LEGISLATIVE ASSEMBLY
of BRITISH COLUMBIA

First Session, 43rd Parliament

OFFICIAL REPORT OF DEBATES

(HANSARD)

Wednesday, October 22, 2025
Afternoon Sitting
Issue No. 86

THE HONOURABLE RAJ CHOUHAN, SPEAKER

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PROVINCE OF BRITISH COLUMBIA

(Entered Confederation July 20, 1871)

LIEUTENANT-GOVERNOR

Her Honour the Honourable Wendy Cocchia, CM, OBC

First Session, 43rd Parliament

SPEAKER OF THE LEGISLATIVE ASSEMBLY

Honourable Raj Chouhan

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Premier and President of the Executive Council ..... Hon. David Eby, KC
Minister of State for Local Governments and Rural Communities ..... Hon. Brittny Anderson
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Attorney General and Deputy Premier ..... Hon. Niki Sharma, KC
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Minister of Citizens' Services ..... Hon. Diana Gibson
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Minister of Jobs and Economic Growth ..... Hon. Ravi Kahlon
Minister of State for Artificial Intelligence and New Technologies ..... Hon. Rick Glumac
Minister of Labour ..... Hon. Jennifer Whiteside
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Leader of the Third Party ..... Jeremy Valeriote
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ALPHABETICAL LIST OF MEMBERS BY PARTY

BC NDP

Anderson, Hon. Brittny ..... Kootenay Central
Anderson, George ..... Nanaimo-Lantzville
Arora, Rohini ..... Burnaby East
Bailey, Hon. Brenda ..... Vancouver–South Granville
Beare, Hon. Lisa ..... Maple Ridge–Pitt Meadows
Begg, Garry ..... Surrey-Guildford
Blatherwick, Jennifer ..... Coquitlam-Maillardville
Boyle, Hon. Christine ..... Vancouver–Little Mountain
Brar, Hon. Jagrup ..... Surrey-Fleetwood
Chandra Herbert, Hon. Spencer ..... Vancouver–West End
Chant, Susie ..... North Vancouver–Seymour
Choi, Paul ..... Burnaby South–Metrotown
Chouhan, Hon. Raj ..... Burnaby–New Westminster
Chow, George ..... Vancouver-Fraserview
Davidson, Hon. Tamara / Laanas ..... North Coast–Haida Gwaii
Dhir, Sunita ..... Vancouver-Langara
Dix, Hon. Adrian ..... Vancouver-Renfrew
Eby, Hon. David, KC ..... Vancouver–Point Grey
Elmore, Mable ..... Vancouver-Kensington
Farnworth, Hon. Mike ..... Port Coquitlam
Gibson, Hon. Diana ..... Oak Bay–Gordon Head
Glumac, Hon. Rick ..... Port Moody–Burquitlam
Greene, Hon. Kelly ..... Richmond-Steveston
Higginson, Stephanie ..... Ladysmith-Oceanside
Kahlon, Hon. Ravi ..... Delta North
Kang, Hon. Anne ..... Burnaby Centre
Krieger, Hon. Nina ..... Victoria–Swan Lake
Lajeunesse, Dana ..... Juan de Fuca–Malahat
Lore, Hon. Grace ..... Victoria–Beacon Hill
Ma, Hon. Bowinn ..... North Vancouver–Lonsdale
Malcolmson, Hon. Sheila ..... Nanaimo–Gabriola Island
Morissette, Steve ..... Kootenay Monashee
Neill, Hon. Randene ..... Powell River–Sunshine Coast
Osborne, Hon. Josie ..... Mid Island–Pacific Rim
Parmar, Hon. Ravi ..... Langford-Highlands
Phillip, Joan / Amshen ..... Vancouver-Strathcona
Popham, Hon. Lana ..... Saanich South
Rotchford, Darlene ..... Esquimalt-Colwood
Routledge, Janet ..... Burnaby North
Sandhu, Harwinder ..... Vernon-Lumby
Shah, Amna ..... Surrey City Centre
Sharma, Hon. Niki, KC ..... Vancouver-Hastings
Sunner, Hon. Jessie ..... Surrey-Newton
Toporowski, Debra / Qwulti'stunaat ..... Cowichan Valley
Whiteside, Hon. Jennifer ..... New Westminster–Coquitlam
Wickens, Hon. Jodie ..... Coquitlam–Burke Mountain
Yung, Hon. Terry ..... Vancouver-Yaletown

CONSERVATIVE PARTY OF BC

Banman, Bruce ..... Abbotsford South
Bhangu, Harman ..... Langley-Abbotsford
Bird, Rosalyn ..... Prince George–Valemount
Block, Lynne ..... West Vancouver–Capilano
Chan, Hon ..... Richmond Centre
Chapman, Brent ..... Surrey South
Clare, Sheldon ..... Prince George–North Cariboo
Davis, Pete ..... Kootenay Rockies
Day, Brennan ..... Courtenay-Comox
Dew, Gavin ..... Kelowna-Mission
Dhaliwal, Mandeep ..... Surrey North
Doerkson, Lorne ..... Cariboo-Chilcotin
Gasper, Reann ..... Abbotsford-Mission
Giddens, Kiel ..... Prince George–Mackenzie
Halford, Trevor ..... Surrey–White Rock
Hartwell, Sharon ..... Bulkley Valley–Stikine
Hepner, Linda ..... Surrey–Serpentine River
Kindy, Anna ..... North Island
Kooner, Steve ..... Richmond-Queensborough
Loewen, Kristina ..... Kelowna Centre
Luck, Tony ..... Fraser-Nicola
Maahs, Heather ..... Chilliwack North
McCall, Macklin ..... West Kelowna–Peachland
McInnis, Scott ..... Columbia River–Revelstoke
Milobar, Peter ..... Kamloops Centre
Mok, Lawrence ..... Maple Ridge East
Neufeld, Korky ..... Abbotsford West
Neufeld, Larry ..... Peace River South
Paton, Ian ..... Delta South
Rattée, Claire ..... Skeena
Rustad, John ..... Nechako Lakes
Stamer, Ward ..... Kamloops–North Thompson
Tepper, Bryan ..... Surrey-Panorama
Toor, Jody ..... Langley-Willowbrook
Van Popta, Misty ..... Langley–Walnut Grove
Warbus, Á'a:líya ..... Chilliwack–Cultus Lake
Wat, Teresa ..... Richmond-Bridgeport
Williams, David ..... Salmon Arm–Shuswap
Wilson, Donegal ..... Boundary-Similkameen

BC GREEN PARTY

Botterell, Rob ..... Saanich North and the Islands
Valeriote, Jeremy ..... West Vancouver–Sea to Sky

ONEBC

Armstrong, Tara ..... Kelowna–Lake Country–Coldstream
Brodie, Dallas ..... Vancouver-Quilchena

INDEPENDENT

Boultbee, Amelia ..... Penticton-Summerland
Kealy, Jordan ..... Peace River North
Sturko, Elenore ..... Surrey-Cloverdale

PARTY STANDINGS

Total seats – 93

BC NDP – 47 | Conservative Party of BC – 39 | BC Green Party – 2 | OneBC – 2 | Independent – 3

ALPHABETICAL LIST OF RIDINGS

A

Abbotsford-Mission ..... Reann Gasper
Abbotsford South ..... Bruce Banman
Abbotsford West ..... Korky Neufeld

B

Boundary-Similkameen ..... Donegal Wilson
Bulkley Valley–Stikine ..... Sharon Hartwell
Burnaby Centre ..... Hon. Anne Kang
Burnaby East ..... Rohini Arora
Burnaby–New Westminster ..... Hon. Raj Chouhan
Burnaby North ..... Janet Routledge
Burnaby South–Metrotown ..... Paul Choi

C

Cariboo-Chilcotin ..... Lorne Doerkson
Chilliwack–Cultus Lake ..... Á'a:líya Warbus
Chilliwack North ..... Heather Maahs
Columbia River–Revelstoke ..... Scott McInnis
Coquitlam–Burke Mountain ..... Hon. Jodie Wickens
Coquitlam-Maillardville ..... Jennifer Blatherwick
Courtenay-Comox ..... Brennan Day
Cowichan Valley ..... Debra Toporowski / Qwulti'stunaat

D

Delta North ..... Hon. Ravi Kahlon
Delta South ..... Ian Paton

E

Esquimalt-Colwood ..... Darlene Rotchford

F

Fraser-Nicola ..... Tony Luck

J

Juan de Fuca–Malahat ..... Dana Lajeunesse

K

Kamloops Centre ..... Peter Milobar
Kamloops–North Thompson ..... Ward Stamer
Kelowna Centre ..... Kristina Loewen
Kelowna–Lake Country–Coldstream ..... Tara Armstrong
Kelowna-Mission ..... Gavin Dew
Kootenay Central ..... Hon. Brittny Anderson
Kootenay Monashee ..... Steve Morissette
Kootenay Rockies ..... Pete Davis

L

Ladysmith-Oceanside ..... Stephanie Higginson
Langford-Highlands ..... Hon. Ravi Parmar
Langley-Abbotsford ..... Harman Bhangu
Langley–Walnut Grove ..... Misty Van Popta
Langley-Willowbrook ..... Jody Toor

M

Maple Ridge East ..... Lawrence Mok
Maple Ridge–Pitt Meadows ..... Hon. Lisa Beare
Mid Island–Pacific Rim ..... Hon. Josie Osborne

N

Nanaimo–Gabriola Island ..... Hon. Sheila Malcolmson
Nanaimo-Lantzville ..... George Anderson
Nechako Lakes ..... John Rustad
New Westminster–Coquitlam ..... Hon. Jennifer Whiteside
North Coast–Haida Gwaii ..... Hon. Laanas / Tamara Davidson
North Island ..... Anna Kindy
North Vancouver–Lonsdale ..... Hon. Bowinn Ma
North Vancouver–Seymour ..... Susie Chant

O

Oak Bay–Gordon Head ..... Hon. Diana Gibson

P

Peace River North ..... Jordan Kealy
Peace River South ..... Larry Neufeld
Penticton-Summerland ..... Amelia Boultbee
Port Coquitlam ..... Hon. Mike Farnworth
Port Moody–Burquitlam ..... Hon. Rick Glumac
Powell River–Sunshine Coast ..... Hon. Randene Neill
Prince George–Mackenzie ..... Kiel Giddens
Prince George–North Cariboo ..... Sheldon Clare
Prince George–Valemount ..... Rosalyn Bird

R

Richmond-Bridgeport ..... Teresa Wat
Richmond Centre ..... Hon Chan
Richmond-Queensborough ..... Steve Kooner
Richmond-Steveston ..... Hon. Kelly Greene

S

Saanich North and the Islands ..... Rob Botterell
Saanich South ..... Hon. Lana Popham
Salmon Arm–Shuswap ..... David Williams
Skeena ..... Claire Rattée
Surrey City Centre ..... Amna Shah
Surrey-Cloverdale ..... Elenore Sturko
Surrey-Fleetwood ..... Hon. Jagrup Brar
Surrey-Guildford ..... Garry Begg
Surrey-Newton ..... Hon. Jessie Sunner
Surrey North ..... Mandeep Dhaliwal
Surrey-Panorama ..... Bryan Tepper
Surrey–Serpentine River ..... Linda Hepner
Surrey South ..... Brent Chapman
Surrey–White Rock ..... Trevor Halford

V

Vancouver-Fraserview ..... George Chow
Vancouver-Hastings ..... Hon. Niki Sharma, KC
Vancouver-Kensington ..... Mable Elmore
Vancouver-Langara ..... Sunita Dhir
Vancouver–Little Mountain ..... Hon. Christine Boyle
Vancouver–Point Grey ..... Hon. David Eby, KC
Vancouver-Quilchena ..... Dallas Brodie
Vancouver-Renfrew ..... Hon. Adrian Dix
Vancouver–South Granville ..... Hon. Brenda Bailey
Vancouver-Strathcona ..... Amshen / Joan Phillip
Vancouver–West End ..... Hon. Spencer Chandra Herbert
Vancouver-Yaletown ..... Hon. Terry Yung
Vernon-Lumby ..... Harwinder Sandhu
Victoria–Beacon Hill ..... Hon. Grace Lore
Victoria–Swan Lake ..... Hon. Nina Krieger

W

West Kelowna–Peachland ..... Macklin McCall
West Vancouver–Capilano ..... Lynne Block
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WEDNESDAY, OCTOBER 22, 2025

The House met at 1:33 p.m.

[The Speaker in the chair.]

Routine Business

Prayers and reflections: Hon. Christine Boyle.

Introductions by Members

Hon. Ravi Parmar: I'm really pleased to be able to welcome into the precinct once again members of the Truck Loggers Association of British Columbia.

[1:35 p.m.]

We have the president, Dorian Uzzell; the vice-president, Bob Marquis; the past president, Aaron Service; as well as their new executive director, Peter Lister.

The Truck Loggers Association is an outstanding organization. I'm really proud of the work that my ministry is doing with them. We're working on a whole host of issues.

It's a real tough time for forestry. I want to thank them for their leadership being here at the Legislature, I'm sure to brief all members, but in particular for the time they'll be spending with my colleagues this evening.

Would the House please join me in making them feel very welcome.

Hon. Jodie Wickens: In the Legislature today and tomorrow is the B.C. Association for Child Development and Intervention. The B.C. Association for Child Development and Intervention supports all of the child development centres in the province of British Columbia.

Every single member in this House has a child development centre that serves their community and the families who have children with developmental concerns or challenges. They deliver services like speech-language therapy, occupational therapy, physiotherapy, family supports. These are crucial supports in our communities, and the organizations that deliver these supports are truly amazing.

Please help me welcome everyone from BCACDI.

Misty Van Popta: Today in the House is Ursula Neuscheler somewhere — I don't know if I can see her — a fellow Langleyite and a teacher at one of the three secondary schools in my riding, Walnut Grove Secondary. She has been a teacher with school district 35 since 2015, previously coming from the private school sector in Ontario and Germany.

Oh, there she is.

Also a graduate of Langley's Trinity Western University, she's a big, big advocate for civil engagement and upholding democracy within Canada. She's here as a representative with the B.C. Teachers Institute on Parliamentary Democracy.

Would the House make her feel welcome.

Hon. Sheila Malcolmson: Joining us in the gallery today are Bill Clark and John Chasca, both members of the B.C. Funeral Association. They provide funeral services for very low income British Columbians. We're grateful to them for their work, and I'm glad that they met with my chief of staff and deputy today.

Will the House please make them very welcome.

Scott McInnis: I'd like to welcome all the teachers here for the Teachers Institute on Parliamentary Democracy. I mentioned this before in the House, that three short years ago I was a graduate of this program, with you as a teacher.

I just want to thank Karen and Michele, Nathan and the others who put on just a world-class few days here at the Legislature.

Welcome. I look forward to chatting with you all at lunch tomorrow.

Would the House please make all the teachers feel welcome here today.

Kiel Giddens: I don't mean to follow up the member for Columbia River–Revelstoke. It's not often that we have folks from my riding in Prince George–Mackenzie down, but Mary Lawrence, who is a teacher at Kelly Road Secondary, is here in the precinct.

Welcome to Mary and indeed all the teachers who are here today.

Jeremy Valeriote: I am pleased to introduce West Vancouver–Sea to Sky constituent Tracey Saxby, who I can't see, but I know she is in the building.

Tracey is a marine scientist, a Squamish resident and a dedicated advocate for the natural environment, particularly at Átl'ka7tsem/Howe Sound, which we know has seen a remarkable recovery from industrial activity. Tracey is founder and leader of the powerhouse grassroots organization My Sea to Sky and the lead author of the B.C. climate emergency campaign's annual progress reports. Tracey also kick-started the nationwide movement to eliminate single-use plastics in 2007.

Please join me in welcoming Tracey to the House.

Jordan Kealy: I am pleased to acknowledge the 26 teachers as well. It's great to see their participation and how it reflects a genuine interest in how decisions are made and impacts classrooms across the communities of British Columbia.

I'm especially pleased to recognize Matthew Helliwell, a constituent from my riding and a teacher at École Central Elementary School of the Arts. Matthew is taking part

in this program as one of the visiting educators, and we're glad to have him here.

[1:40 p.m.]

Also joining us is Mary Lawrence, who was previously mentioned. She's a friend of mine who actually had a chance to come up and visit my riding and visit my farm and who has long taken an active interest in politics.

Please help me welcome Matthew and Mary and all of the teachers visiting the Legislature today.

Hon. Bowinn Ma: I have Azalea here with me today. She asked me to introduce her bestie, Lumina Ulanday, visiting here with her brother Gabriel and her father and mother, Albert and Aurelia. They are coming all the way from North Vancouver to visit Azalea.

Azalea would like to ask the whole House to please help them feel very welcome.

Hon. Lisa Beare: As you've heard, today in the House we have the B.C. Teachers Institute on Parliamentary Democracy visiting us. I get to spend some time with them this afternoon and answer some questions. They're going to be meeting with members all across this House and having a lunch with us all tomorrow.

I want to personally, on behalf of government, give them a warm welcome.

Peter Milobar: As the member for Prince George–Mackenzie and others that are a bit farther afield have mentioned, a lot of us don't have people visiting very often. But my riding, Kamloops Centre, does have a teacher here as part of the delegation as well.

Justin Hummel is here from the Bert Edwards Science and Tech School.

Will the House please make him feel welcome as well.

Jennifer Blatherwick: I am also very happy to welcome a teacher from my riding here, the great Megan Leslie, who teaches at Charles Best and who is a fierce and devoted advocate for children, especially LGBTQ+ children. Her work in my district has been exemplary, and I'm so proud to have her here in the riding.

Please, everyone, welcome her to join us today.

Hon. Jagrup Brar: I am pleased to welcome a special guest to the gallery this afternoon, my admin coordinator Ngaire Lord, who continues to do an exceptional job. She is here with her partner, Paul Studders, and their friend Chris Christensen.

Paul and Chris both work at the University of Victoria and are longtime Victorians, but this is their first time at the question period.

I would like to ask all the members to make their QP experience memorable. Would the House please make them welcome here.

Mable Elmore: I am pleased to welcome, with the whole House, 25 teachers from across British Columbia who are with us for the remainder of the week to participate in the '26 B.C. Teachers Institute on Parliamentary Democracy, an intensive 4½ days of professional development on democracy, politics and governance from rural and urban schools, public and independent, English and French immersion, from grades 4 to 12, to expand their knowledge of our parliamentary system and to better equip B.C. students.

They're also joined by three of their peers, who are returning in the role of facilitators — Michele Cumberland from Holy Cross School in Penticton, Justin Hummel from the science and tech school in Kamloops and Ursula Neuscheler from Walnut Grove Secondary in Langley.

You can meet them at lunch tomorrow, hosted by the Speaker, where you can discuss civic engagement and the incredible work they do in their classrooms.

I ask everyone to please make them feel very welcome.

Members' Statements

VACCINES

Stephanie Higginson: It is vaccine season. Vaccines are one of the greatest achievements in public health. They have saved countless lives. They have prevented or eliminated diseases that once devastated families and communities.

My father and my uncle both contracted polio as children because there was no vaccine available to them. They both spent months of their childhood in iron lungs, and as a result, my uncle lived his entire life with mobility challenges. When he was alive, my dad constantly reiterated how fortunate we are to have access to life-saving vaccines.

[1:45 p.m.]

As a parent, I am very grateful for the convenience of B.C.'s school immunization program, which makes it so easy for families to keep children and communities safe.

The success of the school immunization program speaks for itself. Because of the grade 6 HPV vaccination program, cervical pre-cancer rates have been reduced by more than 50 percent amongst vaccinated women. That is the kind of progress that changes lives.

Vaccines don't just protect individuals; they protect entire communities. With vaccines, we stop outbreaks before they start, safeguarding those who cannot be immunized, such as newborns. That is why maintaining high vaccination rates is critical.

Vaccines also reduce hospitalizations. They ease pressure on our health system and save millions in treatment costs, but success can make us complacent. When vaccination rates drop, diseases return, as we've seen in recent months with the measles outbreaks. So let's not let history repeat itself.

Vaccines are safe, they are effective, and they are essential for a healthy future. I call on everyone in this House to promote the positive benefits of vaccines in their own constituencies.

Protect yourself. Protect your communities. Get immunized.

OBSTETRICIAN-GYNECOLOGISTS AND WOMEN'S HEALTH SERVICES

Peter Milobar: Recently as we were all coming out of the Thanksgiving long weekend, thinking about things to be thankful for, I had a new perspective put on my life. I realized, as somebody who, obviously, would not have personally interacted with an ob-gyn, just how thankful I actually was for the service they provide in Kamloops and the surrounding areas.

I suddenly started to do the math and realized I have 13 women in my immediate family in Kamloops alone. I started to think about all the other families that are impacted by the services, the great work that ob-gyns, the nursing staff and the other health care professionals do for the provision of health care for women not just in Kamloops but across this province.

Really, it did bring this to light, as I started to reflect back over the last 3½ years of the support my family personally has received as I watched three grandchildren all be born at Royal Inland Hospital. There's actually a fourth on the way.

You start to realize just how this truly does, what these doctors do, impact people in their everyday life, be it from the o-b side of the equation or the various treatments and procedures that women need to go through on the surgical side of the g-y-n, of the ob-gyn continuum.

I really wanted to take this time to say to those health care professionals, those doctors: thank you. It's as simple as that. Thank you for the work you have done, the decades you've committed to the community of Kamloops, to women's health within Kamloops, with a deep appreciation that sometimes goes unnoticed.

The Royal Inland Hospital doesn't serve just Kamloops. It impacts my colleagues from Prince George–Valemount, from Cariboo-Chilcotin, from Fraser-Nicola, from Columbia, Salmon Arm–Shuswap and Kamloops–North Thompson, and myself.

On behalf of the women that live within those 50,000 square kilometres of British Columbia, thank you for all you do and continue to do for the women in our region.

ECONOMIC DEVELOPMENT ON NORTH VANCOUVER ISLAND

George Anderson: Across the north Island, a new story is being written, one that is more than what we take from the land but what we build together upon it.

Recently I visited Northisle Copper and Gold in Port Hardy, a project that represents the future of our natural resource sector. It's a place where collaboration replaces conflict, where local First Nations like Quatsino First Nation are not just partners but leaders in shaping what comes next.

Nearby Cape Scott wind farm, which powers the equivalent of over 24,000 homes, stands as a testament to clean energy potential on Vancouver Island.

What I saw were two stories of opportunity converging, the story of our natural resource strength and the story of our clean energy future. I saw the possibility of a mine that could employ 600 people and could one day be powered by the very wind that blows across the coast, a community where six-figure paycheques could mean that families can stay, grow and build a life with dignity.

[1:50 p.m.]

What struck me most at Northisle Copper and Gold were the people, especially young people like Jaelei, Chase, Jackson and Oliver, whose pride of work and hope is emulated in the leadership of CFO Nick Van Dyk and CEO Sam Lee. When we connect our resource strength with our clean energy future, when we empower local people to lead, when we make room for the next generation to dream, we create jobs, we build belonging, we build purpose, and we build British Columbia.

This is what reconciliation and economic renewal can look like when we align clean energy with responsible resource development that honours both people and the land.

Let's look to companies like Northisle Copper and Gold, who are leading by creating hope, prosperity and the promise of a future in which our young people can thrive here in British Columbia.

BARNSIDE HARVEST FESTIVAL

Ian Paton: I rise today to celebrate the incredible success of a local business in my riding that recently brought the community of Delta together through the annual Barnside harvest music festival.

Barnside Brewing is a local craft brewery, and what makes Barnside unique is that ownership consists of local farming families whose roots in the community date back to 1899. Their beer is proudly made from ingredients grown right on the farm here in Delta.

The Barnside Harvest Festival came alive this year in a way that will be remembered for many years to come. This incredible three-day event was more than just a music festival. It was a celebration of community, farm harvest, local pride and a place I'm proud to call home.

Over the weekend of September 12, 25,000-plus people poured into Paterson Park not just from Delta but from across British Columbia and beyond. They came for the music, yes, but over 35 musical groups were also there for

the atmosphere, the connection and the spirit of something truly special.

What started as a local harvest celebration has grown into a marquee event, bringing world-class talent and devoted fans right to our doorstep in Ladner, B.C. The energy of the weekend was electric, and it was a weekend where agriculture and artistry came together in full force.

Of course, none of this would be possible without the vision and dedication of the people behind the scenes. A huge thank-you to Brent and Shelly Harris and Ken and Andrea Malenstyn, owners of Barnside Brewery, and to the legendary festival producer John Donnelly. Their passion and hard work turned an idea into an institution. Because of them, the Barnside Harvest Festival isn't just an event. It's a statement that community matters, that local farm roots can reach national heights and that global talent can thrive on our home soil.

What a lineup it was, with groups like the Arkells, the Dead South, Walk Off the Earth, Streetheart and the Northern Pikes. We are so lucky to have a festival like this in our community.

The success of this weekend reaffirmed what we already know. This festival is more than a show. It's a celebration of who we are, what we grow and how far we can go together.

SMALL BUSINESS WEEK

Paul Choi: It is a pleasure to rise today in celebration of Small Business Week. It's a time to recognize the hard work, determination and innovation of small business owners all across B.C.

More than half a million small businesses employ over one million British Columbians. That's 41 percent of our workforce. They are the backbone of our economy and the heart of our communities, from the cafés to family-run shops that anchor our main streets to the tech start-ups and manufacturers driving new opportunities and growth.

The past few years have been challenging. Now, rising global costs and labour shortages have affected businesses everywhere. But in the face of those challenges, small business owners have shown remarkable resilience, and our government is standing with them every step of the way. Through our ease of doing business initiative, we are listening directly to business owners to identify barriers and streamline processes, because practical solutions make the biggest difference on the ground.

We have launched the community safety and targeted enforcement program to help businesses operate in a secure and welcoming environment, addressing street disorder and property crime, issues that matter deeply to business owners and their employees.

Our government is tackling the root causes of the challenges businesses face by building more housing, expanding affordable child care, training more skilled workers and making life more affordable for everyone who calls B.C. home.

[1:55 p.m.]

Seeing my parents run a small business growing up and having been a small business owner myself, I personally know that supporting small businesses means investing in people, communities and the conditions that allow businesses to succeed for years to come.

During Small Business Week, let's all say a hearty thank-you to the tens of thousands of small businesses across B.C., and let's commit to supporting these entrepreneurs who employ and embody the best of our province — creativity, resilience and a belief in the future of B.C.

MINING HISTORY IN NORTHWEST B.C.

Sharon Hartwell: Today I would like to recognize the resilience and strength of the people who, under the most difficult conditions, set forth to explore and develop our northwest communities — people who, with faith and strong convictions for a better life, headed north in 1898.

Discovery of Stewart as a mining camp was an offshoot of the Klondike gold rush, although the regions are several hundred miles apart. Stewart is tucked away at the head of the Portland Canal in northwest British Columbia, near the bottom of the Alaska panhandle.

When the rush to find gold in the Klondike was at its height in 1898, several companies were formed by enterprising promoters who claimed they had found gold. A man from Seattle named Burgess set out with 67 men and chartered a steamer named Discovery. Provisions for several months, 26 horses and camp outfits were in the hold.

There was difficulty in discharging passengers and the cargo because the two last miles to shore was a tidal flat, which made muddy and treacherous walking for the men. When they arrived at the destination of the Bear River valley, it was still deep in snow. For days, the party stalled with their horses on Bunco Point until it was decided to set out on foot for the long hike to the Nass headwaters.

They crossed a glacier and 40 miles from the beach reached a large lake, now called Meziadin. Although this first attempt to find the placer gold was not as successful as they had hoped, some of the men left.

The next year, in 1899, Mr. D.J. Rainey, who had experience in lode mining, built a cabin on 40 acres and prepared for a season of prospecting. Often when staking a claim, he did not know whether he was in Alaska or on Canadian soil, so he filed his claim papers on both governments' recorders.

Among the first was a family of four brothers named Stewart from Victoria. They staked claims in several acres of flat land adjoining Rainey. A full-fledged stampede gathered force, and in a few months, there were 46 mining companies in the territory. One was the Portland Canal Mining and Development Co., a few miles up Bear River.

Here they had a mill with a capacity of 75 tonnes of ore a day.

At that time, the boundary between Alaska and British Columbia was disputed, and some maps showed Bear River valley on the American side. When the boundary line was finally established in 1905, the Stewarts had their land surveyed into city lots. Many sold readily as mining and prospecting flourished.

The one-quarter of the townsite retained by the province brought $430,000 at auction, and the boom at Stewart was known on the other side of the Atlantic. The population hit 10,000.

This is the struggle of the North. We have opportunity for prosperity and growth. There is a reason that the northwest is called the Golden Triangle. This is what happened over 100 years ago, and we can have this prosperity again.

This is a tribute to all the miners that came, and many lost their lives. Let us not forget the contribution that mining has played to this province.

Hon. Nina Krieger: I seek leave to make an introduction.

Leave granted.

The Speaker: Please proceed.

Introductions by Members

Hon. Nina Krieger: I'm very pleased to recognize a group of young visitors from my constituency, grade 10 students from Reynolds Secondary. They are visiting the Legislature today through the parliamentary tour program.

These students are learning about how our democracy works and how their voice can shape the future of our province. I hope their time here inspires them to stay curious, engaged and active in their community.

I hope the House will please join me in welcoming the students from Reynolds Secondary as well as their teacher, Ms. Alecia Jones, to the House.

Oral Questions

SAFETY OF CHILDREN IN GOVERNMENT CARE AND RESPONSE TO SUICIDE DEATHS

Rosalyn Bird: The B.C. Coroners Service has reported that 435 young people have taken their own lives in just four years. Half of those children and youth had involvement with the Ministry of Children and Families.

Will this Premier stand up today and admit he has failed young people?

[2:00 p.m.]

Hon. Jodie Wickens: The coroner's report was devastating. As a mom of young people, my heart goes out to any family that experiences a young person that's having mental health challenges or who, devastatingly, takes their life.

We take the coroner's report very seriously. We are working across ministries on recommendations. That work will be ongoing. We take it very seriously, and I'm happy to work with the member opposite as well.

The Speaker: Member, supplemental.

Rosalyn Bird: Let me repeat for the minister: half of these children who died by suicide were involved with MCFD. These children were failed by MCFD and failed by this government.

I have stacks and stacks of reports, inquiries and investigations into MCFD calling for substantial changes into how this ministry operates.

When will this ministry finally make changes that protect B.C. children, youth and families?

Hon. Jodie Wickens: There is nothing I take more seriously than the safety and well-being of every single child in this province.

Every single day that I get up we are working on improvements in my ministry. My deputy minister chairs the deputy minister project board. We are working across government on a comprehensive child and youth well-being plan and outcomes framework. I meet with the Representative for Children and Youth regularly.

It is devastating that any child or youth is struggling in our province. We are working every day to make investments in child and youth mental health, investing in Foundries across our province, making sure that children and youth have wraparound supports, making more investments for young people through our SAGE program, ensuring that young people have a good start to life.

There's always more work to be done. It is never okay that any child is struggling.

I will work hard every single day that I have the privilege of being in this role to make sure we're doing everything we can to change the trajectory of children's lives.

DRUG DECRIMINALIZATION PROGRAM AND SAFE SUPPLY INITIATIVE

Á'a:líya Warbus: We live in a time right now where the leading cause of young people today is overdose. I am beyond angry at the failures of this government to address this issue.

I've shared already how personal this is for me, for my family and for my community. I don't know how many funerals members have had to go to for young people in their

lives who have died alone because of toxic drugs, but I've attended way too many.

The Premier said that decriminalization is a failure. I completely agree.

What are we waiting for to end decriminalization and so-called safe supply? What are we waiting for to end this madness in our province today?

Hon. Josie Osborne: Thank you to the member for consistently bringing her passion, her advocacy and her lived experience into this House.

What makes this House stronger is having people like her and others who bring these voices into this place. It is so vitally important that we listen to them and that we recognize the impacts that these devastating losses have had on us, on our loved ones and on our communities.

This government continues to place this as one of our highest priorities, especially when talking about youth — the young ones, the people that we care about, that we love. We want to do everything we can to intervene early, to prevent small problems from becoming bigger ones, providing the access to mental health supports, treatment, recovery and more.

[2:05 p.m.]

That's why we have maintained such a dogged focus on programs like the Road to Recovery, building a seamless continuum of mental health and substance use supports, providing supports that are tailored for Indigenous Peoples, that are provided for youth, that are provided for people in industries where substance use is seen at higher rates.

We are going to continue to use every tool that we can, knowing that there is no one magic bullet here. But it is going to take determination, it is going to take persistence, and it is going to take each and every one of us working on this together.

The Speaker: Member, supplemental.

Á'a:líya Warbus: The minister talks about prevention and acting early. One hundred twenty-six youth died, from the last coroner's report, and we have yet to see how many more we've lost to this toxic drug crisis that we're facing.

Yet a member on that side says discouraging drug use among children is "concerning." I find it deplorable that schools had to send very clear messages to students when decriminalization hit that it was still "not legal for them."

I believe that moment in time speaks volumes to where we're at today. You cannot have it both ways. We see it today. The Premier is saying one thing downtown to a crowd, and then the member in this House is saying quite a different message.

If you really want to work across party lines and you really want to work together, here's your chance. End decriminalization today. There's no wrong time to do the right thing.

I'm asking the Premier directly. What are you waiting for?

