



Legislative Assembly of Alberta

The 29th Legislature
First Session

Standing Committee
on
Families and Communities

Ministry of Justice and Solicitor General
Consideration of Main Estimates

Wednesday, November 18, 2015
9 a.m.

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First Session**

Standing Committee on Families and Communities

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Smith, Mark W., Drayton Valley-Devon (W), Deputy Chair

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Standing Committee on Families and Communities

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Ministry of Justice and Solicitor General

Hon. Kathleen T. Ganley, Minister

Philip Bryden, QC, Deputy Minister

Curtis Clarke, Associate Deputy Solicitor General

Gerald Lamoureux, Assistant Deputy Minister, Corporate Services

9 a.m. Wednesday, November 18, 2015

[Ms Sweet in the chair]

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

The Chair: Good morning, everybody. I'd like to call the meeting to order and welcome everyone. I'm Heather Sweet. I'm the MLA for Edmonton-Manning and the chair of the Families and Communities Committee.

The committee has under consideration the estimates of the Ministry of Justice and Solicitor General for the fiscal year ending March 31, 2016.

I'd ask that we go around the table and introduce ourselves for the record. Madam Minister, if you could please also introduce your staff when it's your turn. We will start with Mr. Ellis.

Mr. Ellis: I'm Mike Ellis, MLA for Calgary-West. With me is my assistant, Terri Kemball.

Mr. Orr: Ron Orr, MLA for Lacombe-Ponoka. Good morning.

Mr. Cyr: Scott Cyr. I'm the MLA for Bonnyville-Cold Lake and the shadow minister for Justice and Solicitor General. My colleague to my left is Bill Bewick, who is one of our policy managers, and Shannon Hamelin is my legislative assistant.

Ms Ganley: I'm Kathleen Ganley. I'm the Minister of Justice and Solicitor General and Minister of Aboriginal Relations. To my left is Philip Bryden, Deputy Minister of Justice and Deputy Solicitor General. To my right is Dr. Curtis Clarke, associate deputy Solicitor General; Gerald Lamoureux, assistant deputy minister, corporate services; and Brad Wells, who is seated behind me, is the senior financial officer.

Also seated behind me are Eric Tolppanen, assistant deputy minister, Alberta Crown prosecution service; Fiona Lavoy, acting assistant deputy minister, correctional services; Rae-Ann Lajeunesse, assistant deputy minister, justice services; Frank Bosscha, assistant deputy minister, legal services; Faye Morrison, acting assistant deputy minister, resolution and court administration services; Bill Sweeney, assistant deputy minister, public security; Nichole Laforce, acting deputy director of human resources; Matt Barker, executive director, policy and planning services branch; Dan Laville, director of communications; Derrick Gugulyn, director of financial planning.

Mrs. Littlewood: Jessica Littlewood, MLA, Fort Saskatchewan-Vegreville.

Ms McPherson: Good morning. I'm Karen McPherson, MLA for Calgary-Mackay-Nose Hill.

Ms Luff: Good morning. Robyn Luff, Calgary-East.

Mr. Shepherd: David Shepherd, Edmonton-Centre.

Mr. Westhead: Cameron Westhead, Banff-Cochrane.

Mr. Hinkley: Bruce Hinkley, Wetaskiwin-Camrose.

Ms Payne: Good morning. Brandy Payne, MLA for Calgary-Acadia.

Mr. Smith: Mark Smith, Drayton Valley-Devon, vice-chair.

The Chair: Thank you very much.

If we could please note that the microphones are operated by *Hansard*, and we'd ask that BlackBerrys, iPhones, et cetera, be turned off or set to vibrate or on silent and not be placed on the table as they may interfere with the audiofeed.

Hon. members, the standing orders set out the process for consideration of the main estimates. Before we proceed with consideration of the main estimates for the Ministry of Justice and Solicitor General, I would like to review briefly the standing orders governing the speaking rotation. As provided for in Standing Order 59.01(6), the rotation is as follows. The minister or the member of the Executive Council acting on the minister's behalf may make opening comments not to exceed 10 minutes. For the hour that follows, members of the Official Opposition and the minister may speak. For the next 20 minutes the members of the third party, if any, and the minister may speak. For the next 20 minutes the members of any other party represented in the Assembly or any independent members and the minister may speak. For the next 20 minutes private members of the government caucus and the minister may speak. For the time remaining, we will follow the same rotation just outlined to the extent possible; however, the speaking times are reduced to five minutes as set out in Standing Order 59.02(1)(c).

Members may speak more than once; however, speaking times for the first rotation are limited to 10 minutes at any one time. A minister and a member may combine their time for a total of 20 minutes. For the final rotation, with speaking times of five minutes, once again a minister and a member may combine their speaking time for a maximum total of 10 minutes. The speaking rotation is set out in the standing orders, and members wishing to participate must be present during the appropriate portion of the meeting. Members are asked to advise the chair at the beginning of their speech if they wish to combine their time with the minister's time.

If members have any questions regarding speaking times or the rotation, please feel free to send a note or speak directly with the chair or the committee clerk about the process.

Three hours have been scheduled to consider the estimates of the Ministry of Justice and Solicitor General. With the concurrence of the committee, I will call a five-minute break near the midpoint of the meeting. The clock will continue to run throughout the break. Are members in agreement with this process? We're all in agreement? No objections? Thank you.

Committee members, ministers, and other members who are not committee members may participate. Ministry officials may be present, and at the direction of the minister officials from the ministry may address the committee. Members' staff may be present and, space permitting, may sit at the table or behind their members along the committee room wall. Members have priority for sitting at the table at all times.

If debate is exhausted prior to three hours, 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 noon.

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

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

The vote on the estimates is deferred until consideration of all ministry estimates has concluded and will occur in Committee of Supply on November 23, 2015.

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. The vote on amendments is deferred until Committee of Supply convenes on November 23, 2015. Amendments must be in writing and approved by Parliamentary Counsel prior to the meeting at which they are to be moved. Twenty copies of amendments must be provided at the meeting for committee members and staff, and the original must be provided to the committee clerk.

I would now like to invite the Minister of Justice and Solicitor General to begin with her opening remarks. You now have 10 minutes.

Ms Ganley: Thank you. My ministry helps to ensure that Albertans can live in safe and resilient communities and have access to a fair and innovative justice system. Safe communities are a top priority for the ministry. Through work with partners in policing, the courts, Health, Human Services, and our communities we can ensure that Albertans have access to services they need to support their families, which the evidence shows is the best way to prevent crime. It's critical that the ministry deliver client-focused programs that are accessible, affordable, efficient, and timely.

Our business plan supports the ministry's vision of ensuring that we have an open and responsive justice system that works for and supports all Albertans and reflects our current evidence and values. My ministry's goal is focused on outcomes. Specifically, they include that Alberta's communities are safe, secure, and resilient; that Alberta has a modern justice system that enables timely and appropriate outcomes; ensuring fair process for Albertans and the security of our province through effective use of custody and community supervision of offenders.

Our core business is supporting law enforcement and crime prevention, