



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

Tuesday, April 9, 2013
7 p.m.

Transcript No. 28-1-9

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Standing Committee on Families and Communities

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Forsyth, Heather, Calgary-Fish Creek (W), Deputy Chair

Brown, Dr. Neil, QC, Calgary-Mackay-Nose Hill (PC)
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DeLong, Alana, Calgary-Bow (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)
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Swann, Dr. David, Calgary-Mountain View (AL)
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Also in Attendance

Anglin, Joe, Rimbey-Rocky Mountain House-Sundre (W)
Blakeman, Laurie, Edmonton-Centre (AL)
Donovan, Ian, Little-Bow (W)
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Standing Committee on Families and Communities

Participants

Ministry of Justice and Solicitor General

Hon. Jonathan Denis, QC, Minister

Judith Barlow, Executive Director, Young Offender Branch

Ray Bodnarek, Deputy Minister and Deputy Attorney General

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

Greg Lepp, Assistant Deputy Minister, Criminal Justice

Lynn Varty, Assistant Deputy Minister, Court Services

7 p.m.

Tuesday, April 9, 2013

[Mr. Quest in the chair]

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

The Chair: All right. Welcome, everybody. We'll call the meeting to order. It's 7 o'clock. We're here with another committee. Under consideration are the estimates of the Ministry of Justice and Solicitor General for the fiscal year ending March 31, 2014.

I'd like to remind all members to keep the BlackBerrys off the table or not too close to the microphones because they can affect *Hansard*. We'll start introductions with our deputy chair to my right.

Mr. Fox: Rod Fox, Lacombe-Ponoka, subbing in for Heather Forsyth, Calgary-Fish Creek.

Mrs. Leskiw: Genia Leskiw, MLA for Bonnyville-Cold Lake.

Ms Cusanelli: Christine Cusanelli, Calgary-Currie.

Mr. Goudreau: Hector Goudreau, Dunvegan-Central Peace-Notley.

Ms DeLong: Alana DeLong, Calgary-Bow.

Ms Jansen: Sandra Jansen, Calgary-North West.

Mr. Anglin: Joe Anglin, Rimbey-Rocky Mountain House-Sundre.

Mr. Donovan: Ian Donovan, Little Bow.

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

Mr. Wilson: Jeff Wilson, Calgary-Shaw.

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

Mr. Pedersen: Blake Pedersen, Medicine Hat.

Mr. Strankman: Hi. Rick Strankman, Drumheller-Stettler.

Mrs. Jablonski: Good evening. Mary Anne Jablonski, Red Deer-North.

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, and chair of this committee.

Mr. Denis: With your indulgence, Mr. Chair, could I introduce again everybody who is here?

The Chair: Please do. Minister, there is a request from Mrs. Fritz that they stand when they're being introduced so we can see their smiling faces. That would be great.

Mr. Denis: Okay. Could you please stand when I introduce you?

Beside me I have Ray Bodnarek, deputy minister and Deputy Attorney General. To my other side we have Tim Grant, the Deputy Solicitor General and Deputy Minister of Public Security;

Tracy Wyrstiuk, acting ADM, finance and planning. Seated behind me I have Greg Lepp, ADM, criminal justice; Lynn Varty, ADM, court services; Donavon Young, ADM, justice services; Dan Laville, director of communications; Rae-Ann Lajeunesse, executive director, maintenance enforcement program; Leslie Noel, acting senior financial officer. I also have Judith Barlow, the executive director of young offenders. Of course, I also have Chad Barber, my special adviser, and last but not least Mat Steppan, my chief of staff.

The Chair: Okay. Well, thank you, Minister. Welcome to you and all of your staff. For the record I'd like to note that the Standing Committee on Families and Communities has already completed three hours of debate on the main estimates of the Ministry of Justice and Solicitor General.

As we enter our fourth hour of debate, I'll remind everyone that the speaking rotation for these meetings is provided in Standing Order 59.01(6). We are now at the point in the rotation where members may be recognized to speak, and speaking times are limited to a maximum of five minutes. Members have the option of combining their speaking time with the minister for a maximum of 10 minutes. Please remember to advise the chair at the beginning of your speech if you wish to combine your time with the minister. That's pretty much been how we've done all of them up until now.

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 near 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 six hours – I'd be surprised – the ministry's estimates are deemed to have been considered for the time allotted in the schedule, and we will adjourn; otherwise, we will adjourn at 10 p.m.

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

Any 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 has concluded and will occur in Committee of Supply on April 22, 2013.

If there are amendments, an amendment to the estimates cannot seek to increase the amount of the estimates being considered, change the destination of a grant, or change the destination or purpose of a subsidy. An amendment may be proposed to reduce an estimate, but the amendment cannot propose to reduce the estimate by its full amount.

Vote on amendments is deferred until Committee of Supply on April 22.

Written amendments must be reviewed by Parliamentary Counsel prior to the meeting at which they are to be moved, and 25 copies of amendments must be provided at the meeting for committee members and staff.

Minister, with that, we will proceed. The first question will be Ms Notley. Are you ready to go? Would you like to combine, then, back and forth with the minister?

Ms Notley: I would. I thought I was the second question up, but just a moment.

The Chair: Actually, you know what? I'm going to back that up. I'll let Mary Anne Jablonski go first. I wrote them down wrong; my apologies. Now you have a few minutes to prepare. Sorry.

Mary Anne, are you ready to go?

Mrs. Jablonski: Thank you. Glad this works out. Thanks, Mr. Chairman. As you all know, Red Deer and the Red Deer region have been through several economic and population booms over the past few decades. The result, as we all know, is a need for new, improved, and expanded infrastructure. One piece of infrastructure that has not been addressed and is in desperate need of expansion is the Red Deer courthouse. There are some who think that we should build new infrastructure and cut funding at the same time. I know that's not possible, but this is a desperate need.

The minister has talked about tough choices with his budget, and I can understand that to a certain point. However, the need for a new courthouse for the Red Deer region is clear. The courthouse is overbooked and overcrowded, and that's simply an unavoidable fact. I know from past budgets that the construction of a new courthouse was listed as a high priority, but we don't see it in this budget for Justice and Solicitor General. You know, we've been asking for the past 12 years for an expansion for the courthouse.

My question to the minister is around his assertion that we must make tough choices. I'm wondering if he could share whether or not he's looked at other options to pay for a courthouse. I know that the public-private partnerships have been quite successful around the province. Has the minister looked at other ways to build or improve courthouses around Alberta? Has he considered a separate family court in Red Deer to take care of the long waitlists for families looking for resolutions?

Mr. Denis: Mrs. Jablonski, I thank you for your comments about the Red Deer courthouse. I have received some inquiries about this. It's one question without an easy solution. Quite simply, there is not the money at this time to be constructing a new courthouse in Red Deer or elsewhere. I've had some judges asking me: would you construct a new courthouse in Edmonton? That would cost upwards of \$900 million. We don't have the money at this time, but at the same time there are some other areas where we can actually look at some reform-based initiatives to try to deal with the particular demand in your particular city. My comments are going to be directed strictly to your city because that seems to be your primary area of concern.

I want you to know that in March of this year we added closed-circuit television in the Court of Queen's Bench in Red Deer for arraignments and bail hearings. I'm a big fan of this for a couple of reasons. First off, it's a public safety issue. You don't have prisoners being transported from one location to the next. Secondly, closed-circuit television does save money on an operating basis for the same reason. In addition to that, a case management office opened up in November 2012 in Red Deer to help streamline the processes in that location.

Generally about the state of our courthouses, though, I have received inquiries not just in Red Deer; there have been some other places as well. The province has seen, obviously, the incredible growth that you mentioned, so a lot of elected and unelected officials are calling for new courthouses. There are a

number of reasons why our courthouses are busy. One of the biggest drivers consuming court time is Albertans fighting or challenging traffic tickets, which is the person's right. I'm not suggesting that it's not. Many people may not know, but we have 1.9 million traffic offences every year in this province and only 218,000 criminal offences, so you see that a vast majority of offences are of the traffic level. I see MLA Donovan nodding. He must have some experience with traffic tickets.

7:10

More people moving to Alberta doesn't necessarily mean more violent crimes. In fact, crime rates have gone down. This can be attributed to many things. But more Albertans does mean more drivers, and more drivers means, unfortunately, more tickets, and more tickets means more people challenging their tickets. So I've committed to finding solutions to make traffic court more efficient not just in Calgary and in Edmonton but also in places like Red Deer. There's a lot more work to be done, but this is something that would reduce pressure on court time and court resources and, I also think, improve access to justice because it can be time consuming for someone to actually go downtown. Then it could be a cost barrier to get parking although I do remember once putting in a quarter outside the Red Deer courthouse and getting two hours of parking. I think that that's gone up since then.

I wanted to mention as well that this member brings up a very good point about proposing P3s, public-private partnerships, for courthouses. P3s have been part of our options for capital for a number of decades, so the idea is not new, but I don't believe we've ever had a courthouse constructed through a P3 contract. There may be a number of reasons for this such as people who assert judicial independence, but even with the current system, where the province actually owns the courthouse, that hasn't stopped people from suing the province as an issue of independence either, so that's the comment that I make back on that.

Global economic uncertainty is going to continue to have a negative impact on our revenue. The member has implied that we've already come to a crossroad where a courthouse was constructed for another era and no longer suits justice of today. I would suggest a list of capital priorities that is dominated by a list of new courthouses, but I have to say that I have to balance the public's interest for the administration of justice when weighing this particular option.

I mentioned the court case management offices. I do understand this member's concerns. We just have to work out some of these other issues and see if P3s are an option. On top of that we also have to see if our reforms on the traffic court case can actually open some more courtrooms in the Red Deer courthouse, which I think is a more economical solution at this point.

I think Ray Bodnarek, my Deputy Minister of Justice, may have a couple of comments there as well.

Mr. Bodnarek: No. I think, Minister, you've covered it.

Mrs. Jablonski: Well, thank you. Just as a supplemental, you're talking about maybe removing the traffic court and making space for the other, criminal parts?

Mr. Denis: Yes.

Mrs. Jablonski: A separate traffic court. What about a separate family court?

Mr. Denis: Okay. We're considering the traffic court option throughout the whole province, and nothing is set in stone. We

welcome your input on that. Your suggestion of moving family court elsewhere: the concern that I have with that is because many lawyers will go to family court and then will end up going to civil court or to criminal court in one particular building. I'm worried about an efficiency issue there.

Mrs. Jablonski: With the expansion that's required for our courthouse, Minister, there would be a lot of efficiency for something more than what we have.

Thank you very much for your comments. I appreciate them. I appreciate the fact that you might be looking into a P3. As you might know, three of our new schools in Red Deer are P3s, so maybe it can work for courthouses.

Mr. Denis: I definitely think that that's an option moving forward.

Mrs. Jablonski: Thank you.

The Chair: Excellent. All right. Thank you.

We'll go to Ms Notley, followed by Ms DeLong. Ms Notley, back and forth with the minister?

Ms Notley: Yeah. Indeed. Thanks. I feel in a better place now that I'm on your left for the remainder.

Mr. Denis: And now that I'm on your right.

Ms Notley: I'm sure this will go much better as a result.

I want to follow up. I want to talk a little bit about the programs included in your budget that focus on the issue of rehabilitation and reduction of recidivism strategies, 3.3 of your priority initiatives. The Member for Lac La Biche–St. Paul–Two Hills had asked you about performance measures and measures of achievement under this item, 3.3.

Mr. Denis: Just before you continue, could you indicate to me which page you're referring to, please? Is it page 55?

Ms Notley: Well, it might be. I don't have it open in front of me. I'll have to rely on the Member for Edmonton–Centre to assist us in all this. It's 3.3. Yes, page 55. Thank you. I have it printed out separately from the book, so I apologize. That's the one that says:

Work with other ministries and stakeholders to explore policy options to more effectively rehabilitate and support individuals involved in the criminal justice system and implement enhanced, targeted recidivism reduction strategies.

You or perhaps your deputy minister indicated that you didn't really have any sort of structured performance measures or evaluation mechanisms in place. But you then said: well, we are piloting some of these, and we're piloting them with some of the other projects. So my first question is: when you said that, were you referring to the pilots that have been put in place with respect to some of the SCIF projects, the evaluations that were . . .

Mr. Denis: To answer your question, I believe the reference was to the IJSP, the integrated justice services project, and not the SCIF plan. I'll let our deputy Tim comment on that.

Mr. Grant: In fact, I would ask Judith Barlow to talk about this. She actually has come to us from Health a couple of years ago and has an extensive background in these issues, and she can speak directly to that crossministry activity.

Ms Barlow: I think, to answer your question specifically, the one example that I would cite is the IJSP, and the idea behind that, really, is one-stop shopping. There's a pilot project in Calgary that

brings together multiple ministries that bring different expertise to the table. For example, we have probation officers working there. We have social workers from Human Services. We have psychologists from AHS and a whole host of other support individuals as well as employment counsellors and people who can assist these individuals with housing needs. Many of them have been chronic offenders and in difficulty with the law for a long time. They also tend to suffer from mental illness and addiction issues. Consequently, by bringing all these people together, we feel that we're in a better position to be able to address the holistic needs of the individual, really, what we refer to as wraparound services.

That is a project that was in fact funded by SafeCom. It just finished its first year, and it's going to continue for the next two years. The funding is there for it. Then we'll evaluate it and see what lessons we can learn and if we can apply them in other areas as well in the adult system. I think, as you know, we apply the same model in the young offender system.

Ms Notley: Okay. I want to go, then, to the SCIF, the safe communities innovation fund. I believe that's what that means. That program has been eliminated going forward, and there were a number of projects that were three-year projects, which have all ended. I believe that in answer to some questions from the Member for Lac La Biche–St. Paul–Two Hills you said: well, part of the point of those was to get the ministries to work together.

Mr. Denis: That was part of the point, and the program itself was always intended to be on a temporary basis. I'm not sure if I indicated this yesterday, but I will to you, and I apologize if I'm repeating myself. The existing contracts that may be in place will be honoured but not renewed.

Ms Notley: Right. Now, I've got some copies of some evaluations that were used with programs which I believe are part of SCIF, the safe communities innovation fund, and the idea was, I think, to evaluate whether they achieved the objectives that were intended. I have to say that I have a little bit of a concern about how these evaluations were constructed.

I've got one, for instance, where the young offender is asked to take a minute to think about the experiences below: since you attended this program, are you experiencing these things either a lot more, a little more, the same as, a little less, a lot less, or does not apply to me? Then there's a listing. Do you have fines or charges? Have you been given notices for loitering or mischief or disturbances? Are you using alcohol or recreational drugs? Are you skipping school? Have you had involvement with the police? Are you engaged in gang-related activity? It seems to me to be a very subjective and unscientific view to measure the effectiveness of this particular program. I'm wondering if this is the only measure or if there are other measures.

I have two questions. The first question is: if there are other measures, can you provide us with copies of them? My second question is that this particular document has Leger Marketing at the bottom of it. I'm wondering if you can . . .

Mr. Denis: Can you tell me which document you're referring to, please?

Ms Notley: I don't want to say the name of the organization, although I will share it with you, but it's a CNFC participant survey, and these were people that were receiving funding through SCIF, and they were asked to . . .

7:20

Mr. Denis: This is not part of the budgetary documents?

Ms Notley: No, but it's related to SCIF. I'm about to ask the question.

