

Title: Friday, September 14, 2007 Community Services Committee

Date: 07/09/14

Time: 2:01 p.m.

[Mr. Marz in the chair]

The Chair: Good afternoon, everyone. I would like to call this meeting to order. I'd like to welcome all the members in attendance as well as the staff in attendance here today. As well, I see that we have some members of the public here. Welcome.

I'll start with introductions. Some of the members haven't arrived yet, but we'll mention their names when they come in. I'm the chair of the committee, Richard Marz, and if we can go around the table to my right.

Mr. Johnston: Good afternoon. Art Johnston, Calgary-Hays.

Mr. Lukaszuk: Good afternoon. Thomas Lukaszuk, Edmonton-Castle Downs.

Mr. Backs: Good afternoon. Dan Backs, Edmonton-Manning.

Ms Sorensen: Rhonda Sorensen, manager of communications services, Legislative Assembly Office.

Dr. Massolin: Good afternoon. Philip Massolin. I'm committee research co-ordinator for the Legislative Assembly Office.

Mrs. Kamuchik: Good afternoon. Louise Kamuchik, Clerk Assistant, director of House services.

Ms Marzalik: Anne Marzalik, researcher, Legislative Assembly of Ontario.

Dr. Pannu: Raj Pannu, MLA for Edmonton-Strathcona.

Mr. Reynolds: I'm Robert Reynolds, Senior Parliamentary Counsel.

Mrs. Dacyshyn: Corinne Dacyshyn, committee clerk.

Rev. Abbott: I'm Tony Abbott, Drayton Valley-Calmar.

The Chair: Louise, did you want to make any introductory comments about Anne?

Mrs. Kamuchik: If I may, Mr. Chairman, so that people will get used to seeing Anne sitting at our table in the next little while.

The Chair: Please do so at this time.

Mrs. Kamuchik: Thank you. Anne Marzalik, as she so said earlier, is a research officer with the Ontario Legislative Assembly who has kindly agreed to spend some time with us to assist Philip primarily with the research and report-writing component of the Assembly's standing committees activities.

Anne holds an undergraduate degree in political science and economics from York University and a master's in business administration from McMaster University. She has been with the Ontario Legislative Library research and information services branch since 1997. She has provided research and analysis on a range of public policy issues. She has been the lead research for the standing committees on Estimates and on Finance and Economic Affairs and has provided research support to other specialists and general policy committees. She has prepared summaries of recommendations arising out of public hearings, drafted committee reports, and

provided research and analysis on various topics of interest to committees.

We are indeed very fortunate to have such an experienced and talented individual willing to assist us in these busy times, and I'm sure all of us will wish her our warm traditional Alberta welcome.

Thank you, Mr. Chair.

The Chair: Just arriving is the deputy chair of the committee, Mrs. Weslyn Mather from Edmonton-Mill Woods.

Mrs. Mather: My apologies for being late.

The Chair: We had the documents for the meeting posted online on Friday, September 7, with the complete list of the submissions, and I'm sure everyone had a chance to go over them by this time. Also, I hope everyone has had a chance to review the agenda. Could we have a motion to approve the agenda? Thomas. All those in favour? That's carried.

Adoption of the minutes. Have the members all had a chance to review the minutes of July 16, 2007? If so, would there be a motion to approve?

Rev. Abbott: So moved.

The Chair: Reverend Abbott. Those in favour? That's carried.

Before we go on to reviewing the submissions, we're going to have Mr. Rob Reynolds bring us up to date on a number of issues and bring to the committee's attention the privacy issues with some of the submissions. Before we go any further, Rob, perhaps you would like to proceed with your presentation now.

Mr. Reynolds: Yes. Thank you very much, Mr. Chair. I'm not going to get into the details of the submissions that you've received. I'm going to talk about some concerns surrounding the submissions and what would become public. Philip Massolin will be able to speak to you in detail about the individual submissions if you so wish.

I should also point out that I'm not normally counsel to this committee. Shannon Dean is, but she is away from the office. I've had the opportunity to present a similar commentary to the Standing Committee on Resources and Environment and, just as recently as yesterday, Government Services. I hope it's shorter now that I've honed it down a little.

In any event, some of the considerations that are attached to the submissions relate to privacy and information protection, if you will. There is some information that in our view and in our submission to the committee would be inappropriate to be on the external website. Just to remind members, all these submissions that are received are posted on what is the internal website, which is available to members and the staff that they have selected to assist them and, of course, staff in the Legislative Assembly Office. It doesn't go further than that. What I'm talking about here is posting the submissions on the external website so that they can be publicly accessible. There are some considerations that are attached to that.

Now, I want to point out that the Legislative Assembly is not bound by the Freedom of Information and Protection of Privacy Act because the Legislative Assembly is not identified as a public body. However, there are some concerns arising from that legislation that we feel should inform your consideration of what submissions or what parts of submissions should be made public. The first situation I'll refer to is where it's personal information other than name; for instance, someone provides their address, telephone number, e-mail address. In our view, that information should be severed because it

would be too easy for this personal information to be out there in the public domain. The name is, yes, personal information, but it seems that if someone makes a submission to a committee, then they're presuming that their name would be attached to that.

A second category, which is perhaps more relevant to this committee than the others, is where there is identifiable information about another individual in a submission. By that I mean third-party information. To use a hypothetical example, someone writes in with a submission on a bill, and they relate a story about another person containing details of that person's life or experience somehow. In our view, because that information is about a third party, not the individual who is submitting the presentation, that information should not be publicly available because it's something about another person. I'm referring to situations where there's a description of that person's activities, behaviour, et cetera. That person has certain privacy rights, and to release that information would in our view run afoul of or interfere with their rights and interests.

Another situation is where the person who is making the submission has requested that the information not be made public. It would be our recommendation that the committee accede to those requests.

There are a couple of other categories. Where the information is potentially defamatory, it would be our recommendation that even though the Legislative Assembly and the committees are probably protected in the sense of someone initiating a lawsuit against the committee or the Assembly, it's probably not a good practice to be putting out defamatory statements, you know. That's libelous or slanderous statements about an individual.