Hon. Josie Osborne: Thank you again to the member.

The member cites numbers, and any number higher than zero is too high. Again, this is a devastating crisis that requires us to put all our time and attention, use the tools that we have before us to make the investments that are needed — the investments in young people, the investments in people of all ages — and do everything we can for early intervention in schools, with age-appropriate programs, with mental health and addiction services that meet the needs of people at the age that they are at. We're going to continue to do that.

That's why we've continued to build out services and increase access to specialized treatment, for example, building out Foundry centres where youth can come together and integrated child and youth teams that help assist youth at times when they need it most. We're not going to stop doing that.

Decriminalization has been a tool to help reduce some of the stigma. We know that it has made it easier for some people to seek the supports and the access that they need and overcome some of the barriers. We're always monitoring the programs and initiatives that we've taken, and we've shown the responsiveness to changing because we know that other issues remain a high priority for communities — for example, the safety of people on our streets.

We are going to continue to take a cross-government approach. Ministries are working together to attack this problem every single day so that we do not lose more people.

FUNDING FOR RESIDENTIAL CARE FACILITIES

Rob Botterell: My constituents on Salt Spring Island are days away from a crisis. Island Health is cutting funding for overtime and agency staffing in long-term care and assisted living. Elder care residences on Salt Spring and across the province just got one month's notice of the change. This decision will have severe consequences for seniors, their loved ones, health care workers and communities like Ganges.

We know that cutting funding from one area puts pressure on another area of the system. We know that hospitals and housing are already stretched past their limits. Caregivers can't do their jobs when your government creates so much uncertainty and so little future-oriented planning.

My question is to the Minister of Health. Will you postpone the long-term-care funding cuts and work with

the care sector to establish a fair and sustainable funding model for long-term care and assisted living?

[2:10 p.m.]

Hon. Josie Osborne: Thank you to the member for the question. Thank you for the conversation that we had earlier on this week, where he shared with me some of the details of what he is hearing from his constituents and from this facility in question. I look forward to visiting Salt Spring Island together with him very soon.

I want to start by acknowledging just how hard long-term-care facility operators and the staff in them have worked to support our seniors, and how incredibly vital that is. They've done so much to keep people safe, particularly during the pandemic but then, of course, now as well.

As the member knows, and we've talked about this in this House before, these were temporary measures that were brought in, at an extraordinary time, always meant as an emergency measure.

I know that the theme the Third Party has brought to the House this week is around reliability, and I couldn't agree more — building a sustainable, reliable system that is not reliant on temporary measures. That's why we are addressing the root causes of why that funding was needed in the first place.

That is around training more health care assistants, adding more health care aides to the workforce, paying them fairly, improving conditions across the sector, raising the standards and making sure that we are meeting them, because there is nothing more important than taking care of the people who need this help and support the most.

The Speaker: Member, supplemental.

CARBON TAX REBATE AND GOVERNMENT ACTION ON POVERTY

Rob Botterell: Health care isn't the only sector where British Columbians have been thrown into uncertainty. When this government cancelled the carbon tax in the middle of the night, they took away funding for an essential stipend that hundreds of thousands of low-income British Columbians rely on. With social and disability assistance rates well below the poverty line, thousands of people used that money to pay for rent and put food on the table.

The carbon tax was a victim of weak-kneed politics and Conservative fearmongering, but boy, was it a good program. Combatting climate change by making polluters pay — what a concept. Cutting the government's record deficit by bringing in $3 billion every year — wow, that's a good idea. And yes, putting money in the pockets of B.C.'s most vulnerable.

My question is to the Minister of Social Development and Poverty Reduction. First you cut the grocery rebate, then the climate action tax credit. Why are you making British Columbia's poorest citizens pay the price for your government's fiscal mismanagement and failure to lead?

Hon. Sheila Malcolmson: We are in a time of such uncertainty, of chaos from the United States putting jobs at risk and of the cost of living putting even more pressure on people. I'm so glad that the investments that our government has been making — guided by our poverty reduction strategy, British Columbia's first, and then our updated strategy last year — have put people in so much of a better place to be able to withstand tough times right now.

Income assistance is up 74 percent since we formed government in 2017. In contrast, we'll remember that the Conservative leader…. When his government was in power, they'd frozen income assistance rates for a decade. Where before the seniors supplement had been frozen, again, we've doubled it and then expanded it again.

We're on an emergency basis.

To any member of the public on income assistance who's having trouble getting by, please do reach out. We've got supports that are available, whether it's for food or making rent or medical supplements.

We want to support people at this really challenging time, and we've got the system to do that.

IMMIGRATION

Dallas Brodie: Since the NDP formed government in 2017, it has flooded one million immigrants into British Columbia. The excess population has driven wages of B.C. workers down. It has surged demand for a health care system, with ER wait times reaching 14 hours.

One million British Columbians don't even have a family doctor. Housing is unaffordable. Schools are crowded, and teachers are overwhelmed. The Premier has admitted that the temporary foreign worker program has negatively impacted our economy and our social fabric.

[2:15 p.m.]

Will the Premier get on the phone today and demand that Mark Carney immediately suspend all immigration to British Columbia?

Interjections.

The Speaker: Shhh.

Hon. Ravi Kahlon: Again, it won't be a surprise to this House, because we've been discussing this for over three years…. Whether it's the Premier, whether it was myself when I was the Minister of Housing, we were advocating to the federal government to ensure that we have immigration numbers that align with the social services we have, with housing that we have in our communities.

We were doing that because we want to make sure

people here are set up for success, and we also want to make sure that the people that we're welcoming, the talent from around the world that we're welcoming here, have a chance to have the same quality of life that we all want for our kids.

It's not fair to be able to invite people from all over the world and say to them: "We don't have housing." It's not fair to invite people from all over the world and say: "We don't have the social services we need." We need to build both of them up at the same time. Now what we're saying is that we need to do it in a thoughtful way.

The federal government has made some changes. We respect that, and we're urging them to make more. We're urging them to make changes to the LMIA program because we know there's fraud in the system.

So if the member wants to advocate for reforms, meaningful reforms, then we're open to it. But the rhetoric that comes from this member…. They know what they're doing. It's a dog whistle. We know what they're doing. They're trying to incite racism. I know the member is going to get really upset and is going to say: "I'm not racist."

I'm not saying the member is racist. I'm saying her supporters think that she's racist. That's what I'm saying.

The Speaker: Member, supplemental.

Dallas Brodie: On September 5, the Premier himself called for an end to the temporary foreign worker program. So is he and the other minister calling himself engaging in racism?

Interjections.

The Speaker: Shhh. Members, no cross-talk. The member has the floor.

Please continue.

Dallas Brodie: The truth is the Premier isn't even calling me or my questions racist. He's calling Canadians racist for wanting to have a border. We are just in the way.

The Premier's admission that the temporary foreign worker program should be terminated is not enough. According to the *National Post*: "Nearly half of all Canadians believe that mass deportations are necessary to stop illegal migration."

Interjections.

The Speaker: Members, please, let her finish.
Member, please continue.

Interjection.

The Speaker: Member, shhh.
Please continue.

Dallas Brodie: Canadians don't just want to put an end to immigration. They want governments to deal with existing illegal migrants, such as people who are overstaying their visas. This is reflected in polls.

My question. Yes or no, does the Premier support deporting migrants who are here illegally, as do 50 percent of Canadians?

Hon. Ravi Kahlon: I'll continue in the frame that was in my previous answer, which is….

Actually, it's sad to see that we are in this state right now. It's sad to see that we have a party that says they're one party, but they're actually pretending to be the People's Party of Canada.

If the member wants to reform immigration, we're open to having conversations. We've been urging the federal government to do that. But I don't know why the member sees people that look like me, that have my skin colour, as such a threat.

We were born here in Canada, and I know the member doesn't see the difference between the two, but we all have an opportunity to contribute to this country. It doesn't matter where you come from. We're a room full of immigrants, unless you're an Indigenous representative here. We all come here for a better life. That's what we all should be fighting for.

It's a sad state of affairs to see this party running as the new racist party in British Columbia.

CRIME IN COMMUNITIES AND ACTION ON COMMUNITY SAFETY

Macklin McCall: A business owner in Pitt Meadows was brutally attacked by two men with baseball bats in front of his wife and daughter on his own driveway. His wife tried to protect him and was pushed over.

[2:20 p.m.]

He has since fled the country to keep his family safe, fearing the attackers will "finish the job." People are afraid and have to flee this province to protect themselves because this government can't.

To the Solicitor General, when will this government put citizens before criminals?

Hon. Nina Krieger: My thanks to the member for the question.

Incidents of violence are deeply concerning and absolutely unacceptable. We all have the same goal, which is to keep people and communities safe.

Our actions are starting to make a difference. We have seen overall crime severity drop in B.C., representing the largest drop in the country.

This does not mean that there is not more work to do, and any incidence of violence is deeply concerning.

That is why this government is so deeply committed

to providing police with the resources that they need to tackle crime — in particular, violent crime — standing up programs such as ReVOII to monitor repeat violent offenders, standing up programs such as CSTEP and SITE to address the challenges of our time that we're seeing in communities around violence and also property crime that I've heard other members speak to.

We will continue to do this work, supporting law enforcement to keep our communities safe.

SUBSTANCE USE EDUCATION IN SCHOOLS

Steve Kooner: Despite the minister's answers, people are fearing crime more than ever. Communities such as the South Asian community are fearing extortion more than ever.

While this government refuses to discourage drug use in schools, its own resources walk kids through how to use hard drugs. Normalizing drug use doesn't make it safer; it makes it inevitable.

When will this minister stop teaching kids how to use drugs?

Hon. Lisa Beare: I want to be very, very, very clear to the member and to every person in this House that we absolutely teach kids that drugs are bad and that harmful substances can be dangerous to them. To somehow imply that that is not happening in our schools is not only dangerous to our students and to their safety, but it is just simply not true.

Interjections.

The Speaker: Shhh.

Hon. Lisa Beare: I know every single person in this House wants to keep kids safe. That is what we do. We want to make sure that our schools are safe and welcoming environments where students feel confident, safe enough, secure enough that they can talk to a trusted adult, a fellow peer, anyone to support them in that school system.

For the members opposite to continue to stigmatize and scare children rather than educate…

Interjections.

The Speaker: Members. Members, order.
Minister.

Hon. Lisa Beare: …and support them is really unfortunate.

The Speaker: Members, before I recognize the next member, just a caution to members that that bill is in front of the House. People, if you want to ask questions like that, ask in a general way but not specifically to the bill. Thank you.

GOVERNMENT ACTION ON REPEAT OFFENDERS AND CRIME IN COMMUNITIES

Bruce Banman: With all due respect to the Education Minister, if she wants to drop by my office, I will show her the literature, and she can go through page 11 where it teaches kids supporting safer substance use. With the greatest of respect, it is being taught in schools.

That being said, I would like to remind this House of the syringe holdup in Smithers, where a store owner was terrorized at needlepoint in front of children.

[2:25 p.m.]

That very same criminal with over 30 convictions is now running loose back on the street, wanted again yet — surprise, surprise — nowhere to be found.

My question to the Premier. How many chances does a violent repeat offender get before this Premier will stand up and finally put public safety ahead of criminals?

Hon. Niki Sharma: It's been a top priority of this government to make sure that the Criminal Code of Canada keeps our communities safe across this country. In fact, B.C. has been a leader in putting on the federal agenda changes to the Criminal Code that we know we need to make to keep our community and our country safe.

I was just speaking to the Minister of Justice federally.

Interjections.

The Speaker: Shhh.

Hon. Niki Sharma: The Prime Minister announced specific changes to the Criminal Code. We heard that they would be introducing it tomorrow in the House.

Some of those things I'm watching for are B.C.-specific asks related to repeat offenders, extortion, intimate partner violence and a range of other things that will help keep our communities safe.

We've been advocating and leading on this, and we'll keep doing that work.

GOVERNMENT ACTION ON CRIME AND GUN VIOLENCE IN SURREY

Mandeep Dhaliwal: Every week there is a shooting in Surrey. Every week we get the same speech from the NDP. It's not only the Bishnoi gang; another gang is also arriving in Surrey. We need safety, not speeches.

When will this Premier take real action ahead of the politics?

Hon. Nina Krieger: Thank you to the member opposite for the question.

I know that people in Surrey are deeply concerned about the gun violence that we have seen recently, particularly the threats and the violence related to extortion. Extortion has national and international dimensions but a very profound local impact. I've spoken to business owners and families who have been profoundly affected by threats and even violence.

That's why we are doing everything we can to support the police to ensure that they have the tools to bring these criminals to justice. This work is producing tangible results. There were recently seven arrests and charges laid in Surrey. We've stood up a provincial task force dedicated to extortion, the first such task force in the country, to ensure that there's a coordinated response to law enforcement efforts.

The Premier and B.C. led the charge to call for the Bishnoi gang to be designated as a terrorist entity, to provide police with more tools, as many tools as possible, that they need to hold these perpetrators to account. This targeted work that we've done to combat extortion….

Interjections.

Hon. Nina Krieger: No. This is an important question.

The Speaker: Thank you, Minister.

DRUG DECRIMINALIZATION PROGRAM AND SAFETY OF CHILDREN

Trevor Halford: There seems to be quite a massive disconnect from what's happening in our province and what is happening with this government. Question after question, we have asked, and the Minister of Education says they are doing everything to make sure our kids are safe. Our kids aren't safe. They're not.

We've shown that with MCFD. We've shown that in the fact that we've brought forward a bill in terms of educating our children on the effects of drugs, and what do we get from that side of the House? We get: "It's discouraging drug use among children. It's concerning."

[2:30 p.m.]

We have the Premier go to Vancouver and say that decriminalization has been a failure. The Minister of Health gets up 20 minutes ago and advocates for its continuance. What are we doing? The fact is that this Premier says one thing, and his cabinet and his MLAs will say another.

My question is direct to the Premier. Decriminalization — he stood and called it a failure. Will he stand in this House today, say those exact same words, and will he commit today to end it immediately, yes or no? Not a speech, a yes or a no. Will you do it today?

For God's sake, end it.

The Speaker: Member, that's enough.

Hon. David Eby: Keeping our kids safe is a crucial priority, and I hope and assume it's a priority of every member in this House. It doesn't matter whether it's in relation to exposure to drugs that could kill them, exposure to predators online, exposure to vaping, exposure to bullying for who they are. All of us — all of us — have to share that core commitment to keeping kids safe. And I think all of us do.

Now, there have been some challenges. I'll acknowledge that. I mean, I don't think Pink Shirt Day is controversial.

Interjections.

The Speaker: Members.

Interjection.

The Speaker: Member, please.
The Premier has the floor.

Hon. David Eby: When I think about what turns kids to gangs or to substance use or to self-harm, including suicide, it's being bullied. It's being alienated, told they're not valuable, that they're not worthy. I haven't met a single person who struggles with addiction who hasn't had that kind of trauma.

I would call on all of us to do our best to work together to support kids, including recognizing who they are; holding up their value as human beings, not using them as political pawns; and making sure that we're standing up for teachers.

Interjections.

The Speaker: Shhh. Stop it.
Members, that's enough.

Hon. David Eby: You know what? Hockey bags of money by drug dealers were brought into casinos while you guys were on this side of the House, so spare me the crime-control arguments.

Interjections.

The Speaker: Shhh. Members, no cross-talk, please.

Hon. David Eby: This is hard stuff. We've got to stand up for our kids. We've got to support our kids and thank the teachers and the educators who grapple with these issues every single day and the parents who encounter a challenging environment like parents have never seen before, between toxic drugs, social media challenges, bullying online….

Interjection.

The Speaker: Member for Richmond Centre.

Hon. David Eby: These are the issues of our time, and they deserve better than the treatment of the opposition.

[End of question period.]

Speaker's Statement

GUIDANCE FOR QUESTION PERIOD AND CONDUCT OF MEMBERS

The Speaker: Hon. Members, over the past sitting week, comments made during question period have at odd times become disrespectful and personal in content. There is much to discuss with respect to important policy, policy matters, without resorting to personal attacks. I will return to the House with guidance on parliamentary language, which should at all times be directed at issues under discussion and not used to attack or to disrespect each other.

My respectful guidance to all members is that question period is only 30 minutes. Before that and after that, all members work very nicely with each other.

Let's keep the same respect here and courtesy in the House. We will get more questions asked, more answers given. So let's continue to work that way.

Thank you so much.

[2:35 p.m.]

Reports from Committees

STATUTORY OFFICERS APPOINTMENT COMMITTEE

Janet Routledge: I have the honour to present the report of the Special Committee to Appoint Statutory Officers.

I move that the report be taken as read and received.

Motion approved.

Janet Routledge: I ask leave of the House to move a motion to adopt the report.

Leave granted.

Janet Routledge: I move that the report be adopted, and in doing so, it is my pleasure, as Chair of the committee, to share some remarks.

This report contains the committee's unanimous recommendation to appoint Shipra Verma as the next Chief Electoral Officer for the province of British Columbia.

Since our committee was appointed in February, we conducted a rigorous and thorough recruitment process during which we received 23 applications and interviewed four candidates.

Throughout the process, we were particularly impressed by Ms. Verma. Ms. Verma most recently served as Manitoba's Chief Electoral Officer, where she displayed her long-standing commitment to democratic values and ethics. During her more than two decades of service with Elections Manitoba, she demonstrated the ability to administer successful electoral events while maintaining electoral integrity.

The committee particularly appreciated Shipra Verma's passionate advocacy for democratic engagement and voter accessibility. As Chief Electoral Officer of Manitoba, she worked tirelessly to promote participation, with a particular focus on relationship-based engagement with underrepresented groups such as youth, new Canadians, people with disabilities and Indigenous Peoples.

Ms. Verma has also accomplished this work by advocating for changes to Manitoba's election legislation and through Election Manitoba's education programs and outreach initiatives.

The committee also valued Ms. Verma's focus on electoral modernization to meet current and future challenges. She successfully led the implementation of Manitoba's vote anywhere model, which included establishing a provincewide voter registration system, provincial address database and the use of new technology at the polls.

Would the House please join me in welcoming Ms. Verma, who is here in the gallery with her son.

On behalf of the committee and all members of the Legislative Assembly, I would like to express our deep gratitude to Anton Boegman for his steadfast leadership of provincial electoral events and his dedicated commitment to public service as Chief Electoral Officer for the past seven years.

Finally, I would like to take this opportunity to thank all committee members, especially the Deputy Chair, the member for Surrey–Serpentine River, for their thoughtfulness and collaboration during our work.

This work demonstrates that members can come together across party lines to get meaningful work done and reach unanimous decisions.

Linda Hepner: I would also like to extend my appreciation to all members of the committee, including the Chair, the member for Burnaby North.

I really want to echo the Chair's remarks that I, too, have appreciated the collaborative spirit that defined our work together. It was a real privilege to work alongside the committee members in a cooperative and constructive manner to reach this unanimous recommendation.

The committee is confident in Shipra Verma's leadership skills, including her focus on engagement, innovation and staff development. Additionally, Ms. Verma brings a strong financial background, which includes training as

a chartered professional accountant and her experience overseeing multi-million-dollar budgets with fiscal responsibility and transparency at Elections Manitoba.

[2:40 p.m.]

Members also appreciated Ms. Verma's insights that while technology is both a requirement and an expectation for future elections, we must ensure that necessary checks and balances are in place prior to implementation.

We are confident that her experience will contribute to the effective administration of B.C.'s elections, ensuring continued public confidence in Elections B.C.

The committee recognizes the significant work that Elections B.C. performs for British Columbians, and we have no doubt that Ms. Verma's experience, perspectives and insights will contribute to that ongoing advancement of that work.

The Speaker: The question is adoption of the report.

Motion approved.

Janet Routledge: I ask leave of the House to move a motion recommending to Her Honour the Lieutenant Governor that Shipra Verma be appointed as Chief Electoral Officer for the province of British Columbia.

Leave granted.

Motions Without Notice

APPOINTMENT OF CHIEF ELECTORAL OFFICER

Janet Routledge: I move:

[That the Legislative Assembly recommend to Her Honour the Lieutenant Governor that Shipra Verma be appointed as Chief Electoral Officer, for a term commencing on November 12, 2025, and continuing until 12 months after the date set for the return of the last writ of the second general election for which the Chief Electoral Officer is responsible, pursuant to section 4 (1) and 6 (1) of the *Election Act* (R.S.B.C. 1996, c. 106).]

Motion approved.

The Speaker: I too would like to say a warm welcome to Ms. Verma in her new role as a new election officer of British Columbia and also not only on behalf of all the members but also all the parliamentary staff.

Welcome. Thank you so much for putting your name into that position.

Tabling Documents

Hon. Niki Sharma: I have the honour to table the British Columbia Ferry Commission annual report, 2025.

Orders of the Day

Hon. Mike Farnworth: Before I get to the assignments of orders this afternoon, I have a series of motions that I shall be calling, quite a number of them.

I call Motion 46 on the order paper.

Government Motions on Notice

MOTION 46 — MEMBERSHIP CHANGES TO ABORIGINAL AFFAIRS COMMITTEE

Hon. Mike Farnworth: I move Motion 46, of which notice has been given in my name on the order paper, which ratifies membership changes to the Select Standing Committee on Aboriginal Affairs.

[That the written agreement between the Government House Leader, the Official Opposition House Leader, the Third Party House Leader, and the Fourth Party House Leader, dated September 4, 2025, be ratified, confirming the following membership changes effective September 12, 2025:

That *Dallas Brodie* and *Darlene Rotchford* be added as members of the Select Standing Committee on Aboriginal Affairs, for the First Session of the Forty-third Parliament.]

Motion approved.

Hon. Mike Farnworth: I call Motion 47 on the order paper.

MOTION 47 — MEMBERSHIP CHANGES TO AGRICULTURE, FISH AND FOOD COMMITTEE

Hon. Mike Farnworth: I move Motion 47, of which notice has been given in my name on the order paper, which ratifies membership changes to the Select Standing Committee on Agriculture, Fish and Food.

[That the written agreement between the Government House Leader, the Official Opposition House Leader, the Third Party House Leader, and the Fourth Party House Leader, dated September 4, 2025, be ratified, confirming the following membership changes effective September 12, 2025:

That *Tara Armstrong*, *Korky Neufeld*, *Harwinder Sandhu* and */ Debra Toporowski* be added as members of the Select Standing Committee on Agriculture, Fish and Food, for the First Session of the Forty-third Parliament.]

Motion approved.

Hon. Mike Farnworth: I call Motion 49 on the order paper.

MOTION 49 — MEMBERSHIP CHANGES TO CROWN CORPORATIONS COMMITTEE

Hon. Mike Farnworth: I move Motion 49, of which notice has been given in my name on the order paper, which

ratifies membership changes to the Select Standing Committee on Crown Corporations.

[That the written agreement between the Government House Leader, the Official Opposition House Leader, the Third Party House Leader, and the Fourth Party House Leader, dated September 4, 2025, be ratified, confirming the following membership changes effective September 12, 2025:

That *George Chow* and *Paul Choi* replace the Hon. *Jessie Sunner* and the Hon. *Nina Krieger* as members of the Select Standing Committee on Crown Corporations, for the First Session of the Forty-third Parliament.

That *George Chow* be designated Convener of the Select Standing Committee on Crown Corporations, for the First Session of the Forty-third Parliament.

That *Tara Armstrong* and *Mable Elmore* be added as members of the Select Standing Committee on Crown Corporations, for the First Session of the Forty-third Parliament.]

Motion approved.

Hon. Mike Farnworth: I now call Motion 50 on the order paper.

MOTION 50 — MEMBERSHIP CHANGES TO DEMOCRATIC AND ELECTORAL REFORM COMMITTEE

Hon. Mike Farnworth: I move Motion 50, of which notice has been given in my name on the order paper, which ratifies membership changes to the Special Committee on Democratic and Electoral Reform.

[That the written agreement between the Government House Leader, the Official Opposition House Leader, the Third Party House Leader, and the Fourth Party House Leader, dated September 4, 2025, be ratified, confirming the following membership changes effective September 12, 2025:

That *Jennifer Blatherwick* replace the Hon. *Jessie Sunner* as a Member of the Special Committee on Democratic and Electoral Reform, for the First Session of the Forty-third Parliament.

That *Dallas Brodie* and *Rohini Arora* be added as Members of the Special Committee on Democratic and Electoral Reform, for the First Session of the Forty-third Parliament.]

Motion approved.

Hon. Mike Farnworth: I call Motion 51 on the order paper.

MOTION 51 — MEMBERSHIP CHANGES TO EDUCATION COMMITTEE

Hon. Mike Farnworth: I move Motion 51, of which notice has been given in my name on the order paper, which ratifies membership changes to the Select Standing Committee on Education.

[That the written agreement between the Government House Leader, the Official Opposition House Leader, the Third Party House Leader, and the Fourth Party House Leader, dated September 4, 2025, be ratified, confirming the following membership changes effective September 12, 2025:

That *Tara Armstrong* and *Amshen / Joan Phillip* be added as members of the Select Standing Committee on Education, for the First Session of the Forty-third Parliament.]

Motion approved.

Hon. Mike Farnworth: I call Motion 52 on the order paper.

[2:45 p.m.]

MOTION 52 — MEMBERSHIP CHANGES TO FINANCE COMMITTEE

Hon. Mike Farnworth: I move Motion 52, of which notice has been given in my name on the order paper, which ratifies membership changes to the Select Standing Committee on Finance and Government Services.

[That the written agreement between the Government House Leader, the Official Opposition House Leader, the Third Party House Leader, and the Fourth Party House Leader, dated September 4, 2025, be ratified, confirming the following membership changes effective September 12, 2025:

That *Dallas Brodie* replace *Claire Rattée* as a member of the Select Standing Committee on Finance and Government Services, for the First Session of the Forty-third Parliament.]

Motion approved.

Hon. Mike Farnworth: I call Motion 53 on the order paper.

MOTION 53 — MEMBERSHIP CHANGES TO HEALTH COMMITTEE

Hon. Mike Farnworth: I move Motion 53, of which notice has been given in my name on the order paper, which ratifies membership changes to the Select Standing Committee on Health.

[That the written agreement between the Government House Leader, the Official Opposition House Leader, the Third Party House Leader, and the Fourth Party House Leader, dated September 4, 2025, be ratified, confirming the following membership changes effective September 12, 2025:

That *Darlene Rotchford* replace the Hon. *Nina Krieger* as a member of the Select Standing Committee on Health, for the First Session of the Forty-third Parliament.

That *Tara Armstrong* and *Mable Elmore* be added as members of the Select Standing Committee on Health, for the First Session of the Forty-third Parliament.]

Motion approved.

Hon. Mike Farnworth: I call Motion 54 on the order paper.

MOTION 54 — MEMBERSHIP CHANGES TO HUMAN RIGHTS CODE PROVISIONS REVIEW COMMITTEE

Hon. Mike Farnworth: I move Motion 54, of which notice has been given in my name on the order paper, which ratifies membership changes to the Special Committee to Review Provisions of the Human Rights Code.

[That the written agreement between the Government House Leader, the Official Opposition House Leader, the Third Party House Leader, and the Fourth Party House Leader, dated September 4, 2025, be ratified, confirming the following membership changes effective September 12, 2025:

That *Mable Elmore* replace *Jennifer Blatherwick* as a member of the Special Committee to Review Provisions of the *Human Rights Code*, for the First Session of the Forty-third Parliament.

That *Dallas Brodie* and *George Chow* be added as members of the Special Committee to Review Provisions of the *Human Rights Code*, for the First Session of the Forty-third Parliament.]

Motion approved.

Hon. Mike Farnworth: I call Motion 55 on the order paper.

MOTION 55 — MEMBERSHIP CHANGES TO LEGISLATIVE INITIATIVES COMMITTEE

Hon. Mike Farnworth: I move Motion 55, of which notice has been given in my name on the order paper, which ratifies membership changes to the Select Standing Committee on Legislative Initiatives.

[That the written agreement between the Government House Leader, the Official Opposition House Leader, the Third Party House Leader, and the Fourth Party House Leader, dated September 4, 2025, be ratified, confirming the following membership changes effective September 12, 2025:

That *Garry Begg* replace the Hon. *Nina Krieger* as a member of the Select Standing Committee on Legislative Initiatives, for the First Session of the Forty-third Parliament.

That *Garry Begg* be designated Convener of the Select Standing Committee on Legislative Initiatives, for the First Session of the Forty-third Parliament.

That *Tara Armstrong* and *Qwulti'stunaat / Debra Toporowski* be added as members of the Select Standing Committee on Legislative Initiatives, for the First Session of the Forty-third Parliament.]

Motion approved.

Hon. Mike Farnworth: I call Motion 56 on the order paper.

MOTION 56 — MEMBERSHIP CHANGES TO LOBBYISTS TRANSPARENCY ACT REVIEW COMMITTEE

Hon. Mike Farnworth: I move Motion 56, of which notice has been given in my name on the order paper, which ratifies membership changes to the Special Committee to Review the Lobbyists Transparency Act.

[That the written agreement between the Government House Leader, the Official Opposition House Leader, the Third Party House Leader, and the Fourth Party House Leader, dated September 4, 2025, be ratified, confirming the following membership changes effective September 12, 2025:

That *Tara Armstrong* and *Janet Routledge* be added as members of the Special Committee to Review the *Lobbyists Transparency Act*, for the First Session of the Forty-third Parliament.]

Motion approved.

Hon. Mike Farnworth: I call Motion 57 on the order paper.

MOTION 57 — MEMBERSHIP CHANGES TO PUBLIC ACCOUNTS COMMITTEE

Hon. Mike Farnworth: I move Motion 57, of which notice has been given in my name on the order paper, which ratifies membership changes to the Select Standing Committee on Public Accounts.

[That the written agreement between the Government House Leader, the Official Opposition House Leader, the Third Party House Leader, and the Fourth Party House Leader, dated September 4, 2025, be ratified, confirming the following membership changes effective September 12, 2025:

That *George Chow* replace the Hon. *Nina Krieger* as a member of the Select Standing Committee on Public Accounts, for the First Session of the Forty-third Parliament.

That *Tara Armstrong* be added as a member of the Select Standing Committee on Public Accounts, for the First Session of the Forty-third Parliament.]

Motion approved.

Hon. Mike Farnworth: I call Motion 58 on the order paper.

MOTION 58 — MEMBERSHIP CHANGES TO PARLIAMENTARY REFORM, ETHICAL CONDUCT AND STANDING ORDERS COMMITTEE

Hon. Mike Farnworth: I move Motion 58, of which notice has been given in my name on the order paper, which ratifies membership changes to the Select Standing Committee on Parliamentary Reform, Ethical Conduct and Standing Orders.

[That the written agreement between the Government

House Leader, the Official Opposition House Leader, the Third Party House Leader, and the Fourth Party House Leader, dated September 4, 2025, be ratified, confirming the following membership changes effective September 12, 2025:

That *George Chow* replace the Hon. *Nina Krieger* as a member of the Select Standing Committee on Parliamentary Reform, Ethical Conduct and Standing Orders, for the First Session of the Forty-third Parliament.

That *George Chow* be designated Convener of the Select Standing Committee on Parliamentary Reform, Ethical Conduct and Standing Orders, for the First Session of the Forty-third Parliament.

That *Dallas Brodie* and *Paul Choi* be added as members of the Select Standing Committee on Parliamentary Reform, Ethical Conduct and Standing Orders, for the First Session of the Forty-third Parliament.]

Motion approved.

Hon. Mike Farnworth: I call Motion 59 on the order paper.

MOTION 59 — MEMBERSHIP CHANGES TO PUBLIC INTEREST DISCLOSURE ACT REVIEW COMMITTEE

Hon. Mike Farnworth: I move Motion 59, of which notice has been given in my name on the order paper, which ratifies membership changes to the Special Committee to Review the Public Interest Disclosure Act.

[That the written agreement between the Government House Leader, the Official Opposition House Leader, the Third Party House Leader, and the Fourth Party House Leader, dated September 4, 2025, be ratified, confirming the following membership changes effective September 12, 2025:

That *Dallas Brodie* and *Janet Routledge* be added as members of the Special Committee to Review the *Public Interest Disclosure Act*, for the First Session of the Forty-third Parliament.]

Motion approved.

Hon. Mike Farnworth: I call Motion 60 on the order paper.

MOTION 60 — MEMBERSHIP CHANGES TO PRIVATE BILLS AND PRIVATE MEMBERS' BILLS COMMITTEE

Hon. Mike Farnworth: I move Motion 60, of which notice has been given in my name on the order paper, which ratifies membership changes to the Select Standing Committee on Private Bills and Private Members' Bills.

[That the written agreement between the Government House Leader, the Official Opposition House Leader, the Third Party House Leader, and the Fourth Party House Leader, dated September 4, 2025, be ratified, confirming the following membership changes effective September 12, 2025:

That *Garry Begg* and *Darlene Rotchford* replace the Hon. *Jessie Sunner* and the Hon. *Nina Krieger* as members of the Select Standing Committee on Private Bills and Private Members' Bills, for the First Session of the Forty-third Parliament.

That *George Chow* and *Tara Armstrong* be added as members of the Select Standing Committee on Private Bills and Private Members' Bills for the First Session of the Forty-third Parliament.]

Motion approved.

The Speaker: Keep that energy up. It's almost over.

Hon. Mike Farnworth: Thank you, hon. Speaker. We are now at the penultimate motion. So I call Motion 61 on the order paper.