Mr. Denis: Okay. We were just looking around, and we were trying to find where you were referring to.

Ms Notley: No, no. This is a different document. But the point, as it relates to the budget, first of all, is the question of how effective this is at measuring program outcomes and whether there are other tools and whether you can share those tools with us.

Then the second question. This says Leger Marketing on the bottom of it. So then my question becomes: how much money has been spent by contracting out evaluative services to contractors like Leger Marketing to engage in these kinds of program evaluations? Is there a global number you can provide us?

Mr. Denis: The first thing I'll just mention is that SCIF is not part of our pro forma budget, as we've indicated, that we're discussing. I'm not aware of the specific answer to your question.

Ray, do you have any comments?

Mr. Bodnarek: We can look into it. I don't have an answer.

Ms Notley: Well, really, the point of it is that, I mean, because this budget includes the elimination of SCIF, presumably there should be – pilot projects presume that you're testing the value of the project. In some cases they might be effective, and in some cases they might not be. But it's obviously a good question to find out how much we are spending evaluating these projects and then whether or not that evaluative process was money that sort of washed down the drain because we decided to eliminate all the projects as a whole.

Mr. Denis: With no disrespect, I think that this type of questioning would be more valid at Public Accounts, when you're looking in the past. There is no money associated with SCIF on a go-forward basis here.

Ms Notley: No. But you're taking it out of the budget.

Mr. Denis: But there's no money to do with it.

Ms Notley: It doesn't matter. I am fully entitled to ask about items that have suddenly disappeared from the budget.

Mr. Denis: Well, I would disagree in this particular case because it is not in our pro forma budget plan. We're here talking about the future budget.

Ms Notley: Your budget refers to past expenditures as well. It refers to forecasted amounts, and it has a blank item there on this.

Mr. Denis: There are no forecasted amounts for this year under this item.

The Chair: Minister, there's about a minute and a half left.

Ms Notley: Yes. Are you then refusing to answer these questions? I just want to get that on the record. You are refusing to answer questions about the elimination of the safe communities initiative fund?

Mr. Denis: I'm happy to answer any and all questions related to the budget on a go-forward basis, but there are no monies here. You have my answer.

Ms Notley: Are you refusing to answer questions to the safe communities initiative?

Mr. Denis: You have my answer. I'm sorry you didn't like it.

Ms Notley: You know, the Premier has spent a lot of money. She cut down a lot of trees, running around advertising the joys of SCIF to the world for three years. They used it as a means of saying: this is where you find all our mental health support programs. Now you eliminate it out of the blue, and you refuse to talk about it in the budget document.

Mr. Denis: That's not what I said. I'm sorry you didn't like my answer.

Ms Notley: You told me you won't talk about it.

Mr. Denis: I won't talk about items that are not in the budget. This is not in the budget. I'm sorry you didn't like the answer.

Ms Notley: I would like to know how much money going forward is going to be given to Leger Marketing or other groups to come up with evaluative surveys of programs perhaps like the integrated justice service program.

Mr. Denis: To my knowledge and to my deputy minister's knowledge there is no line item allocated for Leger Marketing on a go-forward basis.

Ms Notley: You're telling me that your evaluation of the integrated justice service project will be entirely in-house and there will be no money contracted out for that evaluation?

Mr. Denis: That is the present intention.

Ms Notley: I see. Are you going to tell us how much money was spent on the evaluation up to this point with Leger Marketing?

Mr. Denis: On a go-forward basis there is no contract with Leger Marketing.

The Chair: All right. A couple of items just in that last discussion. We had quite a few acronyms and initials, and not all of us are necessarily going to be familiar with what those stand for. I know it takes a little longer, but there are many of those in Justice. If you could, please, at least when you start the discussion, just use the full name of the program that you're referring to.

I'd like to welcome Mr. Young of Edmonton-Riverview and Ms Blakeman of the wonderful, fabulous, beautiful constituency of Edmonton-Centre to the meeting.

Then, also, I may not have mentioned it at the beginning, but to the staff in the back, when you're speaking at the podium, when you come up, if you could just state your name for the record, that would be good.

All right. We'll go to Ms DeLong, followed by Mr. Saskiw.

Ms DeLong: Thanks very much.

The Chair: And you'd like to go back and forth with the minister?

Ms DeLong: Yes, please.

The Chair: Very good. Thank you.

Ms DeLong: Because of children's services I am quite aware of a shortage of judges, especially in the family court. I see that the budgets for Crown services and justice services are going to be going down slightly. I'd like an explanation of how the number of judges in the province will change as a result of this budget and how that is going to affect our access to justice.

Mr. Denis: I'd be happy to comment on that. As was the same last year, we will be filling any and all vacancies in the Provincial Court judicial system. We also will be adding an additional two positions this year. I presume that over the next few months we will have two actual new appointments, which will bring the complement of Provincial Court judges up further.

Now, I'm often asked about the issue of Queen's Bench judges. The Queen's Bench issue really does not have anything to do with the provincial government. We have passed an order in council that expands the Court of Queen's Bench by four. That is the only thing that we can do. There have been no new Queen's Bench judges since 1996. I will continue to lobby the federal government for more judges in that respect, but that is really all that we have the power to do. It's up to the federal government to actually want to fill these appointments. It is very frustrating because the province has increased by over a million people since the time there has been an actual expansion appointment to the Court of Queen's Bench.

Getting back, though, to the Provincial Court, adding two new judicial positions is just another initiative aimed at ensuring that we have these resources to address serious criminal, civil, and family cases. There is an extensive review process. There's the Judicial Council and then there's the Provincial Court Nominating Committee that they have to get through. Then it will be decided by the committee, not me, whether they are either highly recommended, recommended, or not recommended. Those who are not recommended don't even go to my desk. Then we have a discussion about how we're going to proceed. It costs between \$250,000 to \$300,000 per judge plus their actual office space and their staff. Judges are a very valuable component of our system, but they also are very expensive, and there is this long process. It's not just who the minister decides to pick, have coffee with, or play golf with.

Ray, did you want to add anything to that as well?

Mr. Bodnarek: Our Provincial Court right now has an approximate complement of 130 judges. They certainly have been indicating that they need more. As the minister outlined, they are really our most expensive resource in the system, and that is one of the reasons why, in addition to just adding new judges, we are looking at the system. If you want to liken it to the health care model, we are looking at opportunities to have some services dealt with through lower cost providers.

We have some of those lower cost providers in the system already, people like justices of the peace, that can hear traffic matters right now. They hear bail matters. We're exploring whether they can also look at small claims at certain values, the lower value small claims matters. It's not just about adding to the most expensive resource in the system. It's looking very carefully at how we can make better use of some of the lower cost providers.

There are lower cost providers than justices of the peace as well. If we were to look at taking traffic completely out of the court system and taking it into a purely administrative board kind of a process, like the traffic safety board for example, the salaries are even more reasonable outside of the judicial and quasi-judicial context. We're looking at a number of options to take the pressure off the highest cost resource.

The minister is just reminding me that on the traffic piece, as I'm giving it as an example, we're still at the discussion stage right now with Provincial Court. They certainly will have some views on this. So we haven't landed, but we're exploring a bunch of concepts to look at driving costs down and getting things out to the lower cost providers.

Ms DeLong: I was wondering: any chance that those two judges, either one of them, would be in Calgary?

Mr. Denis: There is a chance. I'm not willing to commit to that at this point. What we're doing right now is that we're in the process of filling the vacancies. There was a vacancy filled in Peace River, a new judge, Shynkar, and more recently there was a vacancy filled in Calgary at the youth criminal court, Judge Nick D'Souza. I believe that there will be at least two more openings as a result of retirements, and then on top of that, there will be the two expansion appointments. I think it would be safe to assume that one of them will be in Calgary just from demand. Right now you may be interested to know that there are 130 FTEs relating to judges in the Provincial Court in Alberta.

7:30

Ms DeLong: So that 130 is all judges, or is it just FTEs?

Mr. Denis: Those are FTEs. I'll give you an example. You have a chief judge, you have a deputy chief judge, you have nine assistant chief judges, you have 101 of what are known in Latin terms as *puisse* judges, and 27 part-time judges. The FTE total there is 130.

Ms DeLong: Okay. Do we have sufficient space in Calgary right now in terms of courtrooms?

Mr. Denis: We do with the Calgary Courts Centre. Longer term one of the ideas we're talking about with traffic court, which occupies most of the third floor of the Calgary Courts Centre, is that if we were to be successful moving it out, we would actually have room for more courtrooms and more office spaces for these judges.

Ms DeLong: Okay. Could you please explain to me, in other words, when it comes to family court, are those Queen's Bench judges?

Mr. Denis: No. Those are both, actually. There is not a unified family court in Alberta. There is some Provincial Court family, but there also is some Queen's Bench family.

Ms DeLong: So if I want more family court judges, I have to talk to you and my MP?

Mr. Denis: That would be correct.

Ms DeLong: Okay. So I've got to get my MP to authorize more judges?

Mr. Denis: Not your MP directly. It would be the federal Minister of Justice. I have spoken to him at the federal, provincial, and territorial meetings about the deficit of Queen's Bench judges

here. Alberta actually has the lowest ratio to population of Queen's Bench judges, and I really think it's time – the provincial government has stepped up, and we try to do our part. It's time for the federal government to do so as well.

Ms DeLong: Good. Thank you.

The Chair: All right. Thank you.

We will go to Mr. Saskiw, followed by Ms Cusanelli.

Mr. Saskiw: Thank you, Mr. Chair. My first question is regarding line item 8.4 of the estimates, page 169.

Mr. Denis: Line item 8.4, which is the Alberta police integrated information initiative, otherwise known as API3. Please feel free to refer to it as that from this point forward.

Mr. Saskiw: You took the chair's instructions. Great.

Of course, it was clarified yesterday that \$69 million was spent on the program over a period of several years. How does something like this get off the ground with the funding, infrastructure development – we've heard that consulting fees were incurred that essentially will be wasted taxpayer dollars and so on – when there is seemingly little to no appetite from the front-line forces for actual implementation?

Mr. Denis: Okay. First off, I would actually respectfully dispute the assertion that it's a waste of taxpayers' dollars. I'm not going to beat the dead horse in the middle of the floor because we've been through this yesterday. We may have a difference of opinion. That's fine. But much of the actual software coding and the hardware itself can be used in other applications.

The decision was begun in either 2005 or 2006, long before either one of us was even elected. As such, I want to have Deputy Minister Tim Grant comment and answer your question with respect to the history.

Mr. Grant: I would suggest that when the program was first brought into being, it was certainly led by the Solicitor General at the time, but it was supported by all of the major police departments in the province. In fact, the board of governance were deputy chiefs from the major police departments, including the RCMP in Edmonton and Calgary among others. Over the course of the development of the API3 while there were some discussions about how integrated, how interoperable it would be, there was agreement throughout by all of the stakeholders that API3 was the right way to go.

The challenge, really, was making sure that all of the participating police forces could get to the same level. That was part of the challenge. The RCMP were on a national system. Edmonton had made some investments in their own system, which made it probably one of the strongest and most robust records management and computer-aided dispatch systems in the province while some of the other police forces in the province were not as advanced. So trying to balance all of those together did cause some project management issues as we went forward.

Mr. Saskiw: Just to follow up on those project management issues, of course, criminals don't respect jurisdiction. Albertans deserve better than having administrative disconnects get in the way of good law enforcement. You had mentioned that there was support from all the police departments. In what time period did this ministry become aware that there was actually little to no appetite from the front-line police agencies? Because there was clearly a change of heart. Would you not agree?

Mr. Grant: As late as May of last year the governance structure and the participating police forces had agreed that API3 was still worth investing in and still worth pursuing. As we came forward into this budget discussion, looking at some of the challenges we faced, it was at that point that the decision was taken that we should end this program and redistribute the resources that had been acquired to that point.

Mr. Denis: If I could also supplement if I may. I'm going to provide you – I don't have it right here; someone is getting it – an article from Chief Rick Hanson of the Calgary police. Recently in the *Calgary Herald* he had indicated that he didn't feel it was a waste of money because he could use the technology. I'll let him speak for himself and provide the article to you.

Mr. Saskiw: Sure. Actually, just to go to that, of course, \$69 million has been incurred, and there are comments about reusing the software and the hardware. Is there a written plan for how that hardware and software will be used? This is a significant amount of money. Also, what is the fair market value of that hardware and software right now?

Mr. Grant: Thanks very much for that question. Based on the question you asked last night along a similar vein, I went back and checked with my ADM of IT services. I had given him direction to look at verifying specifically the amount of hardware, the value of the software, and the systems that are available for distribution. That work is still under way. He has not been able to give me the definitive count yet, but I would expect I would get it within the next couple of weeks. That was his assessment. I think we're fairly close to being able to determine exactly what that pie looks like, and then the discussion with the police forces will be how to divide that up to make sure we get maximum benefit from those resources.

Mr. Saskiw: Okay. As was mentioned yesterday, of course, there are certain costs such as consulting fees, and you had undertaken to provide the actual money that was spent with respect to consulting fees, that the taxpayers will never get back. The reason this is very important is that this is a significant amount of money. You know, there's a group called the Canadian Taxpayers Federation, which I think you and I both greatly respect.

Mr. Denis: They liked my expenses this year.

Mr. Saskiw: That's right.

But, of course, when they look at what they perceive as wasteful spending, they issue what's called a Teddy award. We want to make sure that this ministry isn't given that type of award.

Mr. Denis: I'm sure you do.

Mr. Saskiw: It's very embarrassing, actually, when you receive that type of award.

Mr. Denis: Could I just make a comment here?

Mr. Saskiw: Let me just finish the question. Sorry.

Mr. Denis: Oh. I'm sorry.

Mr. Saskiw: I guess that in terms of consulting fees that's something that, of course, cannot be used in the future. To your understanding are there any other costs that were incurred that cannot be parlayed into future projects?

Mr. Denis: No. There is data centre equipment, software solutions. Again, I'm not an IT professional in the least. There was a lot of coding involved there as well that can be reused.

One of the things that I just wanted to mention is that, you know, times change. I know at one time your party had supported a provincial police force. You've changed your mind on that, and I think you've made the right decision. At the same time, if you look back to 2005, as Mr. Grant had indicated, this may have made sense at that time. What makes sense for this time is the fact that we don't have the buy-in, and to actually continue with that would result in an \$8 million further expenditure just in this year. I think that those funds would be better placed elsewhere.

7:40

Mr. Saskiw: Okay. Just further to that, does your ministry plan on doing a full review of the out-of-pocket costs that were incurred on the coding and the software and the hardware, that cannot be used in the future?

Mr. Denis: I don't quite understand your question. This is getting quite technical here. Is what you're suggesting, then, dealing with the coding costs? What I've indicated is that there was human power that went into that, but much of this coding, if not all of it, can be reused.

Mr. Saskiw: Well, I guess what taxpayers, I think, are rightfully justified in asking and have been asking me is: how much of that \$69 million has been wasted?

Mr. Grant: As I've mentioned, the process is under way right now to determine the residual value of that \$69 million. Once I have that report from my ADM of IT, then we'll be in a much better position to determine what the delta is. Without question there is some of that money that will not be recovered.

Mr. Saskiw: When the report is produced, will that be produced to the public so that we can see how much money will actually have been incurred, that taxpayers will no longer see a value for?

