



Fall 2015



Some Honourable Members

Former Manitoba MLAs Newsletter

Inside This Issue

President's Message

June 15, 2015 Speaking Lunch—Digital Future by John Bertrand

Page 2-4

2015 Youth Parliament Page 5

November 19, 2015—Speaker's Reception for Association of Former MLAs

Page 5—7

Physician Assisted Death—September 29th, 2015 Luncheon Address by Roland Penner

Pages 8—9

In Memoriam —Inez Trueman —Page 10

2016 Annual General Meeting—Page 10

Members—Page 12

PRESIDENT'S MESSAGE

I am writing this message soon after November 11th, when Canadians paused from their daily lives to remember the ceasing of the guns in Europe in 1918 that signaled the end of “the war to end all wars”. As I watched the television broadcast of the Remembrance Day service in Ottawa, I was caught up with the solemnity of the ceremony, the significance of the laying of the wreaths at the cenotaph, the importance of the scattering of poppies at the tomb of the Unknown Soldier, and the silence that followed the trumpeting of the Last Post.



I saw the many lines that time had etched into the faces of our older veterans; I saw the stoic determination on the faces of younger veterans whose experiences in recent conflicts were so different than those of the older veterans, but yet so very much the same. And those faces reminded me of the resilience of our veterans, the resilience of the families and friends of soldiers lost, and the resilience of a nation that has weathered world conflicts, and collectively suffered the deaths of our men and women in combat.

Resilience was very much on my mind as two days later, along with the rest of the world; I watched the Paris attacks and its aftermath. The resilience of a people was evident in the voices of the French leaders, in the faces of its people, in the actions of Parisians in the days that followed that Friday the thirteenth.

We see resilience in nature; where, as Charles Darwin reminded us, “it is not the strongest of the species that survives, nor the most intelligent...it is the one that is the most adaptable to change.”

Resilience is evident in the profound toughness of the families of murdered and missing aboriginal women. They have suffered for years not knowing what has happened to their loved ones; and yet they carry on, they advocate for action; their spirit is indomitable.

And what of the resilience of refugees from the Middle East and Northern Africa? These families are desperately searching for what many of us enjoy here in Canada, a safe haven for their children, an opportunity to positively contribute to community life without fear of retribution and recrimination.

This November has been a time of reflection, a time of remembrance, a time of resilience. Let us celebrate our ability to exhibit a toughness that can transcend adversity, conflict and catastrophe. Let us celebrate our ability as a people to recover from misfortune and adapt to change.

Avis Gray





Ed Helwer introduced John, citing his background and long history with the Tribune and then the CBC.

John started by recalling his experience as a cub reporter covering the inauguration in Ottawa of the Honorable Edward Schreyer when John dictated his story to a Tribune typist who then forwarded it to their hot lead printing press. How different it is today with the CBC in this digital age.

Last week, on a bright sunny day in Iqaluit the CBC staff of 25, old and young, experienced and proud, produced through digital means 2-3 hours of programs. They broadcast through Social Media which has virtually replaced earlier forms of communication. Facebook has brought the people of this vast sparsely populated territory into a real-time imagined circle of story-telling. Of Nunavut's population of 37,000, 5000 are on Facebook. Their reports are timely and multi-lingual. Shortly after the release of the Report of the Truth and Reconciliation Commission, their reporters had located photos from 1937 of the coffins in the snow of 4 runaway Inuit kids who had frozen to death. This powerful story soon had 625,000 contacts and 8,000 Likes.

The CBC is in the “relevance” business. It tells stories that connect people, grows understanding of their communities, and the digital format enhances story-telling on other platforms. CBC Manitoba is the digital site in Winnipeg. Its story-telling on Missing and Murdered Aboriginal Women has been personal and remarkable. From Manitoba's population of just over 1 million there were 23,000 responses. Young urban aboriginal Manitobans are using social media and covering topics not generally found in the mainstream.



The New York Times performed a one week experiment. Newspaper websites were blocked but mobile voices from Ipads and Tablets got through. It was discovered that fully half the voice traffic was mobile. 80% of a Saskatchewan story on HIV rates in aboriginal communities was digital. CBC has the largest radio audience in Winnipeg and CBC TV audiences are growing but the potential for expansion is static. Meanwhile digital audiences, faced with the same challenge to engage and share, continue to increase.

The vision of the CBC is to be the heart of Canada. It aims to make programs that are relevant, reflective and animated, that portray the values of fairness, balance, diversity, originality and timeliness. The Commitment locally is to put Digital First. We are undergoing a cultural change that requires continuous learning and adaptation. Formerly the media controlled the technology but now the customer has multiple choices. During his 23 years at CBC, John is finding the move to Digital presents the most significant challenge. Before, television and radio did not communicate with one another. Now they share similar fates.