The last category that we have would be other offensive material we wouldn't want to see posted. Now, if you asked me what offensive material is, I would say: let's say a submission that's laced with profanity. I don't believe that there's such a case in these submissions, but clearly if there was profanity throughout a submission, I don't think it would be in anyone's best interest for that to be posted on the external website.

2:10

I should tell you, Mr. Chair, if you'll permit me, that there has been a motion that's been passed by the other committees – the Resources and Environment and Government Services committees – in essence that the Standing Committee on Community Services make the submissions received available to the public on the external website except for personal information other than name, instances where the submitter has requested certain information not be made publicly available, where the submission contains information about a third party, or where the submission is potentially defamatory or otherwise objectionable. As I say, that's the motion that's been passed by the other two committees.

I should just make one other comment, Mr. Chair. Where there's information from an association or a corporation, that's not subject to the same considerations with respect to personal information. For instance, a corporate body that provided a submission would have the address, phone number, et cetera, on the external website. That would be made publicly available.

Thank you, Mr. Chair.

The Chair: Thomas has a question.

Mr. Lukaszuk: Mr. Chairman, obviously we want to achieve as much procedural uniformity as we can between the committees. Having said that, I believe – and correct me if I'm wrong – that one committee is not bound by the processes of another committee. I'm wondering – and perhaps it may be worth while to discuss this for a while – what benefit there is to the general public, to the process,

and particularly to the outcome in posting submissions in their original form on the web for public scrutiny. Would our problem not be addressed sufficiently enough if we were to just post synopses of submissions – 15 submissions in favour for this reason, two submissions against for that reason – as opposed to taking the chance and risk of potentially identifying and harming individuals who may in one way or another be identified, particularly in small communities in Alberta? You know, if Joe Smith writes a submission about a family member, everybody in the small town is bound to know who it is that we're talking about. Is the risk justified by any benefit? At this point I am not sure what the benefit would be other than transparency.

The Chair: I have Tony and then Raj.

Rev. Abbott: Thank you, Mr. Chairman. Just to speak to that point, actually Thomas makes a very good point. Just in looking through the names of the submitters, I did recognize a couple of those names, and as Thomas said, being from rural Alberta, I know exactly who the family is and what their situation is. So to have that submitted may not be good, especially because I know the situation very intimately. In the case of Bill 31, sometimes these are the kinds of things that can maybe set people off, you know: when things do become public.

Like I said, specifically in a case that I am familiar with, I know that it would not be good to have any of it submitted. They may not have said that, or they may have said that in the writings; I'm not sure. At any rate, I would agree: the synopsis idea may be the way to go for this particular committee.

The Chair: Dr. Pannu.

Dr. Pannu: Thank you, Mr. Chairman. The questions posed by Thomas are fair ones, but I think the very last word that he used in closing is to me the most crucial part of the statement, and that's "transparency." I think it's our obligation as a committee to ensure that our proceedings are as transparent as they possibly can be made.

To serve that objective, then, first of all I think that complete submissions should be posted on the external website. The personal information might lead to people who have made those submissions starting to receive phone calls. To protect them from receiving unnecessary phone calls or e-mails, it's a good idea not to provide the address and the telephone number, but I think names should be provided. Anyone who communicates with this committee understands that this committee's proceedings are public, that we are a public body, and that it's our obligation to make sure that the materials that this committee considers are available in as full a form as possible to Albertans, whom we represent in this House and in this committee.

I would be concerned about restricting first of all the information that's made available on the external website to simply some sort of summaries. I think full information should be available, but I will agree that information that reveals too much information on the person who is making the submission perhaps should not be made available, should not be made public.

Mrs. Mather: I really agree with both sides here. I think that transparency is very important, but I am concerned about the small-town experience. Having grown up in a small town, I know that if there's a name there, immediately people are going to know who they're talking about. Is it possible that we could still have the transparency with posting the submissions but leave out pertinent information to protect the individuals? Everybody has a right to

privacy, right? I think that with the small-town thing, if the signature of the individual is there or the name of the writer is there, that's enough to tell them who they're talking about. Could we have submissions where we didn't have the writer's name posted?

Mr. Backs: I think it's important to ensure, you know, real privacy in this situation. The comments of Thomas and Tony, I think, are very telling regarding small towns. Having lived in a small town and having worked in them quite a bit in the past, I understand how that might create a real chill in terms of bringing about submissions. It may create a real chill in having a full view of a lot of the ideas that we may want to see come forward, especially in, say, mental health situations.

Transparency, of course, and full disclosure and all the rest are very, very important, but getting the ideas out, getting the full sense of an issue from all aspects and all parts of the population, I think, are really important. To do it in a synopsis sense as suggested by Thomas, I think, is wise.

Thank you.

Dr. Pannu: Mr. Chairman, I want to note that the issue of chill is really, in my view, a nonissue. We've already received the submissions, so any decision that we make today about not posting the name of the submitter on the Internet will not silence anyone from what they've already said. What they wanted to say has already been said, and they have said it in good faith. They have said it on the assumption that what they are telling us is something that they want to share not only with members of this committee but with everyone else who is interested in listening to them. They are making a case either for or against one or another position.

First of all, the issue of chill, I think, is a nonissue because submissions have already been made. No one is going to be silenced by the decision that we make today. The only issue that I have – and I concede on that, and I think that it's an important one – is that the people who made the submissions not begin to receive ugly phone calls or e-mails. That's where the small-town issue may come in. That's where I come in with the other argument, that people who have made submissions to us have made them on the assumption that what they are telling us is something that they want to tell everyone without any fear of being noticed that they're saying so.

2:20

Mrs. Mather: I think it takes really a lot of courage for somebody to write a submission to us. I think it's really necessary that we make that process safe for them. I think the idea of the chill is that it might be a deterrent down the road for other legislative committees to get input or submissions because they'll be: "Oh, well. You know what happened to John Doe when he submitted something to the Community Services. It was online. Everybody knew."

There's an implied trust, I think, when we talk, though, about a synopsis. The trust would be that we have been comprehensive and forthright. Is that asking too much? I don't know. Transparency is the key here. We want to be transparent. We want to do a good job here. We want to be fair to everybody, and we need to protect rights. So it's complex. I'm not sure what the answer is. Again, I guess I would ask: can we put these letters of submission there without identifiable information in them?

The Chair: Before I recognize Mr. Lukaszuk, Rhonda, did you have some comments pertinent to this issue?

