Preface and Issue Overview

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The Manitoba Law Journal is pleased to present this volume, which brings together the personal and vocational reflections of four remarkable individuals, each of whom has served as the Chief Judge of the Provincial Court of Manitoba.

The Manitoba Law Journal has used oral history extensively as a methodology for exploring, preserving, and presenting aspects of our legal system.[1] We have assumed the undertaking of oral histories to interview a diverse array of legal professionals, allowing us to provide readers with a well-rounded scope of the legal field. Especially notable is when we interviewed a number of Indigenous jurists and policy-makers from Manitoba, released as part of Volume 41 in 2018.[2] Other professions that

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1 See the list of oral histories from the Manitoba Law Journal in Appendix B if the current volume.

2 See *Indigenous Jurists and Policy Makers from Manitoba: A Collection of Oral Histories* (2018), 41:2 Manitoba LJ.

we have showcased through the lens of lived experiences include elected officials,[3] senior civil servants,[4] and practicing legal professionals.[5] With respect to the judiciary, we are pleased to have conveyed the voices of judges of the superior courts of Manitoba going all the way back to Justice Hugh Robson through Chief Justice Samuel Friedman and many other distinguished members of the Court of Appeal. In this issue, we turn our attention to four leaders of the Provincial Court of Manitoba.[6]

A branch of the judiciary we had yet to highlight in an issue and to consider for oral histories is the Provincial Court of Manitoba. To start off with a brief overview, the Provincial Court, commonly referred to as the People's Court, handles approximately 99% of criminal cases in the province from start to finish.[7] Generally, all but the most serious offences are referred to the Provincial Court. Other matters heard in the Provincial Court include all Youth Court cases, inquests, instances of alleged police misconduct, and judicial authorizations (such as warrants).[8] While the majority of family cases fall under the jurisdiction of the Court of King's Bench (Family Division), some family matters are heard in the Provincial Court, particularly those occurring outside of Winnipeg.[9]

In comparison to Manitoba's other courts, the Provincial Court is the busiest in the province, both in terms of speed and volume. But, this is not the only difference when compared to the Court of Appeal. Unlike the Court of Appeal, which sits in Winnipeg, the Provincial Court of Manitoba is an itinerant court, meaning that many of the judges go "on circuit" to smaller communities around the province, some of which can only be

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3 *Appendix B from Career Retrospectives by Chief Judges of Manitoba" (2025), 48:3 sv "Political Leadership in the Time of COVID-19", "Interview of Senior Party Officials".*

4 *Ibid, sv* "Legislative Crises Interviews Part 1".

5 *Ibid, sv* "Online Dispute Resolution: Lessons from the COVID-19 Pandemic".

6 Please see Appendix A for more information on the Journal's oral history methodology and Appendix B for a more detailed summary of our previous oral history projects.

7 Government of Manitoba, Department of Justice, "Time to Disposition", (Winnipeg: Government of Manitoba) (last visited 11 July 2026), online: <www.gov.mb.ca> [https://perma.cc/XMS3-SX6D].

8 The Provincial Court of Manitoba, *Annual Report 2022-2023* (Winnipeg: Queen's Printer, 2023) at 25, 29, 30, 33, online (pdf): <www.manitoba.courts.mb.ca> [https://perma.cc/F5U4-VFVA].

9 "Provincial Court", Manitoba Courts Provincial Court (last modified 3 July 2025), online: <www.manitobacourts.mb.ca> [https://perma.cc/7S5N-QPCS].

reached by either plane or boat during certain times of the year.[10] Judges, court staff, prosecutors and defence lawyers may all fly in on the same plane to reach more remote communities.

Presently, fifty-four judges preside over the Provincial Court, including thirteen Senior Judges.[11] The majority of the judges' courtrooms and chambers are located in downtown Winnipeg at the Law Courts Building. There are five other court centres in Brandon, Dauphin, Portage la Prairie, The Pas, and Thompson.[12] Provincial judges also serve an additional fifty-six locations across the province in the circuit courts.[13]

A discussion of the Provincial Court's origins requires some historical context, starting from the Middle Ages. Founded in 1973, the Provincial Court of Manitoba's powers are conferred by *The Provincial Court Act* and are derived from magistrates.[14] This system dates back to 14th-century England when increased crime rates necessitated an expedited criminal-justice system.[15] Magistrates Courts existed in different capacities throughout Manitoba's history; all a reflection of the courts in England and operating as a response to petty crimes. By 1835, before Manitoba was a province, the Hudson's Bay Company's justice system included magistrates who held a quarterly court for minor offences and cases concerning debts under £2.[16] In 1871, following Manitoba's entry into Confederation, *An Act Authorizing the Appointment of Magistrates and Coroners* granted the Lieutenant Governor the power to appoint a magistrate for the province as needed, though more magistrates were added later.[17] Provincial judges assumed the responsibilities of magistrates with the passing of *The Provincial Judges Act* in

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10 *Annual Report*, *supra* note 8 at 10.

11 "Judges", Manitoba Courts Provincial Court (last modified 6 July 2026), online: <www.manitobacourts.mb.ca> [https://perma.cc/8PH2-2PAZ].

12 *Annual Report*, *supra* note 8 at 10.

13 *Ibid.*

14 See "Brief History of the Provincial Court of Manitoba", Manitoba Courts (last modified 24 June 2016), online: <www.manitobacourts.mb.ca> [https://perma.cc/Z4Y2-Q6GB].

15 See The Manitoba Law Reform Commission, *Report on The Independence of Provincial Judges* (Winnipeg: The Manitoba Law Reform Commission, 1989) at 4, online (pdf): <manitobalawreform.ca> [https://perma.cc/752W-GA6P].

16 See "History of the Courts", Manitoba Courts (last modified 24 June 2016), online: <www.manitobacourts.mb.ca> [https://perma.cc/W4PV-6ZJN].

17 The Manitoba Law Reform Commission *supra* note 15 at 5.

1972;[18] this would later be replaced by *The Provincial Court Act*.[19] Requirements for appointing a magistrate were far fewer than those of a present-day judge; magistrates did not require legal education or training.[20] In comparison, for the Lieutenant Governor to appoint a provincial judge in Manitoba, the candidate must be a lawyer who is entitled to practice law in the province, a person who has no less than five years of experience, and is a member in good standing with the Law Society of Manitoba.[21]

Now to provide some background on the role of Chief Judge. This title evolved from the office of Chief Magistrate, a position introduced in 1967 that assigned supervisory powers to a senior magistrate.[22] Similar to the current role of Chief Judge, the Chief Magistrate handled the assignment of magistrates and justices of the peace to sittings and hearings.[23] The last Chief Magistrate, Harold Gyles, became the first Chief Judge of Manitoba upon the Provincial Court's inception.[24]A subordinate administrative role was introduced in 1983, the Associate Chief Judge.[25] The Chief Judge can appoint an Associate Chief Judge to act in their place during an absence; the Lieutenant Governor can also appoint an Associate Chief Judge for proper administration of the court..[26] Both the Chief Judge and Associate Chief Judges hold office for a non-renewable term of seven years.[27]

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18 *The Provincial Judges Act*, S.M. 1972, c. 61

19 The Manitoba Law Reform Commission *supra* note 15 at 6-7.

20 *Ibid* at 6.

21 *Provincial Court Act, The*, CSSM, c C275, s-s 3(1-2).

22 The Manitoba Law Reform Commission, *supra* note 15, at 6.

23 While sometimes used interchangeably in England, justices of the peace served a different role than magistrates in Manitoba. Justices of the peace also attended to court matters, but the powers afforded to them were far less than those of magistrates (see The Manitoba Law Reform Commission, *ibid*, at 5).

24 "Brief History of the Provincial Court of Manitoba", note 14.

25 The first Associate Chief Judge was the Honourable Judge Edwin Charles Kimelman who served under this title from 1983-1994 (see Manitoba Historical Society Archives, "Memorable Manitobans: Government of Manitoba: Judges of Manitoba" (last modified 16 May 2026) *sv* "Edwin Charles Kimelman", online: <www.mhs.mb.ca> [https://perma.cc/QA6W-ZS4D]).

26 *Provincial Cout Act, The, supra* note 21, s-s 8.3(1), 9.

