



# WAB KINEW

## SURVEY RESPONSES – MANITOBA BAR ASSOCIATION

### 1. What steps will your government take to ensure and sustain access to justice in our province?

*Many people believe legal problems only happen to others. But, over three years, forty-five percent (45%) of Canadians will encounter a problem requiring a legal solution, suggesting that over the course of their life, almost everyone will encounter such a problem. Many will not get the help they need because of perceived or actual barriers. Unresolved legal problems tend to escalate, and to exacerbate problems in other areas – health, social welfare and economic well-being, social exclusion and poverty.*

Manitobans deserve effective access to justice. A Manitoba NDP government will adequately fund the legal system and support legal education so that more Manitobans know their rights and how to effectively exercise them.

The Manitoba NDP also recognizes that legal problems are closely linked to poverty and mental health and addictions. Those challenges can be exacerbated by legal issues, but can also contribute to people interacting with the criminal justice system in the first place. To address poverty, we will improve Rent Assist by reversing cuts made by Pallister's PCs; improve EIA rates; restore the Getting Started benefit; and begin to transform EIA into a basic income by eliminating the so-called 'welfare wall' as a disincentive to work and striking a task force on a basic income and a dignified income for people with severe and prolonged disabilities. We will also reform the child welfare system to recognize the right of Indigenous children to grow up in Indigenous households so that children can remain connected to their communities and their culture. We will transform mental health care for all Manitobans, starting by appointing a Minister Responsible for Mental Health and Addictions. We will implement the Main Street Project's recommendations to address the meth crisis, create new community-based mental health services, double the number of counsellors in ACCESS Centres, and examine how to fund some eligible mental health costs for families. All of these measures are meant to give people the resources they need and deserve to live healthily and productively in the community.

## 2. What will your government do to ensure legal aid is adequately funded in our province?

*The MBA had been a strong advocate for legal aid. Providing legal aid may be considered expensive, but not providing legal aid costs everyone more:*

- *Unrepresented people, without access to lawyers to represent them in court or alternative dispute resolution processes like mediation, parenting coaching, parenting co-ordination, etc. slow the resolution process down, costing taxpayers more money.*
- *Unrepresented people get worse results, and lose rights they should have, like support for themselves and their children (which may result in greater reliance on publicly funded programs).*
- *Ignored legal problems grow and spread – an unfairly evicted tenant may become homeless.*
- *Vulnerable groups of people who are discriminated against would not receive the advocacy they deserve – increasing social, legal and medical service costs while creating dislocation within the provincial community.*
- *According to the Reaching Equal Justice: An Invitation to Envision and Act report, cost benefit research shows that \$1.00 spent on legal aid saves about \$6.00 on other government services.*

The Manitoba NDP is committed to legal aid. When we were in government, we raised the tariff for private lawyers, we hired more lawyers at legal aid and we increased the legal aid budget. We know that more is needed to ensure Manitobans have representation in legal matters and have the advocacy they deserve. We are committed to adequately funding the legal aid system so that access to justice can be a reality for all Manitobans. We are also committed to rebalancing the rights between tenants and landlords to ensure rental disputes are settled efficiently, fairly and appropriately.

We will also immediately review the phone contract signed by Pallister's PCs which disproportionately impact inmates through high fees impeding their ability to seek advice and counsel while incarcerated.

**3. What will your government do to ensure that our justice system is appropriately resourced, especially in the North, to meet in a timely way, the legal needs for Manitobans? And what is your government's plan to modernize the justice system in Manitoba, through investments in technology?**

*An inadequately resourced justice system results in delays that lead to unmet legal needs. It is important that all residents of the province can access the justice system to resolve issues in a timely and effective way so that matters can be dealt with impartially, swiftly and before they become even more serious. Appropriate levels of staffing are required to ensure legal needs are met in a timely manner. In addition, investments in technology are required to streamline the court system to reduce inefficiencies and delays.*

People across Manitoba deserve an appropriately resourced justice system – including in the North. Manitoba NDP is committed to investing in our justice system, including infrastructure investments in our courts, jails and the administration of justice system. We will also look closely at investments in technology – we know our justice system is in need of modernization to improve access to justice, and that technology has real potential to support meeting the legal needs of Manitobans in more timely ways, including teleconferencing. To that end, we will stop Pallister's practice of underfunding through vacancy management in the justice system, and will ensure courts are properly resourced to address backlogs in the system.

**4. What steps will your government take to implement the Calls to Action set out in the Truth & Reconciliation Commission Final Report?**

*In its Final Report, the TRC made 94 Calls to Action, many of which were specifically directed at provincial governments. The CBA has long been a strong advocate for many of the subject matters contained within the Calls to Action and the MBA has signed on to the Winnipeg Indigenous Accord and has committed to offer education sessions for lawyers on appropriate cultural competency, conflict resolution, human rights and anti-racism based on the Call to Action #27 recommended by the Truth and Reconciliation Commission.*

Manitobans want to reconcile and build relationships with Indigenous peoples that are just and equitable. The future of our province, including our economic prosperity, will be determined by our ability to heal the injustices of the past. While many Manitobans have been disappointed by Brian Pallister's combative approach to relationships with Indigenous peoples, it's encouraging to see organizations take this responsibility seriously by implementing the Truth and Reconciliation Commission's Calls to Action.

A Manitoba NDP government is committed to relationships with Indigenous peoples based on respect and recognition, guided by the TRC Calls to Action and United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). A Manitoba NDP government will work to implement the TRC Calls to Action and support UNDRIP. We will start by reforming the child welfare system to recognize the right of Indigenous children to grow up in Indigenous households. We will establish a Missing and Murdered Indigenous Women Committee of Cabinet led by Indigenous women, who will work with families to implement recommendations coming out of the National Inquiry. We are also committed to working with — not against — Indigenous communities to ensure everyone is around the table before major projects begin – including Manitoba Hydro projects. We will also create job opportunities for Indigenous peoples by putting Resource Revenue Sharing into a Jobs Fund for Indigenous communities, starting by negotiating a fair deal on a gaming fund. We will also bring down barriers to post-secondary education for Indigenous students by restoring the ACCESS bursary that was cut by Pallister.