Ms Sorensen: Thank you, Mr. Chair. I just wanted to remind the committee for information purposes only that when the advertising

was sent out, it did specify that submissions may be made public and that if people did not wish their submission to be made public, they specify that. A number of people did specify that they did not wish it to be public.

The Chair: Mr. Lukaszuk, did you want to comment further?

Mr. Lukaszuk: I wish we'd had this clarification to begin with. Perhaps our discussion would be shorter.

That's great. You know, I'm very encouraged that everyone around this table is focused on the fact that we want this committee to be productive and that we want good outcomes as a result of it. Therefore, we have to have full trust and participation of the Alberta public in this committee process. If there are any perceived obstacles to full participation, being (a) fear of submission or (b) negative repercussion from submission, then obviously we need to avoid that.

Now, since a disclosure proviso was in the letter, one can assume that we have a full consent of those who submitted to publicize this information.

The Chair: Is the committee, therefore, prepared to make a motion comparable to what the other committees have done on this issue?

Dr. Pannu: I so move, Mr. Chairman.

The Chair: I would understand that the motion would read: moved by Dr. Pannu

that the Standing Committee on Community Services make the submissions received available to the public on the external website except for personal information other than name, instances where the submitter has requested certain information not be made publicly available, where the submission contains information about a third party, or where the submission is potentially defamatory or otherwise objectionable.

All those in favour of the motion? Opposed? That's carried. Thank you very much.

At this point we will turn it over to Dr. Philip Massolin to review his analysis of the submissions, and then we'll open the floor to questions. Are you ready to make that presentation, Philip?

Dr. Massolin: Yes, indeed. Thanks, Mr. Chair, for that. I just wanted to point out a few things about the reports that I prepared on Bill 31 and Bill 41. The first thing is to point out that they are two separate documents. I've prepared an interim summary and then a full submission summary. I just want to speak to the full submission summary for both of the bills.

The first thing I would like to indicate is just sort of the general structure of these reports and the difference between the full report versus the interim. The full report, or the complete summary, as you can imagine, has actual summaries of the submissions whereas the interim summary just has more of an executive summary as well as statistical information. The complete summary actually has summary information from all the submitters for both bills.

For Bill 31 I just want to highlight some of the more salient issues that came up there among the 39 submissions that we received. Just a point about that 39 number. We actually received more responses. However, several of those responses were simply: thank you very much for consulting us on this issue, but we choose not to make a submission. Those have been disqualified from this report for that reason. One other note I should point out with respect to that 39 number is that three of the submissions were substantially the same in terms of their content, so much so that they actually use the same

language. Those three submissions have been amalgamated into one.

Some of the salient issues. As you can see on page 3 of the Bill 31 summary, a number of submitters have commented on the issue of involuntary admission, some for the amendment, some against it. We had a very large response with respect to community treatment orders, as one might expect. I'll go into the specifics in just one second. Patient rights and Charter issues: another important, salient issue. Implementation issues is also a very important one, and then there are a number of just general comments on the bill itself.

Specifically, as I say, there's roughly an even split among submitters on the issue of involuntary admission, pro and con, for a variety of reasons. Some submitters like the broadening of the admission criteria; others thought it was too broad as a result of the proposed amendment. There were some submitters who were concerned about the legal language used, that it was not as defined as it could have been, as you can see from the report.

In terms of community treatment orders, CTOs, you can see from 1.3 on page 4 of my report that there are several comments, and I've tried to summarize them as follows. There are submitters who believe that CTOs are beneficial in terms of ceasing the sort of revolving door scenario. There are others who believe that certification and prior hospitalization are not necessary criteria for the issuance of CTOs. There are other issues, as you could read for yourself in that executive summary part but also in the other part of the major summary section of this report.

Charter issues were also an important sort of response issue. Several submitters were concerned that both the admission criteria and the CTO issuance criteria might violate the Canadian Charter of Rights and Freedoms.

Lastly, a number of respondents were also concerned about implementation issues; that is to say, they wondered whether the resources were available in the community to support the adoption of a CTO. By resources they mean sort of personnel and medical expertise but also infrastructure resources.

Those are some of the more salient issues that came out from the submitters. The other thing I should note is that in this main summary part, the body of this report, it's been divided into two basic sections. The first section contains comments from solicited stakeholders, and by that I mean the stakeholders that we've actually contacted through the stakeholder letter and who have responded. The second section comes from other stakeholders that we didn't necessarily contact specifically and from members of the public.

2:30

The Chair: Tony, you have a question and then Dr. Pannu.

Rev. Abbott: Yeah, I have a question, Philip, and I'm not sure if this is the time to address this, Mr. Chairman, or not. In your Brief Summary of Submissions, 2.0, in the second paragraph towards the bottom you talk about a couple of submitters who pointed out an inconsistency in section 9.1(1)(e)(ii), and I'm just wondering: when you get these submissions, do you actually cross-reference that with legal counsel, or do you just simply report them to us for information? Like, I'm wondering when we sort of delve into these and use some of the information that's pointed out to improve the bill.

Dr. Massolin: Thank you, Mr. Chair. It's an excellent question. The response is that I have had close collaboration with Parliamentary Counsel. However, this is not a legal opinion by any means. What I've tried to do as far as possible is to try to categorize these considerations, these concerns, these comments and recommendations under the appropriate categories; i.e., the provisions of the bill.

I try to make comment where appropriate in terms of whether or not the submitter is sort of on track or off track. However, in doing that, of course, I'm not a lawyer, so I cannot sort of speak with absolute authority on that issue. It's a guideline for further discussion, really.

Dr. Pannu: Just for clarification, Phil. For the solicited stakeholders we did develop a list of those, and these are essentially, I think, corporate entities – is that right? – associations, professional organizations, and that sort of thing and some research institutes perhaps.

Dr. Massolin: Correct.

Dr. Pannu: The solicited stakeholders, then, include exclusively corporate entities.

Dr. Massolin: Right. If you actually go to the end of the report, I can point out exactly who those solicited stakeholders are. If you go to page 14 of the report, you can see that there are certain submitters who have been highlighted in the dark sort of shading; for example, the Alberta College of Social Workers. They have been solicited by this committee to make a submission and have made that submission. That's what that shading means.