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

Mr. Saskiw: Going back to this whole project, I think it's kind of reminiscent of the police college in Fort Macleod, where a decision was made, millions upon millions of dollars were expended, costs incurred that taxpayers can never recoup. I guess the question is: what is the process that you as minister have taken before embarking on these large, large projects when it seems that the ministry is completely out of tone with the law enforcement of this province? We saw with the police college that, you know, front-line enforcement bodies had said that it didn't make sense. Now we're seeing the same with the API3. What is the process so that taxpayers no longer see any of these debacles and boondoggles occurring in the future?

Mr. Denis: Well, I would first dispute your verbiage. I don't believe there have been any of those items that you've indicated. I think that taxpayers can be very confident in the fact that we are delivering value to them and that we are acting based on the information that we have today.

The police college. When we moved in, one of the first things that I did as the minister responsible was to start contacting some of the local police forces, and the comment that I received was that we do not . . .

The Chair: All right. Thank you.

We'll go to Ms Cusanelli, followed by Ms Blakeman.

Ms Cusanelli: Thank you, Mr. Chair. We know this is really a particularly tough budget, but I think that Albertans for the most part understand that there is so much global and economic instability and uncertainty, and we do have to focus on making sure that we're spending within our means. That being said, I also think that Albertans really want to ensure that the provincial government is building for growth today and the growth that we anticipate will continue into the future.

When I look at your business plan, I notice that there are some cuts in some good programs and then marginal cuts in core services for Alberta's justice system. I know that your ministry and you yourself have taken some flack with respect to the whole notion of being soft on crime. You know, there has been rhetoric and innuendo that has been tossed across the floor, et cetera, about coupons and couponing and making a mockery of that. My concern is that I want my constituents to know that their daily lives, their children are still safe in spite of what I'll call the fearmongering that is being presented out there in the media. I want to be able to tell them with the utmost of certainty that this budget is reflective of something, that you're going to respond to crime and, I guess, not be attributed to this whole soft-on-crime innuendo that seems to be being thrown your way. How do you respond to that?

Mr. Denis: Well, there are many questions there, and I'll try to address some of your issues. I agree with you. There have been some cases of extreme couponing in this Legislature in the past. But I want to be explicitly clear. What hasn't changed is that if you commit a crime in this province, you're going to be caught, and you're going to pay the consequences. Now, the consequences can be incarceration. The consequences can be that you deal with youth justice committees. They can be fines. They can be probation. They can even be house arrest. It's always in the discretion of the judge, and that also doesn't change. That's constitutionally protected.

What I can tell you is that this budget does not cut a single cop. It does not cut a single Crown prosecutor. In fact, as we were discussing with Ms DeLong's comments, it does not cut a single judge. It actually increases the component of judges. Our goal, though, is to keep dangerous offenders out of our communities and behind bars and not on streets in ankle bracelets like some of the opposition would like to have.

We're also not going to bend to crime by reducing tobacco taxes. We don't think that that's something that we should be doing despite the calls that we have received for that from certain opposition members. We're cracking down on marijuana grow ops that breed crime and gangs in our neighborhoods; 792 of these grow ops have been found over the past five years.

The bottom line is that it will not pay to be a criminal in this province. We're one of a handful of provinces that has a civil forfeiture office that actually seizes, typically, cash, vehicles, or real estate from organized crime and distributes it to victims-based groups, groups that actually help victims or help prevent crime. There's been roughly \$27 million of that taken from the hands of organized crime since Premier Redford started that when she was Justice minister.

We're not going to move ahead with things like a red-light district. I know the Wildrose leader has talked about a red-light district in the past. We don't want to legalize pot, at the same time, as well. We're also not going to reduce RCMP on highway 63. The ALERT board is coming back to our department for options to maintain most of the sheriffs employed or seconded.

That's where we're at on this issue, and it's a very strong agenda that is strong on crime. It represents the views of average,

everyday Albertans so that they can be confident that the streets that they walk today will be safe or safer for future generations.

Ms Cusanelli: Talking about proactive measures in order to ensure safety within communities, I know some people, as you're saying, the Official Opposition leader mentioning that red-light districts – in the past that has been her comment – may be a deterrent or a way of proactively, I guess, looking at that issue. To me, when you start saying additional police officers, additional judges, that sounds like we are being reactive to crimes being committed. How are we going to make sure that the programs that we are now not able to fund are actually going to be able to provide that level of proactivity that you'd want in any community?

Mr. Denis: Well, I think that you make an important point about crime prevention but also about victims. In any given year we help over 66,000 victims through our victims-based programs, and that's not going to be touched. That's going to actually continue.

Did you want to make some comments, Tim, about our victims-based programs?

Mr. Grant: Okay. I would only comment on the victims of crime. For example, last year we received 2,702 applications. We're averaging about 225 applications a month, and right now the staff are managing to deal with about 1,700 active files. Those are just the returns and the assistance that the victims of crime fund is providing to those individuals who have been either involved in or exposed to serious or violent crime in the province and helping them to get through the justice system.

Mr. Denis: Further to Tim's comment as well, we will be continuing funding in this budget for the Criminal Injuries Review Board, which is governed by the Victims of Crime Act. This board is an independent board. It does have one doctor and several laypeople involved as well, and it has a points system. If someone has actually been victimized through no fault of their own, what ends up happening is they can apply for compensation based on a set group of criteria. In the near future there may be some modifications and improvements to this item. I would suggest that you may just want to attend the Routine tomorrow, and you may get some further details on that.

Ms Cusanelli: So in terms of being proactive, the actual safe communities estimate is no longer. How are we going to make sure, then? What we're talking about when we have victims of crime funding is funding for after the crime has occurred. What do you think and how do you think this particular budget is going to address programs that are there already in place in order to prevent abuse, in order to prevent assault, et cetera?

Mr. Denis: Well, you raise the issue of assault, and particularly domestic violence is a concern to us. When I was housing minister, I met woman after woman who was homeless because of a domestic violence situation. To me, that's just simply unacceptable.

We're continuing with programs like I-TRAC, which I will, with the chair's indulgence, put through. It's the Integrated Threat and Risk Assessment Centre, and it's run by ALERT, which is the Alberta law enforcement response teams. This actually tries to flag and assist individuals who do suffer at the hands of domestic violence.

7:50

On top of that, we also are going to continue funding a lot of these victims-based groups, particularly dealing with domestic violence, from the civil forfeiture fund. As I mentioned, \$27 million over the last five years has come through that. That also is going to continue. Alberta does have stubbornly high rates of domestic violence, and I think that we need to continue to combat that. I don't see it just as a women's issue. I see it also as a men's issue, for people who have children, who raise the next generation. Also, if you're male or female, I want to encourage people to report domestic violence. Otherwise, in many cases – like, I just met a survivor this weekend down in Calgary, and she indicated to me that she knew that the neighbours knew, but they said absolutely nothing. We need to educate everyone that it's just as bad to not say anything.

Mr. Grant: If I could add, although SafeCom funding has been reduced to zero in this particular budget, there have been some outstanding commitments by SafeCom over the years. In fact, the legacy of SafeCom will continue with such things as 88 additional mental health and addiction treatment beds, 300 additional police officers, 110 additional probation officers, and 67 additional prosecutors.

Ms Notley: Point of order.

The Chair: We have a point of order. Ms Notley.

Ms Notley: I'm sorry. I don't mean to misuse the point of order. Truly, I mean, I'm really appreciative of this information. I am. But I was trying to have a discussion about this very same program in my questions, and the minister steadfastly refused to have that discussion.

Mr. Denis: I did not refuse to have that discussion. I'm sorry you didn't like my answer.

Ms Notley: I'm happy to check the *Hansard*, and I believe that if I were to ask for a show of hands, everyone here would have said that you did not want to discuss it because it had been eliminated, and therefore it wasn't the right thing to discuss. Perhaps, Mr. Chair, if we could get some clarity on this, obviously.

The Chair: What is the point of order specifically? What's the citation?

Ms Notley: The point of order is . . .

The Chair: Twenty-three?

Ms Notley: Yeah. I'm just going to go with (h), (i), and (j) because he's creating dissent and disruption by steadfastly refusing to answer the question of an opposition critic and then turning around and responding to the question of a government member. I think it's a good set of answers. I'm glad to be starting to get those answers from you, and I do appreciate that, Mr. Deputy Minister, but I am frustrated by the level of respect that's being shown to opposition questioners by the minister.

The Chair: Minister, you wish to speak to this point of order?

Mr. Denis: I'm frustrated by Ms Notley's inaccuracies, her blatant inaccuracies in her comments. First of all, the questions that she had talked about were past items regarding the safe communities innovation fund. The question that Ms Cusanelli has talked about is dealing on a go-forward basis with domestic

violence. They're totally two separate items. Again, I put on the record that I did not refuse to answer her question. It pains me if she did not like my answer to her question.

The Chair: All right. I don't believe there is a point of order.

Ms Blakeman, followed by Dr. Brown.

Ms Blakeman: Thanks very much, Mr. Chairperson. I will direct the minister's attention to vote 2, appearing on page 168, that being court services, and on page 170 under the capital budget, also vote 2. There have been a number of people that have already raised the issue of court space availability, and in reviewing the Blues from yesterday, I'm looking for clarification of policy here. One of the things that was mentioned was that there was a possibility that traffic court would be moved, which would free up court space availability in particular locations. My understanding is that traffic court is actually determined by commissioners and, therefore, there would be no judges involved. If this traffic court is in fact moved or traffic ticket court is in fact moved, all we end up with is an empty courtroom but no judges and no clerks that are now in it.

There have already been a number of people reference Calgary, Red Deer. I think there was somebody else that mentioned the need for courtroom space. I certainly brought it up yesterday. I know Whitecourt is jammed. They're trying to do child welfare and family court and bylaws and they have a travelling judge. What seems to be happening – and I questioned the minister on this yesterday as well – is that what is not done on any given day is put off to the next available day. The next open day could well be six weeks later or eight weeks later.

We're ending up with a couple of situations. Justice delayed is justice denied. We end up in some cases with great pressure for people to plead guilty and get it off the docket. As well, I think we've put prosecutors in a position where they are looking for slam dunk cases. They are looking for absolutely perfect cases with everything lined up in order to be successful with what they move forward with because they don't want to go to court with something that might not work. Those ones are getting moved off to one side for lack of evidence or availability of witnesses or whatever else.

I'm quite puzzled by the minister's attitude toward providing court space. It is one of our constitutionally guaranteed rights, and it actually is a right. I'm curious about that.

As a last point, I . . .

Mr. Denis: I'll address those.

Ms Blakeman: I'll put one more point in. Thank you.

Mr. Denis: Okay. It's just difficult when there are three or four questions stacked. That's all.

Ms Blakeman: I'm so sorry for you.

The last point was I . . .

Mr. Denis: You may not get the answer.

Ms Blakeman: Yes. Actually, I will clarify that because I'll add two more questions into this.

The minister repeatedly says: I'll take that under advisement. Now, I'm not a legal person. I'm getting that there's an undercurrent, there's a code here. It's like when a kid asks, "Can we stop at the Dairy Queen on the way home?" and the parent says: "We'll see." "We'll see" is code for no, but you don't want to say it at the moment. I'm getting the feeling that "I'll take that

under advisement" is your code for no. Evidently, you could be saying, "Yes. I'll provide it." The way I would usually understand "I'll take it under advisement" is that I'll go and find out about it and let you know. I'm getting the feeling that your version of "I'll take that under advisement" is no. That's another question for you.

Mr. Denis: Which is not what I said.

Ms Blakeman: That's why I'm giving you the opportunity to clarify it.

Finally, I was here when the Calgary courthouse was discussed as a P3, for anybody that was asking that question, and it was categorically shut down because the judiciary were not comfortable being in a building in which they may be beholden to other entities beyond the usual set-up.

Those questions are all under the category of court space except for the one about taking it under advisement, which is a clarification.

Mr. Denis: Okay. I've indicated that when I said, "I take it under advisement," I did not say that that means no.

You've asked so many questions here, and I've endeavoured to write as many of them . . .

Ms Blakeman: No, no. I asked for clarification about what you do mean when you say that.

Mr. Denis: I'm trying to answer your question.

Ms Blakeman: All right. Good. So what does it mean when you say you'll take it under advisement?

Mr. Denis: I'm trying to answer your question. Do you want to keep interrupting?

Ms Blakeman: Well, until I can clarify what you actually do with it.

Mr. Denis: Okay. You've asked about five or six questions. Do you want your answers or not?

Ms Blakeman: Oh. Absolutely, sir. Please go ahead.

Mr. Denis: Here we go, ma'am. First off, you made some erroneous and incorrect comments with respect to how traffic court operates, and I'm going to let Ray answer a lot of the specifics there. In the major centres such as Calgary and Edmonton you actually would have a traffic commissioner there. You have a traffic commissioner that runs the court.

Ms Blakeman: What did I say?

Mr. Denis: You said that there was a commissioner.

Ms Blakeman: Oh. I'm sorry. I mean commissioner, but that's not a judge.

Mr. Denis: Okay. You said commissioner, which to me means the person is like a security guard. We don't have a security guard running that.

Ms Blakeman: No, no. Sorry. Wrong word. My apologies.

Mr. Denis: Your apology is accepted.

You have a traffic commissioner who is running that. In the smaller centres you actually have a judge.

Now, I fully agree with you about the constitutional right to court space, the constitutional right to plead not guilty, to have

your day in court. Absolutely. That's not going to change if we physically move traffic court.

The other item I just wanted to mention before I pass it over to Ray. The biggest concern that some of the justices had with respect to the public-private partnerships, or colloquially referred to as P3s, was that we'll be beholden to a particular corporation or financier there. Well, in the current way it has it, it is the provincial government that actually owns these lands under section 92 of the Constitution, responsible for the administration of justice. My comment back is that that hasn't stopped anyone from suing the provincial government, because they think that they're beholden to the provincial government. We're a defendant in many such cases. I don't, with respect, think that that is a large argument because the current system has not prohibited cases against the provincial government.

Now, Ray has some comments here about traffic court further to one of your many questions.

8:00

Mr. Bodnarek: Okay. Well, the minister did clarify that in our major centres we have gone to traffic commissioners, which are a lower cost resource than provincial court judges. Instead of using regular Crown prosecutors, we use a service with somebody called a provincial prosecutor, which is mostly retired police officers, so they're a lower cost as well.

But as the minister has made reference to, the traffic court volumes are such that they take up a considerable amount of space and capacity within our courthouses. That is one of the reasons why we're looking at getting them out of the courthouses. They are a very expensive and highly sought after resource. The one in Edmonton, the one in Calgary: prime real estate, downtown. They have perimeter security, all of the costs associated with security in a courthouse facility. If we can move lower value things like traffic court out into a more cost-effective location, we can free up the capacity in those major centres to focus on the more serious matters, so that's a strategy.

As the minister has alluded to, many of the regional courts have traffic matters dealt with by the judge, and in the circuit locations it's only judges that deal with traffic. In some of the regional courts we do get some visiting traffic commissioners on a sporadic basis. So it's a bit of a mixed model. But we do have judges dealing with traffic matters in the surrounding communities. I think there is an opportunity there as well to drive down to a lower cost provider. To the extent that we can take pressure off our regional courts by taking traffic out of those facilities, we can create some capacity there as well.

