



Legislative Assembly of Alberta

The 28th Legislature  
First Session

Standing Committee  
on  
Families and Communities

Ministry of Justice and Solicitor General  
Consideration of Main Estimates

Monday, April 8, 2013  
7 p.m.

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The 28th Legislature  
First Session**

**Standing Committee on Families and Communities**

Quest, Dave, Strathcona-Sherwood Park (PC), Chair  
Forsyth, Heather, Calgary-Fish Creek (W), Deputy Chair  
  
Blakeman, Laurie, Edmonton-Centre (AL)\*  
Brown, Dr. Neil, QC, Calgary-Mackay-Nose Hill (PC)  
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Fritz, Yvonne, Calgary-Cross (PC)  
Goudreau, Hector G., Dunvegan-Central Peace-Notley (PC)  
Jablonski, Mary Anne, Red Deer-North (PC)  
Jansen, Sandra, Calgary-North West (PC)  
Jeneroux, Matt, Edmonton-South West (PC)  
Leskiw, Genia, Bonnyville-Cold Lake (PC)  
Notley, Rachel, Edmonton-Strathcona (ND)  
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Swann, Dr. David, Calgary-Mountain View (AL)  
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## **Standing Committee on Families and Communities**

### **Participants**

Ministry of Justice and Solicitor General

Hon. Jonathan Denis, QC, Minister

Ray Bodnarek, Deputy Minister and Deputy Attorney General

Tim Grant, Deputy Solicitor General and Deputy Minister of Public Security

Rae-Ann Lajeunesse, Executive Director, Maintenance Enforcement Program

Donavon Young, Assistant Deputy Minister, Justice Services



7 p.m.

Monday, April 8, 2013

[Mr. Quest in the chair]

**Ministry of Justice and Solicitor General  
Consideration of Main Estimates**

**The Chair:** All right. Good evening, everybody. We'll call the meeting to order. Tonight the committee has under consideration the estimates for the Ministry of Justice and Solicitor General for the fiscal year ending March 31, 2014.

I would remind members that the microphones are operated by *Hansard*. If you've got any BlackBerrys or cellphones too close to the mike, that can interfere with the audio.

We'll go around the table for introductions, and then we'll have the minister introduce his staff also as we're going around the table. We'll start to my right.

**Mr. Fox:** Rod Fox, Lacombe-Ponoka, substituting for Heather Forsyth.

**Mr. Rogers:** George Rogers, Leduc-Beaumont, substituting for Genia Leskiw, Bonnyville-Cold Lake.

**Mr. Goudreau:** Good evening. Hector Goudreau, Dunvegan-Central Peace-Notley.

**Ms DeLong:** Alana DeLong, Calgary-Bow.

**Mr. Jeneroux:** Matt Jeneroux, Edmonton-South West.

**Ms Jansen:** Sandra Jansen, Calgary-North West.

**Ms Blakeman:** Good evening. Laurie Blakeman. I'd like to welcome each and every one of you, including the sports fans in the back, to my fabulous constituency of Edmonton-Centre. I have no idea if I'm substituting for someone because I can't remember which committee this is. So if I am, then I am.

**The Chair:** Families and Communities.

**Ms Blakeman:** They're kind of all running together, Mr. Chairman. If I'm substituting, then I am.

**Ms Cusanelli:** Christine Cusanelli, Calgary-Currie.

**Mr. Pedersen:** Blake Pedersen, Medicine Hat.

**Mr. Wilson:** Jeff Wilson, Calgary-Shaw.

**Mr. Saskiw:** Shayne Saskiw, Lac La Biche-St. Paul-Two Hills, substituting on behalf of Blake Pedersen.

**Mrs. Towle:** Kerry Towle, Innisfail-Sylvan Lake.

**Ms Notley:** Rachel Notley, Edmonton-Strathcona.

**Mrs. Jablonski:** Mary Anne Jablonski, Red Deer-North. I'm so happy to be here in the fabulous constituency of Edmonton-Centre.

**Mrs. Fritz:** Yvonne Fritz, Calgary-Cross.

**Dr. Brown:** Neil Brown, Calgary-Mackay-Nose Hill.

**Ms Rempel:** Jody Rempel, committee clerk, Legislative Assembly Office.

**The Chair:** Dave Quest, Strathcona-Sherwood Park, chair of this committee.

Minister, I'll get you to introduce your staff.

**Mr. Denis:** Okay. Thank you very much. Before we begin, I just wanted to confirm that this meeting operates in accordance with the House standing orders. Is that correct?

**The Chair:** Yes, it does.

**Mr. Denis:** Thank you.

**The Chair:** I just want you to introduce your staff for now. I've got a whole bunch of rules I've got to read in before we start.

**Mr. Denis:** Okay. Thank you. I'm here today to obviously present our estimates. I want to introduce, to my left, Ray Bodnarek, deputy minister and Deputy Attorney General. To my right is Tim Grant, Deputy Solicitor General and Deputy Minister of Public Security. Two to my left is Tracy Wyrstiuik, the acting ADM of finance and planning. Behind me is Greg Lepp, ADM, criminal justice. I also have Lynn Varty behind me, ADM, court services; Donavon Young, ADM, justice services; Dan Laville, director of communications, Public Affairs Bureau; Rae-Ann Lajeunesse, executive director, maintenance enforcement program; Leslie Noel, acting senior financial officer; also from my ministry staff, Chad Barber, my special adviser; and last but not least, Mat Stepan, my chief of staff.

**The Chair:** Thank you. I'd just remind the staff in the back that if you are speaking, if you could come up to the podium and use the mike, please.

Members, as you know, the Assembly approved amendments to the standing orders that impact consideration of the main estimates. Before we proceed with consideration of the main estimates for the Ministry of Justice and Solicitor General, I would like to review briefly the standing orders governing the speaking rotation.

As provided for in SO 59.01(6), the rotation will be as follows. The minister will make opening comments not to exceed 10 minutes. For the hour that follows, members of the Official Opposition and the minister may speak. We'll start with the Official Opposition, the Wildrose. For the following 20 minutes the member for the third party, Ms Blakeman, and the minister will speak. For the 20 minutes following that, the member for the fourth party and the minister may speak. For the next 20 minutes private members of the government caucus and the minister will speak, and then any member thereafter. We'll go in an opposition-government rotation.

Members may speak more than once; however, speaking times are limited to 10 minutes at any one time. A minister and a member may combine their time for a total of 20 minutes. Members are asked to advise the chair at the beginning of their speech if they plan to combine their time with the minister's time, and that has been how all of our questions have gone to this point with this committee.

Once the specified rotation between caucuses is complete and we move to the portion of the meeting where any member may speak, the speaking times are reduced to five minutes at any one time. Once again, a minister and a member may combine their speaking time for a maximum total of 10 minutes, and members are again asked to advise the chair at the beginning of their speech if they wish to combine their time with the minister's time.

Six hours have been scheduled to consider the estimates of the Ministry of Justice and Solicitor General. With the concurrence of

the committee, I'll call a five-minute break at about the midpoint of the meeting.

Committee members, ministers, and other members who are not committee members may participate. Members' staff and ministry officials may be present, and at the direction of the minister officials from the ministry may address the committee.

As noted in the Speaker's memorandum of March 22, I'd like to remind all members that during the main estimates consideration members have seating priority at all times. Should members arrive at a meeting and there are no seats available at the table, any staff seated must relinquish their seat to the member.

If debate is exhausted prior to the three hours, the ministry's estimates are deemed to have been considered for the time allotted in the schedule, and we'll adjourn. Otherwise, we adjourn at 10 o'clock.

Points of order will be dealt with as they arise, and the clock will continue to run.

Any written material provided in response to questions raised during the main estimates should be tabled in the Assembly for the benefit of all members.

Vote on the estimates is deferred until consideration of all ministry estimates is concluded and will occur in the Committee of Supply on April 22.

With that, now, Minister, I know you're raring to go, so I would invite you to begin your remarks.

**Mr. Denis:** Thank you very much, Mr. Chair. I've already introduced the staff that I have with me. I just wanted to indicate that, of course, we're here today to present the highlights of the Justice and Solicitor General estimates as well as the 2013 to 2016 business plan.

The major change to our main estimates since our last appearance at Committee of Supply is that it reflects last year's merger of Justice and Solicitor General into one department. This is the case in six other provinces and territories.

My department's mission is to achieve a fair and safe Alberta. As all members know, our government is committed to ensuring that Alberta's communities and neighborhoods are safe and secure for all Albertans. Our business plan supports the ministry's vision of, quote, working together so that Albertans have safe communities and an accessible, effective, and innovative justice system, and it reflects the range of elements that make up the continuum of the justice system.

You'll note that my ministry's business plan goals focus on the outcomes for Albertans we serve. Specifically, they include ensuring that Alberta's communities are safe and secure; providing Albertans with a fair, accessible, and innovative justice system; and last but not least, ensuring the security of our province through effective custody and community supervision of offenders.

Our business plan ensures that we deliver our core businesses to the high standard that Albertans expect and deserve. Our core businesses are to support law enforcement and crime prevention; provide prosecution services; deliver programs and services to victims of crime; promote safe communities; provide court administration services; provide legal and strategic services to government; provide secure custody, supervision, and facilitation of rehabilitative opportunities for individuals under correctional authority; and provide accessible front-line justice services. Through these goals and ongoing actions we continue to provide vital programs and services that support the well-being of Albertans.

Performance measures related directly to the Department of Justice and Solicitor General help us see how we are doing with

our core businesses, but, just as important, they help us to understand how Albertans perceive the work that they do. These performance measures include public perception of safety in the neighbourhood; public satisfaction with policing; victim satisfaction with services provided by employees and volunteers in the criminal justice system; compliance rates on maintenance enforcement program cases; public perception of prosecutions; median elapsed time from first to last appearance; successful completion on conditional release; number of escapes – the target there is zero – offender involvement in work, education, treatment, or life management programs. We strive to deliver a high standard in our programs and services and set performance measure targets to push us to continually improve upon our skills.

Moving to financials, this is my third budget as a minister, and as with the other two budgets, we have reduced spending. Every budget I've ever had has gone down. This year our program budget is \$1.278 billion, a \$10.9 million, or .8 per cent decrease, from the previous year. This was a very tough budget. It represents hard choices made responsibly and reflects the importance of spending tax dollars wisely.

**7:10**

As many of you know, 4.3 per cent is the population growth plus inflation, giving us a de facto reduction of just over 5 per cent. In this budget we will maintain the current number of police and prosecutors and the same funding for policing municipalities, the victims of crime fund, and funding for legal aid. As many of you know, we've just injected \$7 million in additional funding to legal aid from last year's surplus. We also found money for two new judges and 10 RCMP officers. Our new Edmonton Remand Centre will open. This state-of-the-art centre will help address inmate population pressures across Alberta and support the government's commitment to the safety and security of corrections staff and inmates. We'll also continue to build a province-wide Alberta first responder radio communication system, which I'll refer to as AFRRCS. We have made good on the three-year commitments to the safe communities innovation fund. Marijuana grow op consultations will continue. We'll focus our prosecution efforts on what is in the public's best interest.

Our budget allows us to balance more demand by focusing our core businesses and integrating services. We'll continue to fund court-related processes that reduce caseload pressures, and we'll look at the rising limit for small-claims court in order to take pressure off the court system. We're also looking at streamlining how traffic fines are paid while ensuring that tickets can still be disputed.

Some services can be consolidated to make them more effective. Looking at specific programs in my ministry, the court services division promotes fair and equitable access to the justice system for all Albertans. It provides administrative, financial, and judicial support to all courts in Alberta, overseen by an independent judiciary. That's the Provincial Court, Court of Queen's Bench, and Court of Appeal. The division is budgeted to \$199.2 million, an increase of \$2.3 million, or 1.2 per cent. They will also see an increase in funding used to deal with ticket volumes, that are significantly higher than in previous years.

The legal services division consists of two branches. Civil law provides legal services to all ministries and represents their matters before the courts and tribunals. The legislative counsel office drafts government public bills, regulations, and orders in council. The division's budget is \$52.7 million dollars, an increase of 1.102 per cent. The increase is mainly due to a one-time transfer from an operating capital in 2012-13 and the transfer of legal services' budgets to other ministries. The ministry continues

to fund the law reform grant but at a lower level, which may mean a reduction in services the government receives from the Law Reform Institute. There was a 50 per cent cut there.

The criminal justice division prosecutes all offences under the Criminal Code of Canada. Under the Constitution we are responsible for the administration of justice. This includes the Youth Justice Act, the provincial statutes, all courts in the province, and the Supreme Court of Canada. The budget for this division is \$91 million, an increase of \$4.2 million, or 4.9 per cent. This will be used to address higher costs needed to support the prosecution of cases.

The justice services division supports legal aid and helps ensure that Albertans have access to the justice system. This includes the medical examiner's office, the maintenance enforcement program, motor vehicle accident claims, civil forfeiture and asset management, fines enforcement, and the office of the Property Rights Advocate. This division's budget is \$38.5 million, an increase of \$1.5 million, or 3.9 per cent. This is mainly due to the newly created office of the Property Rights Advocate and the transfer of our civil forfeiture office from another area of our ministry.

Motor vehicle accident claims is a statutory program, and the budget is reported separately in the estimates. The budget here is \$23.7 million, a decrease of \$3 million, or 11.2 per cent.

The justice services division is also responsible for the grant of legal aid, which ensures that low-income Albertans have access to legal services. The budget for legal aid is \$58.8 million, the same as the previous year. While the total grant remains the same, it is seen as a 90 per cent increase since 2005 from the province. Funding for legal aid is a shared responsibility that involves both the federal and provincial governments and the Alberta Law Foundation. The Alberta government contributes by far the largest portion of the funding, and we are committed to continuing this.

The public security division is responsible for contract policing, combatting serious and organized crime through the Alberta law enforcement response teams, which I'll refer to as ALERT, police oversight and policing standards, enforcement officers, sheriffs, fish and wildlife officers, conservation officers, commercial vehicle enforcement officers, and the victims of crime fund and associated programs that support victims. The divisional support budget is \$475.5 million, an increase of \$3.3 million, or .7 per cent.

In 2011 Alberta and the RCMP renewed their provincial police service agreement, which I'll refer to as the PPSA, which retains the use of the RCMP as Alberta's provincial police force until at least 2032. The PPSA excludes funding for traffic sheriffs and enhanced policing paid for by municipalities, which is often not included in interprovincial comparisons of policing numbers. Two hundred and fourteen million dollars has been set aside for the PPSA. That includes \$2.3 million for the 12 additional RC officers for highway 63 and \$1.5 million for 10 new RCMP officers. This is only the second time since '08 that we're adding new RCMP officers to the more than 1,500 officers already in the Alberta communities served by the PPSA.

There's \$32 million for combating serious and organized crime through ALERT's specialized integrated law enforcement programs. In addition, \$76 million will be spent in providing support to municipalities for their policing costs through the municipal policing grants, and of course the new police officer grant that Premier Redford began when she was Justice minister we will continue, with 300 officers added since 2008.

Mr. Chair, our police funding not only keeps Albertans safe; it makes them feel safe. This is reflected in a 2011 survey of Albertans, the most recent available. More than 4 out of 5 Albertans are satisfied with policing in Alberta.

The sheriffs' budget for this year is \$62.8 million. This includes \$4 million for traffic sheriffs to replace the 30 per cent of funding that the federal government will remove in May 2013.

The division is also responsible for enforcement programs that include fish and wildlife officers, conservation officers, and commercial vehicle enforcement officers. The budget there is \$41.5 million.

As well, the same division is responsible for victims of crime programs and the victims of crime fund. The budget there is \$29.8 million.

Moving to correctional services, this division provides secure custody of sentenced and remanded adults and young offenders. This division provides court-ordered community supervision for charged and sentenced individuals. The budget here is \$242 million, a \$4.9 million increase or 2.1 per cent. It also includes \$9.9 million mainly for the recruiting and training of 145 new staff at the new Edmonton Remand Centre. This 1,952-bed centre opened on March 19. It will help address adult inmate population pressures across the province, and the increase is offset by a \$3.4 million decrease due to a 20 per cent federal reduction in youth justice transfer payments.

Supporting the work of the nine divisions is, of course, the ministry support services division. The division includes various corporate functions such as information technology, financial services, planning, and policy. I guess I'm being cut off.

**The Chair:** Well, you're not being cut off, but you've used up your time. However, you'll have lots of time, obviously, in the next six hours.