Dr. Pannu: Then the next section, the unsolicited submissions: would that include some corporate entities that we might have left out of the list?

Dr. Massolin: Yes, it would.

Dr. Pannu: And how many are those?

Dr. Massolin: Again, if you turn to that 4.0, you can see the corporate entities like Alpha and AFC and so forth, the ones that are not shaded. If they're not shaded and they appear to be a corporate entity, those are unsolicited stakeholder groups.

Dr. Pannu: Thank you.

The Chair: I don't believe I anticipated that we would go through on an individual basis the submissions today; more that we would look into them in detail after the public hearings if we decide to have them. Then we're not prejudging anything or formulating an opinion before we hear everything.

Any other questions to Philip at this time? If not, we can move on to item 5. [interjection] Oh, you were going to do Bill 41 too?

Dr. Massolin: Yeah, and actually I do have a few more things to say about Bill 31 as well, but thanks for the questions though.

The Chair: I was just giving you a prompt.

Dr. Massolin: Thanks, Mr. Chair. Actually, if you turn to page 13 of the Bill 31 report, it's got some information there in table 1 about the opinion of the bill and the geographical origins of the submitters. This is information that you may want to consider in terms of determining, you know, public hearings and so forth.

Also, in table 2 you've got information pertaining to the submitters requesting to appear and present oral presentations. You can see that there are 10 submitters who've made that request.

That's basically all I have to say on the Bill 31 report. Now I can go into the Bill 41 report.

The Chair: Okay. Please do.

Dr. Massolin: Okay. Thank you. Basically, this report is organized in much the same way, so I won't delve into the details of the organization of that. What I will say to start with is that this report considers 34 submissions, again fewer submissions than the total respondents for the same reason as I indicated for Bill 31.

Just some of the more salient issues. You can see there under 1.2 on page 3 that we've got the issue of public health threat; the infringement of the self-regulatory role; concerns about ACR, alternate complaints resolution; the need for further consultation with government on the proposed amendments; other issues and other comments. I'll just sort of elaborate on a couple of those right now and then move on.

In terms of the public health threat provision, as I've written on page 4, under 1.3, submitters tend to agree with that proposed amendment.

The issue on which we've received most comment is this issue about the self-governing role of the health professions. As you can see, there's a lot of reaction there. There's a lot of concern among submitters with respect to what is perceived as sweeping powers being adopted by cabinet and potentially the ministers to erode the self-governing role of these professional groups. Then there are these other concerns, including the alternate complaints resolution and so forth, which you can read about for yourselves. At the end of the report again we have the list of submitters and the opinion of the bill and the geographical origins of the submitters for consideration by the committee.

One thing, though, I would like to bring up with you in terms of the submitters who are requesting to present. Maybe the committee clerk could pass out that information that I provided to you. Parliamentary Counsel has wondered whether or not this committee would like to actually approach stakeholders who we've solicited to the stakeholders list but who have not responded either in terms of providing a written response or indicating that they would like to make an oral presentation. Corinne is just passing out a list of those solicited stakeholders who have provided no response. Perhaps the committee would like to consider whether or not it's a good idea to actually invite these stakeholders to make presentations.

I'll just leave it at that unless there are other questions.

The Chair: Any questions of Philip?

2:40

Dr. Pannu: Not on the sheet that's being distributed, Mr. Chairman, but, yes, I have a question. I notice that with respect to the submissions on Bill 31 and Bill 41, these two separate bills, the vast majority of the submissions on Bill 31 have come from people who live geographically, at least, north of Red Deer. Only six seem to have come from the part of the province that falls south of Red Deer. This raised the question. Tony and I were talking about it. I wonder if it was a function of the way the information was disseminated seeking submissions, that somehow the advertising that was done south of the border was done either differently or was for some reason less effective than that affecting the northern part of Alberta.

One could speculate this if one looked only at Bill 31 submissions, but when we look at the Bill 41 submissions, there's more of a parity between submissions that have come to us from south of Red Deer and those that have come to us from north of Red Deer, relative parity. They're not exactly the same. I can't therefore conclude from that that it definitely had something to do with the way we advertised south of, you know, Red Deer. I wonder what caused this disparity in the case of Bill 31; that's all. I'm drawing the attention

of the committee to this, you know. We have very few submissions from there.

Dr. Massolin: I can't say for sure. I mean, I agree with your observations. They certainly bear out, sort of, the realities. Perhaps my colleague Rhonda would be able to enlighten us on that.

Ms Sorensen: I can certainly try although I can't speak to the effectiveness of the advertising. I can tell you how it was done. We did a province-wide campaign in all Alberta weeklies that are a part of the Alberta Weekly Newspapers Association – and that is extensive coverage throughout the province – as well as in all Alberta dailies. That went to Medicine Hat, Lethbridge, Calgary, Edmonton, Red Deer, Grande Prairie. I'm probably missing one or two.

In terms of what the breakdown is on the submissions we received, on Bill 31 17 per cent of the submissions came from stakeholders that were sent a stakeholder letter; 83 per cent of the submissions came from advertising. On Bill 41 it was more of a 50-50 split, with 47 per cent coming from stakeholders, 53 per cent from advertising.

The Chair: Anyone else?

Mr. Reynolds: I just have one point – perhaps it's obvious to everyone – that the ads for bills 31 and 41 ran together. They were in the same advertisement in the same papers.

Ms Sorensen: Yeah, one ad.

Dr. Pannu: Yes, I can see that. I acknowledge that.

The Chair: I believe that the advertising was fair and consistent throughout the province. As the chair I received a lot of comments in the southern part because I'm from the southern part: oh, yeah, I see you're doing a consultation. So the word was definitely out there. I don't think we can overanalyze why some chose to respond and others not.

Are we ready to move on to our discussion on number 5, on public hearings, who we want to hear from and how many submissions there were for requesting the public hearing? Philip, do you have anything on that?

Dr. Massolin: Just what I had to say in terms of, you know, a consideration by the committee of approaching these other stakeholders that didn't respond. The committee may want to consider approaching them to see if they want to make submissions. Otherwise, the submitters who want to appear are indicated in both reports.

The Chair: Does the committee wish to meet with everyone who has requested a meeting?