Ms Blakeman: Okay. In the larger centres, specifically Edmonton and Calgary that we know of, the traffic courts are in fact presided over by a commissioner, who is not a judge. Moving traffic court out of there will not give us any additional judges to fill the now empty courtroom with, correct?

Mr. Denis: No. What is happening is that it'll free up more spaces. As I've indicated, we are adding two more judges this year. We did last year. I'd like to the next year as well. This will free up actual courtroom space so that they actually can have places to hear their cases.

Ms Blakeman: Okay. So one traffic court out of Edmonton and Calgary and one judge into the now empty courtroom?

Mr. Denis: I don't know if those numbers are correct or not, but the principle is correct.

Ms Blakeman: The principle is correct. Okay. Thank you.

I've heard a number of repeats on lower cost personnel. [A timer sounded] That's the 10 minutes?

The Chair: That was the 10 minutes. Time flies when you're having fun.

All right. We'll go with Dr. Brown and then Ms Notley.

But just before we start the clock, I did not ask, Ms Blakeman, if you wanted to go back and forth with the minister. The initial questions you asked actually came pretty close to the five minutes. As we move on, remind me.

Ms Blakeman: No problem. I did get answers, so it all came out in the wash.

The Chair: It was fine.

All right. Dr. Brown, did you want to go back and forth?

Dr. Brown: Yes, please, Mr. Chairman. Thank you very much.

The Chair: Please go ahead.

Dr. Brown: Minister, the question I have relates to legal aid. I think we all recognize that that's been a chronic problem with respect to funding. I think any of us that sit in our MLA offices encounter problems which really are of a legal nature. A lot of them are things like matrimonial, custodial, and access problems, civil problems, things to do with debtor or creditor rights and so on, but also things like bankruptcy and, of course, the usual run of criminal matters. But the sad reality is that a lot of our people these days are just not having access to justice because of the escalating cost of lawyers. There are a lot of them that are falling through the cracks that can't get legal aid because they don't fall below that threshold, but they still can't afford \$400 or \$500 or \$800 an hour for a lawyer.

I know that, you know, it's something that concerns judges; it concerns the folks down at the Law Society. I understand that this year you have reallocated funds to supplement Legal Aid, and I'm wondering what your plan is on a go-forward basis there. I understand that most of that Legal Aid funding comes out of the interest from trust accounts and whatnot if I understand correctly. Is that right? Can you just elaborate on what's the plan going forward, if you have allocated some emergency funds this year? Do you plan on extending that into the future? What's the plan?

Mr. Denis: Well, you've asked about some very important issues. There are, again, about four or five questions there. I'll do my best to answer them. If I've missed one, you can let me know at the end. First off, you talked about trust funds. You're quite correct. In the past Legal Aid has been a big benefactor from lawyers' trust accounts. Now, this has dropped off significantly in the last few years because the interest rates are so low. I don't know what the interest rate on a savings account is, but I know that it's less than 1 per cent.

This year we anticipate that there will be \$5.5 million given to Legal Aid from lawyers' trust accounts. In accordance with the entire budget of Legal Aid that is a rather small amount, and you can't solve the issue there. You're quite correct. We did give a one-time funding from last year's budget several weeks ago to Legal Aid in the amount of \$7 million. In the past the total grant from the provincial government has increased by 90 per cent since 2005, and the grant, again, this year will be \$58.8 million.

As I'm sure you're aware, there is a shared constitutional responsibility between the province and the federal government over Legal Aid. We continue to be quite frustrated that their

contribution amount has been rather flat. I have brought this up at the federal-provincial-territorial Justice ministers' meetings before. I'll give you an example here of some of the frustrations that we have. Last year's funding was \$65.8 million. This year's is \$58.8 million. We don't have what their full expenditures were for this year, but for 2011-2012 their expenditure was \$69.5 million, so there still is a deficit there in and of itself.

We are doing what we can, but I do recognize that Legal Aid provides probably the greatest gap builder in the access to justice. On top of that you've quite correctly mentioned that there is an increasing number of self-represented clients, and one of the best ways to deal with that is through Legal Aid. We're doing what we can in this year's budget. There are no cuts to it, but at the same time in the future we do have the desire to fund Legal Aid to a greater degree.

Dr. Brown: I wonder if there has been any consideration given to leveraging some of the provincial funding. I'm thinking about some of the volunteer groups that are presently sanctioned through the Law Society – Calgary Legal Guidance is the one that I'm most familiar with – where the Law Society provides indemnity insurance through their insurance fund to lawyers who volunteer. I'm wondering if there's an opportunity there for maybe incorporating some partial payment, perhaps, you know, to third-year law students or others that might have a part-time job or a summer job or something like that. We could provide some sort of an honorarium or something there to get some leverage out of the volunteer sector there without paying the full freight that we would if we went through the Legal Aid Society.

Mr. Denis: You do raise a good point, Dr. Brown, about that particular issue in the private sector. There are a number of service-based organizations by lawyers – go figure: lawyers are doing some good things – like Pro Bono Law. I have attended many of their events, and they try to recruit students from first-year law school up to try to actually move some of these matters forward. I believe Ray has some further comments on how that can be leveraged.

Mr. Bodnarek: I think it's a good suggestion, and I think it's one that we can take back to the Legal Aid board. Last night Donavon Young, our assistant deputy minister responsible for the oversight of the program and the relationship with the ministry, talked about the work that the ministry is doing with the Legal Aid board to develop a sustainable business model. I think this fits in very nicely with those types of discussions, and we will take that back.

8:10

Dr. Brown: I guess, just finally: has there ever been any consideration of mandating lawyers to give a certain number of volunteer hours per year as part of their professional obligations?

Mr. Denis: As you know, the Law Society is a self-governing profession that governs all lawyers in the province, including you and I, and I would suggest that that would be a comment you may want to take up with their benchers because I think that we'd be encroaching on that centuries-old tradition.

Dr. Brown: Thank you very much for those answers.

The Chair: All right. Thank you, Dr. Brown.

We'll go with Ms Notley, followed by Mrs. Leskiw.

Ms Notley: Thank you. I'd like to go back to the questions that the Member for Calgary-Currie, I believe, was asking, and the deputy minister was providing some answers there. You men-

tioned that notwithstanding that SafeCom had been eliminated from the budget, some elements of it had been retained. You started to talk about mental health professionals and beds. I'm just wondering if you could quickly clarify for me how many beds, how many mental health personnel, and where we would find them in the budget at this point.

Mr. Denis: Tim, do you want to take that?

Mr. Grant: Yeah. The wording I used was the legacy of SafeCom, and the issue that had come up is that over the course of SafeCom activities there were 88 additional mental health and addiction treatment beds. I may ask Judith if she knows specifically where they are, but that would probably be a question better directed to Health.

Ms Notley: I'm just wondering where the funding for them lives. Are they funded under your ministry, or are they funded under Health?

Mr. Bodnarek: Can I speak to that?

Mr. Grant: Yeah.

Mr. Bodnarek: When the safe communities initiative was launched, there was an envelope of money. Not all of that envelope of money was allocated to Justice. Some was to Justice, some was to Solicitor General, and a big chunk was to Health. So the treatment bed piece would be found in the Health budget. There was money allocated out of the envelope that was basically \$500 million over three years, and Health got it right off the top.

Ms Notley: Okay.

Mr. Grant: If I can, by extension the 300 additional police officers would be the new police officer grant that gives \$100,000 per new police officer, which is continuing in this budget.

Ms Notley: From SafeCom initially, right? Okay. That's helpful. Thank you for that.

Still on mental health, though, I do appreciate that there is a lot of work between the ministries. Of course, this is something that we've already talked about, trying to get rid of the silos, and indeed that's what SafeCom is all about. I'm curious. I see that in the Health budget we've got a 20 per cent cut in community-based addictions and mental health treatment.

Mr. Denis: Please advise what page you're referring to.

Ms Notley: I'm just looking at the Health budget right now, but I can't imagine that you would want to comment on the Health budget, so there's no point.

Mr. Denis: No. I just wanted to follow along here.

Ms Notley: Yeah. That's fine. So a 20 per cent cut in money allotted to addictions and mental health treatment in the community. Going back to the safe communities innovation fund, my information is that roughly 36 of the 88 pilot projects also supported projects that were specifically geared towards providing addictions and mental health treatment. My concern is: from the perspective of your mandate to engage in crime prevention initiatives and to ensure that we do that effectively and given previous discussions about the importance of properly dealing with mental health and addictions issues before they turn into incarceratable offences, how do you see the increased costs arising

from the reduction in community mental health and addiction services being accommodated in your budget?

Mr. Denis: Okay. I'll take that one, actually, and just pass it over for some further details there. What we suggest in that particular case: I've mentioned that we have the civil forfeiture office. I'm not going to beat the dead horse and waste your time; you know what it is. We had presumed that many of these people – actually, we've actively solicited them – are able to apply to the civil forfeiture program, which is not being reduced and, in fact, has received increased amounts of success over the last few years.

Ms Notley: That's a good segue into another a question I had. You mentioned that, for instance, domestic violence issues had been funded to the tune of about \$27 million over, I think, three years through civil forfeiture.

Mr. Denis: Could I correct that, please? For civil forfeiture, actually, we have received about \$27 million, give or take a few pennies, even though we don't have them anymore, over the last five years.

Ms Notley: Oh, five years. Okay.

Mr. Denis: Some projects have been funded that combat domestic violence, but it would be incorrect of me to say that it would be all of the projects. Do I make myself clear?

Ms Notley: Yes, you do. Then that leads to my question. How much money now is available in the civil forfeiture fund to make up for the loss from SCIF and/or for ongoing funding around domestic violence?

Mr. Denis: We can get that information for you. I'm not sure exactly how much is in the fund at this stage.

Ms Notley: Okay. Then the next question attached to that is the I-TRAC program, which I understand is a component of ALERT, which I see has suffered a rather significant cut in its budget. I'd like to know how much money is – yes? You were shaking your head.

Mr. Denis: I'm just going to assert the acronyms here. ALERT is Alberta law enforcement response teams. I-TRAC is Integrated Threat and Risk Assessment Centre, and that is a body that's under ALERT.

Ms Notley: Right. And it deals with domestic violence issues.

Mr. Denis: Yes. Absolutely it does.

ALERT has had a reduction in spending, but this does not affect I-TRAC.

Ms Notley: What's the exact line item? How much money has been spent on I-TRAC last year and this year since it's not broken out in the budget?

Mr. Grant: No, because ALERT is a section 9 company, a separate company from government that's funded through grants and through secondments from police forces in the province. So we would have to go to their annual report to get that information.

Ms Notley: Can you provide us with that information since it's something that is certainly within your mandate regardless of what the structure of the funding is?

Mr. Denis: We can provide you with their annual report, absolutely.

Ms Notley: You're saying, though, that, notwithstanding that this is a separate company that's running I-TRAC, you can assure us that I-TRAC has not received any reduction in funding.

Mr. Denis: No. But not an increase, either.

Ms Notley: Okay. All right. I look forward to finding out how much money is there because, of course, this all kind of goes back to my concern around the combined effect of our mental health funding reduction, our SafeCom funding reduction, and also our reduction in the community enforcement issues.

I'd like to go really quickly, if I have time, to line item 3.2 in the budget, legislative counsel. This is described as a line item that funds, I'm assuming, not the counsel that works for the LAO but in fact legislative counsel, that works for the ministry, drafting bills. Correct?

Mr. Denis: That is typically what it is but not exclusively.

Ms Notley: Right. So we're not talking about the LAO counsel. We're talking about other counsel.

Mr. Denis: This is counsel that drafts and reviews bills, amendments, proceedings. You get my point.

Ms Notley: So my question is: in a very restrictive and cutbacky kind of budget, why is this area receiving a \$109,000 increase? In fact, if you look at it, from 2003 to 2008 the government introduced an average of 50 bills a year. From 2009 to 2012 the government was introducing an average of 23 bills a year, or less than half. Why are we actually increasing resources in this area?

Mr. Denis: It's simply not increasing resources per se, or personnel or FTEs. The \$0.1 million to which you refer is simply an increase for inflationary costs regarding the officers' compensation. They are placed on a grid as part of their contract. We're not hiring additional people.

Ms Notley: I see. So we're not keeping up with inflation in legal aid, but we are keeping up with inflation for people that draft bills, the frequency of which has been cut in half over the last 10 years.

Mr. Denis: Well, the \$7 million is well more than inflation for several years.

Ms Notley: Yeah. But again, to review, as we've already determined, that was a one-time shot.

Mr. Denis: Yes, but that one-time shot over the \$58 million that we put in would cover inflation for several years.

Ms Notley: Not for as long as it's required to, though.

Anyway. Okay. Well, interesting. We're increasing that funding for an office whose workload appears to have been cut in half by this government.

I do have some other questions here. It's hard to get into something because I'm afraid I'm going to get pushed out of it very quickly, so I'm trying to pick something that is easy to do.

Going back to access to justice, we've had conversations about legal aid. What exactly is being cut in item 2.2 under court services?

8:20

Mr. Denis: Page 168 for clarification.

Ms Notley: I believe so, yeah. The 20 per cent cut to access to justice under court services. That seems like something that would help all of that increasingly large group of self-represented litigants. What are we not doing for them to the tune of one-fifth less?

Mr. Denis: Just one second, please. I'll just give you an example of what that refers to. This provides costs of sheriffs for civil enforcement, law enforcement centres, Alberta law libraries, court worker program, transcript management services, and civil mediation.

The Chair: There you go.

Also, I'd like to welcome Mr. Jeneroux, MLA for Edmonton-South West, to the meeting. I neglected to do that in the last break. He's been here for some time.

We'll go with Ms Leskiw and then Mr. Saskiw, but we'll take our break after Ms Leskiw.

Mrs. Leskiw: We'll go back and forth?

The Chair: If that's what you'd like to do, absolutely.

Mrs. Leskiw: Okay. Thank you, Mr. Chair. Mr. Minister, you talked about your very tough budget. I was wondering how sustainable you really think your budget is. I'm going to focus specifically on police officers because that's the part that really affects my area. In your address to the committee and media you stated that you haven't cut one police officer. I'm pretty sure that the vast majority of the policing budget is borne by the municipality, not by yourself. My point is that administering a program and paying for the program are two different things. Could you explain to me the changes in the number of Alberta police officers we have through your budget and how they are going to affect Albertans?

Mr. Denis: Thank you for your question. First off, one of the things that Premier Redford started when she was Justice minister was the new police officer grant program. This provided funding for 300 new police officers. I know the number of 123 in my hometown of Calgary was effected by this. These are actually boots on the streets. We're very proud of this program. We're going to be continuing this program for at least another year. In fact, just today I was signing the grants off to the local municipalities.

In addition to that, there are going to be 10 new RCMP officers on top of the 16 traffic enforcement positions announced in 2012 to patrol highway 63, which is more than the eight that the Member for Lac La Biche-St. Paul-Two-Hills wanted. These new positions combined with more than 1,500 RCMP positions continue to enhance the safety and security of our communities.

Mr. Grant, did you want to comment with some more details on that, please?

Mr. Grant: I would only add that the focus was to ensure that from the standpoint of the provincial government we were continuing to fund at the same level or higher those grants to municipalities either through the municipal police assistance grant or the new police officer grant to ensure that they would continue to be able to keep the same number of officers employed.

Now, we acknowledge that our contribution is about 25 per cent of the overall cost of policing in municipalities, so the municipalities do have a role to play in continuing to fund those.