I'd like to also welcome Mr. Fraser and Mr. Young, who joined us right after your comments started there, Minister.

So with that, we will start the question and answer. Mr. Saskiw, as critic I assume you will be asking the first round of questions to the minister. The time will be a total of one hour. I assume you're going to want to go back and forth.

**Mr. Saskiw:** That's correct.

**The Chair:** Very good. Then we're good to go. Please go ahead.

**Mr. Saskiw:** Well, thank you, Mr. Chair. First, I'd like to thank all the deputy ministers and their staff for attending and putting all the hard work into these estimates.

You know, the priorities for us in these estimates debates are ensuring that there's transparency in the process, guaranteeing good value for Albertans, putting victims of crime first, upholding law and order in the province, smart investing, and ensuring that there's a tough-on-crime approach where there's swift, certain, and severe punishment for those who break our laws.

The first thing I'd like to start on is on the issue of transparency, and I'd refer the minister to page 175 of the estimates under operational revenue. I guess my first question – and I hope that despite our being lawyer/politicians we can have a quick back and forth on questions and answers – is what the line items of other represent in the operational revenue, specifically two items . . .

**Mr. Denis:** Sir, can you just slow down for a quick second here? There are a lot of documents here.

**Mr. Saskiw:** Yeah. No problem.

**Mr. Denis:** Where we're not able to answer your questions today, we will consider taking some of them back.

**Mr. Saskiw:** Sure.

**Mr. Denis:** You wanted to go to page 175, which is the statement of operations estimate. Is that correct?

**Mr. Saskiw:** That's correct. If you look under other, there is \$16,999,000 under premiums and fees and then also roughly \$23 million under other revenue. It's not very transparent when there's roughly \$40 million dollars in your operational revenue that doesn't have any . . .

**Mr. Denis:** I'm sorry. We're still having a difficult time finding where you're looking here.

**Mr. Saskiw:** It's page 175.

**Mr. Denis:** Okay. So for other then it goes to motor vehicle accident claims. Is that what you're referring to?

**Mr. Saskiw:** That's correct.

**Mr. Denis:** One of the things I had mentioned in my preamble – and I appreciate that it can get very complex – is that the motor vehicle accident claims are kept separately. That includes the administration of the motor vehicle accident claims fund. For example, all motorists are required to carry a \$200,000 minimum liability policy in the province. In the event that someone is injured by an unknown or uninsured driver, what happens is that the fund, as it is colloquially known in legal circles, will cover up to \$200,000 of general damages. We'll move forward, and we'll try to indemnify that particular party, and then we'll try to chase after the driver if they can actually be found. Most provinces do have an uninsured motorist fund such as this. We will be continuing with that program in the interests of the compensation of injured people.

Does that answer your question?

7:20

**Mr. Saskiw:** Well, I guess my question is: why is it listed as other if there's actually a proper phrase to be open and transparent so that someone reading the financial documents can actually understand what other is? Why wouldn't you just simply put the fund in the financial document?

**Mr. Denis:** Because the fund is kept separate. It comes from fees we receive from people's registrations, and we don't want to be putting that into general revenue. We want to actually be dedicating those monies to ensure that it is self-sustaining in that given year. It doesn't really adequately fit in any other particular category. Does that answer your question?

**Mr. Saskiw:** Yes.

My next question is under other revenue, specifically under the other line item there, which is \$23 million. One would expect, you know, that the second other . . .

**Mr. Denis:** That refers to these ones, and I refer you – where's the page here? – back to page 175. That refers to, again, the Motor Vehicle Accident Claims Act and other recoveries. Other recoveries are sundries that we receive throughout the year. In a budget of \$1.2 billion that we're looking at, that's fewer than \$11 million this year.

**Mr. Saskiw:** Okay. I guess the operational revenue is around \$246 million and this other category is for roughly \$24 million, so 10 per cent of your operational revenue is listed as other. I just find that . . .

**Mr. Denis:** With respect, I think we're going to have to disagree because, as I've indicated, under motor vehicle accident claims it clearly cannot go under any other category.

**Mr. Saskiw:** Okay. But this isn't under motor vehicle accidents.

**Mr. Denis:** It says right here, actually, motor vehicle accident claims and other recoveries and refunds. That's what you're referring to?

**Mr. Saskiw:** No.

**Mr. Denis:** Okay. The other item refers to court fees. For example, if you file a statement of claim for \$200, as I'm sure you did at some point, that would go in there. The Security Services and Investigators Act goes through there as well as official document fees. And then under there is a very small amount for the human rights education fund, which falls under our ministry as well. That amount actually comes from the CFEP and CIP grants. So that gives you some further detail there.

**Mr. Saskiw:** Okay. Is there any way that our committee can have a somewhat more itemized breakdown of the \$23 million into something that, you know . . .

**Mr. Denis:** I think I just provided it.

**Mr. Saskiw:** No. I mean, is it \$2 million from fees? Is it \$10 million? Is it \$15 million, \$20 million? We're not talking about \$10 here.

**Mr. Denis:** So the exact amount in court fees this year we would predict \$13,962,000; Security Services and Investigators Act, \$1,827,000; official document fees, \$425,000; human rights education fund, \$65,000.

**Mr. Saskiw:** Okay. So that's under the \$23 million line item?

**Mr. Denis:** No. This is \$16.279 million.

**Mr. Saskiw:** Okay. Thank you. That answers that question.

Now, the line item under that with the \$23 million: can you give me that same breakdown?

**Mr. Denis:** Okay. The breakdowns I'm giving you are for this coming year.

**Mr. Saskiw:** Yes.

**Mr. Denis:** Motor vehicle accident claims, \$7,715,000; and other recoveries, \$15,373,000. That adds up to the \$23 million that you're referring to.

**Mr. Saskiw:** Can you give me a breakdown of the other recoveries that represent roughly \$15 million?

**Mr. Denis:** Recoveries received from the PPSA enhanced policing program. This is just sundry recoveries that we receive throughout the year. It could be many different items.

**Mr. Saskiw:** Okay. You know, just a comment that if there are breakdowns like this, it would be nice to have them in notes to the financial statements so that there aren't such large amounts in other. You typically don't see, you know, roughly 20 per cent of revenue listed as other in a financial statement.

But I'll continue on. Right now I'd like to go to priority initiatives.

**Mr. Denis:** What page are you referring to, please?

**Mr. Saskiw:** We're referring to . . .

**Ms Blakeman:** Page 54.

**Mr. Saskiw:** . . . page 54.

**Ms Blakeman:** In the business plan. Is that page the right place?

**Mr. Saskiw:** Yeah. I should be asking you these questions.

**Mr. Denis:** The Member for Edmonton-Centre is on staff tonight. That's why you have the same colour.

The top of the page says goals, priorities, and performance measures. Is that the same page you're at?

**Mr. Saskiw:** That's correct.

Just overall, the business plan has 19 priority initiatives, and my question is why there would only be nine performance measures.

**Mr. Denis:** The department has been working with the Auditor General on performance measures for many years before I was here. We have developed the nine specific performance measures through consultation with him, and they have been objectively arrived at. In our opinion, the performance measures adequately reflect the actual business plan.

**Mr. Saskiw:** Okay.

**Mr. Denis:** Did you want me to go through each one of the performance measures?

**Mr. Saskiw:** No. We'll go through them here.

First, I'd like to start with priority initiative 1.4. I was wondering whether or not your department can provide a detailed, itemized, written list of all types of support provided to victims of crime and organizations that support victims of crime.

**Mr. Denis:** That would be quite a voluminous list, but we'll take that under advisement.

**Mr. Saskiw:** Okay. I guess what Albertans and taxpayers want to see is where the money is being spent. I don't think that this is secret information. I think that this should be publicly available.

**Mr. Denis:** The only thing that I would decline to provide is if it identified a victim.

**Mr. Saskiw:** That's correct. That goes into my next series of questions.

**Mr. Denis:** I'm just going to go through a couple of things here, and these are very high level. We'll get you some more detail from that, again, with the caveat that I do not want to identify a victim even inadvertently.

There's \$29.8 million under this line item. Of that \$15.7 million goes to the victims' financial benefits program, which includes \$14 million in financial benefit awards to victims of crime. There's \$12.9 million for assistance to victims' organizations, and included there is \$11.1 million for grants to victim services organizations. There's \$0.5 million for the Criminal Injuries Review Board, which deals with appeals of victims of crimes who are dissatisfied with the decision of the director on financial benefit applications for injuries resulting from a violent crime. And there's \$0.7 million for program support services, which provides direction, management training, and support services necessary to meet the Victims of Crime Act objectives and goals.

We also utilize to a large degree a lot of third-party organizations such as youth justice committees, which have proven to be very successful, one of which is the Seventh Step Society.

**Mr. Saskiw:** Thank you very much for that answer.

Could I get a commitment that you will provide the detailed, itemized, written list of all the support provided with the caveat that it would not identify a particular victim?

**Mr. Denis:** Yes, we will.

**Mr. Saskiw:** Thank you.

**Mr. Denis:** And thank you for that caveat.

**Mr. Saskiw:** Can you outline the standardized process that each of these funding initiatives must go through?

**Mr. Denis:** Give us a moment, please.

I'm advised that all the categories are on the website [justice.alberta.ca](http://justice.alberta.ca).

**Mr. Saskiw:** Okay. One question that I've been getting is why there is an exceptionally large budgeted surplus in the victims of crime fund. The fund is created by levies in the judicial system, and it is supposed to be going to victims. We have a situation here where there's a massive surplus in the fund. You know, we've heard in the Legislature and throughout that there are organizations like Little Warriors who, obviously, do great work providing direct, front-line support to vulnerable children. These are children who have been sexually assaulted throughout their lives. Why are these funds not specifically going to those organizations, and why are the funds just sitting there?

7:30

**Mr. Denis:** You've asked about three questions in one here, and I'd prefer in the future if you'd please just ask one at a time if that's okay.

**Mr. Saskiw:** Sure.

**Mr. Denis:** I'll do my best to answer your questions. First off, you've raised the issue of Little Warriors. I understand that they had made an application to the Department of Culture, and I would ask that maybe you might want to follow up on that. But the minister has advised me that in the interests of accountability and preservation of the taxpayers' interest there are certain requirements that need to be achieved before funding is given in her department. I'll let her talk about that. I'm not going to step on her toes in her estimates.

I want to talk to you a little bit about your second question that I think was in there. If I don't get you, just ask me at the end again. The ministry maintains a surplus in the victims of crime fund for a very good reason. That's in order that it can meet its contractual obligations. It doesn't just go on a one-year basis. There are multiyear funding agreements, including assumed payments from the former Crimes Compensation Board, supplemental monthly payments for victims whose injuries result in serious injuries like quadriplegia or brain injury, and funding agreements for delivery of victims' programs to their communities.

As of March 31 of last year, 2012, the fund's accumulated net assets were \$50.9 million, and we've accumulated the surplus since it was established in '97. Of that, over \$37 million in future contractual obligations has to be paid out of the fund over the next few years, and that's a minimum. If the fund were wound up, the accumulated surplus would be required to meet these obligations.

These obligations of the fund to others will become liabilities in the future, and the fund actually is committed to contracts in that particular number; to give you an example – this is again from last year's numbers, their forecast – just over \$5 million, \$5.07 million, for this year, \$1.3 million for next year, and \$0.7 million in the year after. If you took into account from last year, again, it gets just over \$37.3 million. That basically is where we're at there. We don't want any victim not to be compensated because of an unforeseen amount in that particular fund.

Did you have a third question in there that's evaded me?

**Mr. Saskiw:** I guess that despite those commitments there's still a significant amount of money that could be put to victims. The question is: is your department proactively searching for organizations that deal with victims like Little Warriors to make sure that the monies are spent?

**Mr. Denis:** Well, first of all, we've never received an application in Justice from Little Warriors. Never. At least not since I've been there.

The second thing to mention is that when you take that out, there's about a \$13 million surplus. We always want to have that cushion there because I don't want someone to be in a situation where we can't offer compensation. The Criminal Injuries Review Board, which is run under the oversight of Deputy Minister Tim Grant on the Solicitor General side, compensates individuals who have endured injuries from crime through no fault of their own. How that happens is a very complex process. We want to maintain a surplus at all times in that fund. I don't want a victim who is deserving of that funding to have to go waiting or be unfunded because the fund was managed poorly.

**Mr. Saskiw:** Thank you.

**The Chair:** I just want to remind all members that we have, like, five and a half hours left, so if questions come out one at a time, if you want good, thorough answers to your questions, then there's no rush.

Carry on.

**Mr. Saskiw:** Sure. Thank you.

Would you agree with me that the victims of crime fund should not be used for things like graffiti reduction, that it should go directly to support vulnerable victims?

**Mr. Denis:** I don't know specifically what you're referring to. There are many different types of victims throughout the entire province, from basic property crime victims right up to the lines of people who have lost someone as a result of murder.

**Mr. Saskiw:** Just specifically graffiti reduction.

**Mr. Denis:** I don't know what specifically you're referring to, so I would decline to answer your question.

**Mr. Saskiw:** Would you agree that money from the victims of crime fund should not go to any type of program that's dealing with graffiti reduction?

**Mr. Denis:** I'd want to look at the specific program before I gave you a comment.

**Mr. Saskiw:** Okay. I have been aware that grants have been going to organizations for graffiti reduction, and I would just suggest that that would not be an appropriate use of money that goes to the victims of crime fund.

**Mr. Denis:** Well, there was some graffiti on my election signs last year, maybe some on yours as well.

**Mr. Saskiw:** I'll go back on the flip side here. I guess it's under the new approach with this government that a lot of money goes to – and I'll refer you to priority initiative 3.3. That's page 55.

**Mr. Denis:** Would you just give us a moment, please?

**Mr. Saskiw:** Sure.

**Mr. Denis:** You're quoting: "Work with other ministries and stakeholders to explore policy options." Is that the one you're at here?

**Mr. Saskiw:** Yeah. I guess we see with this ministry that there's a lot of focus on the care and rehab of offenders, sex offenders. What are the performance measures that are being used to determine the effectiveness of recidivism reduction strategies and rehab in general?

**Mr. Denis:** I'm going to give you a bit on some recidivism reduction strategies here. First off, we've actually found that many nontraditional methods of dealing with offenders have reduced recidivism such as the youth justice committees, that I had mentioned. It isn't a good use of taxpayers' dollars to simply say that everybody has to be locked up right away. At the same time, we do find that there's lower recidivism, particularly of first-time offenders, if we deal with items that way.

Let me give you an example of some other items here. Some programs that we support can provide our individuals in custody with a wide range of rehabilitative supports and programs available at adult and youth centres, and that includes education, treatment, work skill development, and life management programs. A variety of support services programs are also provided through Alberta Health Services, Enterprise and Advanced Education and the Centre to End All Sexual Exploitation, otherwise known as CEASE, the Elizabeth Fry Society, and the John Howard Society as some of our private-sector partners.

Alberta Health Services also provides community transition support for adult individuals being released from custody. Other examples include enhanced mental health and addiction services because we recognize that mental health and addiction can . . . [A timer sounded]

**The Chair:** That's just your first 20 minutes.

**Mr. Denis:** Okay. I just wanted to follow the rules.

**Mr. Saskiw:** Sorry to interrupt you, but I guess my question was referring to: what are the performance measures? I understand that there are these programs. You know, you have three small performance measures here, but there's a lot of money that's spent on the rehab of offenders, sex offenders. What are the performance measures to show that it's effective?

**Mr. Denis:** Well, to actually correct that in particular, you had said that a lot of money is spent. Well, a lot of money is spent on everything in government. As the focus in our portfolio the vast majority of the money is spent on law enforcement, and then, as you mentioned as well, there are some victim services. There is money spent here, but it is a rather small portion of the budget by comparison.

The department has begun a pilot project with IJSP phase 2. For those of you who don't know, IJSP is the integrated justice

services program. What we're in the process of doing is collecting data, completing a social return on investment, and then using the results to inform future goals. I don't have any numbers for you today, but that is under way.

**Mr. Saskiw:** But to be clear, you don't have a performance measure for recidivism.

**Mr. Denis:** No. That's not what I said at all.

**Mr. Saskiw:** So you're suggesting that there's a pilot project in place?

**Mr. Denis:** There's a pilot project going on to track just what you asked.

**Mr. Saskiw:** Can you explain that a little bit further?

**Mr. Denis:** The pilot project, as I mentioned, is through the integrated justice services project, and what happens is that we're actually examining some of these statistics with what's called the social return on investment. It's based on a financial basis.

**Mr. Saskiw:** Prior to this pilot project there has been no performance measure to your knowledge?

**Mr. Denis:** That's correct, on this particular issue.

**Mr. Saskiw:** That's astounding.

**Mr. Denis:** Your questions are also astounding.

**Mr. Saskiw:** Can the ministry provide a detailed, itemized, written list of all the funding for the categories or programs that relate to rehabilitation?

7:40

**Mr. Denis:** This is a very, very general question. I'd ask you to be more specific.

**Mr. Saskiw:** I'm asking for a written list of all the funding for the categories of programs that deal with the rehabilitation of offenders.

**Mr. Denis:** Can you please be more specific?

**Mr. Saskiw:** The ministry is spending money on the rehabilitation of offenders. Can you provide a specific breakdown or list of the categories?

**Mr. Denis:** So you want a breakdown down to the dollars and cents?

**Mr. Saskiw:** That's correct.

**Mr. Denis:** This is almost impossible, what you're asking. No, I won't. No.

**Mr. Saskiw:** How much money is being spent on the rehabilitation of sex offenders?

**Mr. Denis:** If you'd actually be a little more specific like that, with respect, then we can be a little more co-operative, okay?

**Mr. Saskiw:** Fine. I'll repeat the question. How much money is being spent on the rehabilitation of sex offenders in Alberta on an annual basis, and how much is projected in your budget?

**Mr. Denis:** We'll take that under advisement.

**Mr. Saskiw:** What is the average dollar value spent on total rehabilitation for a given offender?

**Mr. Denis:** First of all, again, your questions are very, very general and very difficult to answer. A lot of it would depend on what type of secured facility they're involved in. By your question I don't even understand if you would want the actual cost per offender, how much it would cost to incarcerate them, or are you just dealing with the treatment side?

**Mr. Saskiw:** The rehabilitation of offenders.

**Mr. Denis:** Some people would consider incarceration part of rehabilitation, which is why I'm asking that.

**Mr. Saskiw:** So is it the ministry's understanding that incarceration is part of rehabilitation?

**Mr. Denis:** I'm asking you. You're the one asking the question here.

**Mr. Saskiw:** My question is: is it the ministry's position that incarceration is part of the rehabilitation of offenders?

**Mr. Denis:** Some people would; some people wouldn't.

**Mr. Saskiw:** I'm asking what the ministry's position is.

**Mr. Denis:** Wait a second. I'm asking for more specificity in your actual question here, and you're failing or neglecting to provide it. What I want to know is a more specific question of what information you're trying to get.

**Mr. Saskiw:** I'm trying to get the information of how much money is spent to rehabilitate offenders.

**Mr. Denis:** Okay. So what's your definition of rehabilitation?

**Ms Blakeman:** The Phoenix program.

**Mr. Saskiw:** There you go. The Phoenix program. What is the ministry's definition of rehabilitation?

**Mr. Denis:** You're the one asking the question here. I'm just trying to get a more specific tone as to what exactly you want, and you're not providing it.

**Mr. Saskiw:** Including incarceration as part of rehabilitation, what is the average cost of rehabilitation per offender in Alberta?

**Mr. Denis:** I'll take that under advisement.

**Mr. Saskiw:** What we're trying to figure out here is how much money is spent to support victims of crime versus money spent on the rehabilitation of offenders, and I'm wondering whether or not your ministry has that statistic.

**Mr. Denis:** I said that we'd take it under advisement. Now move on, please.

**Mr. Saskiw:** Given that the ministry doesn't have any information on the differences in funding for the support for victims of crime . . .

**Mr. Denis:** That's not what I said. Move on.

**Mr. Saskiw:** Then I'll ask you for that. What is the statistic . . .

**Mr. Denis:** I said that we'd provide you with that information, but you're trying to put words in my mouth, sir.

**Mr. Saskiw:** So what information would you be providing us?

**Mr. Denis:** You've asked for three undertakings afterwards, and we'll run this like a discovery if you like because I know we're both familiar with that. Then you had tried to infer that we have no information about rehabilitation, which is not the case.

**Mr. Saskiw:** Just so I'm clear, there's an undertaking that you will provide us with the average dollar value spent on total rehabilitation for a given offender with the definition of rehabilitation as per whatever the ministry's definition of it is.

**Mr. Denis:** Yeah. Then you were asking and saying that we don't have that information, and with respect that's . . .

**Mr. Saskiw:** Do you have that information?

**Mr. Denis:** We can obtain it for you.

**Mr. Saskiw:** And will you obtain it for us?

**Mr. Denis:** I said that we can obtain it for you.

**Mr. Saskiw:** All right. I think most Albertans would like to know how much money is being spent on offenders for rehabilitation, and I'd hope that you would take that under consideration. Would you?

**Mr. Denis:** I think we've already answered that question.

**Mr. Saskiw:** I'll move on to priority initiative 3.4.

**Mr. Denis:** This says: "Implement a Quality Assurance Strategy to ensure evidence-based and best practice approaches in community supervision of offenders." Is that correct?

**Mr. Saskiw:** That's correct. I guess my question is: how does cutting funding for the electronic monitoring of offenders match up with following evidence-based and best practice approaches in community supervision of offenders?

**Mr. Denis:** Well, as I'm sure you're well aware, the electronic monitoring program was not widely used and was very costly to taxpayers. At the same time, the same results can be achieved by doing curfew calls. I want the people that you refer to, like sex offenders, behind bars. I don't want them wandering around with electronic bracelets.

**Mr. Saskiw:** Just to be clear, these offenders who have ankle bracelets, it's on the decision of a judge, who says that they can be conditionally released into the community with that ankle bracelet being attached. Is it your understanding that the judges, all of a sudden, are not going to release these offenders because of cutting of the program?

**Mr. Denis:** Well, first off, as you know from having very similar training to mine, the judiciary is fully independent. We equip them with the right tools, but I have no control, nor does anyone in this room, over how a judge sentences an offender.

With specific respect to electronic monitoring, this was a tough decision made, but at the same time I believe it was the correct one. Electronic monitoring is just another way we monitor people in the community. It's only used for low-risk, intermittently serving offenders. When I say "low-risk," we're talking typically

about people involved in property crimes, not high-end crimes such as a sexual offence, a murder, or assault.

An alternative process for electronic monitoring has been developed and is in place. Discontinued electronic monitoring will save about a million dollars per year. Any impacted staff are being redeployed. On the whole issue of electronic monitoring I have met with all three levels of the courts' chief judges, and all have advised me that this was a program that was rarely if ever used. Of course, that is solely within their discretion to do so.

**Mr. Saskiw:** Sure.

**Mr. Denis:** Okay. You get that I'm not trying to tell a judge what to do, basically.

**Mr. Saskiw:** No. I guess my question is: how many ankle bracelets were in operation at the time that the program was cut?

**Mr. Denis:** There were about 50 offenders on electronic monitoring.

**Mr. Saskiw:** Can you provide us with a breakdown in terms of what crimes they committed and whether or not they're still in the communities? Just because you cut the electronic supervision doesn't mean that they're no longer entitled to conditional release.

**Mr. Denis:** Those that are on it, actually, will be grandfathered. Those that are on it will continue on until their sentences are done for the simple reason that those are the sentences that they had received from the judge. To try to actually change that midway would be a violation of the judicial independence principle. Again, I'd just want to say that these are not for violent crimes.

**Mr. Saskiw:** Sure.

Actually, I'll just ask you generally. With respect to the tobacco litigation that the province has initiated, I'm wondering whether or not that falls under section 3.2 of operational expenses. That's page 168.

**Mr. Denis:** Would you bear with me for a moment, please?

**Mr. Saskiw:** Sure.

**Mr. Denis:** Because this matter is before the courts, I do not want to comment on its specifics. It's the process. It's the timeline if we're on the same page. Health is actually the plaintiff in this case. Essentially, Alberta Justice is the client. We have farmed this out to outside counsel, as I know you are aware. This is a contingency fee basis. I realize that this is probably first-year law school for all the lawyers here. But for those of you who had the good foresight not to go to law school, I will tell you that a contingency agreement works such that the client, which is the government here, does not pay any money until there is any actual cost involved. As part of this contingency fee agreement all disbursements are being carried by the outside counsel that we hired. I would really hazard not to comment further on this because the matter is before the courts.

**Mr. Saskiw:** Just to be clear on that, this is what you would call a pure contingency agreement. The government of Alberta is not on the hook for any disbursements or any out-of-pocket costs of any kind.

**Mr. Denis:** No. In the event that the suit is not successful, the taxpayers pay zero. In the event that the suit is successful, we will pay a portion based on what the contingency fee agreement is. I'm not at liberty to disclose what the rates are.

7:50

**Mr. Saskiw:** Thank you.

**Mr. Denis:** Does that answer your question?

**Mr. Saskiw:** Yes.

I'd like to refer you to 8.3 on the following page, 169, Alberta serious incident response team. I see that it's up by 19.3 per cent. My question is: did you find that it was underfunded? What have been the ramifications of that underfunding in the past?

**Mr. Denis:** Could you just bear with me for a moment, please?

**Mr. Saskiw:** Sure.

**Mr. Denis:** Basically, the funding is \$1.6 million. It provides for human power; \$1.5 million provides for supplies and services. There are nine FTEs in that particular case. Are you familiar with what ASIRT does?

**Mr. Saskiw:** Yeah.

**Mr. Denis:** Okay. I won't explain that, then.

**Mr. Saskiw:** Just going back to the victims of crime fund, I notice that there are 37 employees that are employed to distribute that fund. I guess my question is: is there any way to streamline the process so that more funds get directly to the victims of crimes versus having such a high staff ratio?

**Mr. Denis:** Those are actually department FTEs. They don't come out of the victims of crime fund.

**Mr. Saskiw:** How many full-time employees are involved in administrating the victims of crime fund?

**Mr. Denis:** I'll undertake to provide you with the number of FTEs involved in the victims of crime fund, but again it doesn't come out of the fund itself. It comes out of the department staff.

**Mr. Saskiw:** Thank you.

**Mr. Denis:** It's not eroding the fund is what I'm saying.

**Mr. Saskiw:** Great.

I'll go to page 169 under item 8.4, the Alberta police integrated information system. I guess what everyone is obviously asking is . . .

**Mr. Denis:** Actually, can I just go back for a second?

**Mr. Saskiw:** Sure.

**Mr. Denis:** Sorry to interrupt. You can scratch that undertaking because the number is 37.

**Mr. Saskiw:** Okay. So it was 37?

**Mr. Denis:** Yeah.

**Mr. Saskiw:** Going back, the second question was: is there a way that the ministry can streamline the process to ensure that every possible cent goes to the victims of crime rather than having such a high level of staff in the administration of that fund?

**Mr. Denis:** Well, first off, every possible cent is going to the victims of crime because the 37 FTEs are done by the department. They're not paid by the victims of crime fund, so it doesn't erode. I share your concern on that. That's why it's set up that way.

**Mr. Saskiw:** We'll go to item 8.4 of the operational expenses, page 169, the Alberta police integrated information initiative. Of course, this is the program that you had scrapped. I guess what's on everyone's mind is how it is possible that the government could have spent – is it roughly \$80 million?

**Mr. Denis:** Actually, that is incorrect. It's about \$69 million.

**Mr. Saskiw:** Give or take \$10 million here or there. In the ministry under your control \$69 million was expended, and it's just being thrown down the drain.

**Mr. Denis:** That's actually incorrect. That is incorrect.

**Mr. Saskiw:** How much money of the \$69 million is not being thrown down the drain?

**Mr. Denis:** Well, what's happened is that most of that money, the bulk of that money was expended in the development of both software coding, things that are well beyond my expertise, and on top of that significant amounts of hardware. That hardware is available.

**Ms Jansen:** A point of order under 23(i), imputing "false or unavowed motives to another Member." I was just concerned with the term "throwing money down the drain."

**Mr. Saskiw:** Is this for real?

**Ms Jansen:** I would just like clarification on whether you actually mean throwing money down the drain.

**Mr. Saskiw:** I'm not going to answer that. It's not a point of order.

Can I continue?

**The Chair:** I'd just remind everyone that we're actually talking about the 2013-14 estimates, not the past.

I don't see a point of order, so carry on.

**Mr. Saskiw:** Thank you. Just to be very clear, the \$69 million that was expended: how much of the product can actually be used going forward?

**Mr. Denis:** One hundred per cent of the product can be used going forward. I've actually received an inquiry from the Calgary Police Service about this as well. There's also been another inquiry.

I'm going to have Tim Grant answer some of this if that's okay.

**Mr. Grant:** I don't have the specific numbers here, sir, but there are three areas that we're looking at: licensing fees, hardware such as servers and routers, and consulting fees. We're working with the police departments that have contributed to those funds right now to confirm where those resources will be best deployed for the good of the province.

**Mr. Saskiw:** Is it the ministry's position that you still have \$69 million of fair market value in those assets?

**Mr. Grant:** No, there are some funds that were based on consulting fees that had been spent to advance the project to this particular point.

**Mr. Saskiw:** How much were those funds?

**Mr. Grant:** I don't have that figure at hand.

**Mr. Saskiw:** Can you undertake to provide the funds for the consulting fees that were spent . . .

**Mr. Denis:** We'll take that under advisement.

The other thing that I can also advise you is that were we to continue with this program this year, there would have been a further \$8 million expenditure, and this is at a time, again, when we have other information now that we didn't have four to five years ago, several ministers before me, about this actual program. What happens in that particular case is that if we were to continue that, we know that right now only the Blood tribe, which is a handful of police officers, would have signed on. Taber was interested. These are some of the smallest police forces here. To be actually viable, we need Edmonton or Calgary to come on and step in.

**The Chair:** This is your second 20 minutes. You have 20 minutes left.

**Mr. Saskiw:** Can the ministry provide a timeline of expenses related to the Alberta police integrated information initiative?

**Mr. Denis:** Okay. Actually, if you would look through previous budgets, there's a line item in each budget for API3, as it is colloquially known, where you could receive your answer. We cancelled this as part of this year's budget.

**Mr. Saskiw:** When was it determined that the project was not viable?

**Mr. Denis:** In the months leading up to the budget. I don't have the exact date.

**Mr. Saskiw:** Were any expenditures incurred after the decision was made that it was no longer viable?

**Mr. Denis:** Not to my knowledge.

**Mr. Saskiw:** When you look at the Calgary Police Service documents, they point to some need for this initiative: increased public safety, increased officer safety, enhanced interoperability, enhanced efficiency and effectiveness. Assuming that this program was initiated because there was a need for development under these aims, what is the ministry doing to make up the ground now that this program has been scrapped?

**Mr. Denis:** Are you talking about API3?

**Mr. Saskiw:** Yes.

**Mr. Denis:** Okay. You obviously understand what API3 is, so I won't get specifically into that. The equipment itself and the software solutions will be shared with everyone. The software solution we estimate had the bulk of the expense, \$41.1 million, and that is completely usable throughout the entire province.

**Mr. Saskiw:** Was there a building that had been constructed to house the servers of API3?

**Mr. Denis:** There was no building constructed. No.

**Mr. Saskiw:** How much money was incurred to the facility to modify it to ensure that there were servers for API3?

**Mr. Denis:** There was no building that we constructed for that purpose.

**8:00**

**Mr. Saskiw:** Okay. What I'm trying to get an understanding of is how much money was incurred that will not have value for taxpayers in the sense, you know, that there's been \$69 million of expenses. You've outlined that there are consulting fees that obviously cannot have future value. Are there any other types of fees that were incurred that could not provide value in the future?

**Mr. Denis:** Not that I'm aware of. The servers are a government asset that still can be used for many different purposes. I'm not at liberty to disclose the location of the servers.

**Mr. Saskiw:** That should be secret.

I'm just going to refer you to priority initiative 2.6. That's page 54.

**Mr. Denis:** Bear with me for a second.

**Mr. Saskiw:** Sure.

**Mr. Denis:** This at the top has criminal justice court services on it. Is this the same page you're looking at?

**Mr. Saskiw:** Just the first page, page 54, on the bottom.

**Mr. Denis:** Okay. Which item are you referring to?

**Mr. Saskiw:** Item 2.6.

**Mr. Denis:** Item 2.6: "Explore alternatives for processes relating to fine payments and traffic court for the purpose of increasing access to justice."

**Mr. Saskiw:** That's correct.

**Mr. Denis:** One of my favourite topics.

**Mr. Saskiw:** Is the ministry considering having higher fine payments for those who choose to plead not guilty for traffic offences?