Rev. Abbott: I think we should probably, if our time allows it, do that, not only to solicit those who have not responded but even those who have. I know that they did take the time to write their comments down, which generally are more concise, but they may welcome the opportunity to appear before the committee and just add detail to those comments or whatever. Again, not that I want to prolong this, but I think we need to make it fair. If we're going to invite certain people, we kind of need to, you know, open that up and invite those who have already put some effort into this.

The Chair: Anyone else? Mrs. Mather.

Mrs. Mather: Yeah. I'm just curious. Would you invite those who have not made a submission?

Rev. Abbott: Oh, absolutely. Yes, I would include those.

Mrs. Mather: So it would be an open opportunity. I agree with that.

Rev. Abbott: I would include in this list those who have not made a submission but also give that same opportunity to those who have in case they have more to say.

Mrs. Mather: Yes. Okay.

The Chair: Mr. Lukaszuk.

Mr. Lukaszuk: Thank you. Let me get this straight. We widely advertised. You'd imagine that associations like the Canadian Bar Association or the Alberta Civil Liberties Research Centre would be aware of this work being done. It was widely advertised, and it is an area of their interest. They have chosen not to submit. I imagine that this was an active decision. They have elected not to submit.

Now that they have not submitted to us, are we going to simply one more time further encourage them to submit, or are we asking them for expert advice and want to compel them to appear before us and submit? They obviously have decided not to share their opinion with this committee for one reason or another. If we want expert advice from them, we definitely can write them a letter and say: we find that you have a significant body of knowledge due to the area of expertise that you hold, and we would want to hear from you. But why would you want to encourage them again to submit? They obviously do not want to partake in this process.

The Chair: Well, we have two different issues here. First, does the committee want to meet with everyone who's requested it? There have been 11 requests on Bill 31 and five on Bill 41. I get the general feeling that that's what the committee wants to do. Is that correct? Anyone for any reason not want to meet with any group? Okay. So generally agreed that we'll meet with everyone that has requested a meeting.

The next issue. We have to decide whether we want to invite certain people, officials and experts, to appear. Philip, you had some information on that in our package, I believe. Do you have the page number for the officials or persons or experts that we would like to invite to appear?

Dr. Massolin: Yes, I do, Mr. Chair. For Bill 31 the list occurs on page 13, for Bill 41 on page 10. You've also got a compilation of that that Corinne has handed out as well, a compilation list of all.

The Chair: Are there any questions on that list you have? You've got two sheets that look like this and this.

Dr. Pannu: This one here?

The Chair: Yes.

Are there any comments or questions? There's been a list handed out. Are there any concerns or questions about any that are on the list or any that should be on the list?

Dr. Massolin: I'm sorry. I guess you weren't given a list. This is

a compilation of all of those who've requested to submit for both bills. I guess you don't have that. Sorry.

The Chair: Yes, we did. We agreed to that.

Dr. Massolin: Okay. Then there were the other two that Corinne just handed out, that look like this.

The Chair: Right. That's what we're dealing with now.

Are there any questions from any of the members on the list that we would like to invite? Are there any that you have a problem with on the list, or are there any that you'd like to add to the list?

Mrs. Mather: I think that we've decided that we want to invite those who have requested to appear, right?

The Chair: Right.

Mrs. Mather: The other question, though, in my opinion was: what about those – and I'm not speaking necessarily of associations but even individuals – who because this was happening during the summer months weren't aware of it? I've had people say: oh, I didn't even know about this till now. Would we open these open consultations to individuals like that or even to associations who weren't paying attention?

Dr. Pannu: This issue was discussed by the committee, I think, before we decided to advertise when we did. We anticipated that there might be some problem along the way because of the summer months. Some associations have limited staff or have offices that operate, I suppose, only during certain months. I don't know about this. That would apply to individuals even more so. You know, they have less resources. So I think the suggestion that the vice-chair has made is an appropriate one. We probably should leave it open if there are individuals.

2:50

The Chair: It was my understanding that all the associations were sent letters, so whether it was holidays or not, they were notified.

Dr. Pannu: I'm talking more about individuals now. Individuals, if they so choose, perhaps should be accommodated by the committee even though they have not taken advantage of making a submission.

With respect to associations that, in fact, were invited to send a submission but have not, looking with respect to Bill 31, with some of those I'm curious. The Alberta Law Reform Institute is an institute that does make a substantial contribution to reform efforts of existing laws but has not. We need not compel anyone to come before us – let me make it very clear – but we might want to send a sort of last-chance reminder that if you still wish to appear before the committee, you have the opportunity, but we would like to know by a certain deadline, a certain date.

The Chair: Rhonda and then Thomas.

Ms Sorensen: Mr. Chair, thank you. I just again wanted to remind you of what went in the original ad and then also speak just briefly to what we're doing with other committees in terms of advertising for public hearings. In the original ad, in addition to specifying whether you wanted your submission public, we also said that the committee intends to hold public hearings, with the dates and locations to be determined at a later time.

With the other committees we are advertising the public hearings and giving people a 48-hour period to register if they wish to make oral presentations. That's in addition to the ones that we contacted who've already specified that they wish to make oral presentations.

Mrs. Mather: In addition to those who have made submissions? Somebody who has not made a submission could apply?

Ms Sorensen: It would be advertised publicly, so they would have that opportunity.

Mrs. Mather: Yes. Okay.

Mr. Reynolds: I realize that I'm out of turn, but I was just going to add that that decision, of course, is up to the committee. It's just that with other committees, yes, the advertisement is being placed in newspapers to allow people to register to make a submission when the public hearing is going on. Rhonda's point is that they have to give advance notice – at least, that's the practice of the other committees – which assists in planning, determining how long the meeting is going to be, et cetera. It does preclude people from just showing up without notice and wanting to make a submission, so there is that element to it.

The Chair: Mr. Lukaszuk.

Mr. Lukaszuk: Thank you, Mr. Chairman. I'm a little concerned. When I look at these handouts here, they list all the associations. Not only did they have the benefit of reading the advertisement in the public press, but they specifically have received a letter with a deadline for submission contained in it. I accept Dr. Pannu's argument that some associations have different staffing situations and that some are more ready than others to respond.