Certainly, from a provincial government standpoint our funding has remained the same. In fact, we've increased funding to the provincial police agreement with the RCMP, which will impact particularly rural municipalities, who at the current time don't pay for their policing, but it is provided through the government through the PPSA.

Mr. Denis: Which is the provincial police service agreement.

Mrs. Leskiw: I'm glad you finished with your last statement because that's my next question on that. We need some way to talk about fair and equitable policing costs so that it's not a burden to some of the communities within my constituency. When we're cutting programs, wouldn't it seem proper that everyone contributes to the policing of their communities? If we're serving the safe communities of everybody in the province, why should some municipalities pay and some municipalities get it for nothing?

Mr. Denis: Yeah. You make a very important assertion, and I think it's one that we're going to have to look at. We have discussed this with AAMD and C. I trust that that acronym doesn't need to be explained here. Policing is one of the ultimate public goods. Everybody benefits from it equally.

We recognize that under the current provincial police service agreement, or PPSA, any community or country of less than 5,000 people does not have to pay. I have had some rural mayors approach me indicating that they don't believe that that is fair. That would amount to between a \$20 million to \$30 million turnaround, but of course would require some very significant consultation throughout the entire province as to where the additional money would go, specifically if some of the smaller counties can't absorb such a cost. But I'm willing to have that conversation this year.

Mr. Grant, did you want to talk a little bit further about that?

Mr. Grant: We have started at my level and below to have those discussions with the staff at both the AAMD and C and AUMA. I think both of those organizations have indicated that they are willing to have those discussions. They believe it's time to have those discussions. As the minister suggested, though, the real question is: where would the additional revenues go, and how would they be distributed? I think, at the end of the day, as long as it's obvious that they're returning to the policing world, people will be comfortable with that.

Mrs. Leskiw: On that point also I have two Métis settlements within my community that require and want more policing. Right now what they do is share an officer, if you can imagine having an officer half-time. Even the officer said that she would like to stay full-time in the community. How are we addressing the needs of – I have three First Nations and two Métis settlements in my area. Policing is very important. The communities are working very hard to have safe communities, and they're begging for a full-time officer, but they can't afford it. I don't know how the funding goes to the Métis settlements. What is being done about helping those communities like my Métis settlements who want the extra help?

Mr. Grant: There are a couple of issues. One is that the federal government in their budget has just announced, once it's approved, assuming it's approved, that they will continue to provide additional funding for First Nations policing across the country. That will help.

In addition, there are tripartite agreements that are really led by the RCMP through the PPSA. I have spoken recently with the

commanding officer of K Division, the senior RCMP officer in the province, and he's looking to see if he can rationalize and provide a common level of service to First Nations that don't have their own integral policing capacity.

Part of the problem, as you described, is numbers of individuals. In addition to that, there are actually some logistics involved in making sure that if an officer is assigned to that region, there's actually a place that they can function from, a place that they can live. Those are some of the logistical challenges he's working through right now in order to make sure that he can provide a consistent level of policing across the province.

Mrs. Leskiw: My final question, switching. I know that fish and wildlife officers now are under your department. We need more of them, and I was wondering: are we having an increase? My area is very well known for hunting and fishing, and getting reduced from four to two, they can't be everywhere. What can be done to improve? Why aren't the fines that people get for fishing and hunting violations used to go back into taking care of making sure that we have enough fish and wildlife officers in the field?

Mr. Denis: First off, I just want say thank you for splitting your questions up. It makes it a lot easier to answer them.

With respect to the fish and wildlife officers, yes, all law enforcement is now under Justice and Solicitor General. I was just answering a question a couple of days ago in the House about this. We're just in the process of recruiting some seasonal officers but I believe also seven more permanent officers, which makes the total number of permanent officers 74 and approximately 90 seasonal officers. I'll let Mr. Grant give you some more details.

Mr. Grant: I would like to thank you for acknowledging that they are good and they are in demand across the province. We have restructured and changed the organizational structure of them just recently so that we are getting rid of some of the headquarters and senior management staff and replacing those with more front-line troops.

The other thing we're looking at doing is actually providing a consistent level of training to all of our enforcement arms. Whether it's sheriffs, traffic sheriffs, fish and wildlife, parks and conservation, or commercial vehicle enforcement officers, they will all have a consistent level of training and a common level of training so that at peak times during the year – and the May 24 weekend is a great example – when we need to make sure that we do have a very visible presence, we can draw upon a number of organizations to assist particularly the fish and wildlife and the parks and conservation on a go-forward basis. We are trying to be a bit more nimble and a bit more flexible. Now that all of those enforcement arms are in the one ministry, I think we will start to see some benefits from that in the near future.

Mrs. Leskiw: Well, I hope so because our area definitely needs it. Thank you.

The Chair: All right. Well, it's 8:30, so why don't we take – we'll call it a seven-minute break. If we can get everybody back in here at 8:37, we'll get started with Mr. Saskiw. Thanks.

[The committee adjourned from 8:30 p.m. to 8:39 p.m.]

The Chair: All right. We're going to call the meeting back to order. That went fast.

Okay. Minister, if you're ready to go.

Mr. Saskiw, are you all set?

Mr. Saskiw: You bet.

The Chair: All right. You want to go back and forth?

Mr. Saskiw: Yes.

The Chair: Very good. Whenever you're ready.

Mr. Saskiw: Sure. I'll first start with line item 8.13 in the estimates, page 169.

Mr. Denis: Sorry. I'm one deputy minister light here.

Mr. Saskiw: I'm sure you'll be fine without him. What the line item states is that there is . . .

Mr. Denis: Sorry. Which page are you on?

Mr. Saskiw: Page 169.

Mr. Grant: Item 8.13?

Mr. Saskiw: Yes. It's funding for traffic sheriffs. I note that there is an over 40 per cent increase in year-over-year spending, but there isn't a corresponding line for capital for traffic sheriffs. So I'm just a little bit confused. Are you planning on just putting an extra sheriff in every car? Where is the corresponding capital increase?

Mr. Grant: The increase in operating is in fact due to the federal government terminating a memorandum of agreement that we had with them which saw the traffic sheriffs being treated as RCMP members under the PPSA, the provincial policing service agreement. Under that agreement and for about the last three years 30 per cent of the cost of traffic sheriffs was covered by the federal government under the PPSA. That will terminate on the 13th of May of this year. As a result, we will have to pick up the delta, which is about \$4 million. That's why there's an increase in operations but not a corresponding increase in capital.

Mr. Saskiw: So the full \$4 million is a result of the federal cancellation?

Mr. Grant: Correct.

Mr. Saskiw: Okay. Thank you.

Next, I note that there are 6,637 full-time equivalent employees in the ministry, and I was wondering how many are classified as front-line workers or managers. In other words, what is the front-line worker/manager ratio for this ministry?

Mr. Denis: I'm going to give that to each side here.

Mr. Grant: I don't have that number specifically, but we are in the process of doing a management review, which has been directed by government, to reduce the management by 10 per cent. We're in the process of doing that right now.

Mr. Saskiw: So is it your understanding that in the upcoming budget year, as you said 10 per cent of what would be classified as managers would be reduced?

Mr. Grant: That's correct. Over a three-year period.

Mr. Denis: In addition, over the same three-year period we're anticipating a reduction of approximately 300 FTEs in the entire department.

Mr. Saskiw: Thank you. I'll next go on to item 8.14 in the estimates.

Mr. Denis: What page are you on, please?

Mr. Saskiw: That would be page 169.

Mr. Denis: Okay; 8.14, which is fish and wildlife enforcement.

Mr. Saskiw: That's correct. How many current vacancies for staff are in that department?

Mr. Grant: In that branch there are seven vacancies at the current time. All seven are in some stage of recruitment, and offers will be made to two of those individuals next week.

Mr. Saskiw: How long have those seven vacancies been outstanding?

Mr. Grant: Since the reorganization. That's what drove the change for recruiting. That reorganization I approved just after I took over this position at the end of 2012. Five of the positions are being held at the current time as we go through the management review to confirm that we are hiring the right kinds of people – management, front-line workers – as we go forward.

Mr. Saskiw: But the plan is to fill them in this next upcoming budget?

Mr. Grant: It is, and there are funds available to fill them.

Mr. Saskiw: Especially in northern Alberta, I know that these front-line officers are spread pretty thin, and I've heard from many front-line officers that they are quite frustrated with the fact that there are open vacancies that are not being filled. How many of these vacancies are being filled by seasonal workers?

Mr. Grant: None of them are filled by seasonal workers. The seasonal workers are in addition to the baseline positions.

Mr. Saskiw: What is the turnover rate for enforcement officers province-wide?

Mr. Denis: Just to clarify, you're talking about fish and wildlife officers specifically?

Mr. Saskiw: That's correct. Yes.

Mr. Grant: I don't have that number handy, but I would suggest that, based on my experience to this point in time, it is a very low number indeed, below the provincial average, which is about 3 per cent.

Mr. Saskiw: If the statistic is available within human resources, would you undertake to provide that number?

Mr. Denis: As long as it doesn't identify any specific individuals.

Mr. Saskiw: Thank you.

Next I'd like to refer you to performance initiative 2.7.

Mr. Denis: What page are you on, please?

Mr. Saskiw: Page 54.

Mr. Denis: And 2.7, you said?

Mr. Saskiw: That's correct.

Mr. Denis: Okay. It says, "Working with other jurisdictions, explore alternative mechanisms or streamlined processes for

addressing less serious criminal offences to improve capacity for addressing more serious [criminal] offences in a timely manner."

8:45

Mr. Saskiw: When you read that statement, "less serious criminal offences," what types of offences are you specifically referring to there?

Mr. Denis: I'm going to ask Greg Lepp, who's the ADM of the criminal division, to deal with that matter.

Mr. Lepp: Yes. You can actually put all of the criminal offences, essentially, on a range from less serious to more serious, and on the less serious side would be those things that primarily would be summary conviction offences as opposed to indictable offences and which would not normally attract a jail term upon conviction.

You really have to look at it on a matrix. On one side you'd have the seriousness of the offence, and on the other side you'd have the position of the offender. For example, if you had somebody who was a serious gang member who committed an offence that wasn't particularly serious, we would still consider that a serious matter and go after it.

Mr. Saskiw: Thank you.

The phrase "streamlined processes" for these so-called less serious criminal offences: is that indicating that you would want to go to alternative measures instead of getting convictions?

Mr. Lepp: Well, that would be one option. This is something that sort of underpins a lot of the direction that we're looking at in criminal justice. There's been a lot of comment at this meeting over two days about court backlogs and things of that nature. Really, the desire of the prosecution service is to ensure that there is sufficient time and resources to deal with the serious and violent cases. The way that we make that room is that we streamline processes in relation to the less serious matters so that we can concentrate on what's really important to Albertans.

Mr. Saskiw: Thank you.

I guess, you know, there have been some comments that for the first and second instances of some of these less serious offences such as vandalism or theft, they would automatically go to alternative measures. Is that the ministry's position?

Mr. Denis: I'm going to take that. That is not the ministry's position. That is your position. Prosecutions are independent. There are always consequences to criminal actions. Alternative measures have always been used. No one in our government or department or prosecution services has ever said that an individual should have one or two free passes.

Greg?

Mr. Lepp: Yes. As Minister Denis pointed out, alternative measures are really nothing new. As a matter of fact, every jurisdiction in Canada has an alternative measures program, where you consider the position of the offender, and you consider the type of charge that they're facing, and then you determine what the appropriate approach is to follow with respect to them.

Mr. Saskiw: But I guess if there's no change in the current process, then what's the point of even stating that, you know, you'll be exploring alternative mechanisms or streamlining processes for these less serious offences? What has changed? They've always been there, alternative measures.

Mr. Lepp: Yes, they've always been there, but increased use of alternative measures is one potential option.

Mr. Saskiw: So what does that mean, increased use of alternative measures? How do you increase the use without putting a communication to a judge or a Crown prosecutor?

Mr. Lepp: Well, that would be at the behest of either the police or the Crown prosecutors. We're the ones that deal with alternative measures.

Mr. Saskiw: So there will be no policy change in this ministry with respect to the less serious offenders.

Mr. Lepp: Well, there may be a policy change. We're developing that at the prosecution service level. If there's going to be a policy change, we would make a recommendation to Minister Denis. If he was comfortable with it, he'd accept it, and if he wasn't comfortable with it, he wouldn't. But we are examining whether we can use increased alternative measures to try and get those cases that don't belong or shouldn't be in a courtroom out of the courtroom. Of course, I reiterate that this is to make room and ensure that there's capacity to deal with the more serious matters.

Mr. Saskiw: Thank you.

I think we're probably almost out of time here.

The Chair: You have a really strong sense of timing, Mr. Saskiw. That was good.

All right. We'll go with Mr. Jeneroux and then Ms Blakeman.

Mr. Jeneroux, back and forth?

Mr. Jeneroux: Yes, please. Thanks.

The Chair: Very good. Whenever you're ready.

Mr. Jeneroux: Okay. Thank you, Minister. This is my first question to you, so I just want to take the chance to thank your staff and everybody for coming here and staying the long nights.

Just a couple points of clarification. I think at the last go-round and maybe before that, too, you mentioned a number of FTE reductions. What was that number again?

Mr. Denis: The number we're anticipating is a reduction of 300 FTEs over the next three years.

Mr. Jeneroux: Okay. Thanks.

I really wanted to focus my questions on the victims of crime fund, but before we get there, just another bit of clarification. Currently the Peace River correctional facility is still open, correct?

Mr. Denis: That is correct. Yes.

Mr. Jeneroux: Is there anything in Fort McMurray in terms of a correctional facility or remand centre?

Mr. Grant: No, there's not.

Mr. Jeneroux: No. Okay. The decision was made a few years back to close the Grande Prairie correctional facility. Was Peace River then ramped up to compensate for this, or was it something that based the same number of staff, the same – like, is that the centre of the north? That's what I guess I'm getting at.

Mr. Grant: The only facility we have in northwestern Alberta is the Peace River Correctional Centre.

Mr. Jeneroux: So if something were to happen in Fort McMurray, we'd go to the Peace River Correctional Centre.

Mr. Grant: Or more likely to the Edmonton correctional centre or to the Edmonton Remand Centre, depending on the status of the individual.

Mr. Jeneroux: Okay. Thanks. Just wanted to clarify that.

Talking about the victims of crime fund, I've been in constant contact with Little Warriors about being able to access this fund. I understand from last night that they haven't put in an application or anything of that nature. But in terms of the actual fund, I'm not overly familiar with it. How do monies, I guess, initially get put into this fund, and how is this fund beefed up to the level that it's at right now?

Mr. Denis: Where it's at right now – this is kind of a case where the devil's in the details, and I'll just give you a brief overview. There's roughly \$50 million in the fund right now. Of that about \$37 million is appropriated, meaning that there are some projects that we have committed to that are not just in this year's budget but also can be in next year's budget. The grant funding under the victims of crime fund is increasing by \$400,000 this year compared to last year.

Organizations currently receiving the funds will continue to do so for the services that they were originally contracted for. It's used to provide financial benefits to victims of serious and violent crimes and for grants to organizations that provide services to victims during their involvement in the criminal justice system.

We maintained a surplus, as I mentioned, to ensure that the fund is always able to meet its obligations and multiyear funding agreements and assume payments from the former Crimes Compensation Board, which has been replaced by the Criminal Injuries Review Board in and of itself.

