

Daily sitting 39

Friday, June 11, 2021

9 o'clock a.m.

Prayers.

Pursuant to Motion 60, certain Members participated in House proceedings by virtual means.

Mr. K. Chiasson, Member for Tracadie-Sheila, laid upon the table of the House a petition urging government to restore bridge functions in Haut-Rivière-du-Portage and Rivière-du-Portage. (Petition 17)

Mr. Carr, from the Standing Committee on Procedure, Privileges and Legislative Officers presented the Second Report of the Committee for the session which was read and is as follows:

June 11, 2021

To The Honourable
The Legislative Assembly of
The Province of New Brunswick

Mr. Speaker:

I have the pleasure to present herewith the Second Report of the Standing Committee on Procedure, Privileges and Legislative Officers.

The report is the result of your Committee's deliberations on Motion 52 with respect to having more women elected to serve as Members of the Legislative Assembly.

On behalf of the Committee, I wish to thank those individuals and organizations who appeared before the Committee to provide information on this issue. In addition, I would like to express my appreciation to the members of the Committee for their contribution in carrying out our mandate.

Your Committee begs leave to make a further report

Respectfully submitted,

(Sgd. :) Jeff Carr, M.L.A.
Chair

The full report of the Committee as presented follows:

Mr. Speaker:

Your Standing Committee on Procedure, Privileges and Legislative Officers begs leave to submit their Second Report of the session.

On March 25, 2021, Motion 52, introduced by Isabelle Thériault, Member for Caraquet, was debated and carried as amended by the Legislative Assembly of New Brunswick. The purpose of Motion 52 is to direct the Standing Committee on Procedure, Privileges and Legislative Officers to undertake a review of initiatives that will encourage more women to offer as candidates to represent New Brunswickers in the New Brunswick Legislative Assembly.

On April 1, the Committee met virtually and determined that members of women's advocacy groups should be invited to provide input and advice to the Committee with respect to the issues raised by Motion 52. Consultations with experts were held in the Legislative Assembly Chamber for Motion 52 on April 20.

During the consultations, the Committee heard from six different women's advocacy organizations and one independent expert.

The Committee met again virtually on April 30 and May 4 to consider input received during the consultation process and to formulate a Committee report with recommendations to the House. The Committee wishes to express its appreciation to the presenters who appeared in the Chamber and provided additional information after the presentations were given.

The following is a summary of the input received on the issues raised by Motion 52, with recommendations to the House.

MOTION 52

The following is Motion 52, moved by Ms. Thériault, seconded by Mr. Melanson, which was carried as amended by the Legislative Assembly of New Brunswick on March 25, 2021.

WHEREAS it is in the best interests of the people of New Brunswick to have more women elected to serve as Members of the Legislative Assembly;

WHEREAS women are often the primary caregiver of children, and a significant barrier to participation by more women in the provincial political process that is often cited is the fact that the rules governing parliamentary institutions are not family-friendly or parent-friendly;

WHEREAS many other jurisdictions nationally and internationally are moving forward with reforms to make their parliaments or governing institutions more parent-friendly;

WHEREAS New Brunswick's "Women for 50%", which is focused on gender parity in the New Brunswick Legislative Assembly, supports reforms that are more parent-friendly;

WHEREAS British MPs voted to bring in family friendly reforms like a system of "baby leave" that would provide new parents in the House of Commons with proxy votes that could be utilized by their legislative colleagues, which allows MPs to care for their families while doing their jobs;

WHEREAS certain provinces allow childcare costs as eligible campaign expenses;

WHEREAS legislatures have adopted measures that permit virtual participation in proceedings

WHEREAS reforms dealing with shared legislative responsibilities, the availability of on-site childcare, changes to the sitting hours, and additional initiatives that reduce barriers to participation in the political process have been adopted by other jurisdictions

BE IT RESOLVED THAT the Legislative Assembly direct the Standing Committee on Procedure, Privileges and Legislative Officers to undertake a review of initiatives that will encourage more women to offer as candidates to represent New Brunswickers in the New Brunswick Legislative Assembly and report back to the Legislative Assembly within two months with specific recommendations.

CONSULTATIONS WITH EXPERTS

Dr. Joanna Everitt

Dr. Joanna Everitt, a professor of political science at the University of New Brunswick's Saint John campus, specializes in Canadian politics, gender and politics, and political behaviour.

Dr. Everitt illustrated how legislative assemblies occupy a symbolic role in society and as such, they should demonstrate practices that are ethical and fair. She advised that greater diversity is desirable in legislatures because they should represent the diversity of the population they serve. She also noted that more women should play active roles in the legislative process, such as holding the position of Chair on committees. She urged that it is the responsibility of the Legislative Assembly of New Brunswick to acknowledge its current limitations.

Dr. Everitt also indicated that media coverage of individuals in office is different for men than for women, as is the experience of holding office. For example, women face more harassment than their male counterparts and measures to counteract inappropriate comments often are not enforced.

She stressed that one of the major barriers to recruiting more women to run as candidates in New Brunswick is the lack of incentives or recruitment strategies aimed specifically at women. Dr. Everitt discussed how evidence has shown that the greatest hurdle to women entering politics is being nominated. She advised that women are also discouraged due to a lack of incentives like childcare options and family-friendly facilities as women are often the primary caregivers of their families. However, New Brunswick is the first province in the country to create gender-targeted incentives and this should be applauded.

Regroupement féministe du Nouveau-Brunswick

The Regroupement féministe du Nouveau-Brunswick (RFNB) is a non-profit non-partisan group comprised of individual members and organizations. Its mission is to promote the interests of francophone women in New Brunswick; to engage in political action and defend women's rights; and to encourage women's civic participation, while acknowledging their diverse backgrounds.

Julie Gillet, the Executive Director of RFNB, presented information from an intersectional lens, which takes into account cross-discrimination, particularly for women who are francophone, racialized, or who occupy a low socio-economic status. She stressed that not all women are treated equally, as some undergo more discrimination than others, which is important to consider when making decisions about inclusion policies.

Ms. Gillet advised that she and her colleagues identified three main barriers for women entering public office: the current political environment favours men, women encounter more workplace sexism and harassment than men, and women perceive work-family balance in public office to be a struggle.

Ms. Gillet indicated that these issues should be addressed with a global approach and there is a need for short-, medium- and long-term solutions to eliminate barriers for women entering and remaining in politics. She also advised that change will not happen on its own – there are larger social mindsets and gender stereotypes that need to be changed first. She urged that the Legislative Assembly, political parties, and governing bodies all have a part to play in addressing these issues.

Women's Equality Branch, Executive Council Office

The Women's Equality Branch was created, within the Executive Council Office, to promote gender equality and reduce systemic discrimination, to provide advice and support women's issues to the Minister responsible for Women's Equality as well as to departments of government, and to coordinate the implementation of the government's actions and initiatives in the areas of women's personal, economic and social security.

Yennah Hurley, Deputy Minister, and Nicole McCarty, Director of Policy and Strategic Initiatives, gave a presentation on behalf of the Women's Equality Branch. They advised that studies have shown that having more women in leadership roles leads to better economic outcomes. As an example, women are currently over-represented in lower-wage sectors. To encourage more women to enter public office, the presenters argued that support systems need to be in place to ensure their success.

The presenters outlined that women remain under-represented in legislatures partially due to societal expectations. While women represent half of the workforce, they also are generally expected to be the primary caregivers for children and for their older parents or family members, while men are not. However, they offered that having more women role models in public office can help combat these gender stereotypes.

The presenters indicated that gender-based harassment is a significant barrier that disproportionately affects more women than men offering as candidates. They also advised that various forms of media treat women and men differently.

In addition, the presenters urged government to hear a variety of perspectives when making key decisions, contending that it is fundamental for democracy and equality that different viewpoints be considered during decision-making processes.

Women for 50%

Women for 50% is a cross-collaboration of women committed to gender diversity and equal representation of women in the New Brunswick Legislature. The group provides educational opportunities, regional workshops, and resource guides for women candidates interested in entering provincial politics. Presenters on behalf of Women for 50% were Roxanne Fairweather, Co-Chair and Co-CEO of Innovatia; Aldéa Landry, Co-Chair, President of Landal Inc. and former Cabinet Minister; Elizabeth Weir, Parliamentary Governance Specialist and former Leader of the Provincial New Democratic Party; and Norma Dubé, Initiative Director and former Assistant Deputy Minister of the Women's Equality Branch with the Executive Council Office of the Province of New Brunswick.

Presenters were pleased that the number of women elected in New Brunswick increased from 22% in the 2018 election to 28.5% in the 2020 election, but there is still much work to be done to address the climate for running as a candidate. Only 10% of women became their riding's candidate as a result of winning a contested vote, the rest were either appointed by their party or acclaimed.

They submitted that New Brunswick has the opportunity to create Canada's most family-friendly legislature, and in doing so, demonstrate global leadership on gender equality. The presenters suggested that the Legislative Assembly look at ways to modernize policies and create a harassment-free workplace, define acceptable language and communications, and undertake training programs to help eliminate biases. They also suggested that a permanent sitting calendar and other parental supports would be helpful for all Members, not just women.

Equal Voice

The presenters outlined how women are largely underrepresented in legislatures in Canada and around the world, and more so when looking at women with intersectional identities including those who are Black, Indigenous, people of colour, have disabilities, or are members of LGBTQIAS2+ communities. They also highlighted the positive outcomes of having more women in politics, including the better social and economic outcomes seen in countries with better gender balance, and better representation of the constituents they serve. They presented recommendations in three areas: safe and respectful workplaces; family friendly measures; and modernization.

Findings from literature reviews and pan-Canadian consultations show that elected women face heightened levels of harassment, both in-person and online. Harassment and sexual harassment are issues that are intensified by the imbalance of power and political dynamics. The presenters outlined how legislatures should ensure a safe and respectful workplace for all elected officials and staff. They suggested that harassment policies should be updated regularly, and refresher workshops should be available. Also, a security policy would improve the workplace safety of legislators and their staff.

Members were urged to make changes to rules and policies to encourage greater participation of legislators who are parents. The presenters also recommended that family-friendly measures such as a pregnancy and parental leave, childcare, and family travel arrangements be available to Members. Modernization of the Legislature, including having a predictable calendar, allowing proxy voting, and virtual participation would allow legislators to plan better and allow greater flexibility for carrying out duties while maintaining a work-life balance.

New Brunswick Women's Council

The New Brunswick Women's Council is an independent public agency that provides advice to government on matters of importance to women and to bring public attention to issues of interest and concern to women. The Council is comprised of members representing equity-seeking organizations, as well as individual members. Beth Lyons, Executive Director, gave a presentation on behalf of the organization.

Ms. Lyons noted that the New Brunswick Legislative Assembly is comprised of approximately 70% men, with little to no representation of Indigenous, racialized, LGBTQIA2S+, or persons with disabilities. She discussed that the root causes of the lack of representation are oppressions, including patriarchy, racism, colonialism, ableism, and classism. She stressed that these need to be understood before anyone can intervene effectively on the underrepresentation of women as candidates for Members of the Legislative Assembly. Ms. Lyons cautioned that solutions that solely address gender-based oppression will only support some women, primarily those who are the least marginalized. She advised that solutions that account for multiple oppressions will be more inclusive.

Ms. Lyons noted that broader gender equality issues, such as economic insecurity and inadequate health care access, contribute to women not running for public office. She proposed that the Legislative Assembly conduct Gender-based Analysis+, an intersectional analytical process for examining how various intersecting identity factors impact the effectiveness of government initiatives. She indicated that strengthening the use of Gender-based Analysis+, as well as increasing public disclosure on the use of this process by government and by legislative committees would help ensure these broader issues are addressed. She also recommended Gender-based Analysis+ on existing legislative policies and procedures as the current frameworks are more conducive to the participation of men than other genders.

Platform

Platform is a national organization in Toronto. Its mission is to reshape the political landscape to advance the priorities of young Black, Indigenous, and racialized women and gender-diverse youth. Arezoo Najibzadeh, Founder and Managing Director, gave a virtual presentation to the Committee.

Ms. Najibzadeh began by advising that many inequality issues, such as racism, transphobia, and ableism, disproportionately affect women and societal reform is needed to remove these barriers. She argued that there is a need to generate conditions for meaningful civic participation. She went on to say that women need to be able to fully participate in political activities and that they need to go beyond surface-level participation if they are to represent the population accurately and appropriately.

Ms. Najibzadeh also stressed that sexual violence should no longer be part of the expectation for women in politics. She indicated that preventative measures should be implemented so the workplace is a safe space and that violators are held accountable.

She said the most important thing legislators can do to support women is to strengthen the social determinants of civic engagement. Civic engagement is closely tied to many socio-economic factors, such as employment status and education level. Ms. Najibzadeh went on to say that by addressing systemic racism in marginalized communities, civic engagement would increase and more diverse groups of people would come forward to represent their communities.

RECOMMENDATIONS

The Committee understands that the intent of Motion 52 is to undertake a review of initiatives that will encourage more women to offer as candidates to represent New Brunswickers in the New Brunswick Legislative Assembly.

The Legislative Assembly has established human resources policies that recognize Members' parental leave, permit infants on the floor of the House, designate a private area for the care of infants, promote the installation of changing tables, and permit the issuing of a security access card for a designated partner or caregiver to the infant of a Member. In conjunction with these policies and based on the input received, the Committee wishes to make the following recommendations:

1. Inclusive and Safe Workplaces

- a. THAT the Legislative Assembly's *Respectful Workplace and Harassment Policy* and *Code of Conduct* undergo a Gender-based Analysis+ by the Legislative Administration Committee and that a review be performed every five years thereafter.
- b. THAT Gender-based Analysis+ training be mandatory for Members and be conducted in tandem with *Respectful Workplace and Harassment Policy* training.
- c. THAT caucuses represented in the House ensure, where possible, there is a balance of men and women on committees.
- d. THAT all government departments, provincial agencies, boards, and commissions include gender inclusivity audits in their annual reports for consideration during meetings of the Standing Committee on Public Accounts.
- e. THAT the Electoral Boundaries Commission continue to consider proportional representation.
- f. THAT Government amend the *Elections Act* and the *Municipal Elections Act* to protect the privacy of candidates regarding the public disclosure of personal addresses and contact information.

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- g. THAT Members of standing and select committees of the Legislative Assembly ensure that experts or representatives invited to speak during consultations are diverse.
 - h. THAT a sub-committee of the Legislative Administration Committee be struck to analyze how new acquisitions and displays of artwork in the Legislative Assembly could better reflect the diverse history and culture of New Brunswick.
 - i. THAT the Legislative Administration Committee consult the Sergeant-at-Arms to provide threat-assessment training and security resources for Members and their constituency office assistants.

2. Family-friendly Initiatives

- a. THAT subsection 34(5) of the *Legislative Assembly Act* be amended to list parental leave as a distinct type of leave that covers an array of situations, including adoption, in an effort to normalize work-family balance.
- b. THAT the Standing Committee on Procedure, Privileges and Legislative Officers draft amendments to the Standing Rules to establish a legislative sitting calendar for consideration of the House.
- c. THAT the Standing Committee on Procedure, Privileges and Legislative Officers draft amendments to the Standing Rules to establish virtual participation options for committee meetings and sittings of the House.
- d. THAT the Legislative Administration Committee provide a list of childcare resources for Members.
- e. THAT the Legislative Administration Committee consider other family-friendly options referred to it from the Standing Committee on Procedure, Privileges and Legislative Officers.