Both exist to tell the stories of particular people, in particular places and at particular times. It is exciting, this redefinition of relationships with Canadians. The content is better. The focus is on what “is” more than on the “what” of a place. Demographics, attitudes, perspectives, how we cooperate – all are changing. CBC talks about what matters to people. To serve people depends on knowing the community fully.

Discussion:

Q. With the multiplicity of media and “apps.”, it must be a challenge to get continuity of audiences. Don’t different age groups segmentize the market? A. the unifying thing is that the ongoing job of better storytelling matters more than the providing news. Building trust, relationships and understanding is what digital media does best.

Q. Do audiences focus mainly on what is of local interest? A. John has never believed more in public broadcasting, teasing out the meaning of living in a particular place. For example, while it is expensive to send staff to the North, with Digital, people living there want not so much to join a network that sends them material from a “different planet”, but to produce their own material with stories that are far more meaningful to them and their home community.

Q. What strategies can get Canadian children to watch Canadian material rather than Silicon Valley? A. If he can go by his own daughter, she was embarrassed by CBCV. Now she is a devotee of DNTO (Definitely Not the Operas). CBC still produces a lot of prime time comedy and drama. More investment would help.

Q. How can CBC ensure integrity of reporting, free from political or corporate pressure/influence? A. The CBC has well documented journalistic practices. Not much has changed and yet everything has. Journalists are not “Biblical” in their approach. It is still important for people to be critical readers and listeners. He said he is encouraged by young people who consume a lot but are not that gullible.

Q. Some Aboriginal people have been told by Aboriginal Affairs that their securing funding would depend on their not asking questions. Does that reduce Government accountability for how it spends its money? A. No answer





Q. I expect the CBC to speak for the public interest rather than Corporate America. Personally I want to hear background. For example, in reporting on sales tax I want to hear about its role in supporting expenditures on public goods, and not just a negative response to a government announcement. A. The first response from a journalist is generally critical. Without providing background, the intent is to interest the public in the issue. A public broadcaster should not be the spokesperson for any special group.

Q. Expand a little on the importance of “place”. A. Digital reporting can provide an expanded sense of shared space; e.g. digital reports from the North on the seal hunt are first-hand, participatory and immediate, and they reach all Canadians, not just Inuit.



Q. Are traditional media in a new era? A. Absolutely. The structure, resources and staff are always moving but the core values remain the same. When he was a young reporter at the Tribune he found it very exciting but did wonder “Is this all there is?” Yet what he has found is that there is constant change. CBC, according to Hubert La Croix, President of CBC, is ahead of much of the traditional media, many of whom are locked in to traditional formats and realize it may be too late to change.. It is a very challenging world!

Q. You were once a young idealistic reporter; are you now more worldly; are you now more dependent on the opinions of owners and publishers; and is there a common sense policy governing when a manager chooses to terminate an oft repeated story? A. There are no hard and fast rules. Digital is interesting in that it permits more real time feedback. It is harder to remain isolationist. Certainly not all policy is set “top -down”.

Q. More confidential conversations used to be possible. Is there less privacy now? A. With Digital, there are no deadlines. Gone is the day of one story per day. Twitter is like a breaking newscast and is even allowed now in the courts. It is challenging in that everyone is in the game and you have to be as well.

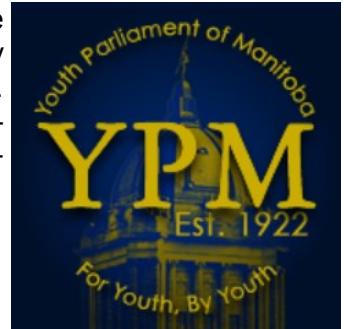
Myrna Phillips thanked the speaker for his passionate and provocative talk. She described how important CBC had been to her: as a young child and later at school. Throughout her adult life it has been her university of the air in art, music, literature and politics; her travelling and late-night listening companion, and now provides her favourite news reporters who bring the world to her doorstep. CBC has helped to build Canada. Its future wellbeing must be protected.