I'm going to pass this over to Mr. Grant, who's going to give you some further details.

Mr. Grant: If I understood the other part of your question, it was: where are the funds actually generated?

Mr. Jeneroux: Yeah. How does the money get in there?

Mr. Grant: Right. There's a 15 per cent levy on traffic fines in the province, and that generates this money. Some of the other money from those fines goes into policing as well, but it's a 15 per cent levy that comes into the victims of crime fund.

Mr. Denis: The other thing I just wanted to mention is that you had mentioned the issue of the Little Warriors program. I make no judgment on their program whatsoever. I'm aware of the many good things that they can do, but at the same time, they, like any other organization, have to apply to this fund for funding, and I have received no application to date.

Mr. Jeneroux: Okay. That kind of leads me into one of my other questions, so I'll skip down and ask that one, then. How does one go about applying for this fund? We'll leave Little Warriors out of it, but what type of criteria do you look for in order for someone to be successful with this fund?

Mr. Grant: The specifics are on the website, but essentially, as the minister said, first and foremost it's for those victims who have suffered injury or death as a result of a violent crime. That's really the first bar, the first hurdle, to getting . . .

Mr. Jeneroux: Sorry. If I can just interrupt, does mental health play into that?

Mr. Grant: There is a capacity that those individuals who have been witnesses to serious and violent crimes are also eligible if they so apply.

Mr. Jeneroux: Okay. Sorry. I think I cut you off before. You were going to say the rest of the other piece there.

Mr. Grant: There are about 2,500 applications a year. In 2012-13 there were 2,702 applications. We see about 225 applications each month to the fund.

8:55

Mr. Jeneroux: Okay. The number of applications: is it on the rise? The number you saw last year – sorry; not applications. Are we increasing in successful grants?

Mr. Grant: I'm not sure. I'd have to go back and check the data.

Mr. Jeneroux: It's probably not that important. You mentioned, too, in an answer to the hon. Member for Lac La Biche-St. Paul-Two Hills yesterday that there's about \$13 million – I don't know if you used the word "buffer" – in terms of how much is in the fund for other circumstances. Is that kind of the magic amount that we want to keep in, \$13 million? Is that an extraordinarily high amount? Is it low? Where is the future of the plan for that?

Mr. Grant: The discussion was around the \$50 million of surplus that's currently in the fund. That appeared to be a large amount of money. Based on the liabilities that the fund has and those liabilities that would have to be settled if the fund was closed today, there's about \$37 million in outstanding liabilities. The \$13 million is the true reserve from our standpoint. That's a number that has been audited by the Auditor General last year, when he looked at the books for the victims of crime fund. He gave the audit a clean audit based on our assessment of that \$37 million of ongoing liabilities.

Mr. Jeneroux: Okay. Good. I think that answers some of my questions on that.

I do want to have a bit of time here to quickly just ask a couple of questions about the new remand centre. I was able to go on a tour with you, Minister. Thank you for that. I guess the one piece that kind of struck me – and it's come up as well – is that there is a recreation yard that's being used there. When we looked at it, it was a very empty kind of thing. It was still under construction. What's going to be in that recreation yard? Why do we need the recreation yard? Sorry. Maybe it's not a yard; it's an open-air space. Just give your description on why that's needed.

Mr. Grant: In fact, that's a more apt description of it. It's access to fresh air. Part of this is directions and guidance that corrections facilities across the country have received from the courts that inmates must have access to fresh air for a certain period of time. The way that the new Edmonton Remand Centre was constructed was so that in each of the living pods there is access to an outside compound. Essentially, that is a concrete pad with high concrete walls. There's nothing in it except the inmates when they go to get some fresh air. It's not a recreation facility. It is access to fresh air.

Mr. Jeneroux: So we couldn't get rid of that if we needed to add space.

Mr. Grant: No. It's very clear from the courts that inmates must have access to fresh air on a regular basis.

Mr. Jeneroux: Okay. This may be a bit more of a question for Infrastructure, but I guess we don't get the opportunity to ask the Infrastructure minister. In terms of the existing building, is there anything that's happening there?

Mr. Denis: There has been a potential arrangement that has approached us; I'm not at liberty to disclose it at this time. But there's nothing concrete.

The other thing. I just wanted to augment Mr. Grant's earlier comment. I recognize your concerns about the particular prison, the perception, the administration of justice, the penal system. One of the things that we have done is that we've removed the television sets from the individual jail cells. We did not think that that was appropriate.

Mr. Jeneroux: Okay. There definitely weren't television sets there. Good to know. I've heard about them.

The last thing. How much time do I have left there?

The Chair: None.

All right. Okay. We'll go with Ms Blakeman, followed by Mrs. Fritz.

Ms Blakeman, you want to go back and forth, correct?

Ms Blakeman: Yes, please. I'll try to do it on a shorter basis so that there are not too many questions. I would like to pick up on something that one of your staff had talked about. When you talked about lower cost personnel, you referenced both retired police officers and a commissioner. Two questions on this. Could you please list any description of who would be considered lower cost personnel? You also referenced the traffic safety board as a possible alternative – I'm not putting words in your mouth; this is my interpretation – to how to deal with the large number of people in traffic court. Now, my understanding is that the traffic safety board is not a straight-across equivalency. It's not the same as court. Can they cross-examine? Can they call witnesses? Who's the decision-maker? How is the decision-maker appointed? How would that work? It would end up being a different kind of justice, a different level, wouldn't it?

Mr. Denis: One aspect that you've referenced is lower cost personnel. My reference to that is that currently, for example, in small claims court, or Provincial Court, civil, as the correct term is, the limit is \$25,000. If we actually increased it to, say, \$50,000, you'd have more cases, obviously, in there. One of the things that we would look at is whether or not we can have justices of the peace handle some of the matters of a lower financial amount. A justice of the peace costs significantly less than a Provincial Court judge. So that would be one example of lower cost personnel. As you know, justices of the peace are appointed by the Minister of Justice, have to be trained in the legal profession, are typically by convention members of the bar for more than 10 years and, in my opinion, are well qualified to handle some of these matters. Again, this is just something that we're considering.

Ray had some comments.

Mr. Bodnarek: Sure. Just to speak to your question, if we were to move traffic out of a court and move it into more of an administrative tribunal, I would offer that administrative tribunals in this province already adjudicate on a number of matters: the Human Rights Commission, under our jurisdiction, under the ministry, independent but adjudicating on significant issues.

We've got boards that adjudicate on multimillion-dollar projects like the Energy Resources Conservation Board and the move to a new single regulator under that board. These boards are part of the justice system.

I'm not going to presume that we know exactly what a traffic model might look like. I mean, we're just starting those discussions now with Provincial Court. What I'm saying is that looking at moving it into more of an administrative model from a cost perspective and also from a space-use perspective in courthouses makes some sense. That's why we're exploring it.

We have jurisdictions like B.C. that are a bit ahead of us there, and they've got the plan around moving traffic into a tribunal model more fully formed. They've started to publish in that area, so you can certainly go onto the B.C. Justice website and see what they're doing there. We'll certainly see what we can learn from them as well so we don't reinvent the wheel.

Ms Blakeman: Okay.

Mr. Denis: If I may just mention, the other thing that's very important to all of us in Justice and Solicitor General is that people would have the right to counsel by way of a lawyer or through an agent, if they wished to be represented in either of those fashions, or on their own.

Ms Blakeman: Okay. Thank you very much for that.

But we actually are talking about moving something out of a court and into a quasi-judicial setting. To be fair, the energy conservation board is not a court; it's a quasi-judicial agency. So you are talking about moving something out of a court setting, with all that that means, and into a tribunal setting or something that's not a court. It's quasi-judicial. It has different rules, and it operates under a different set of criteria and tests.

9:05

Mr. Denis: That is only one such proposal. Again, nothing has been set in stone. What will not change, again, is the right of a person to plead not guilty and the right of representation.

Ms Blakeman: Okay. Thanks very much.

I noticed that one of the hon. members – and it will come to me – Calgary-Mackay-Nose Hill, had suggested making use of volunteers. I'm wondering how the constitutional legal rights sections would work out with that kind of idea because you, the minister, seemed open to exploring that.

I notice under the Constitution it says:

7. Everyone has the right to life, liberty and security of the person . . .
8. Everyone has the right to be secure against unreasonable . . .

Et cetera. So it's everyone. Under section 11 any person has the rights to these things, including:

- (d) to be presumed innocent until proven guilty according to law in a fair and public hearing by an independent and impartial tribunal.

Is the province contemplating somehow being able to have a different set of criteria so that it would be based on your finances? So it's not that everyone is entitled to this; it's everyone with the money to pay, and there's a different kind of court process for people that don't have the ability to pay?

Mr. Denis: No. I've never suggested that actually. I've never intimated that at all.

Ms Blakeman: I didn't say that. I asked you to comment on it.

Mr. Denis: Okay. But I'm clarifying that I've never intimated or suggested that, so there can be no doubt in your mind.

Ms Blakeman: Okay.

Mr. Denis: When Dr. Brown earlier had brought up the issue of some of the volunteer-based organizations, I was rather saying that these didn't exist several years ago. I compliment them. In many cases organizations like Calgary Legal Guidance or Pro Bono Law Alberta – I know there's another equivalent to Calgary Legal Guidance in Edmonton, but its name evades me; I'm sorry – can actually provide, through a lawyer's own volition, volunteer legal services. At the end of the day that in no way encroaches on a person's right to counsel. A person can always hire a lawyer. You can go to Legal Aid. You can go to Pro Bono Law Alberta. There are many different things that you can do, and we have no intention of trying to encroach upon that.

I believe Ray has some comments here.

Mr. Bodnarek: You said it very well, Minister.

Mr. Denis: Okay. Thank you.

Ms Blakeman: Great. Thank you.

I'd like to move on to intermittent sentencing again. I've reviewed the comments from last night, and I'm wondering what work has been done, what policy work has been done, under vote 9.4, appearing on page 169, to ascertain the consequences of removing this particular option. There are wider consequences in the community. It does take people away from that opportunity of completing schooling or holding down a job, which in turn could be affecting family stability, which in turn affects community stability.

What analysis has been done on this? How many people were involved in intermittent sentencing – not just the cuffs; you've talked about that – and if you don't have that data, then why don't you have it? But the bottom line is: have you looked at the wider consequences and have you costed out the wider consequences or attempted to discuss with your colleagues in other ministries that might be absorbing the cost of the consequences of this particular policy change?

Mr. Grant: I'll take the last question first. Yes, we have discussed it at the deputy minister level with the families and communities pod to talk to other ministries that may potentially be affected.

The numbers you were looking for: there are just over 200 interim servers in rural Alberta that are spending time in basically RCMP detachment facilities. In Edmonton and Calgary there are 207 as of last week. Those are the ones that are reflected in this particular budget. That's the line item. That's about a million dollars. What we looked at is from the perspective of: is the million dollars better spent on other things rather than on bringing those folks into institutions on weekends or on time off or on their holidays, whenever that may be? So that was the balance that we looked at, the challenges of bringing those folks in.

The Chair: All right. Thank you.

We'll go to Mrs. Fritz, followed by Ms Notley. Do you want to go back and forth?

Mrs. Fritz: Thank you. Mr. Minister, almost done. We're all looking forward to this being finished here in about, I hope, 10 minutes.

The Chair: Probably not.

Mrs. Fritz: Probably 50, right?

Anyhow, I'm on page 171 under operational funded by credit or recovery and item 3 for the ticket processing. Is that okay?

Mr. Denis: Yes. Please go ahead.

Mrs. Fritz: It says there that the "funding from province's share of Traffic Safety Act ticket revenue is used to fund expenses incurred in processing and handling violation tickets issued under the Traffic Safety Act." Now, I notice that this \$33 million is approximately 2 per cent of your budget. My question. I know the Traffic Safety Act says that the policing services that offer the service receive the revenue from the fines and the penalties. That would be that municipality. So I wondered where this \$33 million is from. It says that it's your share of the tickets.

Mr. Denis: Okay. I'll give you a breakdown here. Actually, \$18.2 million is for the direct costs of processing tickets in the courts; \$5.1 million is for the indirect costs of processing tickets in the courts; \$5.7 million is prosecution costs; and \$3.2 million is the cost of the JOIN system. What is that acronym?

Mr. Bodnarek: It's the justice online information network.

Mrs. Fritz: Oh, the online.

Mr. Denis: Yes. Thank you. It's used to track and account for fines and tickets.

Lastly, \$0.8 million is for collection enforcement activity. One thing I'm quite happy with there is that there are relatively low enforcement costs of unpaid tickets in this province.

Mrs. Fritz: This \$33 million, then: how does that compare to the actual cost of processing the ticket?

Mr. Bodnarek: I can say it. The \$33 million: we are subsidizing it as a ministry. The total cost of ticket processing is \$43.2 million, so that is offset by the \$33 million. It covers 76.4 per cent of our costs.

Mrs. Fritz: Why is it so expensive? I know that people, you know, pay their fines online, many people, and I know that you have incentives for people to pay their fines early where there's a reduced cost.

Mr. Denis: Actually, there's not a reduced cost for paying fines early at the present time like there is with parking tickets. That's one of the things that we are examining.

Mrs. Fritz: Oh, okay. Where are you with that, Mr. Minister, with the examination of that?

Mr. Denis: As with the traffic tickets the whole idea around traffic court that we talked about this evening and in the public sphere: we're in the very early stages; nothing has been set in stone. But there are several things that I've talked about in some earlier questions that will not change such as the ability to dispute a traffic ticket, the ability to have counsel or an agent there. I just want to make it more accessible to the average person. I don't really think that it's accessible having it downtown, where you have to stand in a lineup. I've seen ridiculous, dozens and dozens of people waiting hours and actually having to pay for parking there. To me, that isn't in the best interests of access to justice.

Mrs. Fritz: How is the volume changing in terms of the numbers of tickets that are issued?

Mr. Denis: Currently there are 1.9 million tickets. There are 218,000 Criminal Code offences by comparison. I believe the volume has been going up.

Do you have an exact number for the last couple of years?

I can get that for you.

Mrs. Fritz: Thank you. I'd appreciate that.

Also, I wondered: what is the percentage of the uncollected fines for tickets?

Mr. Denis: I can get that for you as well. I don't have that here.

Mrs. Fritz: Okay. Thank you. I'd appreciate that as well.

I don't know if your ministry does this or if the municipality does, but does the ministry use the private sector to collect unpaid fines for tickets?

Mr. Denis: Not at the present time.

Mrs. Fritz: Have you considered that at all?

Mr. Denis: That's one of the things that's being considered as part of the whole review. That is one thing that's being considered. Thank you for your comment.

Mrs. Fritz: Okay. Thank you.

The other question that I had as well: I know you said that there aren't any inducements for pleading guilty, et cetera, but earlier you were mentioning a previous portfolio that you had where I know that you saw some individuals. I think you mentioned the homeless community and the housing and whatnot a bit earlier. Many of them may not be able to pay tickets that are issued. They collect the tickets, and the tickets add up, and then they're arrested, et cetera. The story goes on for unpaid fines. I wondered if you'd given any thought to giving judges the latitude to allow the courts to assess fines for tickets based on the ability to pay, given your experience.