MOTION 61 — MEMBERSHIP CHANGES TO STATUTORY OFFICERS APPOINTMENT COMMITTEE

Hon. Mike Farnworth: I move Motion 61, of which notice has been given in my name on the order paper, which ratifies membership changes to the Special Committee to Appoint Statutory Officers.

[That the written agreement between the Government House Leader, the Official Opposition House Leader, the Third Party House Leader, and the Fourth Party House Leader, dated September 4, 2025, be ratified, confirming the following membership changes effective September 12, 2025:

That *Tara Armstrong* and *Garry Begg* be added as members of the Special Committee to Appoint Statutory Officers, for the First Session of the Forty-third Parliament.]

Motion approved.

Hon. Mike Farnworth: And the final motion. I call Motion 65 on the order paper.

MOTION 65 — MEMBERSHIP CHANGES TO FINANCE COMMITTEE

Hon. Mike Farnworth: I move Motion 65, of which notice has been given in my name on the order paper, which further amends the membership of the Select Standing Committee on Finance and Government Services.

[That *Donegal Wilson* and *Darlene Rotchford* be added as members of the Select Standing Committee on Finance and Government Services.]

Motion approved.

Hon. Mike Farnworth: In this chamber, I call second reading on Bill 19, the School Amendment Act.

In Section A, Douglas Fir Room, I call committee stage,

Bill 17, Intimate Images Protection Statutes Amendment Act.

[2:50 p.m.]

[Lorne Doerkson in the chair.]

Second Reading of Bills

BILL 19 — SCHOOL AMENDMENT ACT, 2025
(continued)

Deputy Speaker: All right, Members, we'll call this chamber back to order and ask you to take your conversations outside. We're going to continue debate on Bill 19, School Amendment Act, 2025.

Harwinder Sandhu: I am standing proudly as the representative for Vernon-Lumby, the most beautiful constituency in the province, with wonderful, kind and caring people, which is located on the traditional territory of the Syilx/Okanagan Indian Nation.

I rise today in strong support for Bill 19, legislation that builds on our government's ongoing commitment to making high-quality, affordable and accessible child care a reality for every family in British Columbia. There are several reasons I do that, and that includes my personal lived experiences and having seen the benefits around the community.

Since 2017, our B.C. NDP government has worked tirelessly to transform child care from a privilege into a core service, which is much needed — a service that supports families, strengthens communities and drives our economy forward.

Since 2018, our government, with the partnership of the government of Canada, has invested nearly $8 billion in investments in ChildCareBC, helping to fund more than 41,500 new child care spaces.

That includes my own community of Vernon-Lumby, in the last term known as Vernon-Monashee. We've seen firsthand the benefits of getting hundreds of child care spaces — in fact, more than 1,000 affordable child care spaces that have been a game-changer for many families. I regularly hear the gratitude from families.

We've opened up two brand-new child care centres right in Vernon; another brand-new facility in Coldstream, which is open, taking care of children and providing that nurturing care; and also a new centre in Lavington. Each one was built through collaboration.

Not only that, but we've also invested in building 44 child care spaces at the Okanagan College Vernon campus. This not only provides the child care that parents need but also removes barriers for many parents. Often they come to get advanced education, but they have already knocked on many barriers, and the biggest barrier that remains is child care. That child care centre has been changing lives for many parents who now have accessible child care right at the campus.

Another innovative example in the region is the child care centre at KF Aerospace near Kelowna Airport, one of the few in all of North America to provide on-site child care for aerospace workers. This helps businesses, this helps community, and this is exactly what forward-thinking investments look like. It's supporting working families while strengthening local industries.

We've heard from boards that for these programs, the investments need to be sustainable so that they can grow and be responsive to local needs. With the changes proposed in this bill, districts will be able to recover reasonable costs, like administrative and maintenance expenses, just as non-profit centres operate today.

I've heard several speeches from the members of the opposition and from members on this side, and one thought was shared repeatedly by some members of the opposition. Is it going to take away from private child care providers? I must say that having to work directly with non-profits and private child care owners, the need is huge. As I mentioned, we've created thousands of child care spaces across the province, and many more in my constituency, but the need is huge. There are more spaces that are needed, and this will help to fill that gap.

My community, Vernon-Lumby, and Vernon in particular, is among the first communities in B.C. to have piloted a seamless before- and after-school child care program. They piloted this, and the program has been life-changing for so many parents.

[2:55 p.m.]

I want to sincerely thank the city of Vernon, the village of Lumby, the district of Coldstream, the boys and girls club, Maven Lane and all the other non-profit organizations and child care providers in my community for their partnership and for making all these programs such a success.

As a longtime registered nurse of more than two decades, becoming a young widow and, at one stage of my life, having two little girls, I know firsthand how much I needed these spaces. There was no way I could leave the hospital, whether it was a blood transfusion hanging or I needed to be with my patients. You can't leave some work settings. They could be construction workers or anybody working in those settings.

Parents don't have time. We're working long shifts. It's now Monday to Friday, eight to four. I wasn't able to go pick up my daughters from school and then drop off at child care spaces. Even then there were not enough child care spaces, let alone affordable. It was $59 per day at the time when I was getting the costs around.

I remember that, how it could change lives for many. I relied on friends, families. I would drop them off, and sometimes I couldn't even pick them up. I had to ask

friends: "Can you go pick up?" Sometimes I would ask my little daughters to walk to so-and-so's house.

Even though everybody is there to help, you know how you feel guilty of being a burden. But you're taking care of people, and you're honoured with that work. Then my mom helped, but not everybody is so fortunate enough to have that kind of a support system in place. That is why this investment will help.

I've been thinking about many workers, and I've been having flashbacks. That's why I wanted to stand here in support of this and share that experience, how this is going to help many parents.

This work doesn't stop at the public sector. In our community, private child care providers are also thriving since we have started investing in child care.

I remember initially, shopping at the Costco in Kelowna, one private child care provider came…. Initially, there was fear. There was misinformation, in 2018-2019, that this investment in child care was going to take away business from private providers. We had this wholesome discussion. I shared that we're not working against anybody. We want to work together. Yes, our goal is to provide as many spaces, but we don't have the infrastructure.

Now that private child care owner, and there are many others, proudly shares: "I am so thrilled." Now he owns three. He expanded to buy another one in Vernon — the need was there — and also a third one in Kamloops. He says: "Harwinder, thank you so much. The only reason I'm thriving is because of these investments and partnership. Otherwise, it wasn't easy to sustain and to operate this business."

It is helping one another. In fact, there are many partnerships with non-profits, public and private providers. Working together, we can achieve a lot more. Collectively, since 2018, more than $3 billion has stayed in parents' pockets, hard-working B.C. families. An average family is saving more than $900 per month per child.

As I mentioned, when I was running around getting the quotes, that was mid-2000s. I'm talking about 2008, 2010, 2012, that era — $59 even then was a lot, and there were not even enough spaces. That's why I'm a huge supporter of this.

Now there are $10-a-day child care spaces, but we aim to expand those. Also, families are paying no more than $17 a day. The goal is always to make it more affordable.

We know the results; those are collective figures. Families in Vernon, Lavington, Coldstream and Lumby also saved more than $25 million, which went directly back to parents' pockets. These are the numbers that can be found anywhere. They're openly available.

At the doorsteps, I've heard from many, many people. I go do school visits. I heard from a teacher who had moved from Alberta. We were talking about the work we all do collectively, regardless of parties, what we do and what our goal is, no matter which side we stand on. It's always for the betterment of our community.

[3:00 p.m.]

That teacher wasn't very political. She had a very nonpartisan stand. She shared with the class that she didn't know the history about how B.C. was the first province to champion child care under our former colleague, the minister then, Katrina Chen, who championed this. Then the federal government came on board, and our province was the first one to sign that agreement.

Then the teacher said: "Now it makes sense." She said: "I was not able to work full time, nor was my husband. We were both part-timers." She said that since they have now affordable child care in Vernon, she's working full time and so is her husband, and the family is thriving. That was so reassuring for me to hear because, again, these stats, numbers in papers, mean one thing, but when we hear from people the difference it's making in their lives, it's another thing.

We see these investments into action. Child care investments empower people. They also strengthen our economy. There have been thousands of studies in Canada, in North America and all around the world. Every dollar spent in providing affordable child care brings several dollars of benefit to our economy. It supports businesses; it supports people.

That is why I'm proud of our Greater Vernon chamber. From day one, we've been working together. They have been a huge supporter of investments in affordable child care, and they're very open and public about it. They appreciate the ongoing investments, and they encourage us to continue to do more.

As I said, I've heard many stories. A parent came to me when a couple of my colleagues from this side were visiting Vernon. She stood up, and she said: "I was paying more than $2,000 per month for my daughter, Goldie." She said: "Now it's less than $300." That is the difference it's making.

There are so many other stories. I was at Kelowna Airport, coming to Victoria, and I heard my name. Often, as politicians, when we hear our name, we're ready to hear feedback or criticism, maybe. As a nurse, I'm always open to criticism and constructive feedback. That's what helps us to be better people, better representatives and better community members.

That parent, Roy, said: "I just want to say thank you." He said: "My family and my partner were saving. We have two kids." It's more than $1,800 for both that they're saving. He said: "That money is going back to our mortgage payment." This person happened to know the member sitting next to me as well. It filled my heart with gratitude.

That's why we can't slow down. That is what affordability looks like. That is what progress feels like.

That is what Bill 19 will continue to strengthen. By amending the School Act, we're making it easier for

school districts to offer care for children of all ages, including infants and toddlers and during non-school days. We're using our existing spaces in our schools, which are already trusted hubs in every community, to deliver more of the care families need. I strongly believe that it also provides that consistency for children where they are working together. They had educational time, and now they can be nurtured and cared for by friendly faces.

Districts have been asking for this flexibility. When I talk to parents in my community, there are still parents on the waiting list. Yes, we're building a lot more, and we're working with private child care providers, but child care spaces can't come soon enough. This bill will help us to utilize the spaces that we already have, and it'll make affordable child care available and accessible quicker. As we know, we're waiting for many more spaces to be built.

We cannot be reluctant and be skeptical about these investments. We cannot downplay the value of early learning or ignore the needs of working families. We need to invest in people in every way we can. We are committed on this side, and I'm pretty sure all members will continue to support this if there is some opposition. I cannot see the reason why anybody would oppose this or be skeptical, as we have been proving this since 2017-18.

We need to continue to invest in a resilient economy. I strongly believe, and say it repeatedly, that we cannot have a strong, resilient economy without healthier, thriving families and communities, because they are the ones who build our economies. They are the ones who contribute to economies.

When people can save money and they have child care, both parents can work to their fullest potential. When they have the disposable income, it gets invested back into the local businesses and the economy.

[3:05 p.m.]

Bill 19 is about exactly that, building a future. Every child has a chance to thrive, where every parent can participate in the workforce, and where every community can benefit from shared prosperity, including rural communities and communities that don't yet have the availability of accessible, affordable spaces.

As we move forward with this legislation, let's remember what truly is at stake: the success of our children, the strength of our families and the sustainability of our economy. Also, this bill helps to include many, many hard-working families and workers who, despite our building more affordable child care, didn't have the seamless model, where a child can stay there for longer, extended hours.

This is going to be such a huge game-changer, because when we invest in people, we invest in the future of this province. I strongly believe that is what Bill 19 helps us to do, and I'm proud to stand here to support this bill.

I just want to say, before I close my remarks, that while we're making investments in affordable child care spaces, we must never forget the child care providers who are the backbone of this program. We cannot deliver effective and safe child care without them. It takes a very special, caring, kind person, with lots of patience working with children with different needs, to do that kind of work.

I want to give my heartfelt gratitude to every single early childhood educator, every child care worker that is there every day, in and out, working and making sure our children are safe. That is why we did increase their wages multiple times. We're committed to be there to support them.

We value you, we see you, and we appreciate you. Thank you so much for all you do.

I want to extend my appreciation for the local partners, as well as non-profits, private child care providers and at-home family child care providers. Thank you. You are building the future of this province.

When we're looking at various issues that societies are facing, then we talk about their root cause. If we want to address these challenges, we need to address the root cause. It starts with investing in early childhood care and affordable child care, because nurturing, safe care does help these children to grow and thrive. It gives them self-confidence and helps them to become successful adults, and it helps our economy collectively.

I am proud to support this. I want to thank the minister for putting this forward, because this is going to change many lives in such a positive way. It's going to help strengthen our communities and our economy and support our families.

Thank you so much for giving me the opportunity to speak.

Deputy Speaker: Thank you very much, Member.

Now recognizing the member for Columbia River–Revelstoke.

Scott McInnis: I really appreciate that, Mr. Speaker.

I just want to start by saying that I think all members in this House realize the situation we're in with child care and that we need to do more to provide services for families who need and want care for their children.

I think, on the opposition side, we do have some questions about the details around how this will look, many of which I will share here today.

I want to echo the member for Vernon-Lumby in saying thank you so much to all the early childhood educators across British Columbia who work so hard — often sick; late hours; cleaning up lots of messes throughout the day; and of course, just supporting that critical development of our young people before they reach school age especially. I want to acknowledge them.

I also want to raise something. It's a conversation for a different day, I think, but the member for West Vancouver–Sea to Sky raised a really interesting point. I think we

do need to look at child care, moving forward, more as a very serious profession, which it is.

I know wages for child care workers, especially, are not tremendously high. I think it's just a values discussion that we need to have as British Columbia legislators and policy-drivers to ensure not only that people are paid a fair wage but that it's also an attractant, from the ground up, to get more people into the profession.

[3:10 p.m.]

I have very intimate knowledge, I think, of this topic here. I just want to briefly touch on my best job that I ever had. I spent eight years at an independent school in my community where I started my teaching career, two years as the principal there teaching K to 8. We also had two licensed child care spaces in that school as well.

I do want to talk about several issues here today, many of which we'll bring to committee stage after the reading of this bill and the debate is finished. I know the amendments are quite brief, but what's not brief is the child care licensing regulations. They're quite robust, and I do see some challenges, maybe, and some friction here as we try to bring, especially, children that are under school age into public school facilities. We have lots of challenges with that, and I'll highlight many of them here.

First of all, the physical spaces. If we're bringing infants and toddlers into a high school space, we have lots of challenges around making that space safe and accessible for young children. They're simply not set up to have diaper changing, to have the proper stepstools to reach the sinks. The toilets are too big. These kinds of things. Not only is the space not really available for that, but to make it available is going to cost a lot of money. So I think we need to address that issue very seriously.

Child care regulations have very robust cleaning standards which have to be met. I don't know if our current custodial staff who work for CUPE in the public school system…. I don't know if they have additional time necessarily to make those spaces clean and sanitary for young children, especially, who are coming into those spaces. Again, if we're going to provide more bodies or more hours, that's going to cost a lot of money.

Again, things like the proper exits in the building. Furniture. If we're putting three- and four-year-olds in the desks of grade 10, 11 and 12 students, it's not really going to work super well unless we make an investment into some of that furniture.

Transportation. For us that live in rural communities, it's great to offer after-school care — I'm thinking specifically of a community like Invermere or Golden or Kimberley — at one or maybe two of the schools within the community. But kids at the other school, how are they going to get there? Our buses are already stretched. If we have a bus driver that goes off sick, we're kind of in a panic in Columbia River–Revelstoke. I have to be honest about that.

Parents are working. That's why they have their kids in daycare. They're not available to drive them from one school to the next necessarily. We get, in Kimberley, about six feet of snow every year. It's not reasonable to walk half a kilometre or a kilometre to the closest school offering that care.

I want to talk about something. I'm touching on, I think, realistic life examples here, on the ground, of some of the challenges we're looking at here that need to be addressed.

When you're bringing preschool-aged students especially — or even, let's say, up to grade 3 — into a high school for after-school care, there's a very serious transition that happens there. I don't know the last time you were at a high school on a Friday afternoon when the bell rings, but it's like the Daytona 500 in the parking lot.

There are very serious safety considerations to think about before we just plop kids into the building. I hate to say it. Kids vape. Some kids smoke. Some kids use marijuana outside of the school premises. That's not necessarily a great environment for a mother with an infant or a four- or five-year-old child to experience on their way into school. Who's going to be responsible for that safety plan, that transition plan, as students are leaving the premises and we have young children coming in?

I've been a principal. There's certainly no extra time in the day for them to be physically monitoring this, let alone drafting the plan, which will take tens of hours. I just have serious concerns about how this actually plays out on the ground.

Again, I support increased spaces for child care every single day. The Minister of Forests mentioned it yesterday. As soon as a family finds out they're having a baby, after calling their parents, the second call is to the local child care facility to reserve a space.

[3:15 p.m.]

In my community where I live, just last year they changed their policy where it was first come, first served. Parents were camping out for two nights, the nights before, to make sure that they had a reasonable chance of accessing care. So we have to address this, but again, there are lots of concerns about how this actually looks on the ground.

We also have…. I want to talk about the staffing for a second. We are short early childhood educators in this province, certified ones. We are very short infant-toddler educators, providers, in this province. How are we addressing that by providing the space? I hope the minister…. I'd love to hear the answers to that. I'm sure that the ministry has thought about this.

Some potential solutions are…. When I started my teaching career, I made $36,000 a year. I would have loved to have taken a few extra hours to provide some care a couple days a week. Are we going to offer that to new teachers in the system potentially? Obviously, they can't

do early childhood unless they're qualified to do that, but if you're looking at after-school care, maybe that's a reasonable thing to offer.

Are we going to make a really serious effort here, also, to increase the number of whether it's qualified adults or ECEs to be able to provide this care? Are we going to open up more spaces post-secondary to deal with that?

I don't know how this is going to look with early childhood, because as far as I understand the regulations, you can't have a child care manager working at two different spaces. If they finish their eight to four at their one facility, according to the regulation, they can't move to another one. So we're going to have to address that.

I want to caution on what we're doing here without really, really good conversation about how to do it properly. Our schools and our school system are under tremendous strain. A lot of our facilities are tremendously old, that are going to require significant upgrades to make them suitable for, especially, that early childhood level of care to be provided.

A few more points that I'd like to make here. What are we charging families per day? What are we charging families, parents that have two kids or three kids? I think that's a serious conversation we need to have. Who sets that policy? Is it locally at the school district level? Is it provincial? How does it differ between rural and urban environments?

I think we just really need to look at what we're entering here. I do worry, potentially. I could be totally wrong, and I hope that I am, but as a teacher, I hated spending the last day of school packing up my classroom, putting the desks to the side so things could be properly cleaned. Now, if my space is going to be used over the summer for child care and I come back to work and it's a mess…. Teachers are going to lose their mind.

I worry. Are we going to have friction here between the BCTF and administration and the boards providing the care?

I think it's a serious thing to consider. Many teachers are very particular about their spaces, and if things aren't left the way they like them, there are going to be complaints filed. That I can guarantee you.

One question I want to bring up in my speech here today is: why are we not making a serious effort to provide a little more incentive to private operators? I'd really like to extend a personal invitation to the Minister of Education to visit my friend Jo in Revelstoke, who operates the Ray of Sunshine child care. She has beautiful brand-new facilities. She pays her staff extremely well. She's growing. She provides a really good program. She cares, because at the end of the day, it's her bottom dollar on the line.

I don't know why…. We seem to have here a bit of a…. I hate to use the word, but a bit of a stigma against private child care, that somehow it's not up to the standard of what we can offer through the province. I'll tell you. When people are as invested as my friend Jo is, they provide, in my opinion, above-industry-standard care.

[3:20 p.m.]

Why are we not incentivizing private child care operators? There's some, I think, unfair theme perhaps that the standard of care isn't as good, the facilities aren't as good, that somehow it's not regulated in any way, shape or form. And it's just simply not true. I would like to see a better effort, collectively, in a non-partisan manner, to address this.

Some of the positives and challenges with private care, if I may…. Private care operators can really provide a good program based on their community needs, based on the physical space of their community. Lots of private operators that I know have wonderful outdoor education programs for their children. They spend most of the day outside. I worry that if we're just kind of institutionalizing this, which…. We need the spaces. I get it. But there just won't be that incentive to provide something different.

It does give the parents some choice. If school premises work well for parents and we figure out how to do this properly, sure. But if parents want an alternative, and we have more selection for private child care operators, well that would be a good thing in my opinion.

It's unfortunate that, generally speaking, the private child care operators don't really have access to the same funding that other non-profits or government-subsidized operators do. I think we need to look at that. There are people out there who want to open for business, but they find it extremely challenging, not only accessing capital but with some of the other regulations, with licensing. That I think we need to address.

Just as I begin to wrap up here in the next couple of minutes, I do recognize that we have a…. I would still say it's a child care crisis, especially in rural British Columbia. We're struggling to attract and retain qualified staff, even if it's for aftercare services for school-aged children. I do really want to stress that it's not as simple as plopping kids into an existing building. We have to think about, you know, all these x's and o's on the ground.

Making the space suitable for children, especially that infant-toddler and preschool-aged child, is going to be expensive in the facility unless there are massive overhauls of the regulations, which I think is a dangerous road to go down.

I really look forward to the committee stage here, where we can really dig into the meat of this legislation. I do commend the government for being creative and trying to find some solutions here. I do. I think we want to support this, but we do have serious questions that need to be answered on the record as far as how this is going to look, how this is going to be rolled out. From the time of the legislation passing, when does it open? When are we going to be able to provide this?

I do appreciate the time today, and I do look forward to

continuing this debate further into the committee stage moving forward.

Darlene Rotchford: I'd like to begin by acknowledging that we're gathered today on the traditional unceded territories of the lək̓ʷəŋən-speaking people, known as Songhees and xʷsepsəm Nations.

I'm honoured to rise in full support of Bill 19, the School Amendment Act. As a mother and someone who has spoken with countless families within Esquimalt-Colwood on how critical it is that we continue to expand access to affordable, high-quality and reliable child care, this bill represents another important step towards that goal.

I will say to the opposition who just spoke, I encourage him to look up school district 62. In one of the schools that just opened, they are actually doing this. I'm also happy to connect him to learn a little bit, because some of the questions he had might actually be addressed there.

Public schools are trusted community hubs, places where children learn, play and grow. They are also ideally positioned to deliver the kinds of child care services family in every corner of British Columbia needs. By removing barriers and allowing school districts to more easily partner in the delivery of child care, this legislation helps to ensure that families have access to care when and where they need it most.

[3:25 p.m.]

When I was knocking on doors during the election, I heard from so many parents who were deeply worried about child care, parents who were unsure how they would manage when parental leave ended, or who were stuck on endless wait-lists.

I can tell you I remember personally that feeling. My husband and I put our oldest daughter on a wait-list before she was born and before we even knew her name. The anxiety that came with not knowing whether you would find a spot was sometimes overwhelming. Just two weeks before my husband returned to work, we finally secured a space, and the relief was felt immensely. But I also know that not every family gets that relief.

I've spoken with health care workers who struggle to find child care that matches their shift work, with military families who move here and find themselves at the back of long wait-lists because of how our current system operates. Those are the real challenges, but they are exactly the kind of challenges that Bill 19 helps us address.

Our government has made child care a priority because we know that when parents have access to reliable care, they can fully participate in the workforce, pursue education and contribute to their communities. It's good for families, and it's also good for our economy.

Thanks to historic child care investments under ChildCareBC, parents are now paying, on average, less than half of what they would without these supports, saving approximately $6,700 per year. Thousands more children are in licensed care than ever before.

We've also expanded income testing benefits so that 24,000 children are now receiving high-quality care at or below $10 a day, with many families paying no fees at all.

When I knocked on one door, a family was paying $3,000 a month before they were eligible. Once they were eligible…. That $3,000 now goes back into the pocket, per month, to that family. I want everyone for a minute to think of paying $3,000 for child care and how that was for that family. I can tell you, when I got to talk to them about getting the eligibility and now having affordable child care, the difference it made in their lives.

Since 2008, more than $3 billion has stayed in the pockets of hard-working B.C. families as a direct result of these investments. Child care is now more affordable, with more spaces and more professional educators than ever before.

Since the launch of ChildCareBC, over 41,000 new licensed spaces have been funded, and more than 26,000 of those have already opened and are serving families. Across the province, we now have 169,000 licensed child care spaces, representing a 47 percent increase since 2018.

These numbers are not just statistics. They represent families who are less stressed, children who are thriving and communities that are stronger and more connected. As both a mother and an MLA, I am deeply committed to ensuring that every family in Esquimalt-Colwood and across British Columbia has access to the child care they need.

Bill 19 builds on the strong foundation we've created and keeps us moving forward toward a future where more affordable, accessible child care is available to every family. You've heard us stand up here and say and talk about many things within our toolbox. This is another tool ensuring that we're having child care spaces.

For all of those reasons, I am proud to stand here and support Bill 19, the School Amendment Act.

Pete Davis: Every once in a while in this chamber, we get a bill that actually gives us the chance to agree — at principle, at least. That's something that makes sense, and I think that Bill 19, the School Amendment Act, is one of those moments.

This bill aims to make child care more accessible for families by allowing schools to open their doors on non-school days, things like professional development days, winter and spring breaks and even through the summer months. Honestly, that's an idea most British Columbians can get behind, I'm sure. Let's face it. Child care in this province has become a crisis.

Families are struggling to find spaces, the costs are skyrocketing and parents are being forced to make impossible choices between work and family. It's pretty tough. I've spoken to families across my riding who are just try-

ing to keep their heads above water, and child care is one of the biggest challenges that they face.

I'll give credit where credit is due. The intent behind this bill is good. It's practical, and it shows at least some recognition from this government that families are under strain and that something needs to be done about it.

But good intentions alone aren't enough. We can all agree that this is a good idea, but the question I have is whether it's something we can actually do and do effectively. Because as we know, government ideas are one thing; making them work in the real world is something entirely different.

[3:30 p.m.]

We already have limited resources. We already have a shortage of qualified child care workers. We already have teachers, support staff and administrators stretched thin, trying to do more than they can. I think it's fair to ask: how exactly is the government going to pay for this? I think it's a valid question. How will school districts manage to hire, train and support additional staff to make these extended child care programs possible without cutting corners somewhere else?

If we're going to make this work, we can't just throw people into these positions without proper training. We need to make sure that the individuals we hire to help ease this burden are properly trained, properly supported and ready for the responsibilities that come with caring for our children, our treasures. We cannot afford to lower our standards just to fill a gap. Quality matters, safety matters, and consistency matters.

While this idea of opening up schools for child care makes sense on paper, we also have to consider what this means for the people already working in our schools — teachers, custodians, EAs, administrators. These are the same people who've been stretched beyond capacity for years. I can tell you that we thank them. We thank these people because without them, where would our kids be? We can't simply pile more on their shoulders and expect everything to just run smoothly.

Another point I think deserves serious discussion is the potential impact this could have on privately owned daycares. Many of those are small, family-run businesses that have been surviving in their communities and serving their communities. They've invested their lives and their savings and their passion into providing care for children.

I can relate to this, actually. My wife ran a daycare out of our house when we first got married, when our kids were young. She's got a heart for kids. Those people work hard, and they have a heart for it. And you know what? There are not a lot of people that do, so they're very, very special people that we want to make sure that we protect.

My concern is that this could unintentionally create a competition between the public school system and private daycare operators. That's something that we should all make sure that we're careful about. We want to create these options, but we also don't want to cut the income from these people that are doing this wonderful work.

We need both. We need the public system to step up and help meet demand. I agree. But we also need those private operators, especially in smaller communities like mine where they're often the only child care options available. The last thing we want to do is solve one problem and create another.

I would urge the government, as this program rolls out, to make sure they're not pushing private providers out of business or creating an unfair playing field. I suspect this will be a conversation we'll have again in the future. It's one I'll be paying a lot of close attention to.

Now, just back to a couple of issues. British Columbians have heard a lot of big promises over the years. They've heard about affordability, housing, health care and now child care. In most cases, the story ends the same way. The idea sounds good, but the execution falls short.

I want to make sure I ask and ask again: where is the money coming from? How will the government ensure this program is sustainable not just for the next year or two but long term? Because if it's not, there's no point in doing this. If it's not a success…. We need more than just press releases. We need good ideas that are actually going to be long term, with real staffing and real accountability.

[3:35 p.m.]

I represent a rural riding. I can tell you right now that if we're struggling to find teachers, nurses and bus drivers, we're going to have a hard time trying to find qualified child care as well, the right people to staff these positions. That's not just a Kootenay problem; that's a provincewide problem. So while I do support the spirit of this bill, because it's clear we do need something and we need to help families, I remain cautious about whether or not we can do this efficiently, affordably and fairly.

At the end of the day, the goal is simple. Give families a bit of relief, give kids a safe place to be, and give communities a stronger foundation to build on. But let's make sure we do this right. Let's make sure this isn't just a headline but a real, lasting solution that actually helps families today and for years to come.

Above all, let's make sure that when we expand child care, we do it with proper planning, proper training, proper funding. These are our families. These are our children. We need to do this right. This is something we can't mess up.

I will be supporting the general direction, but I'll also be watching closely to make sure this government follows through in a way that's responsible, realistic and respectful to all the taxpayers. Because friends, at the end of the day, our job is to make life easier for families. It's not to make promises that we can't afford to keep.

I really look forward to watching committee stage on this.

Hon. Terry Yung: I stand today in support of the child care on school grounds amendment to the School Act.

I want to echo some of the comments made by my colleague the member for Vernon-Lumby.

Thank you for your comments and also for the land acknowledgement from the member for Esquimalt-Colwood.

This legislation is reaffirming government's commitment to making high-quality, affordable child care more accessible and available to families in every corner of the province.

School grounds are the heart of our communities. I know I spent a lot of time on school grounds. But of course, I went to a boarding school, so I was confined mostly on school grounds. They are trusted, welcoming spaces designed for children to learn; to play; to grow; to form friendships, mentorships and companionship.

This legislation recognizes the incredible potential of those spaces and delivers the child care families need before and/or after school or during professional development days or throughout the summer months, when schools are traditionally closed. It's about removing barriers in the School Act to give school boards better ability to meet families when they're using classrooms, gyms, playgrounds that are already in existence at schools. The space is designed for children, staffed by people who understand them and supported by the same principles that define our public education system.

This legislation is due to community feedback. It's just not born out of fiction. We spoke to parents and caregivers across B.C., and the message has been quite clear. They want more access to affordable, reliable child care that meets their schedule and their children's needs.

In my riding of Vancouver-Yaletown and urban ridings in Vancouver, it's difficult to get new spaces for child care. As my colleague from Esquimalt-Colwood said, it sometimes takes months. It could be years. That is not acceptable. That's the intent of this legislation — to improve the availability of those child care facilities.

As a former first responder, I know how hard it is sometimes when you have to satisfy the fact that you have to do shift work, be away from your families, 12 hours at a time. You do need child care availability for you to be able to get back to work and re-enter the workforce. As you know, the longer you've been away from the workforce, the more difficult it is to get reintroduced to it.

[3:40 p.m.]

I also have firsthand observations as the chair of a non-profit organization and also as a board member for Big Brothers, which has similar programs for that for in-school mentoring, utilizing school grounds to extend and grow their mentoring programs.

This legislation also removes outdated restrictions that limited school boards in offering certain types of care, which will also enable them to provide care for children of more age groups. It also makes it easier for school boards to recover reasonable costs, administrative expenses, maintenance, cleaning, etc., in the same way that non-profit operators already do that.

It's important to note that currently more than 91 percent of child care on school grounds is operated by third-party providers. Non-profits, Indigenous organizations and community groups have long been the backbone of school-age child care in B.C.

This is not about more red tape. This is about building, increasing capacity of child care, and it will also give districts more flexibility to act, while increasing the capability of child care. It's also part of a broader initiative for ChildCareBC, which has been recognizing that child care is not just a privilege; it's an essential service as a pillar of our social infrastructure.

Since launching ChildCareBC in 2018, more than 41,000 new licensed child care spaces have been funded. Now there are 169,000 licensed spaces, representing a 47 percent increase — or in numbers, 4,000 more spaces since this government began work on this endeavour in 2018.

There's also the affordability part, with savings for parents, probably half of what they were paying before. Families are saving, on average, over $6,000 a year on their child care expenses, putting more than $3 billion back into the pockets of hard-working people in this province.

This legislation is also about economic drivers and about a fundamental part of a child's learning journey being supported by sufficient child care at school grounds. By using classrooms and facilities that are already built and staffed, we can expand child care access without delays or costs associated with building extra buildings. As I mentioned before, in certain ridings, in urban cities, there are simply no extra spaces to be built and expanded to accommodate additional child care needs, and this is not acceptable.

High-quality, affordable, reliable child care has been a game-changer for families and people who have to work, two-working-parent families, and it's essential to B.C.'s economy. It helps parents return to work sooner, it supports the children's early learning, and it builds stronger communities.

In closing, I'm proud to support this legislation. I also want to thank and commend the Ministry of Education and Child Care and staff for their leadership in advancing this legislation.

It's easy to speak of the issues we have. It's easy to say we are not perfect or solving all the issues facing child care. But I think it's more difficult to come up with solutions to advancing our endeavours, making sure that every child in this province has access to care that supports their growth, their potential and their success.

[3:45 p.m.]

Heather Maahs: As the newly appointed critic for child

care and early childhood education, it is my pleasure to speak to this bill.

At first glance, this bill appears helpful, allowing more child care programs on school grounds so that parents can find care where their children already learn. But we must begin by acknowledging the obvious. This government already did this five years ago. In 2020, it passed Bill 8, creating sections 85.2 and 85.3 of the School Act to authorize board-operated before- and after-school care.