Just looking at the list, if you allow me the latitude, Mr. Chairman, we have the Alberta Psychiatric Association, the Alberta Social Health and Equities Network, the Alzheimer Society, the College of Physicians and Surgeons of Alberta, the College of Registered Psychiatric Nurses of Alberta, Alberta Civil Liberties Research Centre. These are big organizations. I'm sure that the decision not to respond in writing to us was a conscious decision, and a deadline has already been imposed. Now, if we were to now contact them again and say, "Never mind the previous deadline; we're giving you yet one more deadline," fine. The question is: what does this do to our deadlines? We have one serious deadline: we have to table our submission to the House.

You know, the best way, Dr. Pannu, to derail a bill, as you well know, is to prolong it here in this committee and not table it back to the Legislature, and then it will never see the light of day. I appreciate the fact that some have not responded. I consider them to have willingly not responded. Based on that, I don't think we should jeopardize this bill and not report it back to the Legislature and have it fall on the floor of the House.

Dr. Pannu: Mr. Chairman, there's no intention on my part or any member of this committee's part to delay the completion of the process that we've undertaken with the deadline of November in mind, the start of the session. I would suggest that we adopt the same procedure with respect to hearings that other committees have. We won't be doing anything different from them. I'm sure those committee members are equally earnestly interested in completing their proceedings, preparing reports, as we are, by the end of October or the first week in November. If we adopt the same procedure as the other two committees have, I think that will serve

us well. That will open the door a bit more to those who want to appear before us. On the other hand, it doesn't delay us from proceeding with our work according to our own timeline.

The Chair: Any other comments on that?

Dr. Pannu: I would so move if that's the way to make a decision on it.

The Chair: Chances are that if a group didn't want to respond the first time, probably many of them won't want to respond the second time, but there may be some that for whatever reason may well do that.

Do we need a motion for this? Dr. Pannu, you want to move that the Standing Committee on Community Services advertise the date and location for its public meeting in major daily and weekly newspapers as per what the other committees have done.

Ms Sorensen: We did advertise in dailies and weeklies initially. With the other committees what we've been doing for the public hearing is determining first of all the actual date and location and then going from there to determine where we advertise.

Rev. Abbott: So you're out of order, Raj.

Dr. Pannu: I'm happy to be ruled that way until we make the decision about the dates. Thomas's concern is an important one. We want a deadline for which we can get things done, so let's establish dates first.

The Chair: Just to clarify again,

the committee would like to consider a process for allowing members of the public who had not previously indicated their interest in making a presentation to be heard at a public meeting and to advertise that 48 hours' notice be given by the committee clerk prior to the meeting date required of the presenters before scheduling.

Dr. Pannu wants to move that?

Dr. Pannu: Right.

The Chair: Those in favour of that? Opposed? That's carried.

Now, the dates and locations. I believe everybody has a copy. They're being handed out now. We've tentatively had our calendars booked previously. Hopefully, they didn't get booked for something else. The tentative dates are Monday, October 1, 9:30 a.m. to 9 p.m., Tuesday, October 2, 9:30 a.m. to 9 p.m. That would be for the public hearings. Are those dates suitable?

Dr. Pannu: If you allow me to comment on it, Mr. Chairman. I think the first date, Monday, October 1, is fine. I'm a little bit worried that if we do in fact sit until 9 p.m. on Monday here in Edmonton, I believe – are the two days of hearings one in Calgary and one here? Let me ask that question first.

The Chair: We haven't determined the locations. We're in the process of doing that right now, so that's up for discussion. We've only had one request so far from Calgary. It's a huge expense to move this committee all the way down to Calgary to hear one presenter. If there is only one, the presenter could either make arrangements to come up to Edmonton, or we could arrange for some video conferencing if that would be suitable to that individual.

Dr. Pannu: If there's no travel involved on the part of the members of this committee for the public hearings, then I think the dates are fine.

3:00

The Chair: Yeah. Edmonton is the major centre that's closest to the centre of the province. We tend to view Alberta as north and south, but Edmonton is technically south of centre. I'm geographically correct. It may not be politically correct, but I am geographically correct.

Since we only have a total of 16 requests so far, chances are that we could be done on the October 1 date. We would use the second date, keep it open for the possibility if we have more requests come back from the ones we invite. I realize that it may be a long day for some, but it does afford members of the public who work all day to come in the evening. I've been to numerous public hearings in my former life and appreciated the opportunity to go in the evening, so I think it would be advantageous for us to use the whole day. It eliminates an amount of travel, coming back to Edmonton for a second or third day, by committee members who have to travel quite a distance to get here.

Are those two dates okay, Monday, the first day, and then the second as a possible day if we need it? Are any opposed to that? Tony, you had a question?

Rev. Abbott: No. I was just going to say that if you need a motion, I would so move.

The Chair: I think that if we're generally agreed, that's adequate.

Rev. Abbott: Okay. Then you've got her.

The Chair: Okay. Those are the dates that we will use for that.

The other dates that we will need to keep open because we will need to consider the information and make recommendations and give staff time to compile it into report form. Suggested dates are Thursday, October 11, 1:30 to 4:30 – the date on your sheet is actually 2007, not 2307; we don't have that much time – October 25, 2007, 1:30 to 4:30, and Wednesday, October 31, 1:30 to 4:30. Hopefully, that would be the last day we would require. Are those meeting dates fine to set at this point in time as well?

Some Hon. Members: Agreed.

The Chair: Okay. Any opposed?

Mr. Johnston: Only the 25th is a real problem for me. The others are okay, but if it's just me, then okay.

The Chair: Okay. We would have a quorum, and we could proceed.

Dr. Pannu: Mr. Chairman, I'm glad you caught this 2307. I wonder whether the committee clerk was trying to get us all down.

The Chair: The chairman has a sharp eye.

The other issue is the format for the presentations. Some committees are considering a seven-minute presentation with a seven-minute question-and-answer period or a 10-minute presentation with a five-minute question-and-answer period. What's your preference? I think it's important that the committee have an opportunity to ask brief questions of the presenters for clarification purposes.

Reverend Abbott, you had a question?

Rev. Abbott: Why did you look at me when you said brief? No. Actually, seriously, I would say that it might be important to maybe have a small differentiation of time depending on whether it's an individual submitter or whether it's an association or group submitting. The groups may need a little bit longer. To limit a group to seven minutes might be difficult. Perhaps we could do the seven and 10 split or five and 12 or something like that. I just think that if we're going to try to limit a group, that might be pretty difficult. They may have more than one or two or three things to say.

The Chair: We will have to, for the sake of planning, limit the total time. Fifteen minutes I think is adequate. You can make some very important points in five minutes or less, and you can also be repetitive, but your point can be made.

Dr. Pannu: Mr. Chairman, is it correct that up to this point we have only 11 requests?

The Chair: At this point 11 requests on Bill 31 and five on Bill 41.

Dr. Pannu: So a total of 16?

The Chair: Yeah.

Dr. Pannu: Even if we, say, did allot 15 minutes for each presentation – 16 times 15 is 240, about four hours – we have ample time, it seems to me.

The Chair: Depending on how many respond to invitations.

Dr. Pannu: Yes. But at the moment it seems that we have enough time to allow 15 minutes at least, you know, for back and forth.

The Chair: There may be more that respond to advertising too, but at this time that's what we have.

So what's your pleasure on the time frame?

Mr. Johnston: Fifteen minutes was suggested.

The Chair: Total time including questions?

Mr. Johnston: From each, right? An individual or group.

The Chair: Yeah. That includes the questions as well. The total time frame.

Mr. Johnston: That could be not enough.

Rev. Abbott: Yeah. That's fine, I guess. I just thought it would be nice to give the groups a little more time, maybe 20 minutes or something. But if we are pushed for time and you want to keep it uniform, then that's fine. Again, if we're going to do that, I think it's important that we enforce it so that one group doesn't take advantage and go longer. I think we need to stick to it if we're going to do it.

Dr. Pannu: The adequacy of time is a concern, it seems to me, to some members. If we split the 15 minutes between the committee members and the presenters, it will be seven and a half minutes each. I think we have to make some sort of judgment whether that's adequate time or not. Given that we don't have, really, a flood of expressed interest at the moment in making presentations before us, we can afford to have a little more time allotted to each exchange, but it's up to the committee.

The Chair: Well, it's here for discussion.

Rev. Abbott: How about 20 minutes?

The Chair: Twenty minutes in total?

Rev. Abbott: Yeah. Ten and 10.

Mrs. Mather: Maybe 20 minutes, provided that would work with the expansion of the number of people that want to present, right? We've got to be reasonable in terms of the length.

Rev. Abbott: Yeah. Twenty minutes pending the overwhelming response or lack thereof that may come. Try to get as much time as possible.

The Chair: We do have a second day tentatively set if there's a larger response. Is that agreeable? Ten and 10? It's easy to keep track of. Okay.

We need a motion for that.

Mr. Johnston: I'll make that motion.

The Chair: Mr. Johnston moves that
the time frames be 10 minutes for the presentations and 10 minutes
for the question-and-answer period.
Those in favour?

Hon. Members: Agreed.

The Chair: Opposed? That's carried.
Did we deal with the advertising?

Mrs. Dacshyn: No. Let's do that now.

The Chair: Okay. We'll turn it back over to Rhonda for a presentation on the advertising.

Ms Sorensen: Thank you, Mr. Chair. I believe we've covered quite a few of the points that we are doing with other committees. I would need a little bit more direction from the committee in terms of if you just wanted to advertise the October 1 date and leave the October 2 date as an overflow date that's not advertised and where that meeting is going to take place, if it's going to take place here or in another venue. I'm assuming that it's just one hearing in Edmonton that the committee is wanting.

The Chair: Reverend Abbott had a question on that.

Rev. Abbott: My comment would be to advertise both but then, when the people phone to schedule, try to fill up the 1st first. I think we should include in the ad that video conferencing is available or that video conferencing may be available. That way people from Calgary may want to respond. If they look at it and see that it's only going to be in Edmonton but then if they see that video conferencing may be available, they might be more willing to respond.

Ms Sorensen: Okay.

Rev. Abbott: I'm saying to advertise both but fill them up in chronological order. That way we may not need the 2nd.

3:10

Ms Sorensen: In the other committees what we've been doing is that we've only advertised the start time of the days, if we're starting

at 9, 9:30, whatever time we're starting at. That way we fill up the day so that if we are done at 4 o'clock in the afternoon, we're not compelled to stay till 8 because we've advertised that we'll be here till 8. On the other hand, you have that option to go over to the second day. I guess I'm looking for a little bit of direction from the committee on what they wish to do.

Rev. Abbott: Well, again, my comment, Mr. Chairman, would be that I think it may be important to at least mention in the ad that evening sessions or evening bookings are available. If you're a volunteer organization that only can get its people together in the evening after work, you'll see this ad and say: well, you know, I can't be there through the day. But if they know that evening sessions are available, then they may take you up on that. I don't know.

Mrs. Mather: Yeah. I agree that we need to indicate that the evening time slots are available, but I would ask that maybe we would just advertise the one day, October 1, because if we put in there the option of October 2, some people are going to say: well, the ad said October 2, and that's the day I want. If there's such an overflow that we need the 2nd, then we've got some flexibility.

Rev. Abbott: Yeah. That's fine. I agree with that.

Ms Sorensen: I'll just respond to that. It's completely up to the committee what they wish to do. I guess what I would recommend and what I've recommended for other committees is that we advertise the one day, the start time only, and that the committee clerk kind of do the scheduling in terms of going into the evening. She discusses that with the people who want to make the submissions. Then the overflow day, if we've filled up that day and evening, we just schedule with the people directly.

The Chair: Is that agreeable to advertise October 1, 9:30 a.m. to 9 p.m.? Because we'll have the times advertised.

Ms Sorensen: Just the 9 a.m. start.

The Chair: Oh. A 9 a.m. start. The sheet shows 9:30.

Mrs. Mather: So we're not going to indicate that the evening is available?

Ms Sorensen: Oh, no. What we've done in the past is that we just advertise the start time, and then even though we've booked off the entire day and evening, the committee clerk actually does the scheduling with the presenters so that we're not compelled to stay here till 9 o'clock at night if the presentations only actually take place till 4 o'clock in the afternoon.

The Chair: So we'd be starting at 9:30?

Ms Sorensen: Oh, 9:30. Sure.