Youth Parliament of Manitoba will be hosting its 94th Winter Session at the Manitoba Legislature from December 26-30th. This year's session is shaping up to be quite an exciting event. The diverse range of legislation topics will address highly relevant and controversial issues such as consent culture on university campuses, legal reform pertaining to criminal defense lawyers, elimination of the welfare system, mandatory vaccinations and organ donation, weakening of police powers and regulation of Canada's exportation of water to foreign countries. Nearly 100 youth from across the province will converge at the Legislature to debate these issues, learn about Canada's democratic parliamentary system, engage with the leaders of our province and network with their peers aged 16-20 from around Manitoba. This year's dignitaries include Mr. Clif Evans (Lieutenant-Governor) and Ms. Patricia Chaychuk (Honourary President). Our alumni achievement award recipient is Mr. Stuart Olmstead. Please join us for debate, our annual Bear Pit and alumni reception, or opening and closing ceremonies. The full schedule of events will be posted shortly at www.ypmanitoba.ca.

Kamal Dhillon



November 19, 2015 – Speaker's Reception for Association of Former MLAs

Despite the onset of winter, our members braved the wind and snow to join the Honourable Daryl Reid, Speaker of the House, for his reception at the Legislature. The Speaker welcomed members of our Association and all enjoyed a hot buffet dinner. In attendance was David Warner, Vice President of the Ontario Association of Former Parliamentarians and Former Ontario Speaker of the House, who brought greetings from his colleagues.



**November 19, 2015 – Speaker’s Reception for
Association of Former MLAs – Con’t**

**Some Honourable
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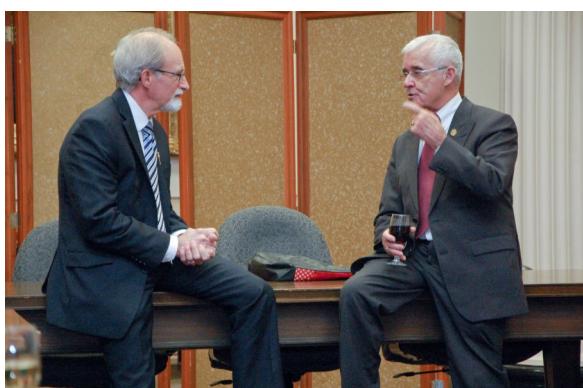
The Speaker took the opportunity to present a framed photo recognition of all Manitoba women who have served in the Legislature since women acquired the vote to some of the former MLAs who had missed his earlier presentation. This meaningful gesture was appreciated by all.

Thank you to Daryl and his staff for their hospitality at this lively and much appreciated event!



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Members - Fall 2015**





Vic Schroeder introduced Roland with memories: that he had served in WWII in Normandy; that while in Government he was instrumental in introducing a Human Rights Code and a unified family court; and that he had authored an award-winning memoir of Hugh Amos Robson.

Roland responded with a few memories of his own: basic army training on the University of Manitoba campus, being told he could not serve as an atheist, but with a Mennonite father and a Jewish socialist mother, in order for them to know where to bury him, he could be listed as United Church. Since weekly Church Parade was mandatory, and since he found the United Church service boring, he ended up attending 6 a.m. masses at the Roman Catholic

Church where he found he liked the bell-ringing. As a result, he figures he is now a lapsed Catholic.

The topic of Physician Assisted Death (PAD) became urgent when in February 2015 in the Carter case the Supreme Court struck down the criminal law against the practise but gave Parliament one year in which to draft a new law with appropriate safeguards. They considered it a challenge to the constitutional right not to be deprived of life and liberty except in accordance with the principles of fundamental justice. Until February 2016, the current law remains in effect.

The United Kingdom Supreme Court rejected making a decision on the matter, leaving it up to Parliament to decide. The Conservative majority later defeated a similar move to strike down the law. In Canada, the argument had been made that the Charter had established a different way to protect human rights. Since Parliament was prorogued before the matter could be dealt with, and since the new Government will be hard pressed to do so before the February 2016 deadline, there will likely be a request for a time extension.

How a new law will be crafted will depend on the makeup of the new Parliament. It could range from being open to restrictive. The Harper Government set up an advisory committee that included the two lawyers who had argued against the case at the Supreme Court, and is likely to result in recommendations for a relatively restrictive law.



Important aspects of the law as seen by the Supreme Court were:

Stare decisis – the legal principle meaning “let the precedent stand”. This Principle has been The cornerstone of the rule of law which is to guarantee stability, and it had the unanimous support of the Supreme Court in Rodriguez 1993.

1930 Person's Case: this case between the Privy Council and the Supreme Court, involving both the BNA and the Constitutional Acts, had planted the concept in Canadian law that the rule of law was a living tree, differentiating it from U.S. Law.

It was determined that stare decisis should not be allowed to straitjacket the law. There had been profound social change since the Rodriguez case in 1993. Then only a slight majority favoured PAD but by 2015 this majority had swelled to over 84%. There had also been legal change. In the 1990s, no other country had PAD but by 2015, the Netherlands and Belgium and four U.S. states (Oregon, Washington, New Mexico and California had it).