The legislative groundwork has already been in place. What's still missing?

Interjection.

Heather Maahs: Thanks for the tip.

What's still missing is meaningful process.

Yesterday the Minister of Social Development and Poverty Reduction claimed that our leader's former party cancelled the NDP's $14-a-day child care program back in 2002. Let's set the record straight.

In 2001, with the NDP down 43 points in the polls and just two months away from losing official party status, the NDP government rushed out the Child Care B.C. Act, promising $7-a-day child care that would rise to $14 by 2004, without a single funded space or centre ready to open. It wasn't another government that cancelled that plan. It was British Columbians who cancelled the NDP.

Now 24 years later we are hearing the same slogans from the same party, still promising what it hasn't delivered.

Fast-forward to 2017. The same party made the same mistake. It promised universal $10-a-day child care within ten years. Eight years later, families are still waiting.

Regarding the shift toward before- and after-school care in 2020, it came three years after the NDP had first promised universal child care for children aged zero to five. As the federally funded universal prototype testing concluded and a preliminary report, and I quote, "focused on early results and financial implications for future rollouts" was delivered to the ministry in January 2020, the province quietly reverted to its original 2001 model because before- and after-school care was the most cost-effective option available.

Just three months later, in March 2020, sections 85.2 and 85.3 of the School Act were introduced, which are the same provisions that this bill seeks to amend five years later.

During debate yesterday, the member for Abbotsford West made an important point, stating:

> "I'm also concerned about the lack of consultation and transparency around this initiative. I was around when the before- and after-school pilot project was announced, of $20 million for three school districts — Nechako Lakes, Chilliwack and Nanaimo-Ladysmith.
>
> "It was framed as a learning opportunity. The province said it would gather data and evaluate how well school-based child care models functioned before considering expansion, but to date, there has been no report showing what was learned from that pilot project — no data or uptake."

Everything the member for Abbotsford West said is true. It underscores a pattern that runs straight through this file: pilots launched without follow-up, evaluations written but not released, and policy decisions made without the transparency British Columbians deserve.

In 2021, when Ottawa adopted B.C.'s model as the basis for its $35 billion Canada-wide early learning and child care plan…

Interjections.

Deputy Speaker: Thank you very much, Members.

Chilliwack North, carry on.

Heather Maahs: …this government was eager to take credit.

During the June 2, 2021, estimates debate, former Minister of State for Child Care Katrina Chen said: "We're quite confident with the things we've learned. We are ready to go with federal dollars."

[3:50 p.m.]

That confidence didn't last long. Within a year, the government began carrying over almost all of its unspent federal child care funds. In 2021-22, 89 percent of the federal child care funding went unspent. In 2022-23, 88 percent. In 2023-24, up to 60 percent. And for the year ending March 31, 2025, the province had already requested to carry forward up to 30 percent. Those are not numbers of a system that was ready to go. They are numbers of a bureaucracy that can't keep pace with its own promises.

Not long after that 2021 exchange, British Columbia became the first province in Canada to sign the Canada-wide early learning and child care agreement with Ottawa, signalling every other jurisdiction to follow suit. That single signing decision effectively convinced the federal government to scale up its commitment to more than $70 billion over ten years for a system that here in B.C. was already showing cracks during the prototype phase as early as 2019.

Four years later during the 2025 estimates debate, the member for Abbotsford-Mission pressed for clarity on whether those early findings, including the concerns raised in B.C.'s own prototype evaluation, had been shared with Ottawa before the agreement was signed.

She asked the current minister directly: "Given that the federal government modelled its national child care plan on B.C.'s $10-a-day prototype testing, did the ministry share the contents of the preliminary evaluation report, including the concerns it raised with the federal government before the agreement was signed?"

The minister's response was astonishing. She replied:

"Really, that is a question for the federal government, not for ourselves, as to how they built out their model."

The answer says it all. When the federal government copied B.C.'s model, this ministry was eager to take credit. But when it came time to answer for what was actually shared as to what Ottawa was told about the weakness of that model…

Interjections.

Deputy Speaker: Carry on, Chilliwack.

Heather Maahs: …suddenly it became a question for the federal government. It was a telling example of how this government avoids direct accountability.

Soon after those exchanges, another transparency issue emerged. Beginning in April 2025, the Deputy Minister of Education and Child Care's proactive disclosure calendars, which must be published monthly under the Freedom of Information and Protection of Privacy Act, began appearing completely blank. There are 57 months of calendars available for this deputy minister's service across various ministries over the years, but the only four that have been wiped clean are the ones since April 2025, the very month when the estimates debates took place.

Months later on October 15, 2025, Peter Jon Mitchell of Cardus released a new analysis that helped connect the dots. His report confirmed that the '23-24 annual report released to the public had been changed to blur the line between spaces funded by Ottawa and those created by the market. Instead of listing new funded spaces, the province…

Deputy Speaker: Chilliwack North, we are trying to talk about Bill 19, and there is some question as to where we're going here. If you wouldn't mind bringing it back to 19, that would be great.

Heather Maahs: If you just give me a tiny bit of latitude, I'll demonstrate the connection.

…began using monthly average spaces, folding in private and non-funded growth to inflate totals. Mitchell found that the previous year's numbers were quietly revised to count all the spaces, regardless of the funding sources, and that the province did not disclose that the method had been changed. That is not transparency; that is moving the goalposts.

But the story didn't begin there.

Interjections.

Deputy Speaker: Members, Chilliwack North has the floor, and I would like to hear what she has to say.

Heather Maahs: Thank you Mr. Speaker.

But the story didn't begin there. Before the Cardus analysis ever came out, the government had already delayed the release of the same report for political convenience. Under the Canada-B.C.…

[3:55 p.m.]

Deputy Speaker: Chilliwack North, I would like you to get to Bill 19 very quickly.

Heather Maahs: All right. I'll tell you what. It's actually all linked together, Mr. Speaker — the federal funding and the British Columbia funding, and the Cardus report actually does link it all together.

I'll just move ahead here. Yesterday, October 21, the federal Auditor General released a performance audit of the CW-ELCC, Canada-wide early learning and child resource system, which is linked to B.C. The findings mirrored the very concerns that opposition has raised for months.

Of the 250,000 new spaces Ottawa promised, only 112,000 had been created, less than half the target. With most of the shortfall expected in the final two years, the Auditor General warned that families across Canada risk being left without the child care they were promised.

On October 1, 2025, just six days after this bill, Bill 19, was introduced, cabinet quietly appointed a new assistant deputy minister to lead British Columbia's child care division through order in council.

The individual chosen to lead the division, Michelle Lattimore, did not come from within British Columbia's public service but directly from Ottawa's inner circle. She has held some of the senior-most federal roles connected to early learning and intergovernmental coordination, serving as director general of the client experience branch at Immigration.

From that position, she oversaw the federal negotiation and implementation of every Canada-wide agreement and delivered the technical briefing on Bill C-35 to parliament — the same briefing where it was explained, and I quote: "Funding may also be withheld if a jurisdiction is unable to meet the agreed-upon objectives as set out in the agreement."

That same power to withhold funding is written plainly in section 4.4.7 of the Canada-B.C. agreement, which authorizes Canada to withhold amounts payable if British Columbia is unable to meet the objectives of the agreement.

That raises an unavoidable question. Did Ottawa threaten to withhold or even hint at withholding its funding unless the director general of the federal child care secretariat was brought to oversee B.C.'s program? It's a question. If so, that is not a fundamental breach of jurisdiction.

Deputy Speaker: Chilliwack North, I apologize to interrupt you.

Point of Order

Hon. Lisa Beare: I do believe we are on Bill 19, and I would please ask if the Speaker would remind the member that we are on Bill 19 and to speak to the bill.

Trevor Halford: It's somewhat disturbing that a member cannot finish her speech without constant interruptions from the Minister of Education. This bill deals with child care. It does.

Interjection.

Trevor Halford: On school grounds — the minister is actually right. But the reason that's happening is because there is a lack of child care in this province, which the member is actually totally at liberty to address, as uncomfortable as that may make the Minister of Education, the minister responsible for child care.

This bill is actually dealing with some of the shortcomings that this government has had, and it is every right for the member from Chilliwack to be able to speak to that in her allotted time, without interruption. If she's pointing out facts dealing with child care, dealing with funding models….

Interjections.

Trevor Halford: My behaviour is disturbing?

Deputy Speaker: Thank you, Members, for your input this afternoon.

Interjections.

Deputy Speaker: Thank you very much, Members.

Interjection.

Deputy Speaker: Thank you, Member. I appreciate your input. I appreciate all of the input this afternoon.

I am terribly interested in hearing about Bill 19 this afternoon. I can appreciate the reach that you're trying to make, Member, to the federal government, but I am very interested in hearing specifically about how Bill 19 plays out or might play out in British Columbia.

We'll return back to Chilliwack North, and I would ask members to give the floor to this member.

[4:00 p.m.]

Debate Continued

Heather Maahs: Thank you, Mr. Speaker.

I'm going to simply conclude by saying that this is uncomfortable information that I've brought forward today. It's completely appropriate in the fact that this….

Interjections.

Heather Maahs: If I could just finish. Thank you.

Deputy Speaker: Members, Chilliwack North has the floor.

Heather Maahs: This bill is about school boards being able to charge a reasonable amount. That's money. We're talking about money. This ministry has received lots of money. This is a little history, in the money that has been received and how it's been dealt with.

I will conclude by simply stating that at committee stage, we will examine all these matters closely — the implications of the amendments to the School Act, the shifting boundaries between provincial and federal responsibilities and the lack of transparency that now defines the government's handling of ChildCareBC. These are questions that must be answered, not evaded.

We will endeavour to do the work on behalf of the people of the province of British Columbia, as Her Majesty's royal opposition, and on behalf of parents and families everywhere who deserve transparency, accountability and a system worthy of their trust.

Debra Toporowski / Qwulti'stunaat: I rise to speak about Bill 19.

Public schools are trusted community hubs designed specifically for kids to learn, play and grow, and they have incredible potential to deliver more kinds of child care that families need in every corner of this province.

During my time at North Cowichan council, we heard from families about the need. We were working to remove barriers in the School Act so that districts could offer care to children of all ages, including infants and toddlers; and during non-school days, like professional development days and seasonal breaks. Districts see the important roles that they can play and are eager to work with the child care sector and the ministry to expand these cares on the school grounds.

We heard from the minister yesterday. Our successful school child care pilots in places like Okanagan Similkameen, Nanaimo and Chilliwack show us what's important and possible, and we're empowering all boards to be able to take part. This is something families, districts and education partners have been asking for, and it is a powerful shift towards improving access to child care, while using the existing space affected.

The Cowichan Valley had the pleasure of sitting down with the minister and myself and having meaningful conversations. We talked about all of the concerns and issues, looking at thinking outside the box on how we can approach the concerns and everything that is happening in our province on child care.

High-quality, affordable, reliable child care has been a

game-changer for families and the B.C. economy. Thanks to B.C.'s child care investment, parents are paying an average of less than half of what they would without their investment, saving them an average of $6,700 per year, and thousands more children are in licensed care.

We have gone even further to support vulnerable families through our income-tested benefits, with 24,000 children receiving high-quality care at below $10 a day, with many paying no fee at all. Since 2018, more than $3 billion has stayed in the pockets of hard-working B.C. families. Child care is now more affordable, with more spaces and more professional educators than ever before.

[4:05 p.m.]

Since the launch of ChildCareBC in 2018, more than 41,500 new licensed child care spaces have been funded, with more than 26,200 of these spaces open and serving families. We're seeing these benefits roll out through the Cowichan Valley as well, and families have shared with me, at the doorstep, how important that is to them and their families.

Throughout the province, there are now 160,000 licensed child care spaces, which is 47 percent, or 54,000 spaces. The introduced amendments to the School Act will enable school districts in B.C. to operate more kinds of child care on the school grounds, which families need. With these changes, they'll be able to offer child care to children of all ages, including infants and toddlers, during non-school days like pro-D day and winter, spring and summer breaks.

I heard about this in my community as well, about how daycares and the timing was off in offering these spaces for children and working families. It didn't match up to their timetable. So this is very meaningful for them.

These changes will allow school districts to improve access to child care more quickly and efficiently in existing buildings, especially in the communities where the need is greatest. Since 2018, our government and the government of Canada have invested nearly $8 billion through ChildCareBC. This program has helped fund more than 41,500 new licensed child care spaces.

We also know that families in rural and remote areas face distinct challenges in accessing child care. These changes could support expanding access in rural and remote communities where there may not be third-party child care providers, and districts could potentially fill that need. Districts see the important role they can play and are eager to work with the child care sector and the ministry to expand their care on the school grounds.

Growing child care availability in trusted spaces already built to serve kids is good news for families in B.C. These spaces can opt into the province's child care fee reduction initiative program, which reduces costs for child care for families by up to $900 per child, per month.

High-quality, affordable, reliable child care has been a game-changer for families in B.C. and for the economy. Thanks to B.C.'s children's care investments, parents are paying, on average, less than half of what they would with these investments, saving them money, as I said before.

We are proud to have led the way in B.C. to secure federal funding that has supported hundreds of thousands of families in B.C. and across Canada. With economic uncertainty and federal budget constraints, we are focused on making sure high-quality child care that families can afford is available and sustainable into the future. That means collaborating with our federal partners, assessing what works and what's not and finding these solutions that better support people.

The Minister of Education and Child Care is to deliver effective before- and after-school care. She is aware of the families' continued need for all types of child care for kids of all ages, including comprehensive coverage that extends to non-school days.

These proposed amendments to the School Act aim to help meet the need for child care in our communities by removing barriers to board-operated care and improving the viability of these programs.

Thank you, and I support this bill.

[4:10 p.m.]

Steve Morissette: I am very pleased to rise today in strong support of these amendments to the School Act, or Bill 19, which will make it easier to deliver child care on school grounds, right in the heart of our communities.

As Parliamentary Secretary for Rural Development, I spend a lot of time in small towns, villages and rural areas across our province. One thing I hear time and again from families, from employers and from health care professionals and other occupations is this: we need more child care, and we need it close to home.

In many of our smaller communities, families don't have multiple child care options. There may not be a large non-profit or private operator nearby. Sometimes there's just one school, and if there's no space there, families are stuck. That can mean that parents can't return to work, that local businesses struggle to hire and that young families have to make tough decisions to possibly move away.

These amendments are about fixing that. They remove barriers that have made it difficult for school districts to operate child care, and they open the door for districts to offer care for all ages, including infants and toddlers, and during non-school days like pro-D days and summer breaks.

This is a practical, rural-friendly solution that uses what we already have, our schools. Schools are trusted, welcoming places that belong to the community. They're built for children. They're safe, accessible and already staffed by people who care deeply about kids' learning and development. Instead of forcing families to drive long distances or to choose between work and child care, we're

making it possible to bring quality, affordable care right to where children already are, in their schools.

We've seen this approach work through pilot programs in Okanagan Similkameen, Nanaimo and Chilliwack. For rural B.C., it's especially promising. In some communities, the local school may be the only viable site for a new program, and these amendments finally make it easier for school districts to step up and fill that need.

I know that across rural British Columbia, boards are eager to be part of the solution. They see the demand in their communities, they want to help families, but until now there have been real administrative and legislative barriers that made it difficult for them to operate child care directly.

This bill changes that. It empowers districts to deliver care sustainably, allowing them to recover reasonable costs for things like educator wages, maintenance and cleaning, just like any other child care provider. That means programs can be financially viable, stable and responsive to local needs.

This is something families, school boards and community leaders have been asking for. It's a practical, people-focused change that will make life easier for parents and kids in every part of the province, especially in smaller and remote communities.

We also know how transformative affordable, high-quality child care has been for families and for our rural economies. Since our government launched ChildCareBC in 2018, we have seen incredible progress. Parents are today paying on average less than half what they would have without these investments, saving around $6,700 a year. Over 24,000 children are now receiving care at $10 a day or less, and many pay no fees at all.

That's over $3 billion that has stayed in the pockets of hard-working B.C. families since 2018, money that goes right back into our local economies, into small businesses, grocery stores, recreation programs and the daily life of our communities.

[4:15 p.m.]

It's not just about affordability; it's also about availability. We've funded more than 41,500 new licensed child care spaces across the province, and more than 26,000 of those are already open and serving families.

Today there are 169,000 licensed child care spaces in B.C., an increase of almost 50 percent since 2018. That's a remarkable achievement, but we know that rural communities often face unique challenges — smaller populations, limited infrastructure and sometimes a shortage of early childhood educators. That's why these changes are so important.

By allowing districts to deliver child care right in schools, we're not only using existing infrastructure; we're also creating local jobs. We're giving early childhood educators and school staff new opportunities to work in their home communities, often year-round in stable, rewarding roles. We're also helping kids make a smoother transition from early learning into kindergarten, because they're cared for in the same familiar setting, often by the same trusted adults.

Now, I want to be clear. This is not about replacing our valued community-based providers. In fact, more than 90 percent of child care on school grounds today is delivered by third-party operators. They are essential partners in this work.

These amendments simply give school districts the ability to step in where there's a gap, particularly in rural or remote areas where other options may not exist. This approach is about partnership, not competition. It's about making sure every child, no matter where they live, has access to safe, affordable and high-quality care.

For parents, the affordability supports continue to apply. Families using child care operated by school districts will still benefit from the child care fee reduction initiative, which can reduce costs by up to $900 per month, and from the affordable child care benefit, which can lower or even eliminate fees for low- and middle-income families.

This legislation also sets the stage for continued collaboration. The Ministry of Education and Child Care will be working with districts through a new technical advisory group to guide implementation, looking at what upgrades might be needed, identifying funding opportunities and making sure these programs are set up for success.

That's exactly how we should be doing this work, hand in hand with local partners, listening to what communities need and adapting our approach to fit rural realities. At the end of the day, this isn't just about policy or regulations; it's about people. It's about parents who can finally take a job because they know there's reliable care nearby, it's about educators who get new opportunities to serve their communities, and it's about children who get the best possible start in life — learning, playing and growing in safe and supportive spaces.

I have seen firsthand what happens when child care is available and affordable in rural communities. Young families choose to stay, local employers can hire more easily, and the community itself becomes stronger and more sustainable.

These amendments to the School Act are a simple but powerful way to make that possible. They build on our government's strong record under ChildCareBC, and they make sure rural and remote regions share fully in the benefits of that progress.

I'm proud to stand today in full support of this legislation. It's practical, it's people-centred, and it's going to make a real difference for families, especially in the small towns and rural communities that are the backbone of this province.

Deputy Speaker: Seeing no further speakers, Members,

the question is second reading of Bill 19, intituled School Amendment Act, 2025.

Motion approved.

[4:20 p.m.]

Hon. Josie Osborne: I move that the bill be committed to a Committee of the Whole House to be considered at the next sitting of the House after today.

Motion approved.

Hon. Josie Osborne: I call continued second reading on Bill 23.

BILL 23 — REGULATIONS ACT
(continued)

Steve Kooner: When I was speaking about this bill earlier — I think it was about a week ago or two weeks ago — I introduced my thoughts about this bill. I spoke about what the strengths of this bill are.

To sum up what I was saying about the strengths, I was talking about the importance of ease of access to law. Prior to Bill 23, we had just debated Bill 22. Bill 22 dealt with statutes and statutes being recognized as official versions of the statutes if they were online, so they could actually be used in court or evidence.

Then Bill 23 has the topic of regulations. Bill 23 does essentially what Bill 22 does for statutes. It states that if there are regulations that are posted online on the government site, essentially that can be used as evidence in a hearing or a court hearing.

When I was talking about that particular point, I said that it was a good thing because it creates efficiency in terms of having hearings and litigation proceedings. That was the point there.

But I did say that I had some questions and some issues about the legislation. I believe that's where I left off.

I started talking about regulations, how you have to be careful about the regulations because the difference between statutes and regulations is that with statutes, we pass them here on the legislative floor. Regulations are passed through the cabinet. When they're passed through the cabinet, that does not have legislative oversight, so that does not have legislative debate.

When we look at regulations and we look at enabling statutes of regulations and we look at a legislative code, essentially this is what Bill 23 does: introduces a legislative code of how regulations work. What's the framework around regulations? How should they be drafted? How should they come into force? It talks about that type of procedure.

When we're looking at regulations, some of the concerns I have…. I will take the Legislature through what my concerns are as I go through the bill. I'm just going to go through the bill.

The first part of the bill, part 1, talks about interpretation and classification. Under this part, we see definitions under clause 1. Clause 2 talks about the meaning of regulation in this act, so we're still talking about interpretation. Clause 3 gets into the meaning of consolidation, so that still talks about interpretation.

Then we move into clause 4. It also talks about how if a regulation is amended or repealed, the following portions of the act do not apply to the amendment, so it also kind of goes to interpretation and application.

Then we move into part 2 of this bill, which deals with drafting and examining regulations. Some of the sections that are in here, the sections that are in part 2, go from clause 5 all the way to clause 8.

Clause 5 talks about drafting regulations and how they work under the direction of the chief legislative counsel.

[4:25 p.m.]

Clause 6 talks about examining regulations. Before a regulation is enacted, the regulation must be examined by legislative counsel. It seems to be pretty straightforward procedural stuff.

Then we go further, into clause 7, and it talks about when an examination is not required, so when it's not required for the legislative counsel to examine certain aspects of this regulation process.

Then we go further, into clause 8. It talks about solicitor-client privilege in regard to the process that's involved under this bill.

That stuff all seems to be very procedural.

Then we jump into part 3. Part 3 talks about depositing regulations. I did have an issue here, so I would like to spend some time here. I'd like some clarifications, and I will be canvassing those clarifications at committee.

Part 3 talks about depositing regulation. When we look at the word "depositing," it means when, essentially, it's being said that the regulation is going to take force. It's being deposited; it's going to take force. That's kind of the interpretation around it. This part, clause 9 all the way to clause 13, kind of refers to that process.

I'll just get to the one where maybe I have a bit of an issue. I need clarification, and I need to explore it a little bit more at committee stage.

Clause 12 talks about the power to specify a date of deposit. This is relevant. You're saying a regulation that's going to take force when you deposit it. This particular clause talks about the power to specify a date of deposit. So when is that deposit? It's going to happen when the regulation gets deposited, or will it happen before or after?

This is a highly relevant clause. I'll read the clause. It states, "If the Attorney General considers it to be in the public interest, the Attorney General may, by regulation, do any of the following: provide that a regulation is deemed to have been deposited on a specified date that is

on or after the date of enactment of the regulation, and before the actual date of the deposit of that regulation."

I guess when I read the whole clause 12 — it goes on further — I read it as that there could be retroactivity to when a regulation takes place. That kind of alerted some reaction from me, because when we're already having regulations that are being passed through the cabinet rather than legislative oversight and debate through this Legislature, there's less probing of what's going to be in that regulation.

We need to have a transparent process, and there needs to be accountability to that process in regard to these regulations. Normally you will have the regulations. They get passed and they go through. But if you can backdate some of these situations, that takes away from the transparency. It makes the process a little bit…. The regulations could be a little bit unaccountable, because they lacked proper oversight.

You're saying that there was a specified date back in history, that the regulation actually applies from that. Say if that had some sort of monetary value to it and had some monetary consequences. If you backdated something to say, like, a year before and nobody knew about that before, that would kind of be unfair.

Like I said earlier, this bill acts as a code for regulations and how regulations will be formulated. It's important to kind of probe if there's going to be a retroactivity to this, when regulations are going to take force. That will be something that will be canvassed by myself at committee stage because I have some questions around that.

[Mable Elmore in the chair.]

That's an interesting point to mention about this bill under part 3.

Part 4 just talks about the adopted materials website. It talks about when you have regulations referring to adopted materials, how that is going to work.

[4:30 p.m.]

There's an adopted materials website, and those adopted materials would be on that website so that people can review them. This kind of just sets out that process here under part 4, and it seems to be pretty straightforward.

Part 5 of this bill talks about the *Gazette*. *Gazette* refers to the printed, when we're talking about printed *Gazette* or published in the online *Gazette*. Essentially, where do people get notice of their regulations? They refer to the *Gazette*.

Now, going through this part…. I won't go through all the clauses, but I will go through some of the pertinent ones that I find there need to be more questions asked about in more of a detailed setting in, say, the committee stage. Those are clauses 21 and 22.

Clause 21 under this part refers to exemptions from publication in the printed *Gazette*. Now, the whole reason, the bigger part, the purpose of this legislation is to make sure that if there are regulations that are in online format, they're also official versions so you can use those regulations for evidence.

If you're coming in here and looking at clauses 21 and 22 and you're saying some of the publication can actually be exempted either from print or online, then that would kind of water down the effect of and purpose behind this legislation. So we actually need to probe this a little bit more at committee stage and get further answers. How will all this work?

The rest of it…. There are a couple more clauses under this particular part, the *Gazette* part, clauses 23 and 24.

After clause 24, this gets into clause 25, which talks about consolidations of regulations, about bringing regulations together. My interpretation of reading the consolidations part was: how will they all be put together? I thought that it's a good thing when you consolidate. It's an easy way to kind of access regulations and for you to be able to reference different regulations over a sphere of time. I didn't really have too many questions on this part, because I feel consolidation of regulations is a good thing.

Under part 6, there are a few clauses, essentially clause 25 all the way to clause 32.

Then we get into part 7 of this bill, which talks about revisions. How do you make revisions? What's the process in regards to revisions, if there's something posted in a regulation and you need to kind of fix that, and there was an error in it? The revisions go all the way from clauses 33 to 39.

Then we get into part 8, which deals with official versions of regulations and consolidations. That goes from clauses 40 to 41.

Then we get into part 9, which deals with orders in council and letters patent. I didn't have too many questions on this part. This part goes from clause 42 all the way to clause 49.

Then we get into part 10, which is the general part. I did have some queries on this. I did have some questions after reading part 10 here. This is the general application part of this bill.

Actually, the questions were more on part 11. Part 10 seems to be fairly straightforward, but under part 11, which deals with regulations under this act, you go down to clause 58, which deals with Attorney General regulations, general powers. Now, this particular clause states what authority the Attorney General has to make these regulations.

[4:35 p.m.]

It also goes further to talk about other people, what other people can do under the authority of the Attorney General, like, "In making a regulation under this act, the Attorney General may do any of the following: confer a discretion on an employee of the government; delegate a matter to an employee of the government; make differ-

ent regulations for different persons or things or different classes of persons or things."

Now when you're dealing with employees, you're not even dealing with the Attorney General, who is a member of this Legislative Assembly, and there's some accountability. Now you're dealing with an employee that may make some changes in regards to these regulations.

Going back to the accountability process, making regulations available online, making them official versions, that's a good thing — transparency. But when you're going back and saying that some unelected individuals may have some control over making some changes, there may be some issues there. That is an issue that I will be probing at the committee stage.

Part 11 goes up to clause 60, and then part 12 talks about just the transitional provision, talks about transition, meaning how it relates to other amendments. So that seems to be pretty straightforward. It gets into talking about other acts, the Constitution Act, the Balanced Budget and Ministerial Accountability Act. It talks about a few other acts.

Then there was another one. There is, again, retroactivity referred to under clause 71. There are some issues here, and although I think it's a good thing to have transparency, have official versions of online regulations to be considered, there are some questions to be answered when you look at this.

I'm looking forward to asking those questions at the committee stage of this particular bill.

Deputy Speaker: Seeing no further speakers, I call the question on second reading of Bill 23 intituled Regulations Act.

Motion approved.

Hon. Josie Osborne: I move that the bill be committed to a Committee of the Whole House to be considered at the next sitting of the House after today.

Motion approved.

Hon. Josie Osborne: I call second reading on Bill 24.

If we could maybe just take a couple moments' recess, the minister will be in. Or is it continued reading? No, it's new.

Deputy Speaker: Yeah, that's fine. We'll take a five-minute recess.

The committee recessed from 4:38 p.m. to 4:40 p.m.

[Mable Elmore in the chair.]

BILL 24 — VAPING PRODUCT DAMAGES AND HEALTH CARE COSTS RECOVERY ACT

Deputy Speaker: All right. We will call the chambers back in order.

We are now moving the second reading of Bill 24, Vaping Product Damages and Health Care Costs Recovery Act.

Hon. Niki Sharma: I move that the bill now be read a second time.

The Vaping Product Damages and Health Care Costs Recovery Act provides a litigation-based mechanism for government to recover health care costs and public-health-related expenditures related to vaping from wrongdoers, specifically manufacturers, wholesalers and related consultants.

This new act follows the model of the Tobacco Damages and Health Care Costs Recovery Act and the Opioid Damages and Health Care Costs Recovery Act by creating a statutory tort and providing government with a direct action to recover the costs of health care benefits from wrongdoers who've committed vaping-related wrongs. The two existing acts have been vigorously tested in the courts, and government has either successfully defended them or refined them to ensure their validity and success.

This new bill focused on vaping will build on the success of those existing acts to ensure wrongdoers can be held to account. The financial burden of many wrongdoers has too often been paid for by taxpayers, but this bill will allow the government to hold wrongdoers accountable and ensure that any financial burden is placed where it belongs.

This proposed legislation should also encourage those who prioritize profit over the health and well-being of people living in British Columbia to change their behaviour. In particular, it will create accountability for manufacturers and wholesalers of vaping products who've been deceptively targeting youth.

Like the tobacco and opioid acts, which focused on specific wrongdoings related to tobacco and opioid products respectively, this proposed legislation is focused on vaping and related products and any wrongdoing that causes or contributes to disease, injury or illness or the risk of disease, injury or illness. A vaping-related wrong is defined as a breach of a duty or obligation owed to people living in British Columbia, or a tort. This definition helps ensure that wrongdoers, regardless of whether they are individuals, corporations or other entities, can be held fully accountable for their conduct.

With this legislation, government will be able to make claims in cases where there is a risk of disease, injury or illness related to vaping and not just in cases where harm has fully materialized. This approach is important because government can incur significant costs when ad-

dressing these risks before they turn into disease, injury or illness. Government will be able to claim for those costs that have already been incurred and for those costs that are reasonably expected to be incurred in the future.

It is for this reason that the recoverable costs are defined to capture all of the government's expenditures incurred when responding to a disease, injury or illness caused by a wrongdoer. These costs can include health care costs, like doctors' appointments and hospital treatments, but can also include the costs of proactive and preventative measures that are used to address the risk of disease, injury or illness. This can include things like educational campaigns, medical monitoring and cessation programs.

Because kids and young people are often the most vulnerable, it is important that the costs incurred by schools responding to wrongdoings caused by deceptive marketing related to vaping are also included. This includes preventative strategies and programs.

[4:45 p.m.]

The Vaping Product Damages and Health Care Costs Recovery Act contains many procedural features from the tobacco and opioid acts that allow government to prove claims for costs of health care benefits accurately and enable litigation to proceed efficiently while preserving fairness. Claims can be brought on an aggregate basis to recover government costs at a population level and not just in relation to specific claims or specific individuals.

Under this new act, statistical and research-based information can also be used as evidence to prove liability, causation and the amount owed by the wrongdoer. It also provides for important presumptions of causation of disease, injury or illness related to vaping, which will facilitate findings of liability in complex situations where the defendant has committed a wrong that creates a risk of disease, injury or illness. This shifts the burden to defendants to prove that they did not cause disease, injury or illness to people in British Columbia.

This new bill further provides for a multi-Crown class action, which was innovated by British Columbia in the opioid legislation, where the government of British Columbia can lead a lawsuit on behalf of other provincial and territorial governments in Canada.

B.C. has long been the national leader in tobacco and opioid litigation, and it intends to continue to lead the way in protecting the health of those living in British Columbia with this new act focused on vaping.

Anna Kindy: I'm here to talk about the bill being proposed, the Vaping Product Damages and Health Care Costs Recovery Act. Overall, in looking at it, I think it's a needed act because it's pre-emptively saying that vaping will cause damage, but I do have some issues here with it.

I'm hoping that my issues will be taken seriously, because one of the things I hear…. I personally think that health care is apolitical. We need to put aside ideology for health, because it's about life and death and illness. We have to make sure, when a bill comes out, that we do the best job possible for people in B.C. This bill fails on certain measures, and I've just identified two or three things that I think need to be addressed.

To start off with, let me just kind of talk about vaping. When we vape, what is actually causing the damage in the lungs? It's not the nicotine. Nicotine is the addictive substance that causes us to keep vaping. It's like cigarettes. What is causing harm is everything else that's in the vape product.

One of the things that we're not talking about at all in this bill is that vaping itself contains chemicals that are toxic to the lungs, and we still don't have studies showing us what will be the long-term effects. Some of the chemicals — for example, propylene glycol and vegetable glycerin — when burnt become even more toxic. Knowing that, it's not the nicotine that's causing the harm; it's the chemicals.

The name of this bill is Vaping Product Damages and Health Care Costs Recovery Act. One of the things missing in this bill is the labelling. People buy it because it has been regulated. People go to stores and buy vaping products, but what's in that product? We don't know, right? We know there's nicotine. We know that there's some of the stuff there, but not every single chemical.

I think labelling should be the start. I would suggest that we need to amend it to put labelling as part of this bill. It's not just about health care cost recovery; it's about helping youth.