9:15

Mr. Bodnarek: First, just to address the issue of people ending up serving time for outstanding tickets like LRT violations, we are working through the affected ministries, including Transportation and Service Alberta, on what is called our outstanding warrants project. There is a realization that using an arrest warrant to enforce outstanding fines for things like LRT, which are non motor vehicle related, which is the enforcement tool now, is not really proportionate to the offence committed. We'd like to move to other enforcement mechanisms similar to what we have with traffic-related offences, where we can withhold things like driver's licence renewal, vehicle registration renewal, and other government-related services that we can withhold as an enforcement tool rather than an arrest warrant. We're wanting to shift away so that the response is more proportionate to the offence.

With respect to your second question, on judges, can you just clarify what you're meaning by that?

Mrs. Fritz: Well, if they could have the latitude in the court, you know, when people are in to pay their tickets, if they can assess fines for the tickets based on the ability to pay. I would think that you've looked at that in past.

Mr. Lepp: In criminal matters that happens a lot, where the judge will actually inquire in terms of the person's ability to pay before imposing a fine and determining what the fine amount should be. On traffic tickets: you can imagine that with 1.9 million traffic

tickets per annum, most of which are paid right off the bat with the specified penalty, for somebody to pay a judge to determine 1.9 million times the ability of the person to pay and individualize the payment would be a bit of an administrative burden.

The endgame, as Deputy Minister Bodnarek pointed out, is that we recognize – and the example was given the other day of the unfortunate fellow that was in the remand centre because of unpaid LRT tickets and lost his life. That's just, in our sense, really not an acceptable outcome. Certain people are just not able to pay when tickets are imposed. It's a relatively small number of people, but the endgame is for one and all. If you have the ability to pay, then the goal would be to try and obtain that payment in a way other than exercising an arrest warrant and putting you in custody. We recognize that there may be some people in Alberta that simply don't have the ability to pay, but the default should not be that they end up in prison as a result.

Mrs. Fritz: I appreciate that. I was thinking, actually, that I've had constituents come – and some of my constituents actually come from First Nations that are east of Calgary and others from Strathmore, believe it or not. They come to my office because of where my office is located in northeast Calgary. I've had people come in that, you know, have a number of tickets that they were unable to pay, and it was based on the inability to pay. There's this large collection of tickets, and it's gotten into just a real merry-go-round of the whole justice system, and that's why I was asking the question.

Mr. Denis: I hear your comments, and thank you for that. At the same time, though, we also have to consider that everyone under the judicial system, including with traffic tickets, has to be treated the same. The punishment has to fit the crime. Maybe we could look at some other options. But at the same time there is a volume issue here, and most traffic tickets, unless you're dealing with things like careless driving, dangerous driving, do not carry punitive fines. Even our drunk-driving legislation doesn't carry fines.

Mrs. Fritz: Oh, thank you for that. That's where I was leading to next. Thank you.

Thank you very much, Mr. Chairman.

Mr. Denis: Mr. Lepp would like to make one more comment, please.

Mr. Lepp: It's something I should have mentioned at the outset. There is in this jurisdiction a fine-option program where people who can't afford to pay tickets, like you've mentioned, can opt to work them off instead of paying the tickets, and that's quite an effective alternative as well. That's been in place in Alberta for quite some time.

Mrs. Fritz: Thank you.

The Chair: All right. Thank you.

We'll go to Ms Notley, followed by Mr. Young.

Ms Notley: Thank you. I want to go back to where I was when the beeper went off last time, which was court services.

Mr. Denis: Can you tell me which page you're on, please?

Ms Notley: Page 168. I was looking specifically at item 2.2 and item 2.8. One is access to justice, where we've seen a \$3.3 million

cut, or 20 per cent, and the other is family justice services, where we've seen a \$1.9 million cut, also 20 per cent. I'm just wondering if you could tell us what services have been cut as a result of those changes.

Mr. Denis: Lynn Varty is going to take your question.

Ms Varty: No specific programs are being cut, but we're looking at how we integrate our programs and services so that we're more effective in our approach. Right now we have stand-alone LInC centres and we have stand-alone family law information centres, and we see combining those centres to offer effective services to all Albertans rather than having separate programs in separate areas. By doing that, we will be able to reduce our administrative cost, and that's where our savings will come from.

Ms Notley: Is that for both of the items, 2.2 and 2.8?

Ms Varty: That's right.

Ms Notley: Can you tell me, then, how many people are served in each of those?

Ms Varty: We have those statistics, but I don't have them right here.

Ms Notley: Okay. You can send them to me if you like.

Mr. Denis: We can do that.

Ms Notley: Yeah. Okay. That's great. It allows me to move on relatively quickly. Thank you for that.

All right. I did have one more question on that. By merging the two, does that mean that the number of locations of each of those services will change?

Ms Varty: No. In fact, we think we'll be able to enhance the services by offering a circuit type of service. Out of a base court like Grande Prairie we may actually be able to take our services to Valleyview because we'll have more capacity.

Ms Notley: Okay. I don't know. That's kind of strange. So a 20 per cent cut in both of them, and you think you'll be able to have more – will you be serving the same number of people?

Ms Varty: We actually think we'll be able to increase it. Again, it's through streamlining our administrative structure and actually putting the people on the ground to provide the service.

Ms Notley: All right. Thank you for that information. I look forward to getting the specific number served.

I had mentioned before that it's always a little bit complicated because, obviously, you guys interact quite a bit with Health. I'd like to ask you a question that relates to health in our corrections centres and see if you can answer it. I won't give you the page number because it is from the Health budget. Last year the Ministry of Health had budgeted \$33.9 million, basically, for health services in corrections, the incarcerated, and they only spent \$26.9 million, so there was essentially \$7 million of unexpended health care dollars in our corrections system. I'm just wondering if you can explain to me how that happened and why that might have happened.

Mr. Grant: No, ma'am, I can't. That would be a question for Health. Health actually establishes a clinic, essentially, in each of

the correctional facilities or the remand centres, and they provide all of the services, including mental health, addictions, and prescription services for the inmates. So it could have been a healthier group of inmates. It could have been any number of things. But you would have to address the specifics of that to Health.

9:25

Ms Notley: That's interesting. I mean, obviously, being in charge of those facilities, I'm sure you would have an opinion as to whether adequate mental health services are provided there. The budget is actually proposed to go up an additional \$10 million. Presumably, the population hasn't increased by whatever that would be, 20 per cent, overnight. So there's just really no co-ordination between you guys?

Mr. Grant: If I can, though, the fact is that there's a lot of co-ordination between us. At the end of the day we accept the service from Service Alberta.

Ms Notley: Or Health.

Mr. Grant: From Health. And those inmates in some ways are like a normal Albertan in that if you need the service, the service is provided, and then the bill is racked up.

Part of that could have been that we did delay in opening NERC by three months in this year. Again, I'm not sure what the figures are or the context for them, but it really is a question for Health.

At the end of the day are we getting the service for inmates and remanded inmates that is required, either in the institutions or, when required, when we take them to the hospitals? Yes, we are.

Ms Notley: Well, I think the federal ombudsman for people in prison would actually beg to differ. It's not you personally or our province specifically, but generally speaking, in prisons we've got a huge problem.

Mr. Denis: We apologize that we don't have further details, but we will not resign.

Ms Notley: All right. Okay. I wasn't there yet. I have been on other issues but certainly not there.

I'd like to go back, then, to ALERT. We talked about the fact that ALERT's budget has been cut, the Alberta law enforcement response team. They have had their budget cut by 17 per cent this year. There had been a big increase the previous year because they had depleted their accumulated surplus, but then now they're down by 17 per cent. I am curious. Given that that reduction did not impact the Integrated Threat and Risk Assessment Centre, what component of ALERT did this impact?

Mr. Grant: What's impacted are the 63 sheriff positions that are in ALERT right now. Those sheriff positions were in three specific areas. One is SCAN, which is the safer communities and neighbourhoods. The second area would be in surveillance, and the third would be in fugitive apprehension.

As I think I mentioned last night, ALERT is in the process of reviewing which core capabilities they need to protect. They're working on a plan, that my staff is helping them with, to try and figure out what they need to fund and how they will fund that, including potentially drawing on their reserve funds.

Ms Notley: I see. Then what's happened with the safer communities and neighbourhoods teams, then, if the sheriffs have been impacted there? Do we have fewer resources dedicated to that?

Mr. Grant: What ALERT is doing is looking at how they can reallocate their resources as required and potentially use their reserve funds to essentially hire additional people to do those resources. If they're not capable of doing SCAN, the safer communities and neighbourhoods, it is a mandated function that the police forces are prepared to assume, and they have talked about that issue.

Ms Notley: But we're not providing the police forces with any additional funding to take on that role.

Mr. Grant: No.

Ms Notley: What was the full amount of money that had been previously dedicated to the safer communities and neighbourhoods teams?

Mr. Grant: That would be in their annual report. We gave them a grant last year of \$39 million. This year it's been reduced by \$6 million approximately. Again, ALERT and the board of governors for ALERT are looking at that plan on a go-forward basis, at where they are going to invest their money to get the best results from all of the activities that they do now.

Ms Notley: Was there any consultation with the communities that rely most heavily on the SCAN teams?

Mr. Grant: I'm not sure. If there was that consultation, it would be through the members of the board, which are representatives of the major police forces in the province, who've contributed to ALERT.

Ms Notley: You said that there was surveillance that would also be negatively impacted.

Mr. Grant: Yes.

Ms Notley: What type of surveillance? Generalized surveillance of, you know, Official Opposition members?

Mr. Denis: We're not after you, okay? Typically, criminals. Criminal surveillance.

Mr. Grant: It really is people with specialized skills.

The Chair: Mr. Grant, we're all timed out for that 10. Thanks. We will go on to Mr. Young, followed by Mr. Wilson.

Mr. Young: Thank you very much. Your comment about alternatives for fines and the LRT: the current practice right now is that somebody gets a drunk-in-public ticket, and it's \$115, but it might as well be a million dollars for a homeless alcoholic. Of course, it goes to warrant. Then he gets picked up for the warrant, and then he shows up, is convicted in absence, and then it goes for a pay-or-stay warrant, and then it's \$115 or usually three days in the vault. Corrections say: "Three days? It's not even worth it." They go through the whole process of arresting this fellow after he's been to court three or four times, and then he simply just walks through after being searched and processed and everything else and walks out the back door. So there's clearly an opportunity for that, maybe even at the front end in terms of issuing the ticket, not only the process. I just wanted to comment on how that waste is happening.

Now, contract policing. I see it's 8.7, which is on page 169. That's \$192 million. Is that the RCMP contract, the PPSA?

Mr. Grant: Yes, it is.

Mr. Young: Okay. You mentioned earlier that there was an agreement in terms of – I'm not sure what the term is – a deal with the feds for funding as it relates to the sheriffs. We have that relationship. We get money from the feds for our sheriffs to do highway patrol. What about the affectionately called County Mounties or, you know, the municipal peace officers in Strathcona and Parkland? Are those all municipally funded? What revenue from tickets and stuff do they get? Is that within the provincial coffers?

Mr. Grant: I'll try and take those one at a time. Any RCMP working on a provincial status here: 30 per cent of their costs are covered by the federal government. So if they are covered under the PPSA, then 30 per cent of those costs are covered by the federal government, which is a good deal for us.

The sheriffs, specifically: for the last three years the sheriffs who are in the integrated traffic units were covered under a special MOU, and we received 30 per cent of their funding from the federal government. That will come to an end in May. That's the \$4 million that I spoke of previously. We will have to make up that difference, that 30 per cent, to continue to see the same number of sheriffs on the road.

Mr. Young: Isn't part of the contract to deliver a certain number of officers within those areas, whether they're sheriffs or otherwise? We're supplying the sheriffs, and they're paying us the 30 per cent. If we didn't do that, shouldn't they be providing RCMP to be doing the policing up and down the highways and byways?

Mr. Grant: The sheriffs were never under the PPSA. It was a one-time MOU that was signed between the assistant deputy minister of public security and his counterpart in Public Safety Canada.

Mr. Young: I guess what I'm saying is: were the sheriffs filling a gap that the RCMP couldn't fill, or is it a supplemental?

Mr. Grant: It was a supplemental.

Mr. Young: Okay. Thank you.

My second question is about the number of municipal peace officers who do the traffic in Parkland county and Olds and everywhere else, that has risen dramatically in the last 10 years in a sort of differentiated staffing model. Where do the monies come from for their salaries, and where does the revenue go?

9:35

Mr. Grant: They are paid for by the municipality that has determined their need, but any tickets they would write get put into the provincial pool, and it's the levies from those tickets that fund things like the victims of crime fund.

Mr. Young: Okay. Getting back to my previous theme about standards relative to the PPSA – and we could just take any town, Glendon or Olds or whatever it is – what is the minimum staffing that the RCMP are required to police now or the next hour or on a daily basis? Are there any standards relative to minimum staffing or response times that are outlined in the contract?

Mr. Grant: Those standards are not outlined in the contract per se. The commanding officer of K Division has the authority to move resources around the province to ensure that he has a consistent level of police presence. So he manages the deployment of his resources on a daily basis.

Mr. Young: So managing consistent deployment seems inconsistent when my previous question from yesterday was showing a huge disparity between the number of police officers per population, that ranges from 27 to 227. It doesn't really show consistency. What is the accountability? In the contract how much are we paying for? Are we just paying for this many RCMP in the province, or is it by area? How is it decided? I've had lots of people ask me questions about the level of service, where they're supposed to have this many officers and, I mean, on any given Sunday or other day of the week they aren't. Are we paying less when they're not delivering on what should be there? Or is it just one big invoice from the RCMP for \$226 million?

Mr. Grant: No. The short answer is that if they are understaffed, then we don't pay for those individuals, but the commanding officer of K Division does make decisions on the deployment of officers in part based on population, in part based on crime rate. He has the data, and we leave those operational decisions to him. If he does not have the number of officers that has been identified in the PPSA, then we don't pay for them.

Mr. Young: Okay. I'll just give an old example, not a current one. For the Vancouver Olympics we saw a mass exodus of RCMP and other officers to Vancouver. We were definitely below in the province. Were we paying less during that time like other joint forces operations and other transfers to wherever somebody's deployed to? I'm just concerned that we're not paying for the contracted amount but actually the delivered amount.

Mr. Grant: The short answer is no, we weren't. On the other hand, when we had the fires in Slave Lake and we had a huge number of RCMP officers working overtime, we didn't pay for that either.

Mr. Young: Okay.

Mr. Grant: So we believe it does balance out at the end of the day.

Mr. Young: That's a good recognition when you have emergencies and changes like that, but on a regular day-to-day basis failing to deploy the right number of resources, that's where I'm concerned; first, concerned that we're not paying for it but concerned that we should have that number in Athabasca or Glendon or wherever. How do we audit that?

Mr. Grant: We do have a branch dedicated to managing the contract. We do follow the personnel levels in K Division, so we do know how many people are on strength. We do know how many people we're actually paying for. But the RCMP have the same challenges that a lot of other employers have. They're never at 100 per cent. We encourage them to be as close to 100 per cent as possible, but if they're not at 100 per cent, then we don't pay 100 per cent of the contract.

Mr. Young: We hear a lot about the rural deployed Mountie who, of course, on Friday and Saturday nights gets pulled into the small big town, so those outer perimeters really have the challenges. I'm just wondering if there's any kind of audits or checks and balances there. If your department does audit them, how often do they do each detachment? Is this every six months? Is this annually? When was the last time Fort Saskatchewan would have been audited in terms of the standards we have in the province?

