so well, she thought this was unnecessary. As she herself said, her report is comprehensive. She was very clear regarding the



story that the Leader of the Opposition wants to tell—and on which he would love to pass judgment. She said that, based on the evidence she received after a comprehensive investigation, this is not what happened. The Leader of the Opposition should accept that it is now time to resolve the situation, to work together, and to follow up on the Auditor General's 25 recommendations.

## Prisoners

**Mr. Coon:** A First Nation senior contacted me not long ago about a neighbour who is detained at the Madawaska jail. This man must take medication for various health concerns related to his eyes, his blood pressure, and arthritis. However, he is now being denied access to his medication.

This is not the first time we have seen this type of situation. In March, the Court of Appeal of New Brunswick ruled that Timothy Sappier did not have to return to jail after reoffending, because he was not receiving his medication there. Incarceration in a provincial jail does not take away one's right to basic health care. Will the Minister of Justice and Public Safety make sure this practice of denying inmates access to their medication ends?

**Hon. Mr. Melanson:** In his preamble, the member opposite talked about a member of a First Nation. I think it would be inappropriate to talk about a particular case on the floor of the House, since this is certainly privileged and private information.

That being said, governments generally always want to help people with particular needs and make sure they receive essential care or services aimed at giving them a better quality of life. I will stop here, because I would not want to comment on a particular case like the one mentioned by the member opposite.

*[Original]*

**Mr. Coon:** It seems to be a common problem that medications prescribed for inmates are being withheld. The Ombud himself, Charles Murray, has said that medication issues for inmates are an ongoing concern in this province.

Last year, a constituent of mine reached out to me about worries that her son was not receiving adequate health care coverage while in the Southeast Regional Correctional Centre. He was denied his anxiety medications and was not allowed to get a second medical opinion about his other health issues. A second opinion can often find medical problems that the primary doctors missed. Will this government or this minister change the policy to allow for people serving jail sentences to receive a second medical opinion?



[Translation]

**Hon. Mr. Landry:** Thank you for the question. We all know that some people who are admitted to a provincial penitentiary have health problems. These could be mental or physical health problems; in any case, when people get to an institution, anyone on medication is assessed by health professionals.

I cannot discuss particular cases, but I know the assessments are usually done in a very, very serious manner. As I was saying, there are health professionals who can assess different cases.

I cannot really discuss a particular case in the House, but I will still speak with the various staff members from my department to make sure that this person was treated as all others have been or should have been treated. That being said, I cannot say very much about this particular case.

[Original]

**Mr. Coon:** The overarching concern here is that in both of these cases, we have inmates experiencing difficulties accessing health care and their medication while in jail. Following an alleged assault at the Madawaska jail, the inmate was not immediately taken to the hospital despite later findings that he had multiple broken ribs. The inmate in Shediac could not convince the doctor at the jail that he needed to see a specialist for his condition, and his multiple requests to be sent to the hospital were denied. He waited over two and a half months before finally being sent to the ER in Moncton, where he was told that if he had come to the hospital when he first felt symptoms, he would not have gotten so sick.

Why is this minister denying inmates their basic right of access to the public health care system when needed?

[Translation]

**Hon. Mr. Landry:** I want to make sure this is clearly understood. Whenever people who have committed an offence go to jail, very professional people do assess them at the institution.

That being said, I cannot talk about a particular case; nevertheless, I am glad that the member opposite, the Green Party Leader, is bringing this case to my attention. I just want to make sure that nothing is overlooked. I assure you that we will be discussing this with the various staff members from my department. In this case, we will do whatever is necessary.

However, as I told you, in institutions like federal and provincial jails, there are health professionals who do assessments. Each case is assessed individually, and this is what we will continue to do to make sure that our prisoners are, in fact, treated as they should be.



[Original]

**Mr. Speaker:** Time.

### Health Care Services

**Mr. B. Macdonald:** I know that we are getting close to the end of question period and the Premier has a bad habit of hopping up when there is no time left on the clock. If he wants to take my questions, I recommend that he take them all.

From the very beginning, the mantra of these government members has been this: Just trust us because we know what is best for you. The problem is that they say one thing and do another. Look at the property tax scandal. “Just trust us because we know what is best for you” did not work so well there.

Look at the Medavie deal. Actually, we cannot look at the Medavie deal because it is a secret backroom deal and the government will not give us the details. However, after 24 hours of questioning, we do know a few things. We know that it is going to cost us an additional \$4.4 million. It is going to add 21 new administrators and leave all the existing administrators in place. It is going to add another government entity and leave the other government entities in place. It is not going to add one more nurse, health professional, physiotherapist, or social worker. It is not too late. The people of New Brunswick do not trust this deal. Will the government open it up to competition?

**Hon. Mr. Bourque:** The member opposite is right. We do know a lot more after 24 hours of questioning. One of the other things that we do know is that above everything the member opposite said, we will see an increase of 15% in the visits to EMP patients. We are talking about up to 90 000 more visits in New Brunswick homes. We are also talking about a decrease of 15% in the number of visits by EMP patients to emergency rooms. That is a huge saving for the province as well. Also, there will be better care for New Brunswick patients. We are talking about maintaining the level of satisfaction above 95%, which is already fantastic. The level of quality will be maintained, on top of better referral times and more referrals within the Extra-Mural Program. This program will accomplish great things, and that is why we are proud to move it forward.

**Mr. Speaker:** Time.

**Mr. B. Macdonald:** The government of New Brunswick already had a deal with Ambulance New Brunswick through Medavie, and last year, rather than spending the \$3.5 million that was budgeted for land ambulance, the Gallant government split it with Medavie. This was \$3.5 million that should have been spent to ensure that New Brunswickers had the best ambulance service in the country and the lowest response times. Instead, half of that money went to Medavie. What concrete assurances is this government offering us that it is not going to include the same problems it has with Ambulance New Brunswick in this new contract? Will the



government at least open it up for competition so that we can ensure that disincentives like this do not exist and that this government is not paying Medavie to keep extra-mural services off the road, as it did with Ambulance New Brunswick?

**Hon. Mr. Gallant:** Thank you very much for the opportunity. I just want to let anybody who is watching today—all New Brunswickers who are watching our Legislature—know that although we see the opposition taking question after question and trying to gain political points, this government is focused on the priorities of economic growth, ensuring that we have the strongest education system possible, and improving our health care system.

[*Translation*]

We are working very hard with New Brunswickers to create jobs and grow our economy. In fact, over the last three years, we have seen very positive growth in our economy.

[*Original*]

From 2011 to 2014, unfortunately, the economy of New Brunswick retracted under the previous Conservative government, in which the Leader of the Opposition was Finance Minister. Since then, we have grown year after year. We have reduced the deficit by 67%, all the while investing more in education, to improve literacy and to add coding and trades in our schools, and investing more in health care, to help our families be healthy in our province.

**Mr. Speaker:** Members, the time for question period has expired.