When we look at vaping, according to Statistics Canada — that's from 2022, so I would argue that it's probably higher now — one in 15 youths aged 15 to 19 vapes daily. If we're looking at one in 15, there are probably many more that are vaping occasionally. Because it's addictive, even if you're vaping occasionally, you'll be vaping more in a year. One in 15 is a huge number.

[4:50 p.m.]

When we're looking at that as a government, I think we need to protect the consumer. We've regulated this product without letting the consumer know what is in that product, and that is really important to address with this bill.

It's not just about health recovery but also, how do we, hopefully…? Attorney General Niki Sharma says that the intent of the bill is to try to…. We haven't been able to quantify the health care cost, but it's about being able to make sure that kids know that there's harm to vaping. So chemicals, number one. Labelling is important. This bill does not address labelling at all.

The other thing that I find very concerning is that cannabis comes as a vaping product. Again, I'm going to go back to what is causing the harm. It's the actual vaping. It's the chemicals in the vaping product. If we're vaping

cannabis, we're inhaling the same toxic products. So why are we excluding cannabis? To me, that makes no sense. I'll repeat the name of the bill. It's vaping product damages. We're vaping cannabis, so vaping products. Why are we excluding cannabis?

I want to add to that. I think it's very important for people to realize…. It's not about legalizing cannabis or not. It's been legalized. There are some medicinal uses. But what we have to realize is that the cannabis of yesterday is not the cannabis of today.

The cannabis today…. There are two components we look at. There is what is called THC and CBD. THC is the psychoactive component, what gets you high. That's what people who smoke for that reason smoke cannabis for, some people. Twenty to 30 years ago, the THC level was 5, 6, maybe 8 percent. Now we're talking 20, 25 or 30 percent. The harms of higher THC levels actually can be quite harmful. What we're seeing in the medical community is a huge uptick of psychosis in youth.

If you look at the reasons, we're seeing cannabis being normalized in youth. Many youth will maybe smoke pot, and they'll be okay. But unfortunately, there's what's called epigenetics, and some people are predisposed to becoming psychotic from smoking pot. We've legalized it without telling people that, potentially, you're going to get psychotic. That psychosis can become permanent. It's called schizophrenia.

The fact is that if this bill's intent is to recuperate money but also protect, we're not protecting here. Because the vaping chemicals, first of all…. We're not adding labelling. The harm to the lung and the heart is most likely from the toxicity. And we're excluding cannabis. So I find that slightly objectionable, actually.

The other thing that this bill doesn't talk about is that there's a regulated market and an unregulated market, an illicit market. When you go to a vaping store, you would think that everything is regulated. When you buy something, the label tells you how much nicotine there is in it. But unfortunately, there's a big illicit market. Sometimes, even in those shops, you have illicit market.

The other thing is that the illicit market is much cheaper, much cheaper to buy. So what do youths buy? The illicit market. The issue is that if it's cheaper, they're going to vape more. It's more accessible. How will we recover the cost from the illicit market? We can't sue a company. There's no company. It's produced illicitly, most likely overseas.

They've actually done studies on these illicit products, and the labelling is false. When it says a certain number of milligrams of nicotine, they found that it can be much, much higher. Much, much higher means more addiction potential, more harm potential, because you're smoking more, and you get addicted much more quickly.

[4:55 p.m.]

Again, that illicit market isn't addressed here at all. I think it needs, maybe, to be addressed somehow. These are points that are important to discuss. I may be naive here, but I'm hoping that, because our duty as MLAs is to protect our constituents if we can, by the legislation, or make their lives better…. If the intent here is to protect youth, then we need to do it right.

The intent is good. There are certain amendments that I would propose, and I'm hoping that the opposite side is open to those amendments, because again, it's about protecting the youth.

That's all I've got to say today. I'm hoping that we'll have a good committee meeting and that it will not be politics as usual. I'm hoping that it's about health care and the amendments will be taken seriously because it's about preventing youth from engaging in vaping and also preventing future harms.

I think that's the intent here.

Brennan Day: I rise today to speak to Bill 24, the Vaping Product Damages and Health Care Costs Recovery Act.

At first glance, this bill looks familiar. It mirrors the framework used in the tobacco damages act and the opioid damages act. The government has said as much, describing it as modelled after those earlier pieces of legislation.

Let me say clearly at the outset that we support the principle behind this bill. When harmful products contribute to illness, addiction and avoidable costs to our health care system, British Columbians deserve a fair mechanism to recover those costs. That principle is sound.

The potential future windfall for government, as we have seen recently in the tobacco settlement, is also something that should not be ignored. It is with regret that we are here today having this macabre discussion about the potential future harms of vaping, which ultimately will fill the government's coffers from the unnecessary suffering of those individuals exposed to what this bill anticipates, in fact predicts, will be harmful to British Columbians' health.

As someone who has personally wrestled with a nicotine addiction, I remember when vaping first hit the market — unregulated, untested and wrapped in the same slick packaging and language that once sold tobacco. It was marketed as the safer alternative, the new face of harm reduction. The same lobbyists, the same playbook, just a new product.

The irony of standing here today, speaking to this bill, is not lost on me. We have just come off a multi-decade-long fight to drive down youth smoking rates through education, through plain packaging regulation, through stigmatizing its use, through truth. It worked. For the first time, young people saw cigarettes not as a rebellion but as a risk. We were finally turning the page.

Then came vaping. Brightly coloured, candy-flavoured and sold under the banner of safety. The faces on the bill-

boards changed, but the pitch didn't — safer, cleaner, controlled. What's the old saying? History doesn't repeat itself, but it rhymes.

We saw the same pattern with opioids, the same buzzwords — harm reduction, safe supply, managed use — and again, the predictable consequences — more dependency, more deaths, more confusion about what help actually means. In my community, we've lived through the devastation that came from blurring the line between compassion and permissiveness. We've watched governments chase the next quick fix instead of learning from what actually worked: education, accountability and prevention.

When I look at this legislation, the government's insistence that it's just like the opioid act, I can't help but shake my head. We've been here before. We fought this battle with tobacco, we repeated it with the opioids, and now we're legislating it all over again under a different label. The cycle of foolishness continues, every four years, like clockwork. Every time, we're pretending that this is something new.

[5:00 p.m.]

So here we are, building a legal framework for the government to recover health care costs from the next generation of smokers. Whether or not they end up facing the same debilitating illnesses as those who came before them, we're preparing for it all the same. I'll say it plainly. I've probably just upset a small army of lobbyists with that statement, but so be it.

Let me be clear. I am a strong believer in the free market. Adults should be free to make adult choices, even if those choices carry substantial personal risk. That's part of living in a free society, but freedom doesn't mean freedom from consequence. In a country where we all share the cost of universal, taxpayer-funded health care, the fallout from those private choices cannot be left on the backs of the public.

When a company knowingly markets and profits from a product that is addictive, harmful and deceptively packaged as safe, the bill for that harm should not be mailed back to the taxpayer. It should go straight back to the manufacturer. That's not anti-business; that is basic fairness. The same principle applies whether it's tobacco, opioids or now vaping products. When the profit is private but the cost is public, something's gone off the rails.

Now, I know what's coming next: the arguments about personal responsibility, about consumer choice, about innovation. But let's be very honest with ourselves. These products were designed to hook people. They're engineered for dependency. The flavours, the marketing and the devices, all carefully tuned to create a new customer base, just as we finally broke the grip of the last one, and target our children.

So yes, this legislation is overdue, but it's also a reminder that we keep finding ourselves in this same loop, cleaning up after the same pattern of corporate behaviour, followed by government inaction, decades apart, dressed up in very similar language each time. History doesn't repeat itself, but it rhymes.

Supporting this goal doesn't mean rubber-stamping the method, however. As I've read through Bill 24, I'm struck by how much broader, and in some ways riskier, this version is. The bones are the same, but the reach of the arm is longer and the grip is substantially tighter.

All three acts — tobacco, opioid and now vaping — create a statutory cause of action that lets the Crown sue manufacturers and others to recover the cost of health care benefits caused by a product. They allow for aggregate claims, suing on behalf of populations, not individuals. They allow statistical proof instead of person-by-person causation. And they all operate retroactively so that past conduct can be captured.

Those features are deliberate. They were designed to make it possible for government to challenge multinational corporations whose products cause widespread harm but where traditional tort law would make proof almost impossible.

That principle was tested in the courts. The tobacco case went all the way to the Supreme Court of Canada, which upheld the approach, and is currently buffering our massive deficit. So yes, it's legitimate, and it's effective.

Where Bill 24 departs, however, is in how much further it goes. Here in this House, we should rightly debate whether this is a necessary step forward or simply a step too far.

Deputy Speaker: Member, can I ask you to just adjourn the debate? We have a report from Committee A, and then you can resume.

Brennan Day: I call for adjournment of the debate.

Brennan Day moved adjournment of debate.

Motion approved.

Susie Chant: Section A reports progress on Bill 17 and asks leave to sit again.

Leave granted.

Hon. Josie Osborne: In the Douglas Fir Room, I call Committee of the Whole on Bill 18.

In here, I call continued debate on Bill 24.

Second Reading of Bills

BILL 24 — VAPING PRODUCT DAMAGES AND HEALTH CARE COSTS RECOVERY ACT
(continued)

Brennan Day: Under the tobacco act, only manufacturers were in the crosshairs. By 2018, the opioid act had broadened that to include manufacturers, wholesalers and consultants, anyone involved in marketing or distributing the product.

[5:05 p.m.]

Bill 24 keeps that broader reach but adds new definitional layers: specified devices, specified substances, excluded devices and benefit recipients. These definitions may sound technical, but they give cabinet the power to decide by regulation which devices or substances fall inside or outside of the scope of this legislation.

My colleague from North Island hit the nail on the head. If this act is about vaping products, why on earth would we not include marijuana vaping products in this bill and specifically seek to exclude them? The harm is not necessarily from the nicotine or the THC but from the additives. Why would we give one sector a pass from litigation and not another? And what future vaping products could prove harmful but do not fall under this narrow scope that only covers nicotine?

Additionally, where are the transparency and labelling laws for these products? Let's lay out on the back of each product exactly what this product contains. This should make it far more expedient, in the event harm is identified, to identify the offending product.

Imagine, for example, a small company in B.C. producing a nicotine-free vape or cannabis-derived oils. If cabinet later defines "specified substance" to include those categories, they could suddenly find themselves retroactively subject to lawsuits for billions.

What kind of open-ended definitional power should make us pause? Why don't we just make that distinction here and put it into this bill to put industry on notice to encourage them to proactively clean up their act?

The tobacco act and the opioid act each have a two-year limitation window for the Crown to commence actions, with language allowing revival of expired claims. Bill 24 stretches that not just to double but to 15 years.

Fifteen years is not a modest change. That is an entire generation. In practice, it means a company that acted lawfully under current regulations could face a claim made a decade and a half later, even if ownership, records and employees have completely changed.

That's not accountability. That's business uncertainty. And while the intent is to give government time to build a complex case, it also sends a signal to anyone investing or innovating in this space: your legal risk doesn't ever really end.

Both earlier acts allowed the Crown to rely on statistical and epidemiological evidence, essentially population-level proof that a product contributed to disease. That was the big innovation that let the tobacco case proceed.

Bill 24 keeps that in but adds a new evidentiary shortcut. A certificate from the Minister of Health is deemed proof of the health care benefits provided and, more strikingly, conclusive proof of the cost of those benefits. Conclusive proof. That means that once the minister signs that certificate, a court must accept the cost number as fact. There is no cost examination, no audit trail, no requirement to demonstrate methodology.

Let's picture that in practice. Suppose the minister certifies that the cost to the system of vaping-related illnesses is $800 million. If you're the defendant in that case, whether you're a multinational manufacturer or a smaller distributor, you can't challenge that figure. It's simply conclusive.

That's a new power. It's not in the opioid act, and it's not in the tobacco act. And it shifts the burden dramatically, from government having to prove its cost, to industry having to somehow disprove something that it's not allowed to question.

Under the previous acts, once aggregate liability was established, each defendant was responsible in proportion to its market share. If company A sold 40 percent of the product and company B sold 60 percent, liability was divided accordingly. Simple, predictable and transparent.

But Bill 24 changes that. It says that liability must be apportioned in proportion to each defendant's contribution to disease, injury or illness, with market share only one factor among others. That sounds reasonable until you think about how one would measure contribution. Is it based on chemical composition, on marketing practices, on age demographics, on nicotine concentration?

It opens the door to arguments that a company with a small market share but a more potent product could bear the lion's share of responsibility. Or conversely, that a company with more effective health warnings may pay less. It's not just flexibility; it's subjectivity. And when billions are at stake, subjectivity invites litigation, not resolution.

Now, one of the most novel additions in Bill 24 is what's called the good faith information immunity. It says that anyone who in good faith provides information to government under this act cannot be sued or penalized for doing so. That might sound like housekeeping, but it's not.

[5:10 p.m.]

Picture this. A manufacturer's employee hands over internal marketing data or ingredient lists to government investigators. Later a private plaintiff sues the company and argues that disclosure violated a confidentiality agreement or is commercially harmful. Under Bill 24, that employee and the company are shielded, provided they acted in good faith.

The intent, of course, is to encourage cooperation, but

the effect is to give government a one-way conduit for information. Industry loses the ability to resist disclosure on privacy or commercial interest grounds, and anyone who complies gets immunity.

That clause was not in the opioid or tobacco framework. It's new, and I'll be curious to hear the explanations from government on how it will be applied. It does give the Crown a powerful investigative advantage before a single writ is even filed. It's worth asking: is this about recovering costs or building cases? Because the two are not the same.

Under the opioid act, the province could act on behalf of other governments, but only for actions already commenced. Bill 24 removes that restriction, allowing B.C. to initiate a class proceeding on behalf of other governments in Canada. That could be very efficient, one national suit instead of ten provincial ones.

But it also means B.C. taxpayers could end up underwriting litigation on behalf of other provinces or territories. There's no clause ensuring cost-sharing or indemnification. If this act is going to make B.C. the default legal engine for a national vaping case, then we deserve to know what that exposure might look like.

Interestingly, the opioid act had a special section granting the government of Canada its own cause of action. Bill 24 omits that entirely. That means Ottawa would have to join a provincial suit or rely on class proceedings to participate. It's a small but telling omission, perhaps signalling a more provincialized approach but also a missed opportunity for shared costs and unified data.

Let's take a hypothetical to show how these differences might play out. In example one, a B.C. retailer imports vaping devices from a foreign supplier and sells them in small quantities. The supplier controls the formulation, but the retailer does the marketing. Fifteen years from now, after cabinet redefined specified substances to include the supplier's liquid, that small retailer could face liability based on contribution to illness, even if their market share was fairly small.

In example two, a manufacturer provides ingredient data to government investigators under the new immunity clause. That data later forms part of a minister's certificate stating the cost of health care benefits, which becomes conclusive proof in court. The company that cooperated essentially helps build the case against itself with no right to challenge the resulting number.

Again, the principle of this bill is sound. The vaping industry, like tobacco and opioids before it, has created products that carry real potential public health consequences, particularly for youth in this province. Government has a duty to recover these costs and to deter misleading marketing.

But we also have a duty to legislate with precision and honesty. If we're told this bill is simply modelled on the opioid framework, we should be told where it diverges exactly, where it grants new powers, extends time limits or changes evidentiary rules. Transparency is the price of trust.

Each time we create one of these cost recovery acts, we set a precedent for the next one. Today it's vaping. Tomorrow it could be ultra-processed fast foods, energy drinks or even social media platforms linked to mental health outcomes. And let's not forget about the cannabis industry and the mounting body of evidence that links it to significant negative mental health outcomes and those mounting costs on our health care system. We should be sure that the model we enshrine is both fair and durable.

Before I close, there's one more reality we can't ignore. While we debate this bill and reach over legitimate manufacturers, a massive unregulated grey and black market has exploded around vaping products. We're not talking about a few teenagers ordering pods online. We're talking about an entire black market economy in British Columbia.

But it's not really underground. It's in stores up and down the block in communities across this province and steps from the door of this very chamber. Across British Columbia, untaxed and unregulated vape products are being imported, mixed and sold with zero oversight — no ingredient standards, no age verification, no health warnings and no traceability.

[5:15 p.m.]

It's the same story we now face with black market cigarettes, which have become a primary funding stream for organized crime in this province when they are not busy cooking up opioids to destroy the next generation of addicts and their families both here at home and across the globe.

More concerningly, we have no way to recover the health care costs they will inevitably bear on our public health system. Every convenience store or gas station that plays by the rules is being undercut by a criminal network that doesn't. And every dollar that should be supporting public health or enforcement is instead financing the very groups that traffic in fentanyl, guns and human misery.

If this government wants to talk about cost recovery, then let's start there. Because for every dollar we might claw back from multinational companies in court decades in the future, we're losing ten right now to the black market.

Until we get serious about enforcement, about shutting down the illegal trade and about ensuring that legitimate players can operate within clear, enforceable rules, all the legislation in the world won't fix the core problem.

This legislation will ensure we can claw back those dollars should harm be determined in future from corporations. But the harms caused by these illegal operators are being created today and will not be recoverable in the future. We are losing tens of millions, if not hundreds of millions of dollars, today, right now, right outside this

door, due to a lack of properly funded law enforcement and regulatory compliance officers.

So yes, I agree with holding corporations accountable, but let's also hold ourselves accountable for allowing a parallel lawless industry to grow unchecked in our own backyard, just like tobacco and opioids before it.

That's where the real health risk is today. That's where the real money is being made without the benefit of the tax dollars to bolster our flagging health care system. And that's where the real work still lies ahead.

I'm going to close where I began. We support the intent of Bill 24. We share the goal of holding harmful industries accountable and protecting taxpayers from bearing the cost of preventable illnesses.

But this House also has a duty to read the fine print. Bill 24 is not just a copy-and-paste of the opioid model. It's a much broader, more powerful instrument that reaches further into evidence, time and industry information than anything before it. Before we pass it, let's make sure we understand what we're building and that we can still defend it, not just in court but in principle.

I very much look forward to going into the details during the committee stage of this bill.

Debra Toporowski / Qwulti'stunaat: I rise to speak about Bill 24, Vaping Product Damages and Health Care Costs Recovery Act.

For too long, vaping and e-cigarette manufacturers and wholesalers have engaged in deceptive marketing practices to maximize their profits at the expense of people's health and significant costs to taxpayers. This has to stop.

This is why we are introducing the Vaping Product Damages and Health Care Costs Recovery bill. This law, if passed, would make it possible for the government to initiate or join legal proceedings against manufacturers and wholesalers of vaping products and recover public health costs.

This is historic and is first-of-its-kind of legislation in Canada. It's another demonstration of B.C. leading the way in protecting people and holding corporations' wrongdoers to account, just as we did with tobacco and opioids.

The bill introduced today will enable the government to bring legal proceedings against manufacturers and wholesalers of vaping products.

I also just wanted to touch on the harm which my community…. One of the tables that I've sat at, Our Cowichan Communities Health Network…. I sat at this table as a Cowichan Tribes member and then as a North Cowichan councillor. They brought this awareness to that table when I sat at that table. In the listed harms that I will speak about further in my speech…. But it is echoing in here, those concerns that they had brought forward at that table, about the health risks and how it's targeted for young people.

[5:20 p.m.]

Vaping is steadily gaining traction in Canada, especially among the youth, despite widespread knowledge about the health risks associated with it. There is considerably growing evidence that the long-term impact of vaping on public health is significant.

Government has a responsibility to ensure that people are not being deceived or duped by the manufacturers or wholesalers to think that vaping is a safe alternative to cigarettes. We don't want to control people's behaviours. We just want to make sure that taxpayers don't pay for the company's intentional wrongdoings. People in B.C. are unfairly burdened with the cost of addressing health and harm associated with vaping caused by large corporations.

This proposed legislation does not impose any new rules or restrictions or a regulated framework on the manufacturing, sales and distribution or use of vaping products. Its sole purpose is to establish a statutory framework for the province to recover its past and future health costs from those responsible for vaping and related public health harms.

We hope that the manufacturers of the products that are potentially harmful, like vapes, take note of B.C.'s success with holding tobacco and opioid companies responsible for the harms they caused and re-evaluate their business practice.

We know there is a fine line for the government to walk between protecting the public and allowing people to make their own informed decisions about what they consume. Just like my spouse, who is trying to quit smoking and thought vaping was the answer. Like I said, our responsibility is to ensure that adults like my spouse have all the informed information that they need to make the decision for themselves and that they are not being lied to and deceived into consuming products that are harmful to them.

He did a little bit of research on these products of vaping and heard about the popcorn lungs. It's quite scary, and the harm of that is irreversible. Once you find out that you have damaged your lungs, there is no cure and reversing that damage.

Again, the community health network that I sat at the table had brought those concerns forward and had seen the alarming rate in the school district of how many young people were actually jumping on board with this. It was alarming.

This bill targets vaping product manufacturers and wholesalers for their deceptive tactics, as I had mentioned, in which they downplayed how addictive they were — these students were getting addicted to these products — marketing them as effective smoking cessation tools and targeting the youth through influencing marketing and flavours. There were so many different flavours. I was shocked.

I quit smoking when I was 22. Somebody said: "How

many cigarettes did you smoke?" I said: "Well, usually like three on a weekend." They said: "That's not smoking." It wasn't for me. It was more of a social thing, but I think that is the other thing too. You can find other ways to fit in, I just have to say. I just wanted to share that funny story.

[5:25 p.m.]

I just wanted to also mention how it affects everything. It'll affect your family if you've damaged your lungs and not being able to help your family member if something happens to them. I just wanted to mention this.

The sale of vaping products is regulated similar to tobacco products under the B.C. Tobacco and Vapour Products Control Act and the E-Substances Regulation. The restrictions, the content and the flavour that I spoke about is targeted for children under the age of 19.

I worry about my grandson because he can be easily influenced. Children ten to 14 can be very influenced to try to fit into groups and belonging in school. So when they launched this advertising, the social market campaign targeted the youth and the caregivers to provide information about the risks associated with vaping to directly counteract the manufacturing tactics of the vaping manufacturing.

Again B.C., which my husband participated in as well, had launched the website quitnow.ca, aimed to encourage not only young people but adults like my spouse to quit smoking. This is part of the other thing, as well as adopting the vape-free lifestyle.

I will end this debate because I have to be in another room soon, but I will close by saying the province continues to work with other provinces, territories and the federal government to address the complex challenges associated with tobacco vaping and nicotine use.

I stand to support Bill 24, and I will end and cede the floor.

David Williams: Before I begin discussing the details of Bill 24, I'd like to share something personal, something that gives me a different perspective on this legislation.

For most of my adult life, I was a smoker. Like many people of my generation, it started at a younger age, when we knew far less about the dangers and the consequences than we do today. I tried to quit more times than I can count. And like many others, I convinced myself that I could manage it, that somehow I was different and that the health effects certainly wouldn't catch up to me or anybody I know.

Then, after 38 years of marriage, I lost my spouse to lung cancer. She was a lifelong smoker who also didn't take the consequences seriously. Watching that illness take hold, watching someone you love struggle for every breath, changes you forever.

After she passed, I turned to vaping. I told myself it was safer. It felt modern, cleaner, less harmful. I believed, as many Canadians still do, that vaping was a healthier alternative. But as we've learned since, that assumption may have been far too optimistic. We now know that vaping can still deliver doses of nicotine, can still damage the lungs, can still addict young people and can still cost our public health system billions over time.

That is why, although this speech will include some caution and some criticism, I have lived experience as someone who bought into the marketing and someone who may end up paying the price. So as we debate Bill 24 today, I do not do so as a partisan but as someone who has lived both sides of this issue, the personal loss and the professional understanding of risk.

Before public life, I spent part of my career in loss control and risk management in the insurance sector. My job was to evaluate potential hazards before they became claims to help companies identify risks, set aside reserves and mitigate future losses.

[5:30 p.m.]

In that business, there is a simple saying: if you don't prepare for the claim, the claim will prepare itself. That is exactly what this legislation attempts to do for the province of British Columbia. It is about positioning the government to recover costs, costs that may eventually arise when industries profit from products that lead to long-term health consequences.

From a risk management standpoint, it makes sense. We know that vaping products have proliferated at an astonishing rate, especially among young people. We know that public health care systems and B.C. taxpayers will be the ones left paying the bills decades from now. Bill 24 creates a mechanism to ensure that if and when those health care costs materialize, the province is already equipped to pursue recovery rather than scrambling to respond years after the fact.

Before we move further, it's also worth pausing on the history that got us here. The Legislature passed the Tobacco Damages and Health Care Costs Recovery Act in 2000. It was a bold step. At the time, critics warned that it would never stand up in court and that it would chase companies out of Canada, yet the Supreme Court of Canada upheld it. The legacy was enormous.

British Columbia's leadership back then demonstrated that a province can, and must, defend public health interests, even when facing multinational corporations with deep pockets and deep benches of lawyers. It sends a signal to the industry that public health is not for sale.

Now, 25 years later, we find ourselves extending that same principle to the vaping industry, a sector that in many ways followed the very same playbook: appealing to youth, advertising safety without proof, and developing products that keep people addicted through nicotine dependency. Only this time, the public and the Legislature have acknowledged the early warning signs.

History is repeating itself, and this time, at least, we

have the benefit of foresight. That's progress, and it's the kind of foresight this House should encourage.

Bill 24 gives the government the legal framework to recover the costs of health care benefits related to vaping-associated disease, injury or addiction. It allows those claims to be made on an aggregate basis, meaning that the province doesn't need to track individual patients but instead can rely on population-wide data and statistical models to show harm.

It also makes data admissible as evidence, much like the tobacco legislation did, allowing scientific studies, surveys and sampling to demonstrate cessation and cost.

More importantly, it includes retroactive authority, meaning that if a wrongdoing occurs years before the bill was introduced, the province can still bring legal action for those damages. It also sidesteps the usual limitation periods under the Limitation Act, ensuring that potential claims aren't barred by time.

There are, however, a few features of this bill that go beyond what the 2000 legislation did. Under clause 8, the minister can issue a certificate setting out both the value of health care benefits already provided and those likely to be provided in the future. That certificate is treated by the courts as final and conclusive proof, meaning that defendants cannot dispute the cost calculation. That's a significant power.

It removes the traditional back-and-forth where both sides would bring in accountants and expert witnesses to debate the numbers. While this may streamline some litigation, it also concentrates a great deal of authority in the hands of the minister and limits judicial discretion.

From a procedural fairness perspective, this is something we should be cautious about, but I also recognize the intent to prevent companies from dragging out litigation for decades with endless challenges to government accounting.

This approach accelerates justice and ensures taxpayers are not footing the bill for corporate misconduct. It has merit, provided that it is exercised responsibly and with transparency.

[5:35 p.m.]

We also cannot lose sight of the underlying issue. Vaping is not harmless. Health Canada has documented links between vaping and acute lung injury, chronic respiratory disease and cardiovascular effects. Nicotine salts in modern vaping products can deliver higher doses of nicotine than many cigarettes. Most troubling of all, vaping is reversing two decades of progress in reducing youth nicotine addiction.

This legislation doesn't ban vaping. It doesn't criminalize users, but what it does make sure of is that the public system, which pays for hospital visits, chronic care costs and addiction services, has the means to recover those costs from companies that profit. If it helps to deter irresponsible marketing and prompts manufacturers to invest in safer, regulated alternatives, then that's a good outcome.

Let's go a little bit to talk about vaping trends. It is important that we ground our discussion in this data, because what we see is very alarming. Recent figures from Health Canada show that among Canadians aged 15 to 19, roughly 30 percent have tried vaping. Among those aged 20 to 24, it's nearly 48 percent.

In 2022, about 13.6 percent of youth aged between 15 and 19 had vaped in the last 30 days, and that rises to nearly 20 percent in young adults aged 20 to 24. What's more concerning is that among youth who have vaped in the last 30 days, over half report strong urges to vape most days, a clear sign of nicotine dependence.

What that tells us is that vaping has become entrenched in young people's lives. It's not just an occasional experiment. Flavours, disposable devices and easy access are part of the equation. When we talk about long-term health costs, addiction and recovery systems, this is not a hypothetical future threat. It is happening in real time. We are already seeing cohorts of young people inserting vaping into their lives at rates that the public health care system must reckon with.

One of the more technical but important aspects of this bill is that it allows for aggregate actions. The government can sue on behalf of a whole affected population without naming individuals. This is pragmatic; it avoids the impossible task of proving causation, person by person.

It also means that individuals who suffered harm can still retain the right to pursue their own claims. Clause 5 ensures that the government actions don't prevent private citizens from seeking their own justice. That's an important balance. It acknowledges that government's duty is to recover the systematic costs, while individuals still have their own right to redress.

Another area of note is retroactivity. The act explicitly states that the government can bring claims for conduct that occurred before the legislation came into force. That is unusual. It is powerful.

In most areas of the law, retroactivity raises fairness concerns, but in this case, we're talking about companies that may have marketed vaping products, knowing the potential health risks or, at least, ignoring the early warning signs. If credible science and evidence show negligence, then those responsible should not escape liability simply because the harm began before this bill existed.

As someone who has worked in loss control and risk control, I can see this as a preventative measure, a way of putting the industry on notice. If you create harm, you will be accountable for it, no matter when that harm began.

Now, we also see that we need to be honest about timing. Governments rarely introduce legislation like this without a financial motive. British Columbia, like many jurisdictions, faces a high, record deficit. Health care spending is ballooning, and this legislation, if successful,

could generate significant settlement revenue, potentially in the hundreds of millions of dollars.

That reality doesn't make the bill wrong, but it does mean that we should be transparent with the public about where the money will go. If and when these settlements arrive, they should not simply disappear into general revenue to compensate for fiscal mismanagement and shortfalls. They should be earmarked for public health initiatives, addiction recovery, youth prevention and lung health research.

[5:40 p.m.]

If the government is going to profit from the sins of the industry, it has a moral obligation to reinvest that money into prevention and care.

What this bill really speaks to is corporate accountability. For far too long, certain industries have operated on a simple business model: sell a product, minimize or obscure the risks, let the public sector absorb the health consequences. We saw it with tobacco, we saw it with asbestos, we saw it with opioids, and now we see the echoes of it in the vaping sector.

When big tobacco was finally forced to settle, the ads disappeared from billboards, but the marketing expertise simply shifted to new products. Colourful branding, social media influencers, youth-targeted flavours — the tactics are all the same. Only the delivery system has changed.

We can't legislate morality, but we can legislate accountability. If this act reminds the industry that innovation without ethics has consequences, it'll do more than any courtroom verdict.

As legislators, our role is not to punish innovation but to demand responsible innovation, products that don't sacrifice long-term health for short-term gain. This legislation tells manufacturers: "You are on notice. The public will not pay for your negligence." That's not anti-business. It is being a good corporate citizen and accepting responsibility.

One of the greatest tragedies of vaping's rise is its impact on young people. In schools across this province, principals and teachers are confiscating vape pens by the dozens. Health officials are warning that a generation of teenagers who would have never smoked are now becoming addicted to nicotine through fruit-flavoured vapour. Those flavours, the packaging and the advertising are designed to make it seem safe and social. But my question to you is: are they?

The reality is that many vape products contain chemicals never meant for long-term inhalation. Rural emergency rooms are seeing cases of chemical pneumonia, chronic cough and unexplained lung injuries. Those numbers are still small compared to tobacco, but the trajectory is troublesome. If this legislation helps curb that trend, even indirectly, by making companies more cautious in how they market and distribute, then it will have served more than an important public interest purpose.

With that said, I believe the House should keep an eye on how the ministerial certificate power is used. While it is efficient to treat the minister's estimate of health care costs as conclusive, that authority must be exercised with transparency and backed by verifiable data. Otherwise, we risk undermining confidence in the process and inviting allegations of political interference and litigation.

Similarly, the retroactive nature of the bill should be accompanied by clear regulatory guidance so that companies operating today know exactly what the standards that they're going to be held to are.

Another positive feature of the act is its ability to allow joint actions with other governments across Canada. Clause 14 permits British Columbia to participate in national class actions along other provinces and territories, ensuring efficiency and consistency. That is wise. The vaping industry operates globally, and it makes sense for provinces to work together rather than duplicate efforts. It also means that British Columbia could take a leadership role, just like it did with tobacco litigation two decades ago.

I also want to acknowledge that most people who vape are not villains. I vape, and hopefully, I'm not a villain. They're ordinary citizens trying to quit smoking, to manage stress, or they believe that they're making a better choice. Many small retailers who sell vape products operate responsibly and legally. They, too, will be affected by the public perception this bill creates.

[5:45 p.m.]

As legislators, we must distinguish between the multinational manufacturers who design and profit from these products and the local retailers who simply operate within a legal market. This bill targets the former, not the latter, and that distinction must remain clear in public communication.

When I lost my spouse, I realized something profound. Policy debates about tobacco and vaping aren't abstract. They're about families. They're about people sitting beside hospital beds, hoping one day, one more breath. When we talk about health care costs, we're not just talking about numbers on a ledger. We're talking about real people, families broken, children watching their parents fade away.

If this legislation helps even a fraction of those families mitigate the pain while holding companies accountable, as well as possibly funding beneficial programs, then it's worth our support.

After weighing the details, the policy intent and the potential implications, we are prepared to support Bill 24. I do so because…. I believe it is far from perfect, far from it, but I do so because it is necessary. It is proactive, it is pragmatic, and it ensures that British Columbia is not left empty-handed when long-term costs of vaping become due.