3. Incentives and Support

- a. THAT the Legislative Administration Committee ensure that constituency office assistants are compensated for full-time work.
 - b. THAT relevant civil society groups are consulted when creating and revising diversity-related policies.
 - c. THAT the Legislative Administration Committee develop and promote inclusive workplace initiatives based on the results of Gender-based Analysis+ findings.
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Ordered that the report be received, and leave granted.

Her Honour, the Lieutenant-Governor, was announced, and having been bidden to enter, took her seat in the chair upon the Throne.

Mr. Speaker addressed Her Honour as follows:

May It Please Your Honour:

The Legislative Assembly of the Province of New Brunswick has passed several Bills at the present sittings of the Legislature to which, in the name and on behalf of the said Legislative Assembly, I respectfully request Your Honour's assent.

The Clerk Assistant then read the titles of the Bills as follows:

- Bill 32, *An Act to Amend the Gasoline and Motive Fuel Tax Act.*
- Bill 33, *An Act to Amend the Insurance Act.*
- Bill 34, *An Act to Amend the New Brunswick Income Tax Act.*
- Bill 35, *An Act Respecting Empowering the School System.*
- Bill 36, *An Act to Amend the Highway Act.*
- Bill 37, *An Act to Amend the Fish and Wildlife Act.*
- Bill 38, *An Act to Amend the Service New Brunswick Act.*
- Bill 40, *An Act to Amend the Opportunities New Brunswick Act.*
- Bill 41, *An Act to Amend the Combat Sport Act.*
- Bill 42, *Miscellaneous Statutes Amendment Act.*
- Bill 43, *An Act Respecting the Executive Council Act and the Legislative Assembly Act.*
- Bill 44, *An Act to Amend the Public Trustee Act.*
- Bill 47, *Loan Act 2021.*
- Bill 48, *An Act to Amend the New Brunswick Income Tax Act.*
- Bill 49, *An Act to Amend the Limitation of Actions Act.*
- Bill 50, *An Act to Amend the Gaming Control Act.*
- Bill 51, *An Act Respecting Image-capturing Enforcement Systems.*
- Bill 52, *An Act to Amend the Provincial Offences Procedure Act.*
- Bill 53, *An Act Respecting the Police Act.*
- Bill 54, *An Act Respecting the Operation of the Order Relating to COVID-19 under the Emergency Measures Act.*
- Bill 55, *An Act to Amend the Tobacco and Electronic Cigarette Sales Act.*
- Bill 56, *An Act to Amend the Medical Consent of Minors Act.*
- Bill 57, *An Act to Amend the Regulatory Accountability and Reporting Act.*
- Bill 58, *Bee Act.*
- Bill 60, *Supplementary Appropriations Act 2019-2020 (1).*

Bill 62, *An Act to Amend An Act Respecting Keystone General Insurance Company.*

Bill 63, *An Act to Amend the Tobacco and Electronic Cigarette Sales Act.*

Her Honour signified Her Assent as follows:

It is the Queen's wish. La reine le veut.

To these Bills, Her Honour's assent was announced by the Clerk of the Legislative Assembly in the following words:

In Her Majesty's name, Her Honour the Lieutenant-Governor assents to these Bills, enacting the same and ordering them to be enrolled.

Mr. Speaker then addressed Her Honour as follows:

May It Please Your Honour:

The Legislative Assembly having devoted itself with unremitting diligence to the consideration of the several subjects referred to in the speech Her Honour the Lieutenant-Governor was pleased to deliver at the opening of the session, and to other matters of interest to the people of the province, humbly begs to present for your Honour's acceptance a Bill intituled *Appropriations Act 2021-2022*. (Bill 59)

Her Honour replied:

It is the Queen's wish. La reine le veut.

To this Bill, Her Honour's assent was announced by the Clerk in the following words:

Her Honour thanks Her Majesty's loyal and dutiful subjects, accepts their benevolence and assents to this Bill.

Her Honour then retired and Mr. Speaker resumed the chair.

And then, 11.13 a.m., the House adjourned.