**Mr. Denis:** The ministry is considering having – again, with nothing written in stone, I've said considering – an early payment option, whereby somebody who pays earlier, much like a parking ticket, would receive a small reduction in the fine.

**Mr. Saskiw:** Would you not agree with me that that type of incentive to pay early may encourage people to simply plead guilty and not defend themselves?

**Mr. Denis:** No, I disagree.

**Mr. Saskiw:** What is being done to guarantee that people who are not going to be compelled to plead guilty simply out of financial difficulty – they can't attend a court date; they're working – can appropriately have their day in court if you're providing these types of financial incentives for them to plead guilty?

**Mr. Denis:** You've actually made a really good point. I think access to justice on traffic tickets is a lot more than just the fine payment. It's a big portion, but there's a lot more. I'll give you an example. In my hometown of Calgary we were at the Calgary Courts Centre several weeks ago. Traffic court is on the third level. Traffic court routinely lines up outside of the waiting area. There can be literally hundreds of people there. It is expensive to park in downtown Calgary, upwards of \$30 per day. On top of that, if a person has to wait in line and then maybe come back

several times, that poses a real access to justice issue. I don't want someone to get frustrated and then just simply have to plead guilty.

One of the options that we are considering – and, again, not written in stone, considering – is relocating the physical location of traffic court to other places outside of the downtown. This would increase access to justice and allow people a better option if they do not wish to plead guilty.

**Mr. Saskiw:** If there's no incentive to plead guilty early on, why would the ministry provide a reduced price for a person paying their traffic ticket?

**Mr. Denis:** If a person decides to go and pay it, it's easy to handle, just like anything, just like a parking ticket. It's happened for many years. I received a parking ticket here a couple of years ago. Guess what? There's a different option to pay it early or if you want to go and fight it. No different.

**Mr. Saskiw:** I refer you just on that same page to priority initiative 2.8.

**Mr. Denis:** Item 2.8, which is “monitor and assess the impact of the federal Safe Streets and Communities Act on the criminal justice system.” I believe that's Bill C-10.

**Mr. Saskiw:** Is the federal – and I'll just use the acronym – SSCA fulfilling the needs of Albertans?

**Mr. Denis:** Okay. It's too early to tell, frankly. Alberta has been supportive of many of the principles of Bill C-10, as I'd indicated at our federal Justice ministers' meetings. We actually would like to see mandatory minimums for drunk driving involving death and/or serious bodily injury. We are working with the federal government and do meet with the officials regularly about what Bill C-10 will mean for us here. It seems to be focused on community safety, but it does offer less discretion for judges in certain cases. I actually see that as a positive move.

**Mr. Saskiw:** Of course, your ministry has axed the safer communities fund or at least allowed the pilot projects to expire. I guess the question that I have is: despite the federal program how is the ministry going to fill the gaps that are going to be left by just totally scrapping the safer communities fund?

**Mr. Denis:** Well, you had indicated something that was quite correct in the fact that it was a pilot project for three years. One of the objects of it – Premier Redford had started it when she was in my chair – was to break down silos between different ministries and get many ministries working together. That actually has largely been achieved. It was always intended to be on a temporary basis.

One thing I will mention is that we have continued the civil forfeiture office program, which will continue to take the proceeds of crime and actually put them into areas of good use. Many people who were receiving SCIF grants could possibly apply under that ground.

**Mr. Saskiw:** Thank you.

I'll just refer you back to the estimates, under expenses, 8.14. That's page 170 of the estimates. It's dealing with fish and wildlife enforcement.

**Mr. Denis:** Could you bear with me for a minute, please? Okay. 8.14, fish and wildlife enforcement. It says: description of program. Am I on the right page?

**Mr. Saskiw:** That's correct.

**Mr. Denis:** Go ahead, please.

**Mr. Saskiw:** Under that item a simple question: how many fish and wildlife officers are there now, and how has this number been trending over the recent years?

**Mr. Denis:** Tim, do you want to take that answer? Tim Grant is going to take that answer if that's okay.

**Mr. Grant:** There are just short of 150 fish and wildlife officers right now, and that number has been consistent over about the past five years.

**Mr. Saskiw:** Would you not agree with me that these officers are working really hard, but with the increase in population perhaps there potentially should be a review of whether or not in this area it's sufficiently manned?

**Mr. Grant:** In fact, we've just conducted a review of the organization – the structure and the layout – throughout the province, and we believe that we've reduced some of the senior management and put more officers in the field. There has been a redistribution of those officers, so we believe we are getting more bang for the buck as we go forward.

**Mr. Saskiw:** What is the current cost per officer?

**Mr. Grant:** The salary of each officer?

**Mr. Saskiw:** Overall remuneration.

**Mr. Grant:** Average?

**Mr. Saskiw:** Average, yes.

**Mr. Grant:** I would have to go and check. They're as per the Alberta public service standards for payment, but I would have to check and see what the average cost per officer is.

**Mr. Denis:** We don't have a breakdown here, but what I can do is get you the average cost per officer with the proviso that I do not want to get into anybody's specific personnel file or anything like that. Is that okay with you?

**Mr. Saskiw:** You bet. Thank you.

On the same page I'd just refer you to item 10. This is the Human Rights Commission. I think you, Minister, have publicly come out stating that you'd like to see section 3 of the Alberta Human Rights Act repealed.

**Mr. Denis:** Actually, what I have said is that I'd like to see section 3 go back to its pre-1996 version, but close enough.

**Mr. Saskiw:** Okay. Given that that's your position, my question is: how much money is being expended on section 3 cases in the Alberta Human Rights Commission?

**Mr. Denis:** I can tell you that for the last year there have been zero cases. There were a lot of reforms instituted for the Human Rights Commission in 2009 by the former minister, Lindsay Blackett. He went and ensured that every human rights commissioner has to have a legal background. I have enshrined that as part of the bylaws of the Human Rights Act. I think that that's a positive move in and of itself. There's also a screening process as well. I'm not big on the hurt feelings cases. I want to stamp discrimination out of Alberta and worry about that.

**Mr. Saskiw:** I entirely agree with you that we shouldn't have hurt feelings provisions, but given that that's what currently involved in section 3, do you not agree with me that there's a societal cost, that individuals may feel that their free speech is inhibited and, as such, may not be expressing themselves to their fullest extent with fear that they're going to be prosecuted under section 3?

**8:10**

**Mr. Denis:** Well, realistically, again, we have a screening process. We have a process now that every commissioner has to have a legal background. We have greater safeguards in that case. You know my personal opinion. That's what the legislation says.

**Mr. Saskiw:** With respect to the Alberta Human Rights Commission, of course, it's not just you. The Premier also promised to repeal section 3 of the Alberta Human Rights Act. You've promised it.

**Mr. Denis:** Actually, I didn't promise it. I said that I think it should be done.

**Mr. Saskiw:** Okay. You think it should be done; the Premier thinks it should be done. Given that there have been costs incurred in the past, given that there are also costs incurred in terms of our freedom, would you not agree that it's time to get that section repealed so that we can finally move on?

**Mr. Denis:** I've indicated before publicly and I'll say again that I think that section 3 of the act should go back to its pre-1996 version.

**Mr. Saskiw:** What does the Alberta Human Rights Commission need \$20,000 in capital spending for?

**Mr. Denis:** Information technology.

**Mr. Saskiw:** Let me refer you to 9.2 of that same document.

**Mr. Denis:** Just bear with me for a second, please. Adult remand and correctional centres: is that what you're referring to?

**Mr. Saskiw:** Yes.

**Mr. Denis:** Okay. Please continue.

**Mr. Saskiw:** Operations jumped 21 per cent in the past two years. The question is just: why?

**Mr. Denis:** This is largely due to bringing the Edmonton Remand Centre online. As you may know, last year I removed the television sets out of the actual cells. There are now only TVs in the actual areas. That's the actual cost.

**Mr. Saskiw:** Will there be another big jump once the new facility is fully operational, or given all the current bells and whistles that you put in the new remand centre, will it be cheaper to operate than the old one?

**Mr. Denis:** Can you repeat your last two sentences, please?

**Mr. Saskiw:** Will there be another big jump in expenditures once the new facility is fully operational? Given all the bells and whistles in the new facility, will it be cheaper to operate than the old one?

**Mr. Denis:** Well, first off, there are no bells and whistles in this facility. Secondly, in the old facility you were doing two, maybe even three bunks per bed. There were actually people not being

able to be sent to the remand centre. They were being set free by judges because we didn't have enough space in that particular centre. It wasn't living up to its constitutional requirements.

Getting back to the centre itself, I don't know if you've had a chance to tour it. If you haven't, I'd be happy to arrange that for you. The only foreseeable major cost increases in that actual remand centre is that there are two new pods that will be open next year. How the system works is that it goes by several different pods, and originally we had opened all but two of the pods. This will be a \$6.3 million cost for these two pods, and that is a one-time capital expenditure.

**Mr. Saskiw:** Thank you.

In the announcement of the remand centre there was talk of this being the most environmentally sound building, with there being a fitness centre, opportunities for offenders to get mental health support, and also to have, you know, three square meals a day. Do you not agree with me that when someone is in these types of facilities, it should be boring, that they should have an opportunity to of course rehabilitate but that there shouldn't be all these state-of-the-art options available for them?

**Mr. Denis:** Okay. The fitness centre you're referring to there is for the staff. There is no weight room. On top of that, there is a drug rehabilitation centre. I'm sure anyone that has any experience with corrections would agree with me that there is a very high incidence of drug addiction in people that actually end up going to jail. We want to help them get off drugs.

The second thing is that there's also a very high incidence of mental illness in jail, and we want to help people who are mentally ill through no fault of their own.

I would welcome you – and I won't even talk about it in public. If you want to go on a tour of the place, honestly, take a look at it. We've removed the TVs from the individual cells for exactly the same reason that you mentioned. We don't want country club justice, but we are constitutionally required to keep prisons in a certain state. We have to provide the necessities of life to people. The food is there. It's not great food, but it's food.

**Mr. Saskiw:** Where is the food cooked? Is it cooked within a local kitchen there?

**Mr. Denis:** Yeah, it's cooked at the local kitchen. It's probably better food than I cooked when I was in first-year university.

**Mr. Saskiw:** Would you not agree with me that, you know, when we look across the province and seniors in a lot of hospitals are being forced to eat prepackaged food that's rather disgusting, offenders shouldn't have the same standard of food that our seniors have?

**Mr. Denis:** There are constitutional requirements, as I'm sure as a trained barrister that you well know, that we are required to abide by when it comes to correctional facilities. The facility itself is not a Taj Mahal. You can't just sit down and watch your TV all day. There's only a TV in a common area, and that's a behavioural tool. Your mobility is severely restricted. I don't want to end up brutalizing criminals but at the same time just to provide the bare necessities of life, and that's what we're doing.

**Mr. Saskiw:** Would you not agree with me that seniors in acute-care beds should have better food than offenders that are in the remand centre?

**Mr. Denis:** This is the Justice department, not the Seniors department.

**Mr. Saskiw:** Would you not agree with me that at a basic minimum people who break our laws, who are offenders, should not have the same quality of food as citizens who've worked all their lives, seniors who are now stuck in acute-care beds?

**Mr. Denis:** I'd like you to have a meal with me at the Edmonton Remand Centre and see if you'd still ask me that question.

**Mr. Saskiw:** I may take you up on that. I'm Ukrainian, though. I need . . .

**Mr. Denis:** I'm German, and there's no German sausage.

**Mr. Saskiw:** I'll refer you to 8.11, the sheriffs protection services.

**Mr. Denis:** Could you just bear with me for a second, please?

**Mr. Saskiw:** Sure. It's page 170.

**Mr. Denis:** Line 8.11: it says Department of Justice and Solicitor General, sheriffs protection services at the top.

**Mr. Saskiw:** That's correct. Yup.

**Mr. Denis:** Please proceed.

**Mr. Saskiw:** Who protects the Premier while she's in Calgary? Is it the Calgary Police Service or the sheriffs?

**Mr. Denis:** Currently it's the Calgary Police Service.

**Mr. Saskiw:** Is it not the case in the past that the Premier was . . .

**The Chair:** Okay. All right, gentlemen. We're going to cut it off there. Our time is up for the hour, but of course Mr. Saskiw will have another opportunity to ask questions later on.

We'll go to Ms Blakeman if you're ready. I will again remind all members that we're talking about the budget estimates for 2013-14, and you know I guess if we want to have a discussion on the different types of culinary options in the different institutions, we can, but I would encourage everybody to stay on . . .

**An Hon. Member:** It's important.

**The Chair:** It's important. Okay. Fair enough.

**Mr. Denis:** All I would ask, just as we begin, is if you could make reference to the page you're referring to just before you ask a question.

**The Chair:** Ms Blakeman, you're ready to go?

**Ms Blakeman:** I am.

**The Chair:** You'd like to go back and forth, I take it?

**Ms Blakeman:** I think so. Sure.

**The Chair:** Is that a yes?

**Mr. Denis:** Please don't ask about our colour co-ordination today.

**Ms Blakeman:** No. We phoned each other. Sorry; I gave it away.

**The Chair:** You both look fabulous, so go ahead.

**Ms Blakeman:** Thanks very much, Mr. Chair. My appreciation to the staff for coming tonight. That's really good of you to be enjoying your Monday evening with the rest of us. I do appreciate it, and I'm sure the minister does as well.

I am not a lawyer. I will not be using legal questioning tactics. I'm a fairly plain-spoken individual. I'm known to use slang, vernacular, idioms. I welcome the minister to do so as well. If we can try and avoid the specificity of particular language unless we absolutely legally have to, I think we'll be happier. At least I would be happier, and then you'll be happier, okay?

**Mr. Denis:** Don't count on it.

8:20

**Ms Blakeman:** Well, I'd like to.

There are just a couple of areas that I'm looking to cover. I'm just going to give you the big overall, and then we'll start to drill down a little bit. I'm finding in talking to people in the community that there is an issue of the overall funding of the judicial system: the number of judges, the actual long-term maintenance of the courthouses, and things like that. That's one area.

Secondly, the alternatives. I've been reading the right-wing websites.

**Mr. Denis:** Is it having any impact?

**Ms Blakeman:** No, but I'm happy to share it with my colleague. I think part of it is going to be delivered to him soon.

I find it fascinating that in the States they're actually moving towards the programs that I and others on the left like me have been espousing for some time. They save money, so now they're very popular with George Bush and friends. There are some of them that you are coming near to or you're not, so I've got a little series of questions about why you're not choosing some of these things.

Access to the courts, particularly legal aid and business cases and things, the traffic offences issue, closing courtrooms, maintenance enforcement.

**Mr. Denis:** Can we go one at a time?

**Ms Blakeman:** Yeah. I know.

**Mr. Denis:** Thank you.

**Ms Blakeman:** Yeah, that's what we'll do.

And then I've got some odds and ends, so I'll end up being back on the list, Mr. Chair, for the free-for-all. Thank you very much.

We look at the overall funding of the system, and I look in the capital budgets, which appear in a couple of different places.

**Mr. Denis:** Which page are you referring to?

**Ms Blakeman:** You can look in capital spending by program, for example, on page 174, where it's appearing under justice services, or you can look back to the numbered ones on pages 168 and 169, where you've got the operational expense by vote for both the capital expenditures but also the number of prosecutors that are involved, the number of court clerks. The minister has been quoted a number of times and has said tonight that there are two new judges. I do not see that the funding of the system overall has kept up with the population increase in Alberta. Oops. Somebody's eyebrows went up. Okay. I'm going to get an answer on that.

Also, the long-term maintenance of buildings. There are some places like Killam, I think it is, where they're working out of an ATCO trailer and have been for some time. On the reserve in Glenevis they're working in an old school classroom.

What I'm seeing is that we've sort of stagnated with our support for the justice system both in terms of staffing and in terms of

infrastructure. I'm wondering if the minister has a long-term plan about this or whether it's a policy decision he has made because the government believes that we're short on funds. Why am I not seeing the sort of COLA? Why are we not keeping up?

**Mr. Denis:** Ray is just going to make a couple of comments, then I'm going to catch in – okay? – if that's okay with you.

[Mr. Fox in the chair]

**Mr. Bodnarek:** Yes. I just wanted to respond in terms of us keeping up with population growth and inflation. I would encourage you to take a look with respect to the justice side of the house at our operating budgets, and you will see nearly a doubling of our operations budget over the last five years. There's been a significant net new investment on the justice side of the house that would fund prosecutors, court administration, various justice service related programs, legal aid, and the like. There has been a considerable net new investment over the last five years. I would encourage you to take a look. There has been a considerable new investment.