27 *Provincial Cout Act, The*, *ibid*, s-s. 8.0.1(1), 9.1(1). However, no judge of the Court, including both the Chief Judge and Associate Chief Judge, may serve past the month in which the judge turns 75 -years of age. See *Provincial Court Act, The*, *ibid*, s 5.1.

To further discuss the duties of Chief Judge, they are the official spokesperson of the Provincial Court.[28] Their mandate is to exercise general supervisory powers in relation to judges, justices of the peace, and staff, and the Chief Judge is responsible for the judicial functions of the court.[29] The Chief Judge may also establish seminars for the continuing education of judges and they are responsible for preparing the Provincial Court's annual report.[30]

The words of former Chief Judges in past annual reports reflect the Provincial Court's independent and dynamic nature (notably the first report in 2002 and the most recent in 2023).[31] These traits are indicative of the court's ability to adapt to changing social needs via initiatives. Initiatives of the court are often spearheaded by Chief Judges, such as the implementation of the Senior Judges program by Chief Judge Champagne.[32] Most recently, Chief Judge Rolston appointed the first Associate Chief Judge of Reconciliation.[33]

In this volume, we present oral histories from the last four Chief Judges of the Provincial Court of Manitoba (the Honourable Raymond Wyant, the Honourable Kenneth Champagne, the Honourable Margaret Wiebe, and the current officeholder, the Honourable Ryan Rolston).

What comes across in these pages is, perhaps unsurprisingly, a strong ethos toward both justice and service. All of the interviewees seemed quite comfortable with having a time-limited opportunity to serve in role that would allow them to do what they could to improve the quality of the justice in Manitoba. While each has their own unique background, several traits would show themselves in our interviews more than once. For example, two

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28 The Provincial Court of Manitoba, *Annual Report 2022-2023* (Winnipeg: 2023) at 6, online (pdf): <www.manitoba.courts.mb.ca> [https://perma.cc/F5U4-VFVA].

29 *Provincial Cout Act, The*, *supra* note 21, s 8.1.

30 *Provincial Cout Act, The*, *ibid*, ss 8.1.1(1-4).

31 See The Provincial Court of Manitoba, *1st Annual Report* (Winnipeg: 2003), online (pdf): <www.manitobacourts.mb.ca> [https://perma.cc/J2KL-QLMY]. See also, *Annual Report*, *supra* note 8.

32 There were not always Senior Judges in the provincial court. This was an initiative implemented by former Chief Judge Champagne to alleviate the workload of full-time judges and combat system delays (see Provincial Cout Act, The, *supra* note 21, s 6.5).

33 Province of Manitoba, "Manitoba Government Appoints First Associate Chief Judge of Reconciliation" (19 June 2026), online: <news.gov.mb.ca> [https://perma.cc/8JB4-7AHF].

(Justice Champagne and Chief Judge Rolston) spoke at length about their involvement in organized sports, and how sports taught many lessons that they continue to apply in their current roles. Two (Chief Judge Wyant and Chief Judge Rolston) had served as both defence lawyers and prosecutors at different times; Justice Champagne had served as a prosecutor in his time as a lawyer. Chief Judge Wiebe, on the other hand, came from a corporate-law background, and studied criminal procedure and evidence voraciously to allow her to become a good judge.

All three of the former Chief Judges would go back to judging at the end of their terms as Chief Judge. Chief Judge Wyant would continue to serve as a Judge of the Provincial Court (or as a Senior Judge of the same court[34]) for an additional 15 years. Chief Judge Champagne would be elevated to the Manitoba Court of Queen's Bench within two years of the end of his role as Chief Judge. Chief Judge Wiebe would return to her post as a Provincial Court Judge following the end of her seven-year term and has remained on the Bench since.

In the end, we have discussed the ethos public service of all of our interviewees. We are very thankful that their commitment to service extended to giving their time to the Manitoba Law Journal to provide our readers with the thoughts reproduced in this volume.

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[34] A Senior Judge is a retired Judge of the Court (designated by the Chief Judge as a Senior Judge) who serves on a *per diem* basis when needed for judicial duties, See *Provincial Court Act, The*, *supra* note 21, s. 6.5.