Mr. Grant: I would have to go back and check that for you.

Mr. Young: Typically what would be the regular . . .

Mr. Grant: I believe the cycle is every two years.

Mr. Young: Every two years. Are those available?

Mr. Grant: The results of the audits? I'd have to check. I don't believe we release the results of the audits because there is some security information that would be involved in those. We don't just audit the number of officers. We audit the entire activity of the police force.

Mr. Young: Okay. There's a lot of anecdotal stuff where people say: I never see a cop except at a donut shop.

Mr. Denis: We see you here. Don't worry.

Mr. Young: We've got binders of cops.

The Chair: Thanks for putting that on the record for us, Mr. Young. I appreciate that.

All right. We'll go with Mr. Wilson and then Mr. Goudreau, and then we'll see how our time is going.

Did you want to go back and forth?

Mr. Wilson: Yes, please, Mr. Chair. Thank you.

First off, I just want to thank all of the staff for spending two nights with us here. You've been willing to engage with professional and sincere responses to some tough questions, so I thank you. I think it is unfortunate that the minister has failed to meet the same standard of respect that you've demonstrated here, but I'm hoping he'd like to correct himself.

Mr. Denis: Point of order. Pursuant to Standing Order 23(h), (i), and (j) the Member for Calgary-Shaw has imputed false motives as well as language that would likely be disruptive, and I would ask that he please withdraw his unduly caustic and self-serving remarks.

The Chair: All right.

Mrs. Fritz: I agree with the minister. It's been a long time. There's only 20 minutes left out of the six hours, Mr. Chairman, and the minister and his staff have been absolutely totally amazing in answering all of these questions, and I think he should be respectful of that.

The Chair: All right. Mr. Wilson, I think you're prepared to withdraw.

Mr. Wilson: I will withdraw.

I would like to direct your attention to three documents, and I will give you time to find them: page 54 of the business plan, page 168 of the budget estimates, and I'm also going to just reference briefly page 5 in the PC Party platform during the last election.

Where I want to go is the safe communities program. In the election platform document your leader suggests that she would "implement the Safe Communities program to deliver positive outcomes for Albertans in our neighbourhoods, communities and on our streets." In your business plan your number one goal – and perhaps this does not denote priority – is: Alberta's communities

are safe and secure. In the budget document line item 5 is titled Safe Communities, and every dollar from it has been cut. Can you help me understand what can really only be described as a major disconnect between these three documents?

Mr. Denis: Well, the major disconnect is in all of your verbiage, Mr. Wilson. First off, you talked about safe communities. One thing I'm very proud of is actually that there's very strong overall confidence in the justice system. If you look at 2003 to 2011, the question is: how much confidence do you have in the justice system? And 750 random responses – actually legitimate polls, something you might be able to learn from. In the last year, 2011-2012, 81 per cent said that they either had a lot of confidence or some confidence in the system. I think that that's something that we can be very proud of. That is a very strong performance metric in and of itself.

Mr. Grant had a couple of comments here.

Mr. Grant: Just to go back to some of the earlier comments that I made, the safe communities program was designed to be a three-year pilot which introduced some new concepts, some new ways of doing business. From our perspective, we're continuing to honour those three-year commitments for those projects, and we are trying to learn from them and determine those things that we can do better.

Mr. Wilson: Certainly. With respect, I'll move to my next question because it kind of does speak to that. Moving specifically to the safe communities innovation fund, I know that you have said that it was a three-year funding arrangement, that they were pilot projects only, and that the intent was to have these organizations secure their own funding to allow for them to continue to operate after the program had ended. But can you help me understand why you would end programs that your own ministry has claimed have provided value such as Servants Anonymous' SAFE program, which not only received a community crime prevention award in 2012, presented directly by the minister, but was able to demonstrate an average social return on investment of \$8 saved for every dollar invested?

Mr. Denis: First off, I want to thank this member for his commitment to trying to end or reduce domestic violence. That should not be a partisan issue, and I sincerely thank him for that.

9:45

As I mentioned earlier, Alberta has a civil forfeiture office, and we have indicated to many of these previous recipients from previous programs that they're welcome to apply under this particular program. Over the last five years, again, \$27 million has been taken away from organized crime and distributed to organizations. I'm not going to comment on individual applications, but that is something that is definitely available.

I thank you again for your concern in the organization you mentioned in eliminating and reducing domestic violence. It's very admirable.

Mr. Wilson: Well, thank you. Just out of curiosity, did you track sort of the average return on investment, social return on investment that that fund generated?

Mr. Grant: Because some of the projects are still ongoing, that work is still taking place. We still have staff who are looking at those projects to determine the social return on investment.

Mr. Wilson: Is there a general average that you notice since the start of the fund – we're a couple of years in now – 10 to 1, 5 to 1, 2 to 1?

Mr. Grant: My memory is weak, but I would say that it's between 5 and 10 to 1.

Mr. Bodnarek: I think it's closer to 7 if we were to look at an average, but we are still doing the social returns on the ones that have not completed.

Mr. Wilson: I guess I'm trying to get an understanding of why you would cancel every one of them. Again, I understand that it was a three-year commitment, but when there's a demonstrated value to taxpayers – preventing crime, saving you money on the back end – why would every one of them with just a blanket cut be axed?

Mr. Denis: As we had indicated, we fulfilled our commitment over three years. I'm somewhat shocked, actually, that for once I'm getting a request from the Wildrose to spend more money. I thought you wanted our budget reduced.

Mr. Wilson: Well, with respect, I think that, you know, as much as we are mindful of taxpayers' dollars, I do believe that there is certainly value in crime prevention when it does on the back end save taxpayers' dollars, which is what the intent of these was. Without politicizing the issue further . . .

Mr. Denis: You'd never do that.

Mr. Wilson: Of course not.

You know, your deputy ministers have both spoken of the legacy that the fund will have and the data you were able to collect from it. What exactly do you plan to do with the data? How will it translate into safer communities if the ministry currently is unwilling to spend money and invest in programs that have already proven to provide a high return on investment for Albertans?

Mr. Bodnarek: I'll speak to that. First off, we've already alluded to the fact that the pilot projects were three-year grant funding. Some actually did get additional funding, bridge funding, so some got up to four years. Each project was advised that they had to have a sustainability plan as part of their initial application, so we will be supporting those project recipients in finding other sources. I know that some of them are looking at other government ministries like Human Services. Others are looking at community-based organizations and policing organizations, and where they're showing high potential, there is an interest even with policing organizations to continue some of these innovative crime prevention programs. So we are not expecting all of them to just close up shop, and we are doing what we can with the staff to help in that regard. We're not expecting each and every project to close their doors. I'd start with that.

The second relates to: what do we do with the information? As part of any good program management we are going to ensure that we do a full audit of each of those programs. We will do a full evaluation of each of those programs, and we will catalogue that information. We have, then, access to that information to share with our partners in the communities, with policing organizations, and with other ministries, and of course it will inform our policy and program decisions as well.

Mr. Wilson: Okay. Great.

Just quickly on the 88 additional beds that were mentioned as part of that legacy, were those able to be sustained through funding that the organizations found elsewhere? Is that why that's part of that legacy?

Mr. Grant: That's a question that would have to be directed to Health just to confirm if they had maintained those beds.

Mr. Wilson: Okay. Fair enough.

Has your ministry directly had conversations with other ministries about how you could continue to fund some of these high-value organizations?

Mr. Bodnarek: I can say that we meet as a social group, the family and communities group of deputies, which includes the big players like Human Services and Health, and we have been having discussions around the safe communities initiative and how we can support elements of that program through other ministries. We've started those discussions at the deputy minister level.

Mr. Wilson: Okay. Great. Thank you.

I'm going to just sort of turn a corner here and talk about, again, the electronic monitoring that's been changed. I believe it's either line item 9.1 or 9.4 if you wanted to look at that, but I'm not really speaking specifically to numbers.

Mr. Denis: What page are you on, please?

Mr. Wilson: One of the two pages that we referenced here, 168 or 169.

Mr. Denis: Just a second, please. Which line item are you referring to, please?

Mr. Wilson: Truthfully, I'm more concerned about the evidence that your ministry has that would suggest that a curfew phone call will be a sufficient replacement for GPS ankle monitoring.

Mr. Grant: The discussion we had last night really is about: what is the follow-on solution to that? We're still in the process of looking at that right now. Part of the discussion we had last night is that electronic monitoring right now really tells you if a person has returned to their residence. It's not GPS tracking.

The Chair: All right. Thank you.

Now Mr. Goudreau, and I think that will probably do it for tonight.

Mr. Goudreau: Well, thank you, Mr. Chairman. I want to go back. Dr. Brown and Ms. Notley talked about legal aid, Minister, and I just wanted to clarify a few things. Is it my understanding that the \$7 million is a one-time injection of money this year?

Mr. Denis: Actually, it was for the last calendar year, which ended on March 31. There was a surplus due to efficiencies that we repeatedly found throughout our entire ministry. Again, I'm very proud that this is the third budget I've had that has gone down, showing accountability for the taxpayer's dollar. We wondered where we would put that \$7 million. We put it towards Legal Aid, which, in my opinion, goes a long way towards improving access to justice for Albertans who cannot afford a lawyer.

Mr. Goudreau: So does that allow you to catch up on some of the needs?

Mr. Denis: Legal Aid is a fully independent body, and they'll decide where it goes best. They also have a reserve fund. I had spoken with their president, Jacqueline Schaffter, who operates out of Camrose, and she'd indicated to me that a good portion of that would be used to beef up their reserve fund for this year. Again, it's the best we can do in the current times. But I feel that that \$7 million is well placed with Legal Aid.

Mr. Goudreau: I've got a lot of families that are very, very high-income earners, but I've got a pile that are fairly moderate- to low-income earners as well, and they feel they cannot access legal services because of the cost. They're just slightly above the margin and don't qualify for legal aid. I'm just wondering if you're considering changing the qualifications for legal aid. I know it's a tough one in that sense. But I've got a pile of people that would like to have access to legal services, and they can't afford it. Their income is just above the threshold so that they can't afford legal aid.

Mr. Denis: I can appreciate, having been in private practice for eight years, that legal services can be cost prohibitive to people, particularly people who are most in need, that you've identified. Again, Legal Aid is a self-governing organization. It's up to them to decide the criteria.

One common misconception about legal aid is that legal aid is free. Legal aid is not free. They'll often take assignments of proceeds of actions if it's a family organization, or if it's a criminal law matter, they'll often require some partial payment along the way as well. Legal Aid relies upon lawyers who sign up to receive legal aid certificates. It is quite a program. But I would say that, especially in the criminal justice system, if we didn't have Legal Aid, you'd be dealing with a significant amount of self-represented clients, which would bog down the system. They provide a service that benefits the courts, benefits individuals, and, frankly, benefits the taxpayer as well.

Mr. Goudreau: Again, can you comment, then, on the thresholds involved and whether or not you've got influence on the organization providing legal aid services?

Mr. Denis: With no disrespect intended, we do not have any input on the thresholds that they establish whatsoever.

Mr. Goudreau: Okay. Maybe to change directions a little bit, Minister, you've talked about your separation from prosecution even though you're the Attorney General. I understand that we can't allow political interference in specific criminal cases. I think it was talked about a little bit there over the last couple of days that the justice system is certainly under some stress, and it's important to find other ways to address criminal matters. I have a hard time with the assertion that you'll not allow your prosecutors to pursue criminal charges against those who commit minor property charges.

9:55

Mr. Denis: I must correct that. That is actually incorrect. The only person that suggested that was the Member for Lac La Biche-St. Paul-Two Hills. In fact, there's always a consequence to crime in Alberta. We've often used alternative measures, and never has it been our business plan that you get one or two crimes off before you actually get prosecuted. It is up to the prosecutor whether he

or she decides to pursue a charge. That is in their discretion, and there's no political interference in there whatsoever.

Mr. Goudreau: Okay. Certainly, I'm really concerned that they may walk away with no penalties at all and be sort of encouraged to keep on.

Mr. Denis: Me too, and that will not be case. That's not the type of justice system that we want in this province.

Mr. Goudreau: What impact does this have on your court case volume?

Mr. Denis: The court case volume we expect to continue increasing as the province continues to grow. There were a hundred thousand people that moved here last year and with that, unfortunately, do come a higher number of aggregate offences. That's why we have not reduced the number of Crown prosecutors despite the budgetary issues, and we continue to increase the number of judges, with two more judges this year. I believe there was one new appointment near your riding a few months ago.

Mr. Goudreau: Yeah. I guess it's trying to balance things with petty crimes and serious crimes. How do you achieve that balance?

Mr. Denis: It's a very difficult balance. One thing we'll never consider is establishing a red-light district in Alberta as has been discussed by the Leader of the Opposition. That's not on the edge at all.

Mr. Saskiw: Point of order, Mr. Chair.

The Chair: All right. We have a point of order.

Mr. Saskiw: Under 23(h), (i), and (j). The hon. Justice minister continues to refer to the Leader of the Official Opposition. Of course, we didn't want to take away anyone's time because there's limited time here, and it should be for discussing estimates. Not only is it a point of order in terms of the standing orders under section 23; it's simply not relevant to budget estimates what the position of an opposition party is, and in this case it's an incorrect statement of the position of an opposition party. It clearly isn't relevant to these proceedings.

What happens here is that by making these statements, it causes disruption. It disparages members of other parties. I'd ask that in these circumstances, given the fact that it's clearly not the position of the Wildrose Official Opposition, the hon. minister do the right thing and withdraw the comment.

Mr. Denis: Mr. Chair, I refuse to withdraw the comment.

Mr. Saskiw: He hasn't ruled yet.

The Chair: If you'd like to speak to the point of order, that's fine.

Mr. Denis: I'm trying to make my submission. I listened to you; you listen to me now.

The Chair: Go ahead.

Mr. Denis: In 2003 the Leader of the Opposition wrote an article indicating that that was her position. She has not recanted her position personally since that time. Mr. Chair, truth is an absolute defence.

We were discussing the issues of prosecutions and the issue about how we're going to balance priorities, and we will not

consider that proposal. That is an exactly relevant issue as to what we would do in this province, and I will not withdraw those comments.

The Chair: Anybody else on the point of order? Mary Anne, do you wish to speak to the point of order?

Mrs. Jablonski: Thank you. I think there are two issues here. One is: did he make a true statement? That's one issue. The other issue is: even if it is a true statement, is it relevant to the budget?

The Chair: Mr. Goudreau, would you like to speak to the point of order?

Mr. Goudreau: Well, you know, I fail to recognize that the two are related. Certainly, I appreciate the fact that the minister is using that as an example to try to emphasize the need to deal with various crimes in the province of Alberta. Adding other activities

in the province adds to the need for additional policing, so I can appreciate his comments.

The Chair: All right.

Mrs. Towle: As the hon. Member for Red Deer-North said, there really are only two questions: is it relevant, and does it have to do with budget? Clearly, it doesn't.

The Chair: All right. Well, I think I don't see a point of order.

I thank everybody for their participation this evening. I'd like to remind everybody that this committee needs to be back in this room 10 hours from now, on April 10, which will come very quickly, to consider the estimates for the Ministry of Human Services. The meeting is adjourned.

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