I also urge the government to implement the act with transparency, integrity and fairness. Please do not turn it

into a political cash grab. Please do not use it to merely fill budget gaps. Use it to protect people, to educate youth and to hold corporations accountable for the true cost of their products.

When all is said and done, it's more than court cases and litigation. It is about the public's right to health, the taxpayers' right to fairness and the province's duty to act responsibly before the damage is done.

Deputy Speaker: Recognizing the member for Ladysmith-Oceanside.

Stephanie Higginson: Yes, otherwise known as the riding that hugs Nanaimo. It's a tough one to remember because it's new.

Good evening, everyone. I rise to speak in favour of Bill 24 both as the MLA for Ladysmith-Oceanside and also as a parent of teenagers. As I said on Monday in my speech, we all want children to grow up feeling safe and healthy and supported. That's why I'm here to speak in strong support of Bill 24, the Vaping Product Damages and Health Care Costs Recovery Act.

It's almost a full-circle moment. In 2019, when I was newly president of BCSTA, I was here to support the announcement of the then Minister of Health and the Minister of Education as they announced the vaping action plan, which was legislation that allowed us to increase PST on the sales of vaping products. It restricted the amount of nicotine in vaping products. It restricted advertisements to youth. And it had youth-led and youth-created resources to discourage youth from vaping.

But despite all of these efforts, these corporations always find a way. They find a loophole. Despite those best efforts, here we are today still trying to fight the impacts of vaping.

Being a youth today, and even being their parent, is not easy. It's no joke. We're constantly navigating new challenges. One of the most alarming in recent years has been the rise of vaping amongst youth. What was started or touted originally as kind of a safer alternative to smoking quickly became a public health crisis, one that's affecting our children in devastating ways.

That's why, in 2019, the vaping action plan was introduced. But here we are today. We've all seen the headlines. The impacts are pervasive. Teen vaping is gaining traction in Canada, not just among youth but across many age groups.

The consequences are real. We've heard a lot of them talked about already today: respiratory issues, addiction, anxiety and long-term health risks that we're just only beginning to understand.

[5:50 p.m.]

In my house, as a parent, we have had important conversations with our children about the risks of vaping. It felt like they were so young when we started these conversations, and we continue to have them. The marketing tactics, the sleek devices…. They look like USB sticks. These tactics are targeted and real.

Sometimes as a parent…. I didn't understand *Peanuts* as a kid when adults spoke "wah wah wah wah" until I became a parent. It's hard to fight the influence of billion-dollar corporations that are everywhere — social media, convenience stores. For a while, they were on the sides of bus shelters. I don't think they're allowed anymore.

That's why this bill is so important. It builds on existing efforts to raise awareness that are currently happening — youth-led public education campaigns, quitnow.ca. But this legislation is a bold and necessary step towards holding the vaping industry accountable for the harm that it causes, that it knows it's causing. It gives our government legal tools to recover the costs of treating vaping-related illnesses, costs that until now have been shouldered by our public health care system and, ultimately, by taxpayers like all of us in this room.

But this bill is more than about just money. It sends a clear message that our children's health is not for sale. It tells manufacturers and marketers that they cannot profit from addiction and disease without consequences. It empowers our province to stand up and say enough is enough.

I see the bill as a form of justice. It's a way to protect future generations from deceptive practices that have targeted our youth. It's a way to ensure that companies who knowingly put harmful products into the hands of our children are ultimately held responsible for doing so.

We can ask them not to, like we did in 2019. They still do it. So now we're saying: "We're not going to let you do it anymore."

The bill is modelled after successful legislation that has helped provinces recover billions from the tobacco industry. This summer already, we received the first $1 billion from that settlement. It's a proven strategy, and now we're going to apply that strategy to vaping.

Bill 24 is about ensuring that when companies cross the line — when they prioritize profits over people, when they target youth and impact their long-term health to generate those profits — they will be held accountable in British Columbia.

Today I urge every member of this House, and it sounds like we might actually have unanimous support for this, to vote in favour of Bill 24. I urge us to stand behind what is a proven strategy, because when we protect our children, we protect our future.

Gavin Dew: I rise to speak to Bill 24, the Vaping Product Damages and Health Care Costs Recovery Act.

At initial glance, this bill gives government new tools to recover the health care costs associated with vaping. It mirrors the prior Tobacco Damages and Health Care Costs Recovery Act, allowing the province to sue manufacturers, wholesalers and consultants on a population-

wide basis using broad statistical evidence rather than individual proof.

There are legitimate reasons for this legislation, both health and fiscal, and colleagues on both sides of the aisle have spoken to those. But to follow up on the remarks from my colleague for Courtenay-Comox, I want to speak about something that is missing, because what's missing is just as telling as what's here in the bill.

While this bill targets future harms and future cost recovery from vaping, the government has done almost nothing about the real and present crisis of contraband tobacco and illicit vaping products, a crisis that is damaging health, costing taxpayers and hammering small businesses across British Columbia.

According to an Ernst and Young report released in September 2023, contraband now accounts for as much as 45 percent of all tobacco sold in B.C. More recent compliance data shows that more than one-third of the cigarettes sold in B.C. are illicit, along with at least 70 percent of vaping products and nicotine pouches. This compliance gap has serious implications for public finances, public safety and public health.

[5:55 p.m.]

Since 2014-2015, B.C.'s tobacco tax revenue shortfall has reached $638 million. Some might say that's good news because smoking is down. But that also might be wishful thinking, because meanwhile, the widespread availability of illicit vaping products and nicotine pouches makes regulation virtually meaningless and virtually toothless, especially when it comes to youth access.

[Lorne Doerkson in the chair.]

The tax dollars foregone due to the growth of grey market contraband tobacco should be supporting hospitals, schools and enforcement. But instead, they're fuelling organized crime, which uses the proceeds to finance drug and weapons trafficking.

In fact, the same illicit supply chains being used to move contraband tobaccos are also used to move all kinds of other products, and there is a serious criminal nexus with serious overlap that needs to be addressed. Despite occasional high-profile seizures, enforcement remains fragmented and under-resourced, and the illicit trade continues to thrive, undermining both public health, public safety and government revenue.

These contraband products are completely unregulated. They often contain unknown toxins and much higher levels of nicotine, tar and other harmful substances, making them more addictive and more damaging to health than regulated products. While the health care system bears the increased burden, no government revenue is captured to offset the cost, because these products are being taxed by gangs instead of by government.

The problem doesn't stop there. Criminal networks are exploiting the same distribution system to traffic tobacco, vaping liquids, grey market cannabis and other illicit and harmful goods, taking advantage of policy gaps and weak provincial employment. This is part of a much larger shadow economy, the unrecorded and untaxed underground market that thrives when regulation, taxation and enforcement break down and, in fact, when government policy pushes activity underground.

According to the Boston Consulting Group, the shadow economy drains public revenues, undermines legitimate businesses and strengthens organized crime. In British Columbia alone, it represents billions of dollars in untaxed and unregulated activity every single year.

Other provinces are acting on contraband tobacco. Ontario, Alberta and Saskatchewan each committed resources in their 2025 budgets to crack down on contraband and coordinate across jurisdictions. Here in B.C., there has been no comparable strategy, no dedicated funding and no call for a national contraband tobacco and illicit market plan.

While the government is eager to sue legal vaping manufacturers for future costs, it is ignoring a present-day crisis that is costing British Columbians far more in revenue, public safety, public health and credibility. Bill 24 must be matched by a comprehensive, evidence-based strategy to combat contraband tobacco and illicit vaping, protect the integrity of the legal cannabis and nicotine markets and reduce immediate harm.

While I'm broadly supportive of the intent of this bill, I look forward to scrutinizing the details at committee stage and to asking constructive questions. I will also continue to push for a broader strategy and approach.

Hon. Diana Gibson: It's a privilege to have the opportunity, as a parent of teenagers, to be able to speak to this act.

For too long, vape and e-cigarette manufacturers and wholesalers have engaged in deceptive marketing practices to maximize their profits at the expense of people's health and at significant cost to taxpayers. That's why we're introducing the Vaping Product Damages and Health Care Costs Recovery bill.

This law, if passed, would make it possible for government to initiate or join legal proceedings against manufacturers and wholesalers of vaping products to recover public health costs. This is historic. It's a first-of-a-kind legislation in Canada and another demonstration of B.C. leading the way to protect people and hold corporate wrongdoers to account, just as we did with tobacco and opioids.

Speaking of the tobacco litigation, in March, the Ontario Superior Court of Justice approved a $32.5 billion plan to compensate victims, support health care and fund research into the treatment of tobacco-related diseases, nicotine addiction and dependence. We are extremely proud of having played a pivotal role in seeing this his-

toric, largest-of-its-kind settlement resolution across the finish line.

[6:00 p.m.]

British Columbia will receive over $3.6 billion from this settlement. The first payment, of nearly $1 billion, was received by B.C. on August 29, 2025. Most of the money will be paid in the first ten years, while the remainder will be paid over time based on tobacco company revenues. That's why we're introducing this bill today — to enable government to bring legal proceedings against the manufacturers and wholesalers of vaping products.

Similar to the tobacco and opioid legislation that's been so successful, this bill will allow government to shift the financial burden of public health costs caused by harmful business practices from taxpayers back to the responsible parties. It establishes a legal and financial accountability for conduct that harms the public, which will hopefully deter any future repetition of such actions.

Vaping is steadily gaining traction in Canada, especially amongst the youth, despite widespread knowledge about the health risks associated with it. There is considerable growing evidence that the long-term impact of vaping on public health is significant, and government has a responsibility to ensure that people are not being deceived or duped by manufacturers and wholesalers to think that vaping is a safe alternative to cigarettes.

Government has a responsibility to make sure that taxpayers don't pay for the cost of companies intentionally doing wrong. People in B.C. are unfairly burdened with the cost of addressing health harms associated with vaping and caused by large corporations. Potential wrongdoers need to know that there is a law on the books that would enable us to recover health care costs from them and that they cannot prioritize their profit over everything else.

This proposed legislation does not impose new rules, restrictions or regulatory frameworks on the manufacturing, sale or distribution of the vaping products. Its purpose is to establish a statutory framework for the province to recover its past and future health care costs from those responsible for vaping-related public harms. We hope that the manufacturers of products that are potentially harmful, like vapes, take note of B.C.'s success with holding tobacco and opioid companies responsible for the harms they cause and re-evaluate their business practices.

The public health costs that are covered by a potential settlement could be anywhere in the range of treating nicotine addictions, lung disease, cancer and respiratory illnesses caused by vaping, and it may include costs associated with prevention and education initiatives.

This legislation is not targeted at, nor will it have an impact on, the retailers or businesses that are selling the product in accordance with regulations. It will also not have an impact on vape product manufacturers who are acting responsibly within the law. However, the lawsuit is initiated under this law to target manufacturers who are acting to exploit people's health and the resulting burden on taxpayers to maximize their own profit.

We know there's a fine line for government to walk between protecting the public and allowing people to make their own informed decisions about what they consume. We're not here to overregulate what products adults choose to consume.

Our responsibility is to ensure that they have all the information they need to make an informed decision themselves and that they are not being lied to or deceived in consuming products that are harmful to them — for instance, companies knowingly promoting misinformation in advertising about the health and cancer risks associated with tobacco or deliberately withholding information about the addiction risk of opioids.

This bill targets vaping product manufacturers and wholesalers for deceptive tactics, which may include downplaying how addictive their products are, marketing them as effective smoking-cessation tools or targeting youth through influencer marketing and flavours or packaging that entice youth. We will always do what we can to help B.C.'s people and economy flourish, but we will not stand idly by while large multinational corporations profit by exploiting our citizens, especially our young people.

Vaping continues to rise in Canada amongst youth and has nearly doubled since the late 2000s. Statistics Canada data shows that in 2022, 6 percent of Canadians, representing approximately 1.8 million people, reported using e-cigarettes in the past 30 days. Canada's vaping industry is expected to grow 4 percent in the next five years.

Despite widespread belief that vaping is a healthier alternative to traditional cigarettes or can help people quit smoking, vaping causes nicotine addiction and increases the risk of cancer, respiratory illness and oral diseases. Vape smoke may also carry a risk of secondhand effects on people around the user.

[6:05 p.m.]

I'm very proud to be part of a government that is working to ensure we're protecting citizens from intentional misinformation and exploitation, especially our youth. We will continue to do the work to ensure our youth are kept safe.

Lynne Block: I want to clear up a little detail from this morning. This morning, the Minister of Education and Child Care. I quote: "I want to be very, very clear to the member and to every person in this House that we absolute…."

Deputy Speaker: Member. We're talking about Bill 24 this afternoon, please.

Lynne Block: No, but it leads into it, about drugs. Do I have your permission?

Deputy Speaker: Okay. Let's hear it. You have my permission to carry on.

Lynne Block: Thank you.

As I was saying, the hon. minister this morning said: "I want to be very, very clear to the member, to every person in this House that we absolutely teach kids that drugs are bad and that harmful substances can be dangerous to them. To somehow imply that that is not happening in our schools is not only dangerous to our students and to their safety but it is just simply not true."

It is absolutely very, very, very true. I would encourage the Minister of Education to pop by my fellow MLA's office and see the literature that is there. Why? Because vaping is a part of the drug problem we have in schools.

Another example is when we had an elementary school where a government-funded non-profit distributed brightly coloured flashcards that show children how to use a wide variety of drugs. This was a school-sanctioned event with some volunteer teachers. When parents complained, it was ignored until the media got involved, and then the principal apologized.

Again, that is contributing, I believe, as a former teacher, to the issues we have in our schools right now. Right now we have a vaping crisis in secondary schools. We do. I'm telling you that firsthand from quite a few students that I know. Picture this. The vaping is so bad in one particular school that the vice-principal moved his desk out of his office to put it directly outside one of the bathrooms because the vaping was so bad. That's where he conducted his business for several days because of the vaping issues.

I think it's really important that this gets addressed, so I'm here today to speak about Bill 24, the Vaping Product Damages and Health Care Costs Recovery Act.

On the surface, this legislation appears to be a necessary and laudable step forward in protecting the health of our citizens, particularly our young people, and ensuring fairness for the taxpayer. Yet when we move beyond the glossy title and delve into the substance of this bill, the motivations and methods employed by this government reveal something a bit more worrying.

We are presented with legislation that mirrors history, specifically the Tobacco Damages and Health Care Costs Recovery Act, assented to a quarter of a century ago. Just as history repeats itself, so too does the opposition's duty to scrutinize legislation that grants unprecedented power to the executive and seems primarily driven by financial needs.

We must ask ourselves: is this bill genuinely focused on public health and protecting our children, or is it merely a method to address a self-inflicted, record-breaking deficit? Our party agrees with the fundamental principle that those who cause harm should bear the cost, not the innocent taxpayer.

Vaping is not benign. The sources acknowledge that vaping, like smoking, can have adverse health effects to the user. We know that the illnesses and injuries caused by these products, defined expansively within the bill, include physical or mental injury, general deterioration of health, and crucially, addiction and problematic product use, which we've heard from several colleagues here. They impose significant burdens on our already strained health care system.

This bill's stated purpose is to provide the government the opportunity to recoup some of the health care expenses it is required to incur because of the health ills caused by vaping products. This idea, shifting the burden for health care costs away from the hard-working taxpayer back to the wrongdoers who manufacture and wholesale these products, is a principle we can and do support.

[6:10 p.m.]

The mechanisms this bill proposes to hold these companies accountable are robust. It allows the province to sue manufacturers, wholesalers and consultants for damages and health care costs. Furthermore, it permits the use of broad scientific or statistical evidence — and that's key — such as studies, surveys or sampling to establish causation and liability. This population aggregate basis for claims, meaning the government does not have to name individual patients or prove causation in every single person, is necessary to tackle massive industrial harms effectively.

We agree that the industry must be held to account for the harm it causes, especially when that harm targets vulnerable populations, especially for our youth. Any measure that discourages the promotion and use of these products by young people is vital for the future health of our province.

However, agreement on principle does not equal endorsement of process. While the goal of recovering costs from wrongdoers is laudable, the methods employed by this government in Bill 24 are deeply concerning, constituting another massive overreach of government power and undermining established legal process.

So a few flaws. One, the minister's certificate and conclusive proof. This is perhaps the most egregious new addition to this type of legislation that was not seen in the 2000 tobacco act. Clause 8 gives a minister of the government the power to issue a certificate that sets out the health care benefits provided and those that will likely be provided. More critically, it allows the minister to issue a certificate listing the dollar value or cost of those health care services. The court must treat that number as final and conclusive proof of the cost.

Think about that. The defendants, the manufacturers and wholesalers, cannot dispute or challenge that amount in court. Normally, in civil cases, both sides call expert witnesses, often accountants, to argue over the real cost. This law skips that fundamental step, granting the government sole authority over the costs of the health care benefits.

This strips defendants of their basic right to challenge evidence regarding the quantification of damages in a court of law. It is a dangerous precedent of the executive branch dictating outcomes to the judiciary.

Flaw 2, retroactivity and bypassing limitations. The bill grants the government broad retroactive powers to sue, reaching far back into past conduct. The act allows the government to bring an action arising from a vaping-related wrong whenever it occurred, not by when the act comes into force.

Furthermore, the government has immunized itself from standard legal timelines. No action under this bill is barred under the Limitation Act if the government commences the action within 15 years after the act comes into force or the claim is discovered.

Crucially, clause 9 allows the government to revive all cases that were dismissed or extinguished under the Limitation Act. While this may sound appealing for accountability, it fundamentally upsets the long-established principle of repose and finality in litigation, all while being utilized primarily as a tool for financial recovery.

Flaw 3, negatives for young people and misfocus. While we agree that the health impact on young people is severe, with the legislation noting the court may consider — may consider — the vulnerability of the population to which the vaping product was promoted when apportioning liability, the bill itself is fundamentally about financial recovery, not preventative public health policy.

I think that that's an important issue here. We need to make sure that somewhere in there is the preventative public health policy, particularly for young people.

The main issue, as identified in our analysis, is the concern that this piece of legislation is not about reducing the overall number of vape users in B.C. If the government's true intention is simply to secure a cash settlement rather than implementing stricter regulations, public awareness campaigns or other preventative measures, then the young people we are supposedly protecting become secondary to the balance sheet.

[6:15 p.m.]

If the focus is strictly on litigation and recouping costs over decades, the health and safety of current and future generations of youth who may be prone to addiction defined within the bill are not adequately served.

But I do have a positive note here. One of my constituents, a grade 12 student, has already accrued over 2,000 signatures and counting, and it is for a petition against the extensive vaping and the products. She is a very proactive student. It's opposing vaping and vaping products, particularly the ones that are candy-flavoured and look good. I applaud her and other young people who are standing up for their principles.

Finally, we must note that the act includes a significant exemption. This act does not apply to the government as a defendant. The legislation is structured to give the government all power, all evidence rights and all recovery rights while shielding itself completely from any scrutiny or liability.

Let us now address the elephant in the room. Is this bill fundamentally a public health measure, or is it simply designed to collect money? The opposition views this legislation as a desire to help make sure that this is regulated, but we want to make sure that there is the health aspect as well as the financial aspect.

Today the Attorney General suggests that this legislation is about shifting the burden away from taxpayers. While we agree with that sentiment, we have strong reason to encourage the government to ensure that there is the public health aspect to it as well.

The previous tobacco legislation was introduced over 25 years ago. We sincerely hope this process doesn't take another 25 years before funds are received. If it does, the member who introduced the similar act in 2000 would be an elderly senior by the time a settlement arrives. This highlights the risk that while the government desperately needs now to cover its deficit, the actual public health benefit might not materialize for decades, and that is a concern.

In summary, Bill 24 is a complex piece of legislation that deserves scrutiny. We stand firm in our support for protecting people, especially young people, against the dangers of addiction and health damage caused by vaping. We agree that wrongdoers, the manufacturers and wholesalers, should be liable for the health care costs they impose on the system.

But we cannot in good conscience ignore the severe flaws embedded in this bill. The fundamental denial of due process through the use of the minister's conclusive certificate, the radical retroactivity that revives extinguished claims and the sweeping legal powers the government has bestowed upon itself while simultaneously immunizing itself from liability are concerns, and hopefully those will be addressed in committee stage.

We must ensure that our pursuit of cost recovery does not come at the expense of fairness, due process and, most importantly, effective, timely, preventative action to protect our children today.

Hon. Jennifer Whiteside: It's a real honour to rise in the House today and speak to the Vaping Product Damages and Health Care Costs Recovery Act. I know that this is an issue that we all feel very strongly about. Nothing is more important really than protecting our youth.

When it comes to protecting British Columbians, our government has built a successful approach to holding wrongdoers accountable through the courts in cases where the province is the lead plaintiff. Our cases against the tobacco and opioid manufacturers have resulted in landmark settlements. These are innovative and import-

ant ways in which we can advocate and stand up for British Columbians.

[6:20 p.m.]

These cases, and the case that may well come from this proposed legislation to hold vaping product manufacturers and wholesalers accountable, ensure that we send a clear message to multinational corporations that there are consequences for engaging in deceptive practices that are harmful to individuals, that harm our youth and that prioritize profits over people.

Now, when it comes to vaping, we know very clearly that vaping is gaining steady traction in Canada, especially, unfortunately, among youth. This is despite attempts to educate and to share the knowledge with respect to the health risks associated with vaping.

There is considerable evidence that the long-term impact of vaping on public health is significant. In this case, we certainly have a responsibility to ensure that people are not being deceived or being duped by manufacturers or wholesalers into thinking that this is somehow a safe alternative to cigarettes.

We've been talking, in particular, in this discussion on this bill, about the impact on youth. I think that's a point where we all agree that we all want to and need to be doing everything that we can to protect youth.

I want to say that the way in which our concerns about the impacts of vaping come out is when we see that companies may be knowingly promoting misinformation in advertising about health and cancer risks — for example, in our previous cases, those associated with tobacco, or when they deliberately withheld information about the addictions risks of opioids. We have similar concerns with respect to vaping as the evidence is coming out.

This bill targets vaping product manufacturers and wholesalers for deceptive tactics. Those kinds of tactics may include downplaying how addictive their products in fact are. It may include marketing these products as effective smoking-cessation tools.

I can't tell you how many former smokers I know who were really trying to quit. We know how hard it is to kick a nicotine habit. I had to do it years ago, and it took a few runs before I was successful. It just seems particularly cruel to hold something out that is dangerous, and as dangerous as tobacco, as somehow being a safe alternative.

I think the worst piece of all of it is the targeting of youth, using influence marketing, the susceptibility of youth to what they see on social media, and using flavours and packaging that really entice youth to think that vaping is a cool thing to do. This is so predatory and pernicious. I think that that is what really gets us all.

We will always do what we can. We will use every tool in the toolbox to ensure that we can protect youth. I know that we all share that concern. How do we keep youth in our lives safe in these times?

Even though the sale of vaping products in British Columbia is regulated similarly to tobacco under B.C.'s Tobacco and Vapour Products Control Act and E-Substances Regulation — and that legislation restricts the content, the flavour and advertising of vapour products in B.C., and it prohibits the selling of such products to children under the age of 19 — we've taken further steps because, as we've heard, we know that these companies are targeting these products to vulnerable youth.

We've launched the A-Z of Vaping, a social marketing campaign that is targeted at youth and their caregivers. That really seeks to provide information about the risks associated with vaping, to try to directly counteract the marketing tactics of vaping manufacturers.

[6:25 p.m.]

We launched the website quitnow.ca, aimed at encouraging young people to adopt a vape-free lifestyle. We continue to work with other provinces and territories and the federal government to address all of the complex challenges that we know are there with respect to tobacco, vaping and nicotine use.

It's hard when it comes to youth. At least when I was young, smoking wasn't understood to be quite the danger that it turned out to be. My dad smoked for most of his life. He did finally kick the habit in his 60s, but he paid the ultimate price. He died of lung cancer in his early 70s, far too young. This issue, in our family, is a live, real issue. We have a history of cancer running through our family, and I worry about the young people in my family and about keeping them safe from predatory practices.

Despite our efforts, we know that vaping continues to rise in popularity. The statistics in 2022 showed that 6 percent of Canadians, about 1.8 million people, reported using e-cigarettes in the past 30 days. Those people would have been surveyed and would have felt comfortable owning up to vaping. There are a whole lot of youth who wouldn't have been asked and who, if asked, wouldn't have felt comfortable to say that they were using that product.

We know that this is an industry that is expected to grow over the next five years. In light of all that, I think it is particularly critical that we take this step to use everything we can, all the tools in our toolbox, to establish this necessary statutory framework to address the harms caused by deceptive practices that promote addiction.

We are not going to stand by and leave British Columbians to pay the price for the kind of deceptive practices that cause real harms to British Columbians. We are going to stand up for British Columbians with every tool in our toolbox.

Hon. Jodie Wickens: I'm really proud to stand today in the House in support of Bill 24, Vaping Costs Recovery Act.

I'm going to join my colleagues who have all talked about being a parent. I have talked quite often, in this Legislature, of how proud I am to be the Minister of Chil-

dren and Family Development and that my number one priority as the minister is to ensure that children are kept safe, that they're cared for, that they feel that they belong.

I think this piece of legislation is a step in the direction of making sure that we are keeping children and youth safe. I am a mom of a 16-year-old and an almost-20-year-old. Next week; I cannot believe that. When we are creating or passing legislation in this place or looking at our policies and our strategic direction, there's nothing that drives me more than the love and care that I have for my children and the desire for them to have a good future.

I talk to, particularly, my younger son quite a lot. We've had a lot of conversations about vaping, and it's very concerning to me how prevalent vaping is in his high school. He has expressed incredible concern about how many of his peers seem to have been drawn into vaping.

It has reminded me a little bit of when I was in high school. We had smoking pits all over our high school property. I did spend a lot of time in the smoking pit. I didn't ever smoke, but it was a cool place to be. It was where you went and hung out with your friends. They were all cool, and they were smoking cigarettes. At that time, there wasn't a lot of education, and there weren't a lot of campaigns to ensure that young people wouldn't smoke.

[6:30 p.m.]

I think what we have done around making tobacco companies accountable has really changed how much young people, or people in general, now smoke. I think this legislation is also going to have a similar impact. I'm going to get to how I believe that will happen in a little bit.

I also want to share a very personal story about, unfortunately, having someone that I love dearly in my life impacted by the harmful practices of the pharmaceutical companies and the opioid crisis. Someone who I love dearly, who's very close to me in my life, went to the doctor for a minor ailment, and they were prescribed OxyContin.

That one prescription started a journey of more prescriptions and, eventually, of becoming addicted. There were a number of years that I watched this person, whom I love dearly, lose themselves. There were many times where I was angry at the person themselves because I didn't understand.

I finally began to understand, when documentaries started to come out about the opioid crisis, who truly was at fault for thousands and thousands of people being impacted, losing their lives or losing their family relationships. Bad actors, people who made tons of money from prescription drugs, were responsible for the addiction crisis that we saw and were responsible for the person in my life struggling so much.

The end result was that the person in my life, whom I love dearly, overcame their addiction. I'm very proud of them for that. But I am passionate about making sure that our bad actors have to pay. These companies should be responsible for contributing to treatment. They should be responsible for contributing to education. It should not be solely the responsibility of taxpayers and of government.

Just as I am passionately supportive of going after pharmaceutical companies and people who created our opioid crisis, I am also passionate about us going after the bad actors in vaping. I'm grateful that we're a leader here in British Columbia. That's something to be proud of.

Early in my career, I actually started out as a behaviour therapist. In that position, I supported families whose children didn't learn skills typically, and I used principles of behaviour analysis to increase desired behaviours and decrease undesired behaviours. I'm very passionate about the science around behaviour change and how we change human behaviour.

I am in support of this legislation because it aligns with science and evidence on how you change human behaviour. Firstly, it creates a financial disincentive for harmful industries. When companies must pay for the social costs of their products, it reduces the incentive to market aggressively. We know this because after tobacco cost recovery laws were introduced, companies reduced their use-oriented ads, and they accepted stronger warning labels.

We see that in our communities. I don't know when the last time was that I actually saw someone walking down the street or a youth walking down the street with a cigarette. We know that that disincentivizes companies and decreases that type of behaviour. It also raises prices. The economic research shows that for risky, addictive products, higher prices reduce use.

[6:35 p.m.]

I grew up in a smoking family, like many other people. I remember that when I was little, at the Christmas table, sometimes you couldn't even see across the table because there was so much smoke. This was the '80s and the '90s, and when my parents renovated, the paint on the ceiling was probably brown, not even yellow. It was really bad.

I don't know that there's anybody in my family that didn't smoke other than me, but many of them have quit now. One of the major reasons they have quit is because of the cost. I should have looked it up, but the cost of a package of cigarettes today is astronomical. To keep that financial cost up is very challenging.

When products cost more, it decreases their use. The cost of vaping will go up with this legislation, and I think that will have an impact to decrease use. The recovered funds that we can get from this type of legislation get directed towards public health campaigns, school education, etc.

I believe that bad actors are responsible for paying for that. I believe that we absolutely need public education campaigns and to ensure that we have ads out on TV, Facebook, YouTube and everywhere that young people are. I believe that the vaping companies should have to pay for those things.

We are doing a number of things as government to make sure that young people are getting the education that they need. My colleague talked about how we launched the A-Z of vaping, the social marketing campaign targeted at youth and their caregivers, to provide information about the risks associated with vaping. This is directly counteracting the marketing tactics of vaping manufacturers.

Our policies that we have in place already regulate the way that advertising and the flavour of vapour products in B.C.…. It prohibits selling such products to children under 19. We launched the website quitnow.ca, aimed at encouraging young people to adopt a vape-free lifestyle, and I think we'll continue to do that. Particularly, our government believes we have a responsibility to keep young people safe, to keep families healthy. We will continue to do that work on education.

Our government strongly and proudly believes in our universal, publicly funded health care system. We've had lots of conversation in this House about the stresses on our health care system today. We have an aging population, an aging workforce, medical complexities like we haven't seen before, and children who, years and years ago, may not have survived some of their conditions and medical complexities. So our health care system, while we continue to invest in it and continue to do everything that we can to strengthen it, is stressed.

I don't believe we should have to pay for the actions of bad actors. When there are corporations and there are companies that are making money from things that are contributing to our health crisis, they should have to pay their fair share in our system. I think this bill really allows us to do that. I think that this bill will contribute to the decrease of use amongst young people and our general public.

[6:40 p.m.]

I think this bill will help support our health care system. I think that this bill is the absolute right thing to do. I'm proud of it. I'm proud of my colleagues that have put it forward. I'm looking forward to the questions that I get to hear from my colleagues at the committee stage.

I'm really grateful that I got to have a chance to speak to it today.

Hon. Ravi Kahlon: I wasn't going to speak, but I just wanted to touch on it because I heard some of my colleagues remarking about their personal experiences with dealing with vaping. I'll say obviously I support this bill. I think companies need to be held accountable for their actions. In particular, vaping companies need to be held accountable.

It was good to hear my colleagues across the way as well talking about the need for this and why it's important. I was a little discouraged to hear the MLA from West Vancouver talk about that this is not fair to the vaping companies, that it was too tough, that it's not structured in a fair way. I disagree. I didn't hear that from any others — which is, I think, positive.

I heard my friend, my colleague, across the way talking about smoking pits, and I heard the younger MLAs laughing because they probably don't even know what a smoking pit is. But we had a smoking pit at our school. I didn't smoke, but I do remember one day hanging out with my friends at the smoking pit.

My dad, when he was alive, was a taxi driver, and he drove by and saw me at the smoking pit. And I saw him, but I was hoping he didn't notice me. Got home and got this huge lecture — I was afraid for my life, to be honest with you — and never really hung out in that area again — just, you know, hung out from a distance just to see what cool kids were doing.

But I found myself in the same situation as a parent, having the same conversation with my kid when I saw him hanging out with some kids who were vaping. So (a) it reminded me that my dad did the right thing, and I'm grateful for it; and it reminded me, second, that I have to do the right thing and talk to my kid.

This issue around vaping is a big issue. It's a big issue that comes up amongst parents, I guess, my age or my genre, given that our kids are in the grade-7-to-grade-12 range. In all of my cohort of parents, this is a big topic that we discuss. I appreciate my friend from Kelowna's comments. He's got a young kid, so he doesn't have to worry about it yet, but it's coming, my friend. That conversation is coming, and it hits you in a big way. You don't see it coming.

One of the things that struck me was…. In my constituency office, I started a youth advisory group, and we work on leadership skills. One of the end projects that we had the young people do was they could pick any topic that they wanted to improve the community with. One group, three of them, did essentially a capstone project on vaping.

What they did was they first sat down with us. We explained to them how they could do research, how they should both do research online but also how they could do research amongst their peers and ask them questions, and what a focus group looks like and what polling looks like. These kids went off and did all these things.

Part of their capstone project was addressing the vaping question, broadly speaking, in schools. What I found interesting in that conversation was a couple things. There was a consensus among these young people that these companies have to be held accountable. That was striking to me because, you know, normally you'd hear a whole bunch of other things about what kids, young people, can do. But these young people heard from their colleagues that the companies have a responsibility to do better. So that gave me some hope that these kids, these young people, are wise to their surroundings.

They understand corporate responsibility, what is good, what is bad, but they also talked about a whole host of

things. They talked about the fact that a lot of their peers are vaping because of stress — stress of school, trying to figure out what their graduation is going to look like, what they're going to do in their career after they graduate. They also talked about the fact that these vaping sticks smell cool. They smell good, most of them.