Physician Assisted Death – September 29th, 2015 Luncheon Address by Roland Penner

Some Honourable

Members - Fall 2015



Another important legal change had occurred in terms of the hierarchy of laws. Decisions around Section 7 of the Charter, which guaranteed the rights to life, liberty and security of the person that could only be abrogated in matters of fundamental justice, had not been very well developed in 1993 so it was agreed the prohibition of PAD matched fundamental justice. By 2015, however, a new principle had emerged, that law should not be arbitrary or overwrought (e.g providing no protection for those terminally ill or suffering).



The issue is that PAD should be legal for a competent adult person experiencing grievous, interminable, irremediable and intolerable suffering. However, a new law will require greater precision: what is the meaning of competence? When would a declaration have to have been made? What if a person had become no longer competent because of illness or medications? Who should decide competence – physicians (currently 70% say they would not); one or more; should a psychiatrist's opinion be required? What about a patient suffering from mental illness, bipolar disease or dementia?

Roland concluded by urging us all to contribute to the discussion, and "advise the advisory committee", as he and his current class at McNally-Robinson have undertaken to do.

Handouts:

* excerpts from the Netherlands Statute

* summary of issues to be resolved

* three newspaper articles

Discussion ensued. Issues raised for consideration were:

- if no decision is made by February 2016, would the relevant rule in the criminal code be struck down?

- are physicians any more morally or technically capable of making such decisions re competence and agency than the ordinary citizen?

- might the weak and vulnerable be pressured to choose PAD for wrongful reasons?

- why not hold a hearing rather than rely on a court decision?

- would a patient-doctor's prior relationship be necessary?

- what about current sufferers if there is too long a delay?

- would a physician be required to commit such an act? Might such a requirement lead to fear of physicians?

- a personal example was shared by someone who had had a serious head injury the effects of which medical people thought were permanent but from which she later surprisingly recovered? If a prior declaration had been made, might that person have been subject to PAD? How will such anecdotal evidence be handled?

- given the failure of the health system to provide effective and sufficient palliative care and pain management, might not many with disability fear PAD might threaten them?

- how is the system working in jurisdictions that have it?

- are decriminalization and delegalization the same? (The answer was yes)

Al Mackling thanked Roland for his clear, stimulating and educational address, one of the best he had heard. As a fellow lawyer, he acknowledged and praised both the Charter and the Common Law for their flexibility, and Roland's skill in revealing this.

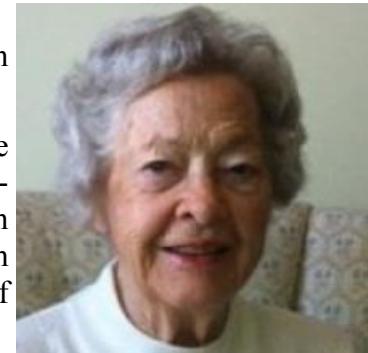




Inez Geneva Trueman 1917-2015

After a brief illness, Inez passed away on August 22, 2015 at Grace Hospital.

Born April 8, 1917, Inez as a graduate nurse. She was deeply involved in the social and cultural life of her community. She served as President of the Junior League of Winnipeg in 1951 and as President of the Central Volunteer Centre of Winnipeg from 1954 to 1956. She also was President of the Social Planning Council of Winnipeg from 1965 to 1967.



Inez was elected City Councillor for River Heights in 1968 and served as MLA for Fort Rouge from 1969 to 1973. While in the Legislature, she gained respect for her contributions on health and social development. She was named YWCA Woman of the Year- Political Affairs and Government- in 1980. She also served as a member of the Board of Directors and the Executive of the Health Sciences Centre from 1978 to 1984. She was a member of the Board of Manitoba Medical Services Foundation.

In her later years, Inez enjoyed travelling, playing bridge and her family. She is survived by her four children and their children and grandchildren.

**ANNUAL GENERAL MEETING THURSDAY, JAN. 14, 2016**

Our Association AGM will be held at the Canada Inn on Pembina Highway at 11 AM.

Our 2015 Distinguished Service Award will be presented to Honourable Lloyd Axworthy.

An In Memoriam service will be held for Bud Sherman and Inez Trueman.

Lunch will follow. Please join us on Jan. 14.

Please call Michele in the Speaker's Office at (204) 945-3706 by January 11, 2016 to confirm your attendance or email michele.lapointe-dixon@leg.gov.mb.ca



Some Honourable
Members – Fall 2015



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