Mr. Backs: Just a point of clarification. What would happen if we all of a sudden were to get seven or eight requests from Calgary and Lethbridge and Medicine Hat? Would we still schedule something in Calgary?

The Chair: Then I guess we would have the option of looking at that second day if you want to have the committee travel. Do you

want to have the committee travel to another location? It's a huge expense to have *Hansard* go down to another location. Rob, you have a comment on that?

Mr. Reynolds: No. But the advertisement would say, I imagine, that the public hearing would be in Edmonton, so they would know that the hearing would be in Edmonton.

Rev. Abbott: With video conferencing available.

Mr. Reynolds: Sure. Whatever. I understand your point, but they would be notified that the hearing would be in Edmonton anyway. You'd have to have another meeting to amend this motion if you wanted to have a hearing anywhere else. I can't dictate what the committee's going to do, but I have a feeling you may not meet again until the public hearing. I understand your point, but logistically I just don't know if it would be possible.

The Chair: Dan, do you have a response to that?

Mr. Backs: Just maybe to take it under advisement for any future things that if, in fact, that does happen, we would be looking to accommodate the interests of those that would like to meet in the southern part of the province but to go ahead with the advertising as we do it, you know, for this one but see how it works.

The Chair: We can certainly have a location set up in Calgary for video conferencing. That would be much more economical for the committee and just as accommodating for whomever wants to use that. Or any part of the province, for that matter. It doesn't just have to be in Calgary. Is that agreeable?

Can we clarify that we're not sending any letters out to stakeholders on the list that Philip circulated and will just respond to the advertising that goes out? Is that agreed?

Hon. Members: Agreed.

The Chair: Okay. We need a motion to move that the Standing Committee on Community Services advertise the date and location for its public meetings in the major daily newspapers and the weekly newspapers.

Ms Sorensen: No. Not weeklies.

The Chair: No weeklies?

Ms Sorensen: Sorry, Mr. Chair. In the previous committees – and, again, it's completely up to this committee – for one of them we advertised only in the city where the public hearing was being held. Another committee advertised in both Edmonton and Calgary. You also may choose to advertise in all dailies. I would not recommend weeklies. I don't believe there's enough time between now and the actual time of the meeting to do that.

The Chair: To do the weeklies?

Ms Sorensen: Exactly.

The Chair: Okay. What are your thoughts on all the major dailies in Calgary and Edmonton? Is that agreeable?

Hon. Members: Agreed.

The Chair: Okay. We need a motion to advertise the October 1 meeting location. This venue here?

Mrs. Dacyshyn: Yes.

The Chair: Mr. Backs is moving that, with the time starting at 9:30 in the morning, and that'll be advertised in the Calgary and Edmonton major dailies. Any questions on the motion? Those in favour? That's carried.

Under Other Business, Rhonda, you have some comments on the web report.

Ms Sorensen: I do, Mr. Chair. Thank you. It's mainly for your information and hopefully for your interest. I'm not certain if it has been passed out. Has it been handed out? Okay.

I just want to draw your attention to some of the statistics on the web trends report. Essentially, we use this as a measurement tool to gauge public interest and to determine whether or not the strategies we are using in terms of advertising are getting our messages out.

Just a couple of stats that I want to draw your attention to. Off the Assembly's main site there's clearly significant public interest in this committee and what it's doing. Over the past two months Bill 31 has been downloaded a total of 3,202 times.

An Hon. Member: How many?

Ms Sorensen: Three thousand two hundred and two. And Bill 41 has been downloaded a total of 2,001 times. So there's certainly significant interest in what this committee is working on.

Another statistic that I'll draw your attention to is the amount of people who are spending time on the website looking at the work that this committee is doing. Over the past two months 5,328 people have spent significant chunks of time on the website. Just also for your information the last point I'll make is that you can see by the graph where the usage is, and you'll notice that there's very little usage for the first couple of weeks that the committee site was up. As soon as we did put the advertising out, these spiked up immediately, and it has been pretty steady for the last two months consistently. The rest of the statistics are there just for you to look at and keep for your own information.

The Chair: Philip, did you have a question on this or something else?

Dr. Massolin: Yes. Just a question with respect to the report that I'll prepare on the oral submissions. Do you want me to speak to that now?

The Chair: Maybe we'll just hold off to see first if any member has a question of Rhonda on the number of hits.

Dr. Pannu: How does the interest that's expressed in this committee's work compare with the interest in other committees and their work?

Ms Sorensen: It's an interesting question. There has been significant interest in all of the committees. I will tell you that particularly bills 31 and 41 have consistently been in the top 10 downloads for right off the Assembly's main site, so there's probably a little bit more interest in this. There's also significant interest in Resources and Environment. The interest is there in the other committees. It's from a little bit different audience, though.

3:20

Dr. Pannu: Thank you.

The Chair: Any others?

Okay. Phil, we'll turn it over to you. You have some questions about the makeup of the report.

Dr. Massolin: Thank you very much, Mr. Chair. I just wanted to ask the committee for its guidance in terms of the report that's prepared after the oral presentations are given and just to let you know, as Rhonda says as well, that we're not bound by other committees and what they're doing. The Committee on Government Services has requested of me a simple one- or two-page summary of the oral presentations given the fact that these presentations will appear in *Hansard*. But I'm open to your direction pertaining to this report.

The Chair: Okay. Any suggestions or comments or questions of Philip?

Dr. Pannu: Whether one page will be enough or two pages, I think it depends partly, Philip, on you because you have to do justice in terms of, you know, making a judgment on the adequacy of what

you're saying. If you can summarize all these proceedings in two pages, that's good. A summary of it is a good idea, I think. With respect to length I think we've got to rely on your judgment on it.

Dr. Massolin: Okay. Fair enough. Thank you.

The Chair: Any others?

Ms Sorensen: Mr. Chair, I meant to mention this. I just think that the committee should know that for the other committees – and I'd be recommending it for this as well – in addition to the advertising, we did a news release and media advisory, and those go out province-wide.

The Chair: Okay. I guess the next meeting date has been set, October 1. That would be our public hearing. That will be the next time the committee meets. That will be in this room here. So that concludes our meeting.

A motion to adjourn? Reverend Abbott moves adjournment. Those in favour? That's carried. Thank you very much.

[The committee adjourned at 3:22 p.m.]