[6:45 p.m.]

Some of them actually vape because it's almost like a cologne for themselves. They'll have a puff before they go to school, because when people smell them, it smells fresh and clean.

They talked about how these are marketed. My friend from Kelowna mentioned organized crime. They also talked about how there are people that are selling these vape sticks to them in their schools, and some of them are connected to organized crime.

The reason why I think this piece of legislation is important is that the companies themselves, I believe, knowingly market these products to young people. It's my belief. I believe that the way their advertisements are to young people…. I know they're targeting young people with advertisements, because I've had a chance to look at my son's algorithms on his social media. I see the ads coming through on social media.

The way they market to and target young people is their responsibility. They shouldn't be doing that. They know they shouldn't be doing that, but it happens. It's happening right now, and it's impacting our young people.

The other piece of the capstone project that was discussed was the challenge that young people are facing to have education around how this is bad for you. My friends earlier were talking about growing up and having everybody around them smoking and how people had not really understood. I mean, I saw an ad the other day about people complaining about seatbelts.

There was just that time where everyone smoked. It was understood. It was "no problem," but I don't think people fully appreciated how bad it was for you. The fact that we see so many people, later in their lives, quit smoking was because that education came on, and people said: "Oh my god, this is a problem." That is a challenge for young people right now.

I know there are programs at school. I know we launched the ActNow program at school. I know that teachers, when they grab the vape sticks from kids, call parents. I know, because some of my kid's friends' parents have gotten the call, and then we get the call that we all should be watching. I know there are education programs available for young people. I appreciate that those initiatives have been launched, and they're important.

I would say that we're finally starting to turn that page, where young people are starting to understand the impacts to their own health with this. It's important, I think. I should also note that I saw a recent poll that showed, I believe, 30 percent of teens in schools have either tried vaping or are vaping. That's an alarming number, I think, that we, all of us, have to be concerned about.

Taking a step like this and holding these companies accountable, I'm hoping, will do a couple things. They have a responsibility to help cover the costs of the damages that they're causing. Yes, these resources should go towards ensuring that young people don't vape and that they cover the health-care-related costs for people, just like the actions we took against tobacco companies, but we need to do a lot more than that.

One of the things I hear from the parents group that we often gather with is the need for resources for parents. I know that there's a lot more coming for parents. I was fortunate to see some of the emails that the school sent, about what you can do and how you can talk to your kids.

It's a tough thing to talk to your kids about, because you don't want to be like I felt with my dad when he told me not to hang out with those cooler kids. You know, you always want to do things differently, because you think you can, but sometimes just the old-school lessons are the best lessons.

There are, I think, ways that we need to do it, because the last thing you want is for our young people not wanting to talk to their adults, not wanting to talk to their parents, and doing it secretively.

The reason why I say that is that with smoking, you could tell people were smoking. You could smell it; there was a residue. With these vape sticks, you have no idea. You absolutely have no idea that people are actually vaping. It smells like a cologne. It's marketed that way. It's designed that way, by design.

[The Speaker in the chair.]

That's why I think we have to hold these companies to a higher standard than many other companies. It's because of the way that these products are masked to have maximum impact on our young people and not to be detectable by parents.

[6:50 p.m.]

It is my hope that this legislation not only is a success but also ignites, I think, across the country and across North America, more jurisdictions to take these steps. That type of collective action, I believe, is the only way that some of these companies will change their behaviour — when they know what's going to hurt the bottom line.

We're lucky in B.C. We have a lot of companies that do the right thing because they believe it's the right thing. But in this case, I don't think these companies are going to do the right thing for doing the right thing. It's going to need a stick.

Hearing my colleagues on both sides of the aisle talk about the importance of this gives me hope that we'll be able to send a strong message across the country. I appreciate everyone's remarks.

I see the Speaker here, so I'll end my remarks there.

The Speaker: Seeing no further speakers, the question is second reading of the bill.

Motion approved.

Hon. Ravi Kahlon: I move that the bill be committed to a Committee of the Whole to be considered at the next sitting of the House after today.

Motion approved.

Debra Toporowski / Qwulti'stunaat: Section A reports progress on Bill 18 and asks leave to sit again.

Leave granted.

Hon. Ravi Kahlon moved adjournment of the House.

Motion approved.

The Speaker: This House stands adjourned until 10:00 a.m. tomorrow.

The House adjourned at 6:52 p.m.

Proceedings in the Douglas Fir Room

The House in Committee, Section A.

The committee met at 2:58 p.m.

[George Anderson in the chair.]

Committee of the Whole

BILL 17 — INTIMATE IMAGES PROTECTION STATUTES AMENDMENT ACT, 2025
(continued)

The Chair: Good afternoon, Members. I call Committee of the Whole on Bill 17, Intimate Images Protection Statutes Amendment Act, 2025, to order. We are on clause 1.

On clause 1 *(continued)*.

Steve Kooner: I believe one of the last questions that was being canvassed was around this whole bill, and I had asked whether explanation could be provided from the Attorney General to explain to the people listening at home what the process of….

The Chair: Members, I'd ask that you keep your volume down. It's really hard to hear the member ask his question. If you don't mind, that'd be appreciated. Thank you.

Continue.

Steve Kooner: I was asking: what was the process of these claims, for the people listening at home? I believe that it was explained, and I really did appreciate that answer, because I believe that's a good service to people trying to understand this bill and the logistics behind it.

I did ask a whole bunch of questions about consultation and stuff. Who did the government speak to in terms of stakeholders?

[3:00 p.m.]

What I did not ask was whether there was some sort of comparative analysis done with this piece of, at the time, potential legislation and some other provinces. What was their…? If some comparative analysis was done, with which legislation was it done?

I guess I'll just leave it at that for now.

Hon. Niki Sharma: That analysis was done at the initial stage, so it's not relevant to these amendments that are right here. But I will say that there is a big difference between what we have here in B.C. and any other part of the country, quite a bit. I had a chance to talk yesterday about all the details of the differences, but just to say that in provinces that have enacted legislation about intimate images, it's a tort that you can seek remedy at their level of court consistent with the Supreme Court.

So because of those processes, I'm told, not a lot of people make claims at that level. The low-barrier process — that is trauma-informed, that's quick, that's digital — that we have with the CRT is quite unique and quite effective.

Steve Kooner: I thank the Attorney General for that answer.

The Attorney General did explain that the reason why the definition was kind of changed…. Before it used to be intimate image protection claim, and now the bill is being referred to as the intimate images protection statutes.

Sorry, what's being repealed is the definition of intimate image protection claim, and what's being added is intimate image claim.

In regards to this question…. Basically, what happened was the word "protection" was taken out. Could it not have easily just been done by just striking it out?

Hon. Niki Sharma: The answer to that question is drafting convention. That's how the drafters recommended doing it.

Steve Kooner: The other question I had in regards to this definition…. It talks about images, but these days, for the last few years, I guess, AI has been becoming a big thing. You see altered images through AI, not real images. Will this definition upgrade? Would this catch AI images

as well, like when people actually modify those images? Will it catch those types of images?

Hon. Niki Sharma: Just to be clear, nothing in this bill actually does anything with the part of the legislation that defines intimate images. This is about the types of claims you can bring at the CRT.

And yes, we were, I think, one of the first to have an intimate images definition that included deepfakes or altered images.

Steve Kooner: Thank you for the answer.

So that deals with intimate images that are created through AI. But another issue that pops to mind is: what if images have been shared consensually on, say, some online site, but they were meant to be partially private?

For example, on Instagram, you have "share to your close friends." If a screenshot is taken of those images and then used in this purpose, does this legislation catch that as well?

[3:05 p.m.]

Hon. Niki Sharma: I appreciate the questions, and they're good and interesting to answer, but they're not relevant to the current amendments. But I can speak to it in terms of the original bill.

In the instance that the member describes, consent would be not existent, right? You can share your images to a certain number of people with consent. That instance of a screenshot that wasn't consented to would be captured in this. Also you can revoke consent, if you had given it, and then revoke it.

It's about respecting the fact that these are intimate images of a person. They should have control over where and when they're distributed.

Steve Kooner: Thanks, Attorney General, for that explanation.

I think that's pretty much it for clause 1, so I'll sit down and wait for clause 2.

Clause 1 approved.

On clause 2.

Steve Kooner: In regards to clause 2, it states: "Section 16.1 (1) is amended by striking out 'section 16.4 (1) and (2)' and substituting 'section 16.4 (1), (2) and (2.1).'" Maybe the Attorney General can take us through this clause and why it was entered.

Hon. Niki Sharma: The reason for this is to add clarity. Remember we talked about the damage claim that is adding at the CRT under section 6, which is forthcoming. This makes it clear that, depending on the damage amount the CRT can award, and that's up to the regulation, damages in the CRT and the B.C. Provincial Court and the CRT and the B.C. Supreme Court will have overlapping jurisdiction.

Steve Kooner: Could the Attorney General clarify? There could be overlapping jurisdiction. Does that mean two cases can run simultaneously, one in Provincial Court and one in the CRT?

Hon. Niki Sharma: No. Under the Civil Resolution Tribunal Act, it expressly says that they can't adjudicate anything that is before the other level of courts.

Steve Kooner: What about in a situation where the proceeding hasn't started yet or hasn't started? There's no actionable item that's being brought forward, but the claim has been filed in both the CRT and the court, say on the same day. Which would get precedent?

[3:10 p.m.]

Hon. Niki Sharma: Okay. With respect to the question, if the CRT knows about another claim, then they would not take any further action until that other action was paused. I guess that would be the mechanism that would make it so it was one.

I guess the point of it is that you have to look at it from the claimant's perspective and the nature of the harm. I'm sure that it would be looked at and treated in a way that helps the victim figure out which forum or whatever avenue they would choose to pursue.

Steve Kooner: The Attorney General just mentioned that if the CRT found out…. Sometimes we're dealing with…. Let's say in litigation terms where it's speaking of lay litigants, meaning litigants often that are not represented…. Sometimes they are not that proactive, such as counsel, to inform the court or the arbitrator or the clerks that, then, this proceeding is ongoing somewhere else.

What's the safeguard there if nobody tells the CRT that there is an ongoing proceeding? What's the mechanism there?

Hon. Niki Sharma: Yeah. It gets to be a bit complicated in addressing a hypothetical without specifics, so I'm just going to give a high-level answer and then leave it at that.

Generally speaking, the CRT, as we mentioned, is a fast-moving, low-barrier process for the person. As I mentioned, they sometimes could get a same-day order. Depending on if all the information lines up and everything, some things could move that quickly.

We're talking about two very different processes, I think. As I mentioned, with this particular amendment you could see a claimant at some point seeking their damage claim in a Supreme Court for the same action, but it's a different pathway of how to deal with that action.

Steve Kooner: I appreciate the Attorney General's response on it being a hypothetical, but I would say that it's quite common, that it happens quite often, in terms of the different courts. Sometimes you have a Supreme Court action, and somebody goes and files in small claims court. When you're dealing with people that aren't represented, that happens even more than if they were represented.

[3:15 p.m.]

It's a thing that actually happens, so it would be important to know that this legislation is addressing that, because we don't want to be in a situation such as that. I don't know if the Attorney General has a further clarification.

That would be a really, really important point, because it has happened between, say, small claims and Supreme Court filings. Sometimes both of them are sitting there, and one hasn't been dismissed. There hasn't been any action taken on one particular one.

The question, I guess, is: is there a further elaboration, or is there no further answer on that?

Hon. Niki Sharma: I just want to assure the member with that question that this isn't an issue that the CRT is facing with respect to the claims we've had the first year, and I'm sure they'll continue to monitor it.

I just want to also go back to the point of the whole process. It's not a determinative process that penalizes somebody for coming forward into the legal system or tries to monitor what their choices are. It's actually designed in the exact opposite way. It's to guide them through how they can seek remedy from the justice system. That means that options are available to them.

Just like anybody, you can file claims in different levels of court. You can file different types of claims for some harm that's happened to you. That's the right of everybody. The advantage of the CRT is that you have the intimate images protection service that is there to give you information if you need to know about your options.

Steve Kooner: Thank you for that answer.

I think the government should do a deep dive in that query as well. Although it's a hypothetical, it could be a real situation. It doesn't necessarily affect, say, the victims per se, but it's a technical thing that could come up.

Now, because we're talking about the overlapping jurisdiction between the Provincial Court and the CRT.... Looking at the CRT, we see that it involves more of an informal, efficient online nature of a process. One of the perks of going to, say, small claims court is that the parties can make an interlocutory application, bring a motion, discuss that and bring an interim application to discuss if they're being wronged in terms of any procedural issues.

Since this is an informal process, is there some sort of mechanism in the CRT as well when people...? For example, somebody might have been accused of some images, but they might not be the correct perpetrator that's caught, or they may have issues with something. Is there anything that can help them so that there's a balance there, so that you're making sure that the correct people are being targeted?

[3:20 p.m.]

Hon. Niki Sharma: Maybe if we could have the Chair's guidance on this. I really am happy to give the member a full briefing on all the other provisions of the Intimate Images Protection Act. I love that piece of legislation, and I think it's really profound.

We can walk through it at any time, but unfortunately, right now we're dealing with very specific amendments and provisions. I would just say if we could talk about the clauses that are actually before us, it would help us. Then, like I said, I'm very happy to offer the member a lot of information about all the different processes that are built into the act.

Steve Kooner: The reason why I brought up these questions is because the Attorney General spoke earlier about the overlapping jurisdiction, provides the CRT overlapping jurisdiction. It's important to know, with that, what comes with the overlapping jurisdiction and what is overlapping.

So it goes to the actual submission that was given from the Attorney General. It goes to the CRT is going to have overlapping jurisdiction pursuant to clause 2, and that's what clause 2 does. That's what was explained a little earlier.

All these questions that I'm saying flow from that terminology that the Attorney General used, "overlapping jurisdiction." I want to know what the overlapping is, and I think it's important to know because it goes to the substance of this amendment.

People want to have faster process. They want to have faster image claims. So then they've got to know what that is all about. And if it's going to be faster, they've got to know it's going to be faster. So they should actually come to the CRT versus going to small claims court.

The Chair: Member, I think your question might be more appropriate for clause 3, though the Attorney General has stated a few times now, and I've given you quite a bit of leeway, that the Attorney General would be willing to give you a full briefing on the entire process within the legal system at your willingness.

I would just hope that you can connect your question back to clause 2 or at least better explain to me why it is relevant, because at this point, I would say that your question is better to be resolved under clause 3.

Steve Kooner: Okay. Thank you, Chair.

I'll go back to the submission that was put out earlier by the Attorney General. We spoke about overlapping juris-

diction. And the reference was from clause 2. So my questions have all been geared on the overlapping jurisdiction. That terminology was used, and that's where my questions flow from.

The Chair: I'm not going to agree with you. If you'd like to ask a new question, you can. Or I'll ask for clause 2 and whether or not it should be passed, and we can go on to clause 3, unless you have a different question.

Steve Kooner: Well, we can try some different questions then, Chair.

I think most of my questions are related to the procedural nature flowing from that query. So I will wait for clause 3.

Clause 2 approved.

On clause 3.

Steve Kooner: Clause 3 refers to "section 16.4 is amended (a) by repealing subsection (2)(c) and substituting the following, '(c) an intimate image claim'; and (b) by adding the following subsection, subsection (2.1): 'a person may bring or continue, as the case may be, an intimate image claim described in section 136.2(1)(b), claims within jurisdiction of tribunal for intimate image claims, as a proceeding in the Provincial Court, even if none of the circumstances referred to in subsection (1)(a) to (f) of this section have occurred.'"

[3:25 p.m.]

In regards to this particular clause, perhaps the Attorney General can take us through, first, explaining how (a) comes into being here and then can follow that through with (b) of this clause as well.

[3:30 p.m.]

Hon. Niki Sharma: Just to clarify that this clause could be considered a consequential amendment. The effect of it is to bring…. We are adding…. Remember the clause earlier, the intimate-images image claim. That's a damage claim that's new to the whole regime. That allows you to make a damage claim. The amount would be set by regulation, but up to $75,000.

Because we're making that change, this amendment is to provide clarity to ensure that it's very clear that a damage claim can be made essentially in the CRT, the Provincial Court or the Supreme Court. So all levels of court, except for, obviously the Court of Appeal.

Steve Kooner: I thank the Attorney General for that answer.

The Attorney General said that you can file an action in the Supreme Court. I see what's written here is Provincial Court. Is there a reason why the Supreme Court was also not written in here?

Hon. Niki Sharma: I just refer the member to the existing parts of this clause that we're not amending. In 16.4(2), it already refers to the Supreme Court. So this was just an addition to clarify the other two, that they were available to the victim, and this is for damage claims.

Steve Kooner: I thank the Attorney General for that explanation. It's helpful.

I know this adds, like, a damage claim. What type of consultation was done to kind of change this terminology and put this in there? What specific consultation was done on this part?

Hon. Niki Sharma: I did talk about the consultation that was done on all of these amendments, so it isn't different for each provision. It's the same, so just refer to my answer related to that.

Steve Kooner: In regards to this, since we were just talking about damages, will there be any sorts of differences by pursuing damages here in the CRT with this new authority here versus where you could pursue damages before?

Hon. Niki Sharma: Just a general comment that of course the policies and procedures for filing claims are different in all the different levels mentioned, including the CRT. Just to make it clear, you could make damage claims under the CRT up to $5,000. The amendments that we are making give us the ability, by regulation, to make the consequences higher than that, up to $75,000.

Steve Kooner: Since we're talking about damages and since the number was just mentioned, up to $75,000, is there a reason why it's capped at $75,000 and you can't go above $75,000?

The Chair: Member, that question would be more appropriately addressed under clause 5, regarding section 93.2 as amended by adding the following paragraph: "(e.3) establishing a monetary amount." So I would recommend that we ask that question at clause 5.

Steve Kooner: But I would like to see if there's an answer coming from that. Maybe there is something more in reference to this specific clause as well.

The Chair: For sure. However, we need to stick as closely as possible to the clause. So if you want to rephrase your question, then we can hopefully move forward on it.

Steve Kooner: So in regards to this, since this allows for damage claims to happen, how…? What was the question that was asked? I lost my train of thought.

Okay. I'm calling for a recess.

The Chair: Yes. The member for Richmond-Queensborough requested a recess. We'll take a short recess of ten minutes, and we'll return back at 3:45 p.m.

The committee recessed from 3:35 p.m. to 3:46 p.m.

[George Anderson in the chair.]

The Chair: Good afternoon, Members. Calling Committee of the Whole on Bill 17, Intimate Images Protection Statutes Amendment Act, 2025, back to order. We are on clause 3.

Donegal Wilson: Does the minister believe there's any potential for conflicting rulings to occur on nearly identical cases between the tribunal and the Provincial Court?

Hon. Niki Sharma: Yeah, that would…. I'm not concerned. It wouldn't be possible for it to happen because if there was a decision from a court, then the CRT has to follow it as a precedent, and the CRT doesn't have a precedential value.

Donegal Wilson: There would be no opportunity, then, for an individual to continue a provincial claim into the tribunal or a tribunal over to the provincial claims. Is it one or the other?

Hon. Niki Sharma: It's a similar question to what I've already answered. I've explained already, on the record, about how that process is and how you choose a jurisdiction and what trumps what. I think the most recent question was about a ruling, and I think I've answered that question as well.

Donegal Wilson: My apologies for a repetition. I'm filling in, as we know.

Has the minister considered whether this may create confusion for unrepresented victims when they're trying to decide where to file the claim?

Hon. Niki Sharma: No, and a lot of it is because of what I've had a chance to go into detail about, which is that this process is set up as a trauma-informed process to provide information to people at the outset. That's been working well in the course of the time it's been running.

Donegal Wilson: Were these changes being done to reduce burden on the tribunal, or is it to do the opposite?

Hon. Niki Sharma: No, the changes were done in response to the tribunal. I think I mentioned earlier that these are about continual improvements to the system.

[3:50 p.m.]

Donegal Wilson: Has the minister assessed whether this dual pathway could create unintended consequences, including increases in administrative costs or delay?

Hon. Niki Sharma: As we canvassed previously, and I think I've answered that, we think that the system is appropriate, and actually, the CRT helps reduce a lot of those costs and is very low barrier.

The Chair: We're on clause 3.

Recognizing the member for Boundary-Similkameen.

Donegal Wilson: I do appreciate your patience.

CRT decisions are generally public by default, is my understanding. Will intimate-image decisions be automatically anonymized or sealed?

Hon. Niki Sharma: Thank you. I was going to ask the Chair's guidance on that.

We do have provisions later on about public information and privacy, but also, it's covered in the larger act and not necessarily this particular clause.

Clause 3 approved.

On clause 4.

Donegal Wilson: Looking at clause 4, has the tribunal budget accounted for increased complexity or legal counsel participation in these claims?

Hon. Niki Sharma: No, this doesn't change any of the existing…. It's a change in a formality of when lawyers ask for it when it doesn't need to be, but we don't foresee any changes in the level of resources that are needed.

Donegal Wilson: Will there be any publicly funded legal assistance or community advocate support to help claimants file and present their cases?

Hon. Niki Sharma: This is a very low-barrier process, the CRT, so it's set up in a way that you don't require a lawyer.

Donegal Wilson: How will the CRT ensure accessibility for individuals who have limited digital literacy or language barriers?

The Chair: I think the Attorney General has answered this question a few times, not solely by you but by one of the previous members, regarding the accessibility of the CRT, so I'd ask that you ask another question. Thank you.

Donegal Wilson: Lucky for me I have another one.

What outreach will be done to inform the public that the CRT is now the proper venue for these types of claims?

Hon. Niki Sharma: Not related to this clause, and I've explained that there are actually no changes. You previously could have made a damage claim here. It's just expanding the ability to get remedy.

Donegal Wilson: For minors or vulnerable individuals filing claims, will there be special procedural supports?

Hon. Niki Sharma: Yeah, there is quite a bit built in for minors and how they can make applications and the types of supports they get in the larger act. These are just specific amendments that we're talking to that are about specific clauses in the act.

Clause 4 approved.

On clause 5.

[3:55 p.m.]

Gavin Dew: Good to be here.

With regard to clause 5, does cabinet intend to raise the monetary limit to $75,000 for claims that the tribunal can decide on in relation to intimate-image claims, as previously stated by the minister?

Hon. Niki Sharma: I think that this is a very important part of these amendments, and it gives an enabling ability for cabinet to set a monetary limit up to $75,000. Given the gravity and seriousness of this, we think that the limit should be pushed up, and that's the whole reason for this particular amendment and part of these amendments.

Yes, I mean, it would be a cabinet decision. It's through an OIC. As you know, with that process, I can't predetermine what cabinet might decide, but it's exactly the reason for this. We want to up the limit higher.

Gavin Dew: Thank you very much to the Attorney General for the answer.

Can the Attorney General walk us through a little bit more of the underlying rationale behind handing that power to cabinet and the basis upon which that decision might be made in terms of what the appropriate amount is? Has that been considered in the process of developing the bill, or is it still a totally unconsidered aspect that will be contemplated only by cabinet at that time?

Hon. Niki Sharma: It is a very usual process that regulations are passed by cabinet, so that's the reason for it.

When you put something in regulation, the value of that is that you can be flexible as it changes. As, unfortunately, we've seen with digital technology and the harms, things could change, right? So it gives you that flexibility if it's in regulation.

The limits are assessed based on bigger legal jurisdiction. Obviously, different levels of courts have different ability and claims that you can make in them, so the CRT is the lowest-barrier one and then the Provincial Court and the Supreme Court. So we maintain the ability of claimants to choose different, with the CRT being the lowest barrier.

Gavin Dew: For clarity, does this amendment remove intimate-image claims from the small claims jurisdiction entirely, and if so, what is the expected case volume shift?

Hon. Niki Sharma: What it does is create a specific category of damages and damage limits that you get for this specific type of claim under the process. That helps to be commensurate more with the harm that's done, by the type of damage.

Gavin Dew: Forgiving my ignorance of the structure of the system, does that mean, in fact, that it removes intimate-image claims entirely from small claims jurisdiction, or is it creating a subcategory within that jurisdiction? Please help me understand that.

[4:00 p.m.]

Hon. Niki Sharma: Just based on the member's question, I think he was on the right track when he was talking about it being a special subcategory of damages that you could pursue under the CRT that's attached to these types of claims.

Gavin Dew: That's a very helpful explanation.

Again, I just wanted to return to my prior question on that note. What is the expected case volume shift?

The Chair: I would just ask you to clarify how that connects to clause 5.

Gavin Dew: In fairness, the connection is somewhat tangential, and my notes are somewhat vague.

The Chair: No problem.

Gavin Dew: Sometimes you just show up, and you just have notes, and you just make do with what you've got. It's like making stone soup.

The Chair: Well, I think you're doing a great job.

Gavin Dew: Thank you very much, Mr. Chair.

The Chair: You're welcome.

Gavin Dew: That said, perhaps we can return to the focus on the monetary limit, and perhaps the Attorney General can clarify: will that limit be reviewed periodically, and if so, what will be the basis for that review?

Hon. Niki Sharma: Yes, I think the evidence of these amendments is that we're always watching this program and how it's running and always looking at making improvements in any ways that we can. Yes, that would be something we would continue to monitor.

The Chair: Before the member for Kelowna-Mission begins, I would just like to remind members that eating is not allowed in the premises — if we are eating or chewing gum, and so on.

Gavin Dew: Just again returning to the matter of the monetary limit, I'm hoping the Attorney General can articulate any comparison between applicable limits in other jurisdictions that have led toward that target that we've talked about. Has there been some kind of a study undertaken in terms of applicable limits in other jurisdictions, just so that we understand where we are, relative to peer jurisdictions, in the intensity of the fine?

[4:05 p.m.]

[Susie Chant in the chair.]

Hon. Niki Sharma: We're obviously always studying damage awards, but it's important to remember that there's nothing like this in other provinces. The process that's in other provinces requires a claimant to go to the Superior Court. The Superior Court, of course, is a way higher barrier, more intensive, more expensive and all of those things.

Actually, when my team searched, when they were making it, what monetary awards would look like, there weren't many, because people don't tend to go to that level of court with this type of sensitive claim. So that was the reason to create this low-barrier process that actually helps people do something quicker.

The Chair: Recognizing the member for Kelowna-Mission.

Gavin Dew: Thank you very much, Madam Chair. Indeed, welcome to the chair. It's good to see you again.

The Chair: Absolutely.

Gavin Dew: I have not been chaired by you yet in this particular session.

The Chair: So let the games begin.

Gavin Dew: Yes, indeed. Yes, indeed.

Thank you very much to the Attorney General for that question.

Again, just looking to better understand the dynamics around the maximum monetary claim, has there been work undertaken to understand what is in fact the level of claim that would have a deterrent effect in this situation? Help me understand a little bit more, if you don't mind, just the basis upon which this will be determined and the intent and effect of it.

Hon. Niki Sharma: Just for clarity in the context, the primary goal of a damage claim is to compensate the victim for the harm done, not to act as a deterrent. Of course, the threat of a monetary award against you may act as a deterrent, right? For some people as much as $5,000, which was the limit before, could be a deterrent, right? That stops them from doing it, because you have to remember it's people of all ages that are doing this, unfortunately.

That's kind of the way we look at it. If you look at it in terms of what the compensation is to the victim for their harms, that's where we think about what the amounts could be.

You also have to remember that you can make a claim in different levels of court — the CRT, the Provincial Court, the Supreme Court; and there are different types of claims you could make in different levels of court. So depending on the harms of the victim and what they're seeking to be compensated for, it would guide the decision on what types of damage claims you would want and what level of jurisdiction you would seek.

Clauses 5 and 6 approved.

On clause 7.

Gavin Dew: Within the definition of "intimate image" in the Intimate Images Protection Act, does the term "altered in any way" include new, AI-generated and deepfake images or visual recordings?

Hon. Niki Sharma: Yes. Just to be clear, it's not new. That was existing before. I think we were one of the first jurisdictions to put in there that altered images are included.

Gavin Dew: Given that the tribunal is designed for disputes over strata fees, small debts or minor motor vehicle accidents, what training or expertise will tribunal members receive to handle intimate-image disputes, which often involve trauma and privacy issues?

[4:10 p.m.]

Hon. Niki Sharma: It is a very good question, and it's one that I have answered at the offset. I was able, at the very start, to ask about how this is a complete, trauma-informed process. Not only is the whole process set up to be trauma-informed and victim-driven, but there's also an intimate images protection service that we launched accompanying it, where over 700 people have gone to receive

supports for the trauma that they encounter with this type of harm.

The Chair: I will remind members of the committee that when the minister or the member is speaking, I'd rather the others weren't, please. Thank you so much.

Gavin Dew: Thank you, Madam Chair. Thank you to the members for piping down over there.

Just returning to the definition of intimate image, I would like to explore in a little bit more depth the extent of the definitions, particularly given how serious issues around AI-generated deepfake images and visual recordings are becoming.

What was the discussion that formed the basis for not explicitly including, in a very spelled-out way, AI-generated and deepfake images in the language?

Hon. Niki Sharma: The phrase "altered image" was actually from a study of the Uniform Law Conference of Canada. The reason it says altered image is that it's broad enough to include what will be an evolving state of technology related to it, so it will capture the broadest sense of anything generated that is an altered image by any form of technology.

Gavin Dew: I just want to canvass this just a tiny bit further, if you don't mind. Is there any reason that the Attorney General can envision not to explicitly spell out deepfake or digitally created representations specifically in the language of the act, particularly given the emerging prevalence of such risks in this situation?

Hon. Niki Sharma: There is a very good reason why we don't include any other specific definitions of deepfakes. First of all, what is a deepfake? It's a colloquial term; it's not a legal term. Also, it could change and be altered through the way people talk about things, and also some new form of technology could come in.

[4:15 p.m.]

So by saying altered image, you've captured, in the broadest legal sense, the changing ways technology could alter an image.

Another reason why you don't list things, and it's a very important legal thing, is that once you start listing in a statute, the statutory interpretation shifts to if there is a list and something's not on the list, then it must not be included, in the legal sense.

Once you start listing, you fall into that danger of saying: "Well, obviously, the Legislature didn't mean deepfakes or they didn't mean AI because they didn't list it in this long list of things." The way you generally draft legislation, then, is that you go for the highest, broadest-meaning term like "altered image."

And then just to say that this is a legal document, but there are many ways we get information to people about what that means. In that sense, you could use more colloquial terms like "deepfakes." You know, you're part of this process. You get connected to the intimate images protection service. They provide you information about your claim. Then you know everything that is available to you.

Gavin Dew: Returning to some of the more operational aspects of the tribunal, what does the Attorney General intend to do if the tribunal falls behind in processing intimate-image claims due to increased case volume, which we obviously could see as a result of this?

Hon. Niki Sharma: Just to make it clear, because of the CRT process, they do triage and prioritize these claims so that they make it to the top of the list, because of the harm and the priority to the victim. That is always going to make it so these are processed, and I've said sometimes same-day processing of these claims and the orders that are given, so we don't expect a backlog related to these claims.

But of course, as Attorney General, my job is to continually monitor the resources that a tribunal has and make sure they have what they need.

Gavin Dew: If a claim falls within the jurisdiction of the tribunal, will individuals still have the option to file in Provincial Court if they prefer?

Hon. Niki Sharma: Not directly relevant to this section, and I previously answered questions related to this.

Gavin Dew: How will the minister or the Attorney General ensure public confidence does not become eroded when tribunal decisions are excluded from public databases?

Hon. Niki Sharma: The principle that guides this is we wanted to make it low barrier and not have a deterrent for people to come forward. Because of the sensitivity of these types of claims and the often unwarranted shame that people have with these types of claims, this type of protection weighs the protection of the privacy of the claimant over….

It says that it removes the publication of damage awards. Actually, we think that because of that, more people will come forward because there's no threat that your privacy would be violated by something being published about a decision that related to you.

[4:20 p.m.]

Gavin Dew: I appreciate the answer.

Has there been consultation with the legal community or victim advocacy groups regarding the confidentiality provisions and trade-offs within that? Could the Attorney

General speak to the nature and breadth of that consultation and what was heard?

Hon. Niki Sharma: Just to say that this provision doesn't change in these amendments. This has been existing in the bigger legislation. And during that time, it was a huge level of consultation that happened with front-line advocates, legal experts. Lots of research about other jurisdictions, which is what made this process so innovative and groundbreaking. We really dug into what was needed to develop a trauma-informed, victim-centred process.

Misty Van Popta: Thank you for this time to discuss this bill.

Referring to 136.2(2), it talks about, for the purposes of this act, how the tribunal is to be considered to have specialized expertise in respect to a claim. Could the minister please quantify or justify what that statement is "to have specialized expertise" in regards to this?

Hon. Niki Sharma: This particular provision is not being changed from the previous one. Just to give background on it, the specialized expertise is related to the legal standard of review or deference that an appeal court can give to a lower court related to a decision.

The term "specialized expertise" is specifically put in there to make sure that any appellate court — and it's for protection orders — realizes that the CRT has a specialized expertise related to these protection orders and that they should give deference in their decision related to that protection order. It carries over from the previous provision and is related to that jurisdictional issue.

Misty Van Popta: A follow-up, then. If it has to do with protection orders and other areas that the CRT covers, why is it covered in this bill as part of the intimate-images act?

[4:25 p.m.]