**Ms Blakeman:** In the people.

**Mr. Bodnarek:** On the operating side. That is correct.

**Ms Blakeman:** Okay. And capital?

**Mr. Denis:** I'll just deal with this.

**Ms Blakeman:** Okay.

**Mr. Denis:** As you well know, the Calgary Courts Centre opened its doors in 2007. I had the privilege of working there for a year before I came here. I have been lobbied by many judges in Edmonton for a similar type of courthouse, which in today's dollars would cost \$900 million. We simply don't have that kind of capital money available. In the current Edmonton courthouse we are investing on an ad hoc basis if there are any repairs required in it.

You've alluded to traffic court. I don't want to steal your thunder, but at the same time one part of our traffic court plan is because it actually does free up space at the courthouses, where you can actually bring in additional courtrooms not dealing with traffic.

**Ms Blakeman:** Okay. Thanks very much for the answers.

Now, at one point I did remember the minister talking about closing courtrooms. That, I believe, would turn up under vote 2, court services, on page 168. How does that happen administratively? My understanding is that the courts are booked some time in advance, like nine months. If we're going into a budget year and we know that the courts have been booked for nine months, how does he close the two courtrooms? Do you run on weekends or at night?

**Mr. Denis:** No. Typically what happens is that there's a chambers list in the morning, and on the chambers list it'll list your last name, my last name, everyone's name, whoever has a case or a matter that particular day, and then they are assigned typically that day to whatever courtroom they're at. Quite often the list is simply just split into two. Does that answer your question?

**Ms Blakeman:** No.

**Mr. Denis:** Okay. I'm sorry.

[Mr. Quest in the chair]

**Ms Blakeman:** Well, the minister has been quoted in the media and elsewhere talking about closing two courtrooms. How do you close the two courtrooms if we are using them currently and they're booked for nine months out? How administratively do you actually do that? I mean, you're talking about a list, and – what? – you'd take everybody that comes in on a day. Let me pick figures out of the air. They don't mean anything. Please don't make them mean anything. Sixty cases are booked. You say that they can go get split into two lists. That would be 30 each. Well, if you're booked far out, how do you do that?

**Mr. Denis:** If you're interested, I can get you a tour sometime in the courtroom. What happens is that the courtroom bookings can happen really up until the last day even, and then it simply goes to the bottom of the list. The earlier you book the courtroom, the quicker you're going to get heard. This is in both criminal and civil cases.

**Ms Blakeman:** So administratively to close these two courtrooms: no big deal?

**Mr. Denis:** No. Or to repurpose. We will work with the judiciary on this, both Queen's Bench and Provincial Court, and get their input.

**Ms Blakeman:** Okay.

**Mr. Denis:** A valid point, though. A valid question.

**Ms Blakeman:** Thanks very much.

Now, on the issue of the intermittent sentences, I'm just wondering – and the minister may have been misquoted because God bless our wonderful colleagues in the media . . .

**Mr. Denis:** No sarcasm.

**Ms Blakeman:** . . . but sometimes they say things that were not actually in quotes, and people think that we've actually said it. We understand the minister has cancelled the bracelet program, which could fall under that alternatives-to-full-jail category, but I've also seen where you've said that you're going to cancel intermittent sentencing. How do you do that? According to what I've got in the Criminal Code under section 732, a judge can order what they think is appropriate.

**Mr. Denis:** Well, we're working actually with the judiciary on this particular topic to arrive at something that is reasonable, and at the same time we're also looking at a policy. Whereas intermittent release in the past has been easily consented to, this is something that our Crown prosecutors as a matter of policy now are also going to oppose because it is our view that this has been overused.

**Ms Blakeman:** Okay. So you're negotiating. Easy on the language here.

**Mr. Denis:** No, that's fair. We're in negotiations with the judiciary right now. I don't want to comment more specifically on that just because it's an ongoing discussion, okay?

**Ms Blakeman:** Okay. But, strictly speaking, they can decide that they do want to do that, and they can say: no, I think you should be serving this intermittently. Just for the folks following along at

home that aren't lawyers, what this is is basically allowing people to serve their sentences but in bits and pieces. So they might do it on their holidays or . . .

**Mr. Denis:** Typically on weekends.

**Ms Blakeman:** Yeah, typically on weekends. But they could do it on holidays or, if they're a seasonal worker, on their off-season. It just means that they're not in there every single day, one, two, three, four, five. It does allow people to keep their jobs, to keep going to school, to stay involved in their community. If you take that option away from them, we are putting people in a position of removing themselves or being removed from the community for an extended period of time, which can interrupt things like jobs, schooling, community involvement.

**Mr. Denis:** Well, if you don't want to interrupt your job or your schooling, don't break the law.

**Ms Blakeman:** Fair enough, but part of what I understand the minister to be talking about and part of what is talked about a lot in these wonderful – just for anybody that's looking for it, it's called [rightoncrime.com](http://rightoncrime.com). Jeb Bush and the other Bushes are big proponents of it. They're basically saying that we need to try to cut down on recidivism. We need to try to not create professional criminals out of amateurs. Most people that end up in jail are not hardened criminals. They are somebody that did something stupid, usually under the influence of something, and they're not really people we want to make hardened criminals out of. So I take your point, but on the other hand, everything else I'm reading is saying that throwing them in jail and throwing away the key is not the way we need to be going.

8:30

**Mr. Denis:** Could I just make a point there?

**Ms Blakeman:** Absolutely. You're the minister.

**Mr. Denis:** Okay. No, you're asking the questions here.

A few things here. First off, we don't believe jail is the only option. There are things like community service, probation. Youth justice committees are very successful in dealing with first-time offenders particularly, and the list goes on and on. I'm getting a nod from a cop beside you. This particular program costs a million dollars additionally per year. We're working with the judiciary right now on this particular item, but as a matter of policy I do believe that this is something that has been overused in the past, and our prosecutors will be fighting this more often.

**Ms Blakeman:** So it's the intermittent sentencing that you don't like?

**Mr. Denis:** That we believe has been overused.

**Ms Blakeman:** Okay. I'll just refer you to this Right on Crime section.

**Mr. Denis:** Jeb Bush?

**Ms Blakeman:** Indeed. Priority issues: prisons. They talk about increasing the use of custodial supervision alternatives such as probation and parole for nonviolent offenders, mandatory drug addiction treatment, mental health counselling. The States' prison costs average nearly \$79 per day for full incarceration using those kinds of alternatives as compared to \$3.50 a day, so for those that want to be keen on not spending money, obviously there are other ways to do it. All right. I hear you.

**Mr. Denis:** To be clear, I think you and I both agree that these intermittent servers are not hardened criminals. These are typically people who commit lower-end offences anyway.

**Ms Blakeman:** Okay. A couple of other things here. I'm really curious that the provincial government has been willing to accept the federal trickle-down sentencing policies, because that ends up costing Alberta taxpayers to deal with some of the changes that they have now made, and it's turning up in your business plan. As you know, the goals appear on pages 54 and 55, and your mission statement is on page 53, and in a number of places those two things are coming together. Do you have a business analysis or any kind of business case on taking this over or assuming the additional cost that is trickling down from federal decisions and changes in law?

**Mr. Denis:** First off, as I'm sure you're well aware, section 91 of the Constitution gives the federal government exclusive control over criminal law powers, so no province has any control over this particular item.

I think when it comes to what we hear the average person thinks, it's that the average person starts to lose confidence in the judicial system when you start to see some very low offences. None of us can tell a judge what to do, and of course we respect the independence of the judiciary, which is again enshrined in our Constitution. But what we can do at law is actually put in mandatory minimums. For example, for a drunk driver who is in an accident causing death or serious bodily harm, we think that there should be a mandatory minimum there. It can't be a clear straitjacket. There has to be some judicial discretion because every case is different. So in the interests of community safety but also in the interests of the people's confidence in justice we do support that bill in principle.

The one thing, though, that we have not arrived at is an issue as to cost. At the last federal-provincial-territorial Justice ministers meeting, in my hometown of Regina in October, we discussed this, and there was no resolution between Minister Toews, Minister Nicholson, and the provinces. This is a matter that we will obviously have to decide in the very near future, but we will push it again at the next federal-provincial-territorial Justice ministers meeting.

**Ms Blakeman:** Okay. There is quite a bit of the right-wing stuff that's about getting rid of mandatory minimums, but we'll talk about that later.

**Mr. Denis:** I thought you said you were left wing.

**Ms Blakeman:** I'm sorry?

**Mr. Denis:** I thought you said you were left wing suddenly earlier.

**Ms Blakeman:** No, no. I'm going off of your favourite stuff here. But it's interesting that that's what they're talking about, and they think it's going to reduce money.

I'd like to talk about the traffic offences. Now, the minister obviously feels very strongly about this, but I'm curious because it does read to me that it's an incentive. You know, generally when you give people money off, it's an incentive for them to act in a certain kind of way, and in this case it's to plead guilty and pay the fine up front. We may well disagree on that; nonetheless, I think it is developed as an incentive to have people pay, and that means they're also pleading guilty, so I do see it as a coercion to plead guilty. The minister doesn't seem to feel that way. If it's a matter of taking up court time and people standing in a lineup,

why don't have you them pay online like the cities do with paying bylaws there?

**Mr. Denis:** Actually, that's something that we're looking at as well. Currently you can pay online, but you're assessed a \$9 fee. I think that if you pay online, you shouldn't be assessed that other fee. That's just my personal view, and that's part of what we're looking at here. I don't know if Edmonton is the same as Calgary, but I'd challenge you to go down to traffic court someday and actually look at the lineup there. Every year there are 1.9 million traffic offences versus only 218,000 Criminal Code offences in this province.

**Ms Blakeman:** Okay. But I would still far rather pay an administration fee and pay my ticket online if I actually am guilty than to be incented to plead guilty to start with.

**Mr. Denis:** So you disagree with how parking tickets are administered, then?

**Ms Blakeman:** Well, right now if you want to fight it, then you go and fight it. You don't pay up front, admit you're guilty, and then go somewhere else.

**Mr. Denis:** No. That's not what I'm suggesting. No, no. No, no. I must correct that.

**Ms Blakeman:** So why have you done this? It's a very curious choice.

**Mr. Denis:** Well, first of all, we haven't done anything. This is a proposal that we're talking about.

**Ms Blakeman:** Yeah, but it's in your budget, and I'm assuming it's going to be in place. Does the minister expect that it will be in place before the end of the fiscal year of the finances which we're examining at the moment?

**Mr. Denis:** I don't know at this point. I'm throwing out ideas, and we're getting information back.

What I have to correct is an earlier statement that you made. You made an assertion that we somehow are going to change it so that if you want to plead guilty, you'd have to pay first. No, that's not the case. You either pay and you're guilty, or you go and fight it just like a parking ticket. So if you get a parking ticket for . . .

**Ms Blakeman:** But you do have an incentive there that is meant to change behaviour.

**Mr. Denis:** No. I'm not going to accept that.

**Ms Blakeman:** Ah. Well, I think this is the point where we agree to disagree. Okay.

Under maintenance enforcement performance measures on page 55 of the business plan, performance measure 2(a), can I get clarification on exactly what you're counting?

**Mr. Denis:** Could you just give us a moment, please?

**Ms Blakeman:** Yeah. On 55 right at the top, performance measure 2(a), maintenance enforcement program's compliance rate on cases enrolled, by regular monthly payments. I'll ask the question now that you're there.

**Mr. Denis:** Okay. Thank you.

**Ms Blakeman:** What I worked on for a long time with then Justice minister Hancock was to make sure that we were

collecting a variety of different kinds of information on maintenance enforcement because what was happening at the time was that there was a compliance rate that was being given based on any movement in an account. So if someone paid a dollar on an account, it was counted as a success. I want to know in 2(a) what it is that you're counting. I'd like to know if it's the percentage of total money assessed or ordered by the courts.

**Mr. Denis:** It's the regularity of on-time payments.

**Ms Blakeman:** Okay. So we still are not reporting here. Could you please give me the information as to how much money is being collected out of the amount that has been ordered to be paid?

**Mr. Denis:** Do we have that information?

**Ms Blakeman:** Well, you're collecting it now. Thank you. That's my time, but we'll do this again later. Hang on to that thought.

**The Chair:** You will have that opportunity.

**Ms Blakeman:** You've got me on the list, right, Mr. Chair, for the free-for-all?

**The Chair:** You're on the list for later on, yes.

**Ms Blakeman:** Great. Thank you.

**The Chair:** Hopefully, it will not be a free-for-all.

It's just coming up to 8:40. We'll take a five-minute break. If everybody could be back in here at about 8:45, that would be great. Thanks.

[The committee adjourned from 8:39 p.m. to 8:48 p.m.]

**The Chair:** All right. We are reconvened, so we'll call the meeting to order.

For the next 20 minutes a member from the fourth party. Ms Notley, are you ready to go?

**Ms Notley:** I am.

**The Chair:** You'd prefer to go back and forth with the minister, I assume?

**Ms Notley:** Indeed. Yeah.

**The Chair:** Very good. Please go ahead whenever you're ready.

**Ms Notley:** Okay. Well, I'll be bouncing around a little bit, of course, because we don't have anywhere nearly as much time as we'd like, but it seems to have been going fairly well up until now. I do appreciate that the minister is giving relatively brief answers and fairly to the point. That's a good thing.

**Mr. Denis:** Thank you.

**Ms Notley:** That's a nice way to approach it in comparison to how some ministers approach this, so I do appreciate that.

I want to start by going back to the issue of the performance measures that the ministry uses. I want to talk about goal 2, fair and independent prosecutions, and that's where 2(a) talks about public perception of fairness in the prosecution service, the percentage of Albertans who strongly agree or somewhat agree that Alberta Justice provides a fair and impartial service around prosecutions. In that case it looked like you were receiving rather subjective but nonetheless measurements: 71 per cent in '08-09,

76 per cent in '09-10, 77 per cent in '10-11, and 75 per cent in '11-12.

Now, I have a question about this. As you would recall from when we met not long ago about public accounts, we talked about the fact that there was this document, the Court Case Management (CCM) Program Phase 1 Closeout Report, which was dated 2010. In that document it states: "Alberta's justice system has experienced a significant drop in confidence levels since 2003/04." I don't see that reflected anywhere in your performance measures reports in your annual report. I'm a little concerned about what it is we're measuring and why it is that the significant drop in confidence levels that was reported in the 2010 report didn't appear to be reflected in any of the performance measures that appear in your annual report. What were you measuring, and where would your annual report show that significant drop in confidence levels?

**Mr. Denis:** I'm going to ask Ray to answer that.

**Mr. Bodnarek:** Okay. We no longer publicly report in our business plan on public confidence in the justice system, so the measures you see are the measures that we publicly report on.

**Ms Notley:** All right. Interesting. I mean, I'll be the first to say that sort of subjective measures of confidence are not particularly good performance measures to use. But since we have a public perception of safety in the neighbourhood, a public perception of fairness, and I think we have one other public perception, the satisfaction of the ministries with the ministry and public perception of human rights, why don't you report confidence levels in the justice system?

**Mr. Bodnarek:** Well, my understanding of how we've approached this is that public confidence is a very broad measure, and it's difficult to ascertain what we're getting at with overall confidence in the justice system. The measures that we have now are more specific, and it's easier for us to attribute what people's issues are with the justice system based on the current measures.

**Mr. Denis:** Could I supplement that, please?

**Ms Notley:** All right.

**Mr. Denis:** You mention the Human Rights Commission. The Human Rights Commission is an independent body, and as such they have their own performance measures. We do not impose that upon them.

**Ms Notley:** Okay. But even if I go back to goal 1, I mean, we've got the percentage of Albertans who feel reasonably safe. That, to me, sounds pretty much as general. You're asking as general a population as you would have before in terms of confidence in the justice system.

**Mr. Denis:** Well, what's the question that you had proposed to ask other than that?

**Ms Notley:** Well, my question is: if it's okay to have a general measure of how many Albertans overall feel safe, why is it not okay to have a question about how many Albertans have confidence in the justice system?

**Mr. Bodnarek:** We could ask lots of questions, and we could report on many, many different measures. What we're trying to do is be more targeted in terms of what we're measuring so that it can help us change and modify our programs and services. That's the

answer. We can debate whether public confidence in the justice system is valid and helpful in shaping programs and policies. I mean, we can have a debate on that.