Hon. Niki Sharma: The reason is that this is a very particular area of the CRT, and we launched it with the CRT and the tribunal members, who in fact have victim-informed, like trauma-informed, training, the tribunal members that adjudicate over these decisions.

Given the nature of the protectant order, we want to make sure that deference is given to these decisions, these protection orders, and the expertise of this tribunal in that area, to kind of make it so it's clear in the law that this is how we want these claims to be treated, and there should be deference given to these decisions.

Misty Van Popta: Referring back to your comment that they have specialized training, where is that defined in terms of what is required of those members of the tribunal? Is it policy? Is it regulation? Is it publicly posted?

This is a newer bill that has been only since 2023, I believe, in terms of the intimate-images portion. The training required for somebody dealing with intimate images and victims of this type of case would be different than somebody possibly seeking a protection order or anything else that the tribunal will do.

I was just wondering if the minister could clarify, given that this clause is a part of this bill, what those trainings are, if they're mandated and whether they're covered in policy or regulation.

[4:30 p.m.]

Hon. Niki Sharma: This is a great opportunity for me to highlight the great work of the Civil Resolution Tribunal. When I was around when we introduced this legislation and it was going to implementation, I got to see how the Civil Resolution Tribunal took this role so seriously and the practices and policies and procedures they put in place to make sure that it was functioning at a level and in a way that it should function.

For example, the very front website has a Solutions Explorer in it. The Solutions Explorer helps the claimant decide what their options are, and that was done by consulting and working with front-line workers who were around people that were victims of this type of abuse.

Almost at every level, when they built up the system for implementation, they considered what a trauma-informed, victim-focused approach would be, and that includes that every tribunal member has received trauma-informed training, including staff that might be on the front line and interacting with it, alongside the fact that their intimate images protection service, which sits under the Solicitor General Ministry, has a team of very specialized victim support workers.

Their job is to be the victim support for intimate images and those types of claims. Their level of expertise not only for victim supports and victim services but also for this particular type of harm is very high, and they take a lot of training to do that type of job. So we have just a very specialized team that's in place to do all this work.

Misty Van Popta: I would like to table an amendment.

[**CLAUSE 7,** ***by deleting the text shown as struck out and adding the underlined text as shown:***

7 Sections 136.1 to 136.4 are repealed and the following substituted:

Definitions for Division – intimate image claims

136.1 In this Division:

"intimate image" has the same meaning as in section 1 of the *Intimate Images Protection Act*;

"related matters" has the same meaning as in section 1 of the *Intimate Images Protection Act*;

"tribunal limit amount" means the amount prescribed by regulation as the maximum amount that the tribunal may award in an intimate image claim under section 136.2 (1) (b) of this Act.

Claims within jurisdiction of tribunal for intimate image claims

136.2 (1) Except as otherwise provided in section 113 *[restricted authority of tribunal]* or in this Division, the tribunal has jurisdiction over the following matters under the *Intimate Images Protection Act*:

(a) a claim that is an application for an order under section 5 *[application for expedited intimate image protection order]* of the *Intimate Images Protection Act*, including all related matters;

(b) a claim for damages under section 6 *[claim for damages]* of the *Intimate Images Protection Act*, including all related matters, if the amount of the damages is less than or equal to the tribunal limit amount.

(2) Subject to subsection (3), ~~For~~for the purposes of this Act, the tribunal is to be considered to have specialized expertise in respect of a claim described in subsection (1) (a) of this section.

(3) The chair, vice chairs and other members of the tribunal must, within six months of appointment, successfully complete a specialized training course on trauma at a prescribed institution in British Columbia.

Intimate image protection orders

136.3 In resolving a claim described in section 136.2 (1) (a), including all related matters, and whether or not the tribunal has made, varied or cancelled another order relating to the same intimate image, the tribunal may

(a) make an order the tribunal is permitted to make under section 5 of the *Intimate Images Protection Act*, or

(b) vary or cancel an order made by the tribunal under section 5 of the *Intimate Images Protection Act*.

Disapplication and modification of certain provisions

136.4 (1) The following provisions of this Act do not apply in respect of a claim described in section 136.2 (1) (a):

(a) section 2 (3) (a) *[encouragement of resolution by agreement between parties]*;

(b) section 7 (1) *[giving initiating notice]*;

(c) section 85 (1) (d) *[publication of tribunal orders and other information]*.

(2) For the purposes of a claim described in section 136.2 (1) (a), including all related matters,

(a) section 17 (1) *[phases of tribunal proceedings]* is to be read as requiring case management, subject to this Act and the rules under it, at the discretion of the tribunal, and

(b) if the tribunal exercises its discretion to require case management, section 17 (2) *[resolution by agreement in case management phase]* does not apply.

(3) Section 85 (1) (d) does not apply in respect of a claim described in section 136.2 (1) (b).]

The Chair: At this time, the committee will have a five-minute recess, so that means…. I have 4:32 on my watch. Back here at 4:37, please, in your seats, and we will have a look at the amendment as offered.

Okay. We are extending the recess to 5 p.m., at which point I would expect everybody back here, please. Thank you so much.

The committee recessed from 4:38 p.m. to 5:00 p.m.

[Susie Chant in the chair.]

The Chair: I call the committee back to order.

We have an amendment on clause 7, which I find to be in order.

Prior to recognizing the member to speak to the amendment, I recognize the Minister of Post-Secondary Education and Future Skills.

Hon. Jessie Sunner: Hon. Chair, I move that the committee rise and report progress and ask leave to sit again.

Motion approved.

The committee rose at 5:00 p.m.

The House in Committee, Section A.

The committee met at 5:05 p.m.

[Susie Chant in the chair.]

Committee of the Whole

BILL 18 — SEXUAL VIOLENCE POLICY ACT

The Chair: Good afternoon, Members. I call Committee of the Whole on Bill 18, Sexual Violence Policy Act, to order.

On clause 1.

Bryan Tepper: I'd like to thank the minister. I actually thought the minister got to speak first.

Anyway, yes. This bill is timely. It needed to be updated, as we said in the second reading. There are lots of good things here. I just have a few questions to go over.

If we are on clause 1, I'll start from there, or does the minister have an opening?

I will sit down.

Hon. Jessie Sunner: I'm really pleased to be here today to start committee stage on the Sexual Violence Policy Act. This, as the member for Surrey-Panorama has mentioned, is very needed legislation and updates that we're very proud to bring forward.

With me today, I have my team. I have Chris Rathbone, who is my ADM in policy and programs; Jamie Edwardson, who is the executive director in strategic policy and initiatives; and Chad Doerksen, who is a director of policy. I want to thank the entire ministry and the entire sector, which have done a lot of great work to bring us to this piece of legislation ahead of us today.

Bryan Tepper: I think I just have some simple ques-

tions. For the first one, can the minister explain why private post-secondary institutions are not required to implement a sexual violence policy under this legislation?

Hon. Jessie Sunner: Thank you for the question.

With this legislation, it specifically applies to public institutions because there are already different requirements for private institutions, and they have policies under different acts. The Degree Authorization Act, the Private Training Act and the education quality assurance policy apply to private institutions, and they have requirements there to have sexual violence policies.

There's also a wide variation in the size and the structure and the student population of private institutions. To implement uniform requirements, such as elements of this act, like having an advisory committee, would impose really restrictive obligations on to some of the smaller institutions.

That being said, there are already appropriate mechanisms through the Degree Authorization Act, the Private Training Act and the education quality assurance policy, which requires them to have these policies.

The action plan, as well, that is accompanying this legislation is going to give government better ability to align their policies and standards with sexual violence and response across all post-secondary institutions, including private institutions.

Bryan Tepper: The definition of "member of the institutional community" includes contractors and volunteers. There doesn't seem to be a requirement to screen or train them before granting them campus access. Are there thoughts of adding anything like that to the legislation?

[5:10 p.m.]

Hon. Jessie Sunner: In this circumstance, the reason they're included in the definition is to ensure that they're covered by this act. We aren't determining who a contractor or a volunteer is, but that would be done through the screening processes of the public institutions. This is just to make sure that if they are coming on in those roles, they're a part of the application of this act.

That's really important, because the previous version of this act only applied to students, and we know that when it comes to sexual violence on post-secondary campuses, it's not just limited to students. Whether you're a volunteer, a contractor, an employee, we need to make sure that the act applies to you, and that's why they're included in the definition.

Bryan Tepper: I don't know if I caught it in there or not. The requirement to screen or train them in advance — is that something required by the universities under this act or not?

Hon. Jessie Sunner: With this meaning of it, they are captured in the definition of what an institutional community is.

In terms of determining whether they can be a contractor or a volunteer at the institutions, that's something done by the institutions. They already are expected to, and will in their hiring processes, look at their background and all of that. That's on the institutions to do.

In terms of this act, it is to ensure that it applies to anyone that is on campus. Anyone that's a part of that community is a part of being captured by this act.

Bryan Tepper: This bill — I am not sure if it reads…. Does it actually exclude or include former students, staff and alumni in the definition of the institutional community? That really would ultimately allow people to dodge responsibility for any of the sexual violence from recent graduates, people that have left the institution.

[5:15 p.m.]

Hon. Jessie Sunner: With this legislation, first, the list of individuals that are listed under "member of the institutional community" is not an exhaustive list. So if it was a past student, a past faculty member, and they were on the post-secondary campus, at the institution, it could be included in this definition.

In terms of the past, if something had happened in the past, there are already sexual violence policies at all these institutions. So there's already a process that those would be captured under. But for example, if something happened in the past, and then the disclosure occurred after this act came into place, this act would apply to that.

Bryan Tepper: Just on the definition of disclosure as a non-actionable communication…. It's kind of how I read that. Is there mandated support? I don't see it on the follow-up for disclosures. It kind of leaves survivors in limbo on that, to the whims of whatever has been created at the university — not that it's actually a whim.

Hon. Jessie Sunner: With regard to what disclosure is in this situation, if a student comes forward and is sharing with the institution what happened, disclosure helps them get the supports that they need to move forward, whether that's accommodations with writing exams or if they need supports. That's what the disclosure refers to.

If they want to launch an investigation, that's where a formal report would be made to lead to such an investigation.

[5:20 p.m.]

So in this situation, it's just that disclosure would…. It's not at a whim. Institutions have protocols in place, and disclosure would ensure that the institutions can move forward to help support the student that has experienced sexual violence.

Heather Maahs: My question is around the difference between the terms "sexual misconduct" and "sexual violence." They're two very different things. I'm wondering. What are the legal ramifications between the two terms?

Hon. Jessie Sunner: With the updating of this legislation, one of the reasons was because the word "misconduct" in itself, through the work that we've done with partners and seen in general in communities, is really inappropriate and outdated as a term that's been used. By using the term sexual violence, it's more appropriate to what's actually occurring. It describes the act more significantly.

It also is a more trauma-informed term that includes a wide spectrum of behaviours, from harassment to voyeurism, to sexual assault. It accurately represents the spectrum of behaviours that policies should address. That is our intention, and institutions want to work with us to help address it.

So that's really the difference. It's just a more wholly encompassing term of what we're trying to capture here. Overall, there's not necessarily a legal difference in that way, but legal…. Throughout Canadian jurisdictions, including B.C., the term "sexual violence" is what case law and judges have moved towards, so that is reflective of the language we're using.

Heather Maahs: Obviously, sexual violence is a very, very serious accusation. If someone is maliciously or wrongly accused of sexual violence, what are the recourses they have afterwards?

[5:25 p.m.]

Hon. Jessie Sunner: The use of the term "sexual violence" in this course is to ensure that there are the right processes in place and that it recognizes the seriousness of the crime, as you've noted as well, that sexual violence is very important and serious. If a victim faces that, it needs to acknowledge that in this language.

In terms of any stigma that someone would face from having a case of sexual violence against them, it's important to remember that this process in the post-secondary sector isn't a criminal case or a public hearing.

This is where the victim would come forward. They bring forward their facts. An investigation would be done by the institution, and the results of that would all be private.

So that stigma factor of using the words "sexual violence" is different in this circumstance, and it also still allows and recognizes how significant of an impact such an act can have on a victim, without having the public impact that would happen if this was a criminal case about sexual violence.

Clause 1 approved.

On clause 2.

[5:30 p.m.]

Bryan Tepper: With the sexual violence definition, which is carried over to clause 2…. I mean, it seems fairly clear. But I just want to make sure there are not really any grounds for misreading. Sexual violence includes threats, attempts. It seems clear, but I just want to clarify.

Does it include verbal threats, online threats that trigger the same institutional responses?

[Debra Toporowski / Qwulti'stunaat in the chair.]

Hon. Jessie Sunner: To answer your question, yes, if there were acts that were done that would be considered sexual violence that were physical in person, they would also cover any acts of the same nature that were to occur online as well.

The Chair: Recognizing the member for Surrey-Panorama.

Bryan Tepper: I've got a new Chair here, and I've already forgotten about you. Thank you for being here. Welcome. Sorry.

When my friend was asking questions, it actually popped into my mind about the seriousness of this. Again, like my last question, it seems fairly clear that these are all serious offences that are being looked into.

I just want to confirm that using some of the terms today that people get offended by does not fall under this legislation. So misgendering, using the wrong pronouns, would not be captured under this bill.

Hon. Jessie Sunner: As I said in the previous answer, if the act was to be in the definition of sexual violence, so what's outlined here and what would be actions aligned with what is here in terms of sexual violence, and that was to occur online, then it would be considered sexual violence. It's not a wide scope of things that happen online. It must meet the definition of what sexual violence is, first, whether it's in person or virtual.

Bryan Tepper: I'm looking at the seriousness of that, so I'll just try and re-ask the question, if I can get a different answer on that. Is the level in there…? I think these are all criminal, so we're looking at things like, if I was in front…. Not whether it's virtual or written or anything else…. Under any aspect of that, would it be, you know, misgendering somebody using the wrong pronouns? Is that captured on this, or are we only looking at the serious offences that basically are criminal?

Hon. Jessie Sunner: Just to confirm, the example you're giving would not be captured under this.

Clause 2 approved.

On clause 3.

Bryan Tepper: When we look at section 3(1)(d), just to make sure, we've got policy that addresses prescribed matters, but the regulations as far as I'm aware don't exist at this point. Are we relying on future regulation that we don't know whether it's going to materialize or not on that, or do we have a plan on the regulations?

[5:35 p.m.]

Hon. Jessie Sunner: That section is just to allow the flexibility that in future…. As we've seen with this legislation that's changed previously, as we've gotten to know more, the definitions have changed. We've been able to capture the full situation. We want to make sure we have the flexibility built into this so that as we continue to partner with stakeholders and with community partners and post-secondary institutions, we have the ability to address any future impacts to address sexual violence.

That just gives us the power to do so, to capture that without having to draft new legislation and new acts to capture any new definitions that occur.

Bryan Tepper: I think you've answered one of my other questions there, so that's perfect.

Are there any consequences laid out for not meeting any of the requirements set out in clause 3?

Hon. Jessie Sunner: When it comes to this policy, there is the expectation that we have that institutions are going to comply. But more than that, I want to highlight that the post-secondary institutions are truly our partners in this work, and they want to comply. They have been meaningful partners in getting us to this place of putting this legislation forward. We've actually been able to give them more tools to implement that, and we'll talk about that later as we get into different sections, to give them the authority but also the clarity of what they're able to do to support students.

We know that institutions are invested in ending sexual violence in post-secondary communities and that no legislative penalties have been required to date to ensure their compliance with the sexual violence policies that they currently have. We work collaboratively with our post-secondary institutions. We're going to continue to do so and monitor compliance through annual reporting mechanisms, and we expect an existing oversight mechanism.

If an institution is suspected of not complying with the act or its own policies, community members are able to file a complaint with the B.C. Ombudsperson. They're able to investigate and determine whether the established policies need any corrective actions to promote accountability through impartial review at that time.

Bryan Tepper: I'm going to follow up with that just a little bit. It was very thorough, but I will ask: are there any penalties for institutions that do fail to meet these requirements?

[5:40 p.m.]

Hon. Jessie Sunner: As I said, this is something that institutions are partners in. They're invested in doing this work, and they want to ensure that their sexual violence policies are the most up to date that they can be. So that's the work that we're doing with them.

To date, there's never been any need to have any legislated penalties for the lack of having these policies implemented. Also, because we know that institutions want to do this work, if they ever ran into any kind of issues where they are having trouble being able to implement this, we'd work with them, as we have done so for years. And we'll continue to do that work to make sure that they're able to implement these policies, because it's a benefit for them, for the students and for all of us to be able to have the most up-to-date sexual violence policies and protections in place.

Bryan Tepper: Is there a timeline that the minister expects post-secondary institutions to have implemented the requirements by?

Hon. Jessie Sunner: After this legislation is passed, we have the ability, by regulation, to prescribe a date on which it'll become enforced, and post-secondary institutions would have to implement their policies. With that, it gives us the flexibility to ensure that they have the capacity to implement them but also enough time to do so without putting an undue burden on them.

I know that with the work that we've done, institutions are proactively looking to implement these policies. We look forward to doing that work with them to get it up and running as quickly as possible.

Bryan Tepper: A question about the post-secondary institutions and the standardized sexual violence policies that we have. Are they free to develop their own policies that meet the government's requirements?

Hon. Jessie Sunner: As long as the policies meet the framework outlined within this act, the institutions are free to develop their policies, but they must be in line with the framework outlined in the act.

Bryan Tepper: Maybe I can ask what the rationale is for the reason for not having a standardized model. Why is the minister choosing this way to go over a standardized model?

[5:45 p.m.]

Hon. Jessie Sunner: Currently we do provide guide-

lines to all the public post-secondary institutions from which they can build out their specific policies, but it's really important that we recognize that each institution has specific needs based on the communities that they're in. That's why institutions are working with community partners and stakeholders to ensure that their input is going into this as well.

It's basically the "framework that the government is providing and…." So they're doing even more in addition to what we've provided to ensure that the needs of their specific communities are met.

Bryan Tepper: Just to clarify on that, I think that answer is very good. I just want to make sure there's clarity on that. If the goal is to get everybody on the same page with sexual violence policy and the framework to prevent it, why are they not following the same standard, or do we fall into that?

Hon. Jessie Sunner: With the framework, there is a standard. There is a base standard that each post-secondary institution would have. This just allows them the flexibility to have additional aspects to their policies that meet the needs of their specific communities. It wouldn't make sense to mandate an institution, maybe, in the Lower Mainland, in an urban centre that has different community needs than maybe a rural campus.

It's basically the framework and…. So I would say it's an additional tool that they have to strengthen protections against sexual violence on their specific campuses.

Bryan Tepper: Getting down to section (3) there, it says that the institutions are required to have the policy publicly available on a website maintained by or on behalf of the post-secondary institution. Just because of the website portion of that, where would it be captured if these pages end up on a subpage, a broken link, something like that, where it's not accessible to most people? When does that get captured on a review? Is it their responsibility if it doesn't show up?

Again, this is going along the lines of when you were talking about they want to take part but…. Is there any monitoring as well on that?

Hon. Jessie Sunner: The review of these policies by our ministry is done on a regular basis, so it's something that if there was to be a broken link, it would be caught by that review. But also, if the institution was to catch it, or if someone was trying to access that and saw that, it's something that they want it fixed just as much as we do so people have access to that policy that they've worked hard to implement in their institutions.

Clause 3 approved.

On clause 4.

[5:50 p.m.]

Bryan Tepper: In clause 4, we get into implementing and reviewing the policy. In that, it begs the question: is the government going to be providing funding for the smaller institutions that may need to hire additional staff to deal with the objectives that we've got laid out in here?

Hon. Jessie Sunner: Section 4 really provides the clarity aspect to the sector and guidance on the objectives of the post-secondary institutions' policy and response efforts when it comes to sexual violence. The intent is really to help ensure greater consistency in the policies for public post-secondary institutions.

There are no direct fiscal impacts to post-secondary institutions as a result of these changes that we're making. Though post-secondary institutions may require capacity funding to support implementation, funding is not actually required to implement the changes, because these are policies that are in place right now.

These are just additional tools and a tightening of the accountability and transparency measures. The post-secondary institutions already have policies in place and structures in place to implement these. That's really where this would be captured.

Bryan Tepper: We've got five objectives in clause 4. They're non-enforceable aspirations that we have in there. Do we have any metrics on accountability mechanisms that would cover what we have in there?

[5:55 p.m.]

Hon. Jessie Sunner: When it comes to the accountability mechanisms here, we'll talk about it a little bit further in section 9, when we look at the annual reporting mechanisms. We would be getting copies of those annual reports, as well, and would be able to monitor to ensure that the objectives are being met by the institutions and that they were meeting the objectives outlined in section 4.

The fact that these annual reports, which we'll talk about later, are going to be posted on the website and are going to be open for the public to look at really increases the accountability and transparency piece as well, so that the community themselves can also hold post-secondary institutions accountable, look at the reports, see if they're meeting these objectives — and the objectives to respond to and prevent sexual violence in the first place.

Bryan Tepper: Objective (e) — let me read it off here — requires "responding to the needs of persons and groups who are most likely to be disproportionately impacted by sexual violence."

Is there any layout of who those people are that have been identified through this bill?

Hon. Jessie Sunner: When it comes to determining who the groups are that are disproportionately impacted by sexual violence, and the vulnerable communities, it's not something that we can uniformly define.

[6:00 p.m.]

It's something that post-secondary institutions will define for their campus community, in consultation with advisory committees of their community, so they know their needs.

We know generally, from facts and data, that there are specific groups that are disproportionately affected, including Indigenous women that are disproportionately affected by sexual violence. That's why it's so important that in developing this legislation, we've worked with post-secondary institutions but also our Indigenous partners and community partners to really develop a leading sexual violence policy act that is leading the way across Canada to protect vulnerable populations.

Bryan Tepper: Thank you for that answer.

Actually, that's where I was hoping to lead on that. With Indigenous women, it's clearly laid out in lots of statistics. It's part of the strategy guide from the ministry, I believe, as well.

You do bring up the Indigenous consultation on this bill. Can you give us just a little bit on what happened with the Indigenous consultations?

Hon. Jessie Sunner: Something I was able to speak to a bit in second reading was the extensive consultation and engagement that we did to get to this point in this legislation. From 2022 to 2024, we met with a number of groups.

In specific, to answer the question, we met with the First Nations Education Steering Committee, their staff and their board members. We met with Métis Nation B.C. We received written recommendations from them as well, and that was put into our feedback.

We met with different First Nations from across the province, Inuit students as well, Indigenous youth interns and really continued to do that engagement throughout over two years of time, including in person and with written recommendations to us. That's what helped inform our policy here.

Clause 4 approved.

On clause 5.

Bryan Tepper: In what circumstance would the minister direct a post-secondary institution to review its sexual violence policy, if they're already required to do so every three years?

Hon. Jessie Sunner: That (1)(b) there is really there to ensure that we have the flexibility to respond should the circumstances arise where we need to do so and it's outside of that three-year period.

Bryan Tepper: Following up on that with the reviews and completing the reviews under section (2) in clause 5, does the minister have a timeline in mind for when a post-secondary institution must make amendments to their policies based off the reviews?

[6:05 p.m.]

Hon. Jessie Sunner: We don't have a set timeline on when those amendments would have to be placed, but we would work closely with the post-secondary institutions to make sure that they were implemented in a timely manner.

Clause 5 approved.

On clause 6.

Bryan Tepper: As it's covered again here in this one, and we've talked about it a little bit earlier, will there be any additional funds available to post-secondary institutions that may require additional help with establishing the committees to advise them on their sexual violence policy? I say that because it's different than just the policy. We're now running under committees.

Hon. Jessie Sunner: When it comes to the framework of this, this is a lot of the work that post-secondary institutions have already done. As we've said, they've already had sexual violence policies in place since 2016, and they have worked with us to get to this point of the legislation that we're presenting. So they've done a lot of the groundwork already.

There's no dedicated ongoing funding for this piece, but requirements are designed in a way to be manageable within existing budgets for post-secondary institutions. We've also considered the timelines and expectations to avoid any kind of undue burden onto post-secondary institutions. That's why we have the flexibility built into the implementation phase.

We're also, as a ministry, providing in-kind support to institutions such as training, resources, toolkits and other resources to help reduce any kind of development costs to their institutions.

Bryan Tepper: Thank you, Minister, for that answer. It covers another question. Thank you very much.

In subsection (3), can the minister define what "reasonable efforts to ensure the membership of the advisory committee reflects the diversity of persons in British Columbia" are?

[6:10 p.m.]

Hon. Jessie Sunner: When it comes to reasonable efforts, I think determining whether or not those have been

made would really be looking at whether the community support is there and whether the community sees themselves reflected in the makeup of that advisory committee.

That language, "make reasonable efforts," also indicates that we understand that it's difficult and it might not be possible in all circumstances, but institutions will make reasonable attempts to get that diversity.

That might not be possible in all circumstances, so it's really to encourage that that's what's occurring and that it's reflecting the diversity of our communities. Ultimately, it's looking at the community that they're in and if the community sees themselves reflected in the makeup of the advisory committee.

Bryan Tepper: Thank you for the answer.

It sounds like there aren't any specific quotas in mind, but it's always a proven attempt by a post-secondary institution, enough for the minister to say that reasonable efforts have been undertaken.

Hon. Jessie Sunner: Yes.

Bryan Tepper: I'm going to back up to 6(2) here. It requires that at least one member of the advisory committee must be a student of the post-secondary institution. I just want to make sure it's not something in here that…. I hate to use the word "tokenism," where we've just got a token one person. Is it a meaningful mandate to do that, or are we limiting what's going on by saying that?

Hon. Jessie Sunner: Having at least one student on the committee is something that we heard in our consultations with students, that it was very important that they had representation on this committee, as decisions are being made that affect them the most, truly. That's just at least one student. You could have more than one student.

We'd encourage institutions to look at who's interested and what their needs are, but having at least one student ensures that we meet that need, which we really heard from the community — that students need to be represented on this committee.

Bryan Tepper: I just want to follow up again on that. Does the bill require advisory committee recommendations to be binding or even publicly reported, or are they just advisory and in name only?

[6:15 p.m.]

Hon. Jessie Sunner: By nature, an advisory committee would give advice to the post-secondary institutions, but it's something that I know post-secondary institutions truly value when it comes to this.

When we get further into this bill, in section 7, when it comes to policy reviews, the institutions are required to consult with the advisory committee. Under section 9, when they report out, they are required to report out on those consultations, so there is a mechanism there, as well, for the advisory committee's consultations to be reported publicly for transparency and accountability.

Clause 6 approved.

On clause 7.

Bryan Tepper: We fall under the regulations again here. Section 7 requires consultation with prescribed persons. Again, the regulations don't exist. Why are we creating legal contingent on undefined future rules?

Hon. Jessie Sunner: With the definition of prescribed persons, this will be defined through future regulations. What it does is allow the flexibility to address evolving needs and ensure meaningful consultation with community partners, Indigenous partners, post-secondary communities and students.

Again, this is to ensure that, in future, we don't have to start new legislation to meet the needs of the moment and we're able to adapt our legislation to whatever the needs are as time goes on.

Bryan Tepper: I'm just wondering if the minister then can define prescribed persons or prescribed classes of persons.

[6:20 p.m.]

Hon. Jessie Sunner: Again, with prescribed persons, it's there to ensure that future regulations can capture the flexibility of ensuring that through meaningful consultation with community partners, we could develop those regulations of who those prescribed persons are.

If it was a specific group, they would be listed in that already.

Bryan Tepper: Thank you, Minister, for the answer.

Institutions must make reasonable efforts to consult student societies and unions. Is that…? I think we're allowing an opt out for consultation with the groups most affected.

I would say: can the minister explain what a reasonable effort to consult is, and what would that be for the section?

Hon. Jessie Sunner: Under 7(a), it really outlines the larger question of what you're saying of the students of the post-secondary institution. Those are the folks under 7(a) that we know must be consulted when it comes to the consultation process.

With the reasonable efforts of the folks that are listed under there, they may not necessarily have input on every aspect of the policy or any kind of a review, so it gives us the ability to ensure that institutions are making those reasonable efforts. But if those specific groups don't want

to participate or don't have anything to add, they're not obligated to have their hands tied by that provision.

Bryan Tepper: Thank you, Minister.

Would the post-secondary institution have to submit some sort of evidence to the minister to prove they made reasonable efforts to consult with the people in subsection (b)?

[6:25 p.m.]

Hon. Jessie Sunner: Under section 9, with the annual reporting that the institutions are required to do, they would have to provide a summary of any consultations that they conducted. The expectation in there would be that they would outline the consultations they had and the reasonable efforts that they made if, in a certain circumstance, they didn't consult with a certain group that is outlined in section 7.

Clause 7 approved.

On clause 8.

Bryan Tepper: In what situation would the minister direct a post-secondary institution to conduct a survey for the purposes of assessing the effectiveness of its sexual violence policy as well as its efforts to prevent, respond and raise awareness about sexual violence?

Hon. Jessie Sunner: This provision actually is something that's carried forward from the Sexual Violence and Misconduct Policy Act. It's been used since.

In 2022 and in 2025, we conducted two surveys throughout the sector that helped to provide feedback across the sector on perceptions of sexual violence and students' safety. We know that that information is actually critical in ensuring that we are adapting our policies and legislation to meet the need of the moment.

We will continue to conduct surveys. There's not a set schedule, but our action plan does commit us to continuing to do these surveys. We know that they're very helpful for students to know what the overall picture of sexual violence in the sector is and to continue to develop our legislation, to be leading not only in our province but across the country.

Bryan Tepper: The next few questions are actually around the transparency of some of this in the next clause as well.

Even when a survey is ordered, institutions submit the results only to the minister, as there's no requirement to publish raw data or institutional responses publicly. Why isn't there the transparency that should be involved with this?

[6:30 p.m.]

Hon. Jessie Sunner: When survey results have come in to us as the ministry — for example, this year, the '25 results — they were released on our website. You can find them on our ministry website. They were released within three to six months, so in a very timely manner, to ensure that the public has access to those survey results.

Clause 8 approved.

On clause 9.

Bryan Tepper: To go along the lines of the last question, in this section, it requires a summary of responses and prevention efforts, but we have no mandate on numerical data. We don't have disclosures, investigations, any outcomes. Is there any thought on that and why we don't have a list for actual data that we're dealing with?

[6:35 p.m.]

Hon. Jessie Sunner: For section 9, this is specific to the annual report that is provided to the governing body. In this, you can imagine the amount of raw data there is. They're provided with summaries of the responses, but should they require something specific or want to dig into something, they're able to require that of the post-secondary institutions.

Also, as this is implemented, if there's anything specific that comes to government in addition to (a) and (b) that we would want governing bodies to have, we're able to prescribe that through regulation as well.

Bryan Tepper: Yeah, I do worry about the raw data and numbers, as they're, to me, a great reflection on what's going on.

I will move on. I'm going to just say because I've got the question there…. I think you've answered it two or three times, so if you don't even want to comment on it, I'm going to give you two questions at once, being the prescribed information in section 9(2)(c). If you don't want to comment on it, that's fine. I'm going to throw the second question at you.

Do you have any intention of the ministry posting the required annual reports for post-secondary institutions, or will the financial burden be on the post-secondary institutions?

Hon. Jessie Sunner: On the prescribed information, just to reiterate what I said previously, as we implement this, should the government see that there's more information that the governing bodies need to have, we'd be able to prescribe it through that.

As for the annual reports, they would be posted by the institutions. Where it's really needed is at the institutions. When people are looking for information, they'll be able to find it on post-secondary institution websites. It's a

lot more cohesive for them, and it's part of the reporting requirements.

Clause 9 approved.

On clause 10.

Bryan Tepper: I guess there's only one person voting here, but that's okay.

Interjection.

Bryan Tepper: Exactly. Yes, everybody's here.

I would like to move an amendment to clause 10, which would be 10.1, which reads as follows: an agreement between a post-secondary institution and any person, including a collective agreement or an agreement settling existing or contemplated litigation, must not contain any term that directly or indirectly prohibits the post-secondary institution or any person related to the post-secondary institution from disclosing that a formal allegation has been made that a member of the institutional community committed sexual violence towards another member of the institutional community and any such term that is included in an agreement is void.

The Chair: We will take a brief recess so that we can make copies of the amendment and so that everyone has a copy in front of them. We'll resume momentarily.

The committee recessed from 6:40 p.m. to 6:45 p.m.

[Debra Toporowski / Qwulti'stunaat in the chair.]

The Chair: I call the Committee of the Whole on Bill 18 back to order. We are on clause 10.

The member moved an amendment, which will be discussed after clause 10.

Bryan Tepper: Well, we'll be going to something quite the opposite of this just after this.

While supporting victims, is there a risk that we can violate any privacy legislation in place, resulting in any punishments being thrown out that would flow from any reports that come from this legislation?

Hon. Jessie Sunner: This section provides post-secondary institutions with the express legal authority to disclose information to persons who made a formal allegation and initiated the investigative process. This is an important piece that we saw was missing from previous legislation. It allows victims to be able to be a part of this process.

That being said, in the process of providing disclosure, post-secondary institutions are still required to comply with the Freedom of Information and Protection of Privacy Act, and this section is in recognition of that. So they would make disclosure, but it would still need to follow everything in FOIPPA.

Clause 10 approved.

Hon. Jessie Sunner: I move now that the committee rise and report progress, and I ask leave to sit again.

Motion approved.

The Chair: This committee stands adjourned.

The committee rose at 6:49 p.m.

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