**Ms Notley:** Well, I would just say that for the purpose of accountability it would be useful for it to be regularly reported to the public if there is a problem with the confidence in the justice system.

Anyway, moving on, somewhat related to that and as it relates, of course, to the issue of legal aid funding, I had asked you about measuring the number of self-represented litigants. I do appreciate the correspondence I received from you I think it was maybe four or five days ago. Maybe it was right before the break; I'm not sure. Anyway, it was good.

My question, though, arising from that relates to the fact that we essentially have a flat budget in legal aid. We experienced some very significant cuts in legal aid back in 2009 as a result of the loss of the money from the trust fund. I understand that. I appreciate the government's contribution to legal aid increased from 2005 to about 2008 or 2009. It's been flat since. I also appreciate there was a one-time amount of money put in last year but that that is not budgeted for this year. In essence, we're dealing with the government contributing the same amount this year as they had in 2008.

8:55

That aside, I see now these numbers that your deputy kindly provided to me that show, for instance, that in QB civil and family from 2006 you had 17 per cent self-represented litigants, and by 2012 that is up to 27 per cent self-represented litigants. I have to think that that 10 per cent – well, it would be about a 65 per cent increase overall in your self-represented litigants. Knowing the extreme disruption and costs that that causes to the system, is this a penny-wise, pound-foolish approach in that we are not providing adequate support to Albertans to get legal representation when they approach our legal system?

**Mr. Denis:** Well, you are quite correct, first of all, that we did provide a one-time increase in funding, a one-time stipend of \$7 million last year to legal aid based on the surplus from our business operations. As you are probably also aware, over the last five years our government has increased funding to legal aid by 90 per cent.

**Ms Notley:** I've already covered that.

**Mr. Denis:** Okay.

**Ms Notley:** It hasn't increased in the last four years except for that one time, which is not included in this budget.

**Mr. Denis:** I don't believe that's the case, but I'll let them get further information here while I answer the next part of your question.

As you are likely aware as well, legal aid is a shared responsibility between us and the federal government. The federal government's funding has been flat for over 10 years on this particular file, and we will continue to bring this up with the federal government at federal-provincial-territorial meetings. At the last one in Regina in October there was a near unanimous call on the resolution at the end, calling the federal government to go and do this.

I'll just get you some specific numbers on legal aid funding if you have a moment. I'll give you an example. In 2005-2006 we gave \$20.2 million. Okay? It went up the year after that to \$32.4

million, \$34.6 million, \$43.1 million, \$42.8 million, \$47.8 million, \$47.8 million, last year \$55 million.

**Ms Notley:** Right. But what is it this year?

**Mr. Denis:** It will be the same. It's \$47.8 million this year.

**Ms Notley:** Right. That is my point. It's been \$47.8 million – I'm sorry, I was incorrect – since 2010. Since 2006 we've seen the number of self-represented litigants increase by significant amounts, so it goes back to my question, whether or not you're going to achieve confidence in your system if you have a growing number of self-represented litigants trying to navigate their way through a system when we all know – and we've had this conversation; we're all lawyers; we've all been there; we know what the justices have said – that self-represented litigants are the single biggest challenge facing our court systems right now.

**Mr. Denis:** I agree with you. But on top of that, what was not there several years ago were privately run organizations like Pro Bono Law Alberta, for example, that helps self-represented clients. I recognize that that is a major issue, but at the same time we are doing what we can in legal aid. The federal government needs to step up with us as well.

**Ms Notley:** Okay. Well, I'm not going to speak about the value of privately run organizations. I am going to say that your own numbers show that the number of self-represented litigants is increasing quite dramatically in Alberta, and most experts agree that that confounds your justice system. It causes delay, and it undermines access to justice not only for those without representation but also those with representation.

**Mr. Denis:** Yeah. The other thing I would also like to add is that two years ago, 2011-2012, we were also supporting over 105,000 client visits, including telephone and e-mails, to the law information centre. That's something that wasn't there 10 years ago either.

**Ms Notley:** That's lovely, but the law information centre is not able to provide the kind of assistance that self-represented litigants require. They provide preliminary assistance. They do not provide representation, and I think that it is not particularly respectful to people to suggest that a visit once to an information centre is akin to getting proper legal representation.

**Mr. Denis:** That is not what I suggested. What I said is that there are many services that are available today that were not available in the past that help deal with this issue. But do I agree with you that self-representation is an issue for the courts for the foreseeable future? Absolutely, I do.

**Ms Notley:** And it's growing in Alberta. Our funding is not planned to maintain even last year's funding. Correct?

**Mr. Denis:** Well, last year, as you know, there was a one-time \$7 million surplus. We made that very clear that that was one-time funding.

**Ms Notley:** Okay. I'd like to jump really quickly over to an issue that has been discussed already. I note that on the issue of the monitoring program, you had noted that it wasn't really being used very effectively; therefore, it was a good place to cut. But I did have a chance to look at the annual report of the Solicitor General from '11-12, your ministry at the time, which says that electronic monitoring is one of the "best practices for offender

management." Then later on you stated that it "has proven to be an effective and reliable method of monitoring offender curfews." Which was accurate, the statement in your annual report or the statement that you've just made to justify the cuts to this program?

**Mr. Grant:** If I can, I think it's a little bit of both. It is an effective program. It is in this province focused on about 50 offenders right now. What we're looking at doing is putting in alternative approaches. This is not a GPS monitoring system where we track individuals where they are every minute of the day; it's to determine if they get home to their residence at night. What we're looking at doing is replacing this with some other solutions, and we will not remove this until those other solutions are in place. At the end of the day it's an expensive program for those 50 people, and it's a million dollars that we will save as we go forward.

**Ms Notley:** How many people do you anticipate, then, basically having to stay in custody as a result of that program not being there? I appreciate not the ones that are grandfathered but going forward. Presumably you've made some projections that your number of people in custody is going to have to go up with that not being an option.

**Mr. Grant:** No, we haven't made that assessment.

**Ms Notley:** So you've not assessed the cost of that?

**Mr. Grant:** No. We're looking at other solutions, and some of it might be as simple as curfew phone calls as opposed to monitoring with electronic instrumentation.

**Ms Notley:** That's the plan, the phone call?

**Mr. Grant:** No. We're working on the plan, and when the plan is set, then we will replace electronic monitoring with that new solution.

**Ms Notley:** So we're budgeting for a cut on the basis of a plan that's not complete right now?

**Mr. Grant:** We've made the assessment that we can absorb those costs, yes.

**Ms Notley:** If the plan is complete, can we hear the details of the plan? Exactly what are the strategies that are going to be used to replace the monitoring program? [interjections] Do I need to repeat that?

**Mr. Grant:** Yes, please.

**Ms Notley:** My point is that we've made a decision to cut the money and to eliminate the plan for future offenders, and first I asked: "Is there a plan? What are the specifics of the plan to replace it if it doesn't mean increasing incarceration?" You said, "We're working on the plan," and then you said, "There is a plan." So I'm asking: are you working on a plan, or is there a plan?

**Mr. Grant:** I will pick the middle ground and say that we're close to finalizing the plan at this time.

**Ms Notley:** Well, the problem is that we're being asked to debate a budget that eliminates a program on the basis of your assurance that there is a plan to make up for its absence, so in order for us to properly assess the merits of that particular proposal in the budget, we need to be able to also evaluate the plan which will replace what you're asking us to accept the elimination of. I would

suggest that we need to hear the details of that plan before we agree to the budget. That would only be responsible.

**Mr. Denis:** It's incumbent upon us to present a pro forma statement of operations for the full next year, and the deputy minister has indicated what specifically the plan is over the next year and what will specifically happen. It would be irresponsible of us not to include this in the whole pro forma statement.

**Ms Notley:** Is there a date on which we could expect to get the particular details of the various strategies that you will use in replacement of the monitoring?

**Mr. Grant:** I do not have a date that I can give you this evening.

**Ms Notley:** Will we get a date before we have to vote on the budget?

**Mr. Grant:** I'll have to discuss that with my minister.

**Ms Notley:** Will we get a commitment that that detailed plan will be given to the opposition members whenever it is actually created?

**Mr. Denis:** We'll take that under advisement.

9:05

**Ms Notley:** So you're not prepared to give us the details of how you're going to make up for the elimination of this, the plan?

**Mr. Denis:** We've given the plan of the pro forma budget as it stands at this juncture.

**Ms Notley:** Well, that is hardly open and transparent. I don't know how you can expect anyone to really vote in favour of a program if you can't tell us how it is you're going to replace it.

Okay. Well, let us go to young offenders and mental health.

**Mr. Denis:** Can I ask what page you're referring to, please?

**Ms Notley:** It's budget line item 9.5. Young offender community correctional services has been cut by 8 per cent over the 2012 forecast. Now, I'm told that that line item covers a number of different things, but one of the things that it covers is the young offender mental health initiative, which includes the intensive rehabilitative custody and supervision program. I'd like to know what the exact amount of money dedicated to the young offender - mental health initiative is, how many youth access that initiative, whether it in particular is going to suffer from any cuts, and where it is available.

**Mr. Denis:** Okay. First off, I just wanted to give you some further detail on that item that you mentioned. The decrease of \$1 million, or 7.9 per cent, is due to the 20 per cent reduction of the federal transfer for the youth justice renewal program, and that was dedicated revenue. The rest of the details that you're looking for we do not have available here, but I can get them to you.

**Ms Notley:** All right. I'm not sure if you would recall because you weren't here, although I think someone from your ministry was, when this committee was looking at the issue of mental health and mental health funding across the various ministries. I'm very concerned about the various places in which we see that appearing to disappear as it relates . . .

**Mr. Denis:** Actually, if I might just interject.

**Ms Notley:** Yeah.

**Mr. Denis:** All of the health funding comes directly from health services. It isn't provided directly by Justice and Solicitor General.

**Ms Notley:** Well, I believe, though, that the young offender piece was actually out of your budget. It was not out of Health. The rest was transferred to Health, but the young offender piece under that program was still being funded out of your ministry.

**Mr. Denis:** I would have to confirm that at a later date, too.

**Ms Notley:** All right. In terms of corrections generally, in response to the questions from the Member for Lac La Biche-St. Paul-Two Hills about the remand centre, you said that, well, there are a lot of good things about the remand centre and that, you know, it's got to do a lot of important work. Then you started referring to mental health and all that kind of stuff, which, of course, we know is true as a result of just thinking about that horrific tragedy which occurred two or three years ago in the current remand centre as a result of its many problems, where an inmate was killed by somebody who ought to have been properly housed elsewhere because of his mental health issues. I know you have the new centre there, but I'm looking at . . .

**The Chair:** All right. You will have another opportunity.

For our final 20 minutes it's government members. Mr. Young, are you ready to go?

**Mr. S. Young:** Sure.

**The Chair:** You'd like to go back and forth with the minister?

**Mr. S. Young:** Yeah.

**The Chair:** Very good.

Minister, is that good for you? Very good.

Please proceed whenever you're ready.

**Mr. S. Young:** Okay. Thank you very much, Minister, and all of your staff for being here. I just have some questions here. You've said in the budget that we have not lost one cop or one prosecutor or one judge. When we look at police officers across Canada, our police population ratios are the lowest in Canada according to the police resources in Stats Canada. I think Prince Edward Island is the only one that actually has a lower one. Then if you actually look within Alberta, there is a huge range in terms of the ratios of police per population from Blackfalds, which has 24 per 100,000, to Wood Buffalo, that has 227. It's a big range. Then Edmonton and Calgary are pretty close, at 170 and 190.

With the role of the Solicitor General being about setting standards, how do we – you know, those front-line officers are my concern. I mean, we could have lots of administrators, supervisors. But in terms of your standards, in terms of the number of officers, boots on the street, not supervisors of the boots, can you comment on that in terms of what kinds of measures or standards we have?

**Mr. Denis:** Valid points. I'd be a little bit happier if you would say that there's a shortage of lawyers rather than a shortage of police officers.

**Mr. S. Young:** Oh, I would never say that.

**Mr. Denis:** All things aside, first off, I want to address some of the statistics that you indicated there, the interprovincial statistics. The Alberta sheriffs is a program unique to Alberta. Any one of us who drives along highway 2 or anywhere else in the province will know they play a very strong role in law enforcement, specifically

and not limited to our traffic offences. They handle a lot of things that otherwise RCMP or provincial police forces in other provinces would specifically handle. Those statistics do not include the Alberta sheriffs, so I would suggest that the ratio of police per population is likely somewhere in the middle. It's very difficult to indicate where they would be if we actually started a direct comparison. That's the first thing I wanted to suggest.

The second thing is that you had addressed the issue of the NPOG, which is the new police officer grant. That was started in 2009 by the Premier when she was Justice minister. We've continued that on. There are 123 new cops in Calgary as a result and 111 in Edmonton. The reason that we have that tied to these specific officers is because we do want more front-line officers. There is nothing against administration, but at the same time I think police have the greatest impact when they're actually on the street.

It's very important to note that we did not cut police officers here in this budget. In fact, there are actually 10 new RCMP officers, 16 new traffic enforcement positions. On top of that, we've also put \$214 million into the provincial police services agreement. We have the Alberta law enforcement response teams, again not included in that particular comparison. The new police officer grant is going to be continued for at least another year. That's the commitment that we've made. Some of the municipalities have asked for block funding in this respect. At the same time the block funding is something that I worry about if there are no strings attached. I worry that it's simply going to increase administration rather than putting more police on the street as you quite adeptly suggest.

**Mr. S. Young:** Yeah. A really good point about the sheriffs, and there'll be another question I'll have. But the strings attached. My question is: are they attached to where the funding will go or to the organization itself? Because you can fund a police officer on the street, and then there's a whole bunch of administration that is created out of that. There's always a little pet project. I always, maybe somewhat jokingly, say: "You know what? The police department runs really well on weekends and evenings when they're all at home, not out there." What is the standard in terms of front-line officers in terms of Alberta, whether it's the RCMP in Taber, Edmonton, Calgary?

**Mr. Denis:** I'm going to let Deputy Minister Tim Grant talk about this in detail here.

**Mr. Grant:** Certainly. The money does go essentially to the police forces, but it is the role of civilian oversight through the police commissions to ensure that that money is properly spent. Our money is actually a small percentage of the total money that's used to fund the police forces, particularly Edmonton and Calgary. The vast majority of their money, around 75 per cent, actually comes from the cities themselves. But it is the role of the police commissions to oversee the implementation of the budget of both of those departments to ensure that the money is spent on those things that are considered essential in the police departments. It's not the role of the minister here to dictate to police forces where they would spend the money and specifically how police are employed on the ground. That would apply to the RCMP as well, the provincial police force.

**Mr. S. Young:** Fair enough. I certainly respect the governance of the police commissions as the local representatives of that, but it does beg a question when we look at your priority 1.1, which is to set strategic provincial policy direction for law enforcement by

implementing the law enforcement framework. That's on page 54 under goals.

**Mr. Denis:** Thank you. I was just going to ask that.

**Mr. S. Young:** Just the law enforcement framework. We've seen this evolution of the peace officers in Alberta from SCAN, which is surveillance. We have warrant apprehension units, I-TRACs. We have ICE units.

**Mr. Denis:** Do you want to tell people what that is, please?

9:15

**Mr. S. Young:** The Internet child exploitation. You have ALERT, the Alberta law enforcement response team; ASIRT, which is the Alberta Serious Incident Response Team. I get back to my front-line boots on the street for the municipalities. If the province is providing all these supportive services in terms of surveillance, warrant apprehension, joint forces, and the Serious Incident Response Team in terms of those kinds of serious incidents, should there be standards in terms of making sure we've got at least a standard number of front-line officers, whether it's school resource officers or response members?

**Mr. Denis:** I think again you make a very good point. That's specifically why we tailored the funding in the new police officer grant on a per-officer basis as opposed to just simply: here's the money; you do what you want with it. I'd share the same concern that you do if we went that way.

**Mr. S. Young:** Okay. I'll keep with my theme of standards. First of all, we'll talk about API3, and I want to applaud you for getting rid of that.

**Mr. Denis:** Thank you.

**Mr. S. Young:** The intent of API3 was very laudable, the officer having the right information at the right time to the right person, accountability, and all those kinds of things, but the integrated approach is the wrong way. It should have been interoperability. Still with those principles of having officers have the right information to the right person at the right time, how are we approaching that, still delivering on that? With the appropriate abandoning of this direction, are we pursuing another one?

**Mr. Grant:** Absolutely. I've already started the discussions with the three major chiefs of police – the commanding officer of K Division in the RCMP, Calgary, and Edmonton – to look at how we can make sure that we do operate in a manner where we can share information and that front-line policing actually has access to the information they need in a timely manner to do their business. Part of that will be supported by what the minister spoke about earlier, the redistribution of some of that legacy equipment and licensing software that comes from API3. We want to make sure that that's used to the best of its purposes on a go-forward basis.

**Mr. S. Young:** My next question. We merged Justice and Sol Gen, and now we have hopefully some efficiency through that if not a communication alignment between the two ministries. With API3 gone and JIMS not moving forward . . .

**Mr. Denis:** JIMS has been cut.

**Mr. S. Young:** Yes. Exactly.

**Mr. Denis:** Justice information management system. It has been cut, \$35 million.

**Mr. S. Young:** So we have two big IT programs: big dollars, big resources, big people. How many IT people and supervisors and directors have we saved from not only the discontinuing of JIMS and API3 but also from the merging of the two ministries?

**Mr. Grant:** I can speak from an API3 standpoint. We're finalizing the numbers right now, but there are probably a couple of dozen individuals that will be impacted by the decision to close down API3.

**Mr. S. Young:** I notice that one of the objectives is to reduce the number of managers within the department. I don't know what the numbers are.

**Mr. Grant:** Ten per cent.

**Mr. Denis:** Specifically, if I just might add on to that, Member, in our own staff if you would have Justice and Solicitor General separate, you'd be dealing with two chiefs of staff, two special advisers, two schedulers. You get the point that I'm making.

**Mr. S. Young:** Yeah. And we don't have to pay you twice as much.

**Mr. Denis:** Oh, you don't?

**Mr. S. Young:** Oh, you're worth it.

The other thing I have a question about is in terms of the oversight in terms of ASIRT and the Police Act kind of efforts. There seems to be a huge, disproportionate number of hearings in some departments versus others, there's LERB recently overturning those decisions, and there seems to be an inconsistency between how the different jurisdictions, from the RCMP – they are a different kettle of fish with the federal oversight. Nonetheless, with all the others – Edmonton, Calgary, Taber, Medicine Hat, Lethbridge – there's a huge, huge, huge difference between the number of hearings and how that act is interpreted.

**Mr. Denis:** I do want to respect the independence of each police body that you had mentioned but also at the same time of both ASIRT, the Alberta Serious Incident Response Team, and the LERB, the Law Enforcement Review Board. If there is an issue with that, I leave that up to the individual police forces to handle. As things come up, that also is between ASIRT and LERB to handle.

**Mr. Grant:** If I could add to that, the standards branch and the oversight branch in the department actually looks at each of those departments on a regular schedule and goes out and does audits of them and looks at things like you have discussed, the rate of reporting of incidences of police officers. So there is an approach that's taken, and the same standard is applied to all of the departments in the province. It's on about a two-year cycle that each department will be reviewed by the audits and standards branch.

**Mr. S. Young:** Well, it doesn't matter what the agencies are, but one agency in the last year or two years had 35 hearings, and the rest of the province had two.

**Mr. Denis:** There were 154 investigations in total last year through ASIRT.

**Mr. S. Young:** Right. But I'm talking about the hearings in terms of how it's applied. There's a huge disparity there in terms of: what is the role of the province, not in individual cases but in terms of how the process is applied, the interpretation of the act? It

seems the only person to have a role here is the Sol Gen in terms of the differences in how the act will be applied.

**Mr. Denis:** That could be a role for me, to go and talk to some of the chiefs of the local police forces. But at the same time as far as governance, as far as how they would decide to manage it, that is in their sole and unfettered discretion.

**Mr. S. Young:** Okay. Thank you very much.

The next question I have. Regarding Fort MacLeod I think that was another bang-on decision and real gutsy.

**Mr. Denis:** Thank you.

**Mr. S. Young:** It's not an easy decision. But, again, the objective of Fort McLeod, or that single-site training centre, was about having standards around training and practice. In the absence of the bricks and mortar where have the standards around training gone?

**Mr. Denis:** When you talk about standardized training as opposed to standardized facilities . . .

**Mr. S. Young:** Standards of training.

**Mr. Denis:** Yes. I can totally support the standards of training across the province. Obviously, we do not need one facility in order to do that when you have that.

**Mr. S. Young:** Agreed.

**Mr. Denis:** Did you want to have some further comments on that, Tim?

**Mr. Grant:** The only thing I would suggest is that the standards that the province has accepted are really national standards that are applied across the country. From that standard we're comfortable that the training of the police agencies is standardized at this time.

**Mr. S. Young:** Just getting back to the law enforcement framework, we have the sheriffs who are embedded in the RCMP, but they're also stand alone for different functions like the warrant apprehension units. We have warrant apprehension units in every police department to arrest people for warrants. What role is that sort of extra piece playing in terms of the framework?

**Mr. Denis:** Sorry. The extra piece being . . .

**Mr. S. Young:** The warrant apprehension, where they're going after people with outstanding warrants.

**Mr. Grant:** There is a small group of sheriffs at the current time that are embedded in ALERT who are fugitive apprehension teams, and they operate throughout the province. They've been very successful to this point. But it is one of the groups that we looked at during the budget to say that that is not core business of the sheriffs, and that's something that should be managed by police departments.

ALERT is looking at a go-forward plan as to how they will deal with the removal of funding for the sheriffs that are included. We are waiting for their report right now. But I would agree with you that this is not a core business of sheriffs. That is actually a core business of front-line police law enforcement.

**Mr. S. Young:** I think you said that very well. It's about that. What is the core role? I think a lot of people have been sort of scratching

their heads about this. I think it's evolved, and I think it quite appropriately developed. The sheriffs evolved in terms of filling gaps because we were short so many officers, so it was about filling gaps. Well, we kept filling gaps, and now the gaps are full. Now there seems to be a redundancy or overlap. Where does one begin and the other stop? That's where I'm curious.

**Mr. Denis:** Well, I'll tell you where it stops. Some people have suggested: why don't you give the sheriffs Criminal Code matters? Well, if you do that, you're de facto creating a provincial police force. Although it's been advocated by some people in the Chamber, we've seen it's not something that is financially viable for this province. We get 30 per cent of the money for the RCMP right from the feds, and with all the money in equalization that we end up giving to other provinces, if we can get this kind of money back from the feds, I'm actually going to go and take it.

9:25

On top of that, there's also the issue of infrastructure that the RCMP have, that we would have to purchase if we decided to create a provincial police force. I don't think we should bring the sheriffs on to that point in time. I support the sheriffs, the model that the former minister, Harvey Cenaiko, established, but at the same time I don't think that we need to go and take that extra step. I don't think it's in the interests of the administration of justice and policing in the province.

**Mr. S. Young:** I would agree. I know we've sort of stuck our toe into the water there in many different points. It just seems like there's a grey area, and just because we can do it – when dollars are assigned to this, where do we say, “stop,” especially when they're, you know, scarce dollars, in terms of what our core business is? I think that was a really good point.

One other thing is about the tripartite agreements with the Blood Tribe and the other stuff, who are peace officers with full Criminal Code authority. What are the funding agreements with the aboriginal police services?

**Mr. Denis:** Okay. We have removed funding as of next year, as you know, to Piikani as well as to Siksika. We have provided funding up to end of last calendar year, up to March 31, but not on a go-forward basis.

Tim, did you have any specific comments?

**Mr. Grant:** On the specific subject of First Nation policing, we are continuing on the tripartite agreements, where we're working with the RCMP to provide those services, so that funding has remained in place. The funding the minister is referring to is that funding that would support some of the recovery services that the First Nations were providing.

**Mr. S. Young:** Okay. I don't have any more questions, Chair. Thank you very much. Great responses.

**The Chair:** Okay. Well, we have two minutes remaining, so I'm going to go to Ms Jansen.

**Ms Jansen:** Very quickly, I want to touch on the idea that criminal justice involves more than just looking at dangerous criminals who are incarcerated. You know, it looks at people who we would hope there is a way to rehabilitate. I'll try to be really quick with this question. I know that there are some innovative approaches in the United States that really look at new ways of dealing with criminals to keep them out of jails. As we know, for nonviolent offenders a jail can often have the opposite effect of what you're looking for in terms of rehabilitation. Are you looking

at any programs? Do you look to the U.S. as a model? Do you look to any programs as a model for what we could be doing here?

**Mr. Denis:** Well, you've made a very good comment. First off, I think the primary focus of the judicial system, the penal system has to be the safety of everybody else and, of course, the victim in no particular order, but when you talk about how we can reduce recidivism, we do look specifically to other provinces and what has been working and what hasn't been working. One thing that has been working and that I'm a big fan of is the youth justice committees, that actually take often first-time offenders, put them together with the actual victim, and work out some sort of restitution. I know that many people in many different political parties have been involved and support such a program as that.

Do you have any other comments, Tim?

**Mr. Grant:** I would just add that we do look not only in the province but outside to other provinces and into the United States and Europe for some best practices. One of those would be the direct supervision in the new Edmonton Remand Centre. We're working with our federal counterparts to look at some of the things you talked about, and the integrated justice services project is one of those where we're getting input from other people to make that the best available.

**The Chair:** Very good. We'll come back to here in a few minutes.

It's now the five and five or a total of 10 or a back and forth. Mr. Saskiw, you want to go back and forth, I assume?

**Mr. Saskiw:** Yeah.

**The Chair:** Please go ahead.

**Mr. Saskiw:** Thank you. My first question is with respect to item 4.3 on the budget estimates – and that's on page 168 – which deals with general prosecutions. I'm wondering: does that item include travel costs for people who are in other countries but are facing charges or appeals in Alberta and have to be brought back to Alberta? Obviously, I'm referring to the Allyson McConnell case.

**Mr. Denis:** If somebody is deported, that's paid for by the federal government. As far as bringing someone back, that does not include those costs.

**Mr. Saskiw:** If someone has to be brought back, who incurs those costs?

**Mr. Denis:** The province does.

**Mr. Saskiw:** The province. Just recently we've heard about the McConnell case. You know, we've heard that the federal Public Safety minister, Vic Toews, said that Alberta Justice should have taken steps to restrict McConnell's movements pending the outcome of appeals. I guess the question here is: because of what I think is pretty obvious, that the ball was dropped . . .

**Mr. Denis:** It was not, and I disagree, and I refuse to comment.

**Mr. Saskiw:** I'll just finish my question.

**Ms Cusanelli:** A point of order.

**The Chair:** We have a point of order. Ms Cusanelli, go ahead. What is it?

**Ms Cusanelli:** Thank you. I would have to, I guess, quote section 23.

**Mr. Saskiw:** Drop the ball? Is that what it is?

**Ms Cusanelli:** Yeah.

**Mr. Saskiw:** Drop the ball? This is the point of order?

**Ms Cusanelli:** Making allegations against another member, 23(h). You know, we started out this evening, and in spite of how things sometimes go, tonight has been much more professional than in past evenings. But we've already heard a point of order brought up with respect to the same thing. We're talking about the use of the words "scrapped," "axed," "thrown down the drain," "seniors forced to eat disgusting food."

**The Chair:** Your point of order is on making allegations against another member, so if you could just stick to that one about dropping the ball.

**Ms Cusanelli:** I think that's what this member is doing. He's making allegations that our minister . . .

**Mr. Saskiw:** Mr. Chair, I'll withdraw the question about dropping the ball.

**Ms Cusanelli:** Excuse me.

**The Chair:** Well, it's been withdrawn. There's no point of order.

**Ms Cusanelli:** Thank you.

**The Chair:** Carry on, please.

**Ms Cusanelli:** A point of order again.

**The Chair:** You can't have a point of order on a point of order.

**Ms Cusanelli:** No, I will call a point of order because now we have another member, the Member for Innisfail-Sylvan Lake, who is also making allegations against me.

**Mrs. Towle:** I didn't make an allegation.

**The Chair:** Through the chair, please.

**Mr. Saskiw:** This is an abuse of process, Chair. I'll bring a point of privilege.

**The Chair:** I think we're getting a little carried away from the point of order on making allegations.

**Ms Cusanelli:** I would say that, yes, it is absolutely an abuse of process because what we're talking about again are fictitious comments and allegations. If you want to address them in this forum, you would go ahead as well and do the same as we have done and call a point of order.

**The Chair:** Ms Cusanelli, I've ruled on your 23(h). Carry on, please, Mr. Saskiw.

**Mr. Saskiw:** Thank you very much, Mr. Chair. Going back to the questioning, the federal Public Safety minister, Vic Toews, has said that Alberta Justice should have taken steps to restrict McConnell's movements pending the outcome of the appeals. The question here is: how did this incompetence occur under your watch?

**Mr. Denis:** I'm sorry. The only incompetence is your question, Member. Let's look at the key facts here. April 20, 2012: Allyson

McConnell was convicted of manslaughter, which is the lesser offence. Okay? May 18: we filed a notice of appeal. June 4: she's sentenced to six years in jail. June 29: we filed a second notice of appeal for a sentence.

I fully stand behind any and all of the actions of the Alberta prosecutors in this particular case. There was nothing that was done that was improper, nothing negligent. There was nothing wrong. I'm going to answer your question; you asked me a question, sir. There is absolutely nothing that was done wrong in this particular case. We filed the appeal expeditiously, and we will continue to prosecute the appeal and bring her back if necessary. I don't really care if it does end up costing some money. Guess what? We have two dead kids here, and the fact that you would politicize this case – shame on you.

**Mr. Saskiw:** Well, thank you, Minister. I'll quote Curtis, the ex-husband. He states: "If the Alberta Government was having problems why did they not appeal to the Federal Government for assistance sooner? Why wait until just days before it is too late?" He said, "We are ashamed at our legal system [here] in Canada."

**Mr. Rogers:** Relevance, Mr. Chairman?

**The Chair:** We've got a point of order.

**Mr. Rogers:** The point of order, Mr. Chairman, is relevance. You know, we're discussing the estimates here. I'm not sure where this member is going.

**The Chair:** You'll need to get on to the budget. Thank you.

9:35

**Mr. Saskiw:** I'll refer to line item 4.1 of the estimates with general prosecutions, the fact that there's going to be an additional cost of bringing the individual back . . .

**Mr. Denis:** With two kids dead, you're worried about the cost of justice?

**Mr. Saskiw:** The ex-husband has indicated that he would have liked you to appeal to the federal minister earlier on, sir.

**Mr. Denis:** We have done absolutely everything in our power. You know, there's nothing that could have been done more than we have.

**Mr. Saskiw:** The federal minister and the ex-husband think otherwise.

I'll go on to the next item, which is item 8.11 in the estimates. I touched on this right at the very end of my previous questions.

**Mr. Denis:** At 8.1 or 8.11?

**Mr. Saskiw:** At 8.11.

**Mr. Denis:** Sheriffs protection services.

**Mr. Saskiw:** You had mentioned that the Premier, when she is in Calgary, is protected by the Calgary Police Service. When did the Calgary Police Service take over the security of the Premier?

**Mr. Denis:** It was approximately the middle of 2012. I don't have an exact date for you.

**Mr. Saskiw:** Is there an additional cost to having the Calgary city police provide the protection services instead of the sheriffs, which has traditionally been done in the past?

**Mr. Grant:** There is an additional cost for the Calgary police to provide that service. The challenge that we have is based on the Premier's schedule, which is certainly more aggressive than the previous Premier's. We have had to look at how we could expand and provide a service to her not only inside the province but as she travels outside the province. We have been moving forward to expand the size of the sheriffs component in the executive protection unit, that provides the support to not only the Premier but the Lieutenant Governor and other members and dignitaries to the province.

**Mr. Saskiw:** What is the additional cost that you are referring to of having the Calgary Police Service provide this service instead of the sheriffs?

**Mr. Grant:** I would have to look at that. I know in rough order of magnitude what the bill was from the Calgary Police Service for the last year, but I don't know what the delta is between that and what it would cost if sheriffs did it themselves.

**Mr. Saskiw:** Would you undertake to provide the additional costs?

**Mr. Denis:** I'll take that under advisement.

**Mr. Saskiw:** To the minister: is there an additional cost to having the Calgary Police Service provide security, and if there is, why doesn't your ministry trust the sheriffs to do a good job and protect the Premier?

**Mr. Grant:** As I mentioned, there is an additional cost, and the problem was that we were not able to expand the sheriffs' role fast enough. We're in the process of completing that and hiring an additional five sheriffs, who will be able to provide that service.

**Mr. Saskiw:** Is it correct to state that you do not know the exact magnitude of the additional cost of having the Calgary Police Service provide the protection services to the Premier instead of the sheriffs?

**Mr. Grant:** No, sir. I don't know what the delta is between the cost the Calgary Police Service is charging us and what it would cost ourselves. That information is available. I just don't have it here.

**Mr. Saskiw:** Would you be willing to provide that information since it's available?

**Mr. Denis:** Yeah.

**Mr. Saskiw:** Thank you.

Next I'll move on to item 8.13 of the estimates.

**Mr. Denis:** Same page? Traffic sheriffs?

**Mr. Saskiw:** No. Seeing that I have little time left, I'll refer you to priority initiative 2.7, page 54.

**Mr. Denis:** It says, "Working with other jurisdictions, explore alternative mechanisms or streamlined processes for addressing less serious criminal offences." That's the same one?

**Mr. Saskiw:** That's the one. We've heard from you, Minister, that first and second offenders for certain offences should not be criminally prosecuted.

**Mr. Denis:** I have not said that, no. That's you who said that.

**Mr. Saskiw:** Okay. With respect to first and second youth offenders is it your position that those individuals should not be prosecuted and as per 2.7 should be streamlined into the alternative measures approach?

**Mr. Denis:** No.

**The Chair:** A good, concise answer. All right. Thank you, Minister. We're going to go to Ms Jansen and then Ms Blakeman.

**Ms Jansen:** Thank you. I'd like to go back, Minister, if we could, and just talk about something that obviously, you know, is a concern to me. I am sure you'll remember my member's statement from a few weeks back, where I really talked about the coupon situation and just how it oversimplifies what is a pretty complex societal issue.

I think that when we're talking about the budget in terms of, you know, what's cost-effective, what's cost-effective is what heals the people who can be healed as well. I'm hoping this is something we can consider. When I hear comments like I've heard tonight about how time in jail should be boring and about the food and the quality of it, there seems to me to be a real sense that your time in incarceration should be punitive regardless of what you're there for.

As I have said before, I think that there are a lot of cases where people end up in situations where rehabilitation is an entirely viable option for them. You know, we can lock people up and throw away the key, and then we'll just have to build more and more prisons. For instance, there's a study out of Purdue and Rutgers universities. In U.S. estimates when they increase incarceration by 10 per cent, they actually reduce crime by one-half per cent, so a very impractical way of dealing with crime. My concern really is now looking at the idea of locking people up.

I would really like it if you could expand on the kinds of programs that take people. Clearly, if we can look at alternatives like probation and parole and counselling and mandatory drug and alcohol treatment, I think that there are a lot of options out there that are cost-effective in the end that not only help us but can actually change people's lives.

**Mr. Denis:** Well, you make some very good points. I'll just first say again that the victims as well as the protection of society have to be the first two goals, in no particular order, of our justice system. We also don't want to go and brutalize offenders. We don't want to turn people into hardened criminals either. Our prosecution services, much like the police, operate independently of any political interference. It has always been an option for first-time offenders, particularly the youth and even in some cases if there's an aboriginal offender, to go to a sentencing circle. But setting that aside, the first option isn't to go to jail. Quite often you could receive a fine. You could receive community service. You could receive probation. You could go to a youth justice committee, as I mentioned I am a big fan of.

At the end of the day, if you commit a crime in this province, my message is that you're going to be caught, and you're going to pay the consequences. These aren't necessarily jail. I think it is very narrow minded to think that only through jail can we deal with the drug addict, deal with the person who is mentally ill, that we can only deal with the young offender through jail. I think that's very narrow minded. I think it's dangerous, I think it's wrong, and I also think it's very, very costly to the taxpayer, hardly a conservative thing to do. So as we keep moving forward here, we are continuing on with an earlier program, 110 more probation officers, that we've included in our business plan as well.

Again, it is always the decision of the prosecutor whether or not to prosecute a particular offence. You know what? That's not going to change either, because politics have no place in the day-to-day decisions of the judicial system. Our prosecutors can make those decisions on their own, and similarly our police can make those decisions on their own. They don't need a politician in Edmonton telling them what to do.

**Ms Jansen:** You know, I think back to some of the stories I've heard over the years. As I mentioned before, my mother and my brother both worked for the Solicitor General; my brother still does. A lot of the kids who are in the young offender centre are victims of some kind of abuse. In fact, I've heard that somewhere in the neighbourhood of 85 to 95 per cent of those kids are victims of physical and/or sexual abuse. To me, that's a situation where I would think that having counselling programs in place to deal with those issues is incredibly important. Are those kinds of programs in place?

**Mr. Denis:** Yes. Actually, these programs are largely in place through the Department of Health. They don't show up in these particular estimates, but every prison system we have has mental health or addictions facilities available. We simply can't expect that these people are going to do anything but reoffend unless you go and offer these types of services.

9:45

**Mr. Grant:** I would add to that that we have very strong relationships with Enterprise and Advanced Education, and through organizations like NorQuest College we do run programming to help young offenders. Calgary is a great example. The Calgary school board has a couple dozen teachers who actually help with those young offenders at the young offender centre to get them back on their feet. As you described, they really are, in some cases, products of their environment. Getting that help from professionals at the young offender centres actually gets them back into being productive members of society.

**Mr. Denis:** At the end, though, we also must respect that there is an individual component to offences, that it's the individual who in that case has made the wrong decision, and there has to be some personal responsibility and accountability.

Ray had a comment.

**Mr. Bodnarek:** Yeah. I just wanted to add as well that our integrated justice services project, our pilot project that the minister has referred to in Calgary, is very much in line with what you're talking about. That project right now takes people that are sentenced in the community on probation, and we've targeted the ones that are at highest risk to reoffend based on their underlying - mental health, addictions, and other issues. Through that program we're providing full wraparound supports to those individuals to try to break that cycle of recidivism.

**Ms Jansen:** Do you have numbers of violent versus nonviolent offenders in our justice system in the province right now? Do you have even estimates?

**Mr. Grant:** Certainly on the corrections side, for the most part, they're nonviolent. They've been sentenced to two years less a day for less serious crimes. We don't have them categorized by what they have been charged with, whether violent or nonviolent crimes.

**Ms Jansen:** In the case where we heard about the homeless man who was jaywalking who was killed in prison by another gentle-

man he was locked up with, how often does it happen that folks like that end up in a lock-up?

**Mr. Grant:** That's really a sentencing issue. I'm not sure how often.

**Mr. Bodnarek:** Maybe we could get clarity on the question.

**Ms Jansen:** Yeah. I'm talking about the kinds of people who are arrested for jaywalking. If they're homeless or they have underlying mental issues, how often do they end up locked up, whether it's for 24 hours, 48 hours, what have you?

**Mr. Grant:** Well, everyone who is arrested by the police and charged with a crime goes into the remand centre until the courts determine if they should be held without bail or released on bail. So the average stay is about three days for most people as they go through that system. At some point, if you're arrested and charged by the police, you will enter the remand system until you're dealt with by the justice system in one way or the other.

**Mr. Bodnarek:** Can I just speak to that? One of the issues that we are working on addressing right now is the very issue of somebody that is serving time in remand because of an unpaid LRT ticket. The enforcement mechanism right now for unpaid LRT tickets is an arrest warrant. We don't think it's a proportionate response to the nature of the offence, and we're looking at other ways of enforcing those outside of the arrest warrant process. If successful, you won't have LRT offenders serving time in remand.

**Ms Jansen:** So we're talking about a judgment call, then, right now, a judgment call from the arresting officer? Or what is it?

**Mr. Denis:** What specifically happens now as in any other province is that it's at the prosecutor's discretion as to how to proceed. There are many different factors. They would look at a person's history. They would look at the general deterrence to all of society, many other issues like that. That always has been at the prosecutor's discretion. Many of the things that, you know, we've received these childish coupons on before are items that have been there for many, many, many years and are not in the hands of a politician but a prosecutor, where it should be.

**Ms Jansen:** I want to go back to the strategies for dealing with people that you could potentially keep out of the prison system. I think it's so important that you do that, you know, at as early an age as possible. I'm wondering if you'd looked to anyone else as a model for excellence in that area.

**Mr. Bodnarek:** Part of our safe communities innovation fund programming, which was to fund three-year pilot projects around crime prevention, was very much to build our own body of evidence in this province in terms of what works and what doesn't work. Each of those projects has an evaluative component, so as the projects are nearing completion, we are going to receive a wealth of information from the projects that we have funded, those three-year projects, and we are going to learn from those. We're creating our own body of knowledge in terms of what works in Alberta.

**Ms Jansen:** Thank you.

**The Chair:** All right. Thank you.  
Then we'll go to Ms Blakeman.

**Ms Blakeman:** We're picking up from where we left off, and I'm about to get an insightful and complete answer in response to my question on maintenance enforcement statistics.

**Ms Lajeunesse:** On the regularity of payment rate performance measure, correct?

**Ms Blakeman:** Yes.

**Ms Lajeunesse:** Okay. That actually measures payments that are made in full and on time each month. It wouldn't include things like arrears. It's the regular amounts owing to a person if they're made that month on time. If we actually looked at calculating all of the payments we receive, including those that are late or that sort of thing, we're actually up around 82 per cent. But it's probably much more meaningful to the people who are owed the money that they're getting what they're owed on time in a month. We stick with that lower performance measure because it's probably more meaningful to the people receiving the money.

**Ms Blakeman:** Okay. Can I get the stats, please, on the number of cases – and I really just need an annual one – the amount of money that's been collected versus the court-ordered total amount?

That's a question to you, Minister. She doesn't have the ability . . .

**Mr. Denis:** Okay. I thought that you were asking her, actually. We can get that for you to the extent that we're able to without disclosing any private information.

**Ms Blakeman:** Nope. I don't want private information. I just want to know how much money we're actually managing to achieve on behalf of people, because you're now keeping those stats, right?

**Ms Lajeunesse:** The total amount of money collected?

**Ms Blakeman:** Versus the court-ordered

**Ms Lajeunesse:** Versus how much is owed. Okay. I would have to check on that.

**Mr. Denis:** We don't have that available here today.

**Ms Blakeman:** No. I understand that. I just want to make sure that (a) you're collecting it and (b) I'm going to get it. But thank you very much.

**The Chair:** I'm sorry. Before you sit down, I'm just going to get you to identify yourself for the record. We didn't do that.

**Ms Lajeunesse:** Sorry. Rae-Ann Lajeunesse, executive director of maintenance enforcement.

**The Chair:** Great. Thank you very much.

**Ms Blakeman:** Heralding the day of pink. Very well done.

Back to the question of legal aid. Now, I know that according to what we're looking at in the budget on page 168, vote 6, it was \$58,810,000 in 2011-2012. It's expected to be that in 2012-13, and it is budgeted for 2013-14. It actually does end up being less money for the fund to spend because there's no cost of living built into that. It's exactly the same amount of money.

I'm really interested in whether the department did any kind of a business case or analysis on the anticipated effect of this because it strikes me that it's a false economy. In keeping this amount of

money the same, where does that cost us either in other departments or in other parts of the system? Oh boy, I'm going to get somebody else up. I'm batting.

**Mr. Denis:** No. You're stuck with me for a bit here, actually. Sorry to disappoint you.

**Ms Blakeman:** Hang on. I'm not finished.

We're using more judge time, and if people are not able to get legal aid – and there have been a number of restrictions on who can get it by a financial cut-off but also the kinds of cases that are allowed to be funded under legal aid now – we are ending up with more people unrepresented in the courts, and the judges are obliged to spend more time with them to make sure that the person understands what they're doing and what the consequences of it are. We've also got duty counsel spending more time. We've got clerks spending more time. So it strikes me that we are creating a false economy here. Has there been a business case or any kind of policy analysis done on this?

9:55

**Mr. Denis:** I'm going to let ADM Donavon Young talk about that, but before we do that – you're not rid of me yet – I just wanted to point out again that the \$7 million that we had put in this year was one-time funding. Were you not aware of that?

**Ms Blakeman:** Well, if I look at vote 6 . . .

**Mr. Denis:** This would have been put in from last year's funds. That would not actually be in this because this had gone to print prior to that time.

**Ms Blakeman:** Magic money. Okay.

**Mr. Denis:** No money is magic. This is last year's budget.

**Ms Blakeman:** Well, it is if it existed. It's not in the budget document. Okay.

**Mr. Denis:** This is last year's money, and you can go do a Google search. It's already there. MLA Notley has already talked about it.

**Ms Blakeman:** Yes. I did catch the end of what she was saying.

**Mr. Denis:** There was a small surplus in our business operations this year, and we put \$7 million into legal aid from that as one-time funding. The \$7 million will go into the actual endowment, which will assist Legal Aid with what they need to do. I recognize, again, that that's one-time funding, but I just wanted to point that out for your edification and information.

**Ms Blakeman:** Thanks. I'm interested in the longer term policy development and analysis on this.

I did get two people up. Ha ha.

Go for it. Nice tie.

**Mr. D. Young:** Thank you.

Let me sort of speak to maybe the big picture for just a moment. We are working closely with Legal Aid. As you know, they're a stand-alone entity with an independent board of directors, a nonprofit society, that we fund on a regular basis. So there is a certain amount of autonomy that, certainly, Legal Aid enjoys in terms of delivering their program. We work with them on a fairly close basis in terms of really developing – now the priority is a sustainability model with Legal Aid. We just met about 10 days ago. As the minister indicated, the \$7 million that we were able to provide as extra funding just this past fiscal year, about two weeks

ago, will help us for the next couple of years. During that time we're working with him to develop, I guess, a policy, that you alluded to, around a sustainability program for Alberta.

At the same time Legal Aid is implementing a number of pilot projects. If you'll allow me, I'll just sort of summarize. They just launched three pilot projects: one dealing with a legal service centre model, one dealing with family settlement service, another one dealing with criminal resolution units. So Legal Aid now operates 11 legal service centres throughout Alberta. They've changed their service delivery philosophy. Full representation, certificate representation, is now not a default option, but instead they offer a range of options. They've also centralized some of their functions, and they've restructured some of their operations. This has allowed them to enjoy some reductions in costs given the changes in roles and responsibilities.

With respect to family settlement services programs they were able to achieve full or partial resolution on 88 per cent of cases referred to them. Some additional adjustments will be needed based on the evaluation to improve the operation of the program.

**Ms Blakeman:** Okay. Thank you very much.

If I do the quick math here, a \$7 million endowment at a good rate of, say, 5 per cent is going to generate about \$350,000 a year. So how are we going to end up with all of these brilliant programs run off of that?

**Mr. Denis:** When I referred to their endowment, I was referring to their actual reserve fund, which is how Legal Aid operates.

**Ms Blakeman:** So what is the expectation of the government as to how much money will be generated by this fund that would be new money for them to become sustainable with?

**Mr. Denis:** Legal Aid is a self-governing body, and we let them run that themselves. My expectation is that the federal government matches our efforts in legal aid, which they have not done the past several years.

**Ms Blakeman:** Okay. I appreciate your expectation. Could we grade that on a reality scale? I mean, if they haven't . . .

**Mr. Denis:** We bring this up at every federal-provincial-territorial Justice ministers meeting, and we're not going to stop.

**Ms Blakeman:** Okay. I appreciate that, but, Mr. Minister, if they haven't stepped up to the plate so far and you're putting this money forward saying, "You guys are supposed to be sustainable," and the other party has not stepped up in quite a while, how real is this expectation? I mean, these are real human beings that are looking for legal aid funding.

**Mr. Denis:** And we will continue to do what we can, but we expect the other level of government to match it.

**Ms Blakeman:** That's great, but what are we going to do with the people when they don't match it? They haven't.

**Mr. Denis:** We are doing what we can within the confines of the existing budget.

**Ms Blakeman:** Am I going to get dinged here? Do I get to start first? Oh, look. She's counting the seconds off. Is this my time, the seconds?

**The Chair:** That was your time, but I'm sure you'll get another opportunity.

All right. That's the time that we had allocated for this evening. I'd like to remind all of you that we return here tomorrow, April 9 . . . [interjections] I wouldn't mind having the only discussion going on at the table here, folks, please. Thank you.

I remind everybody that we're scheduled to return tomorrow, April 9, 7 o'clock, for further consideration of the estimates on the Ministry of Justice and Solicitor General.

Thank you. We're adjourned.

[The committee adjourned at 10:01 p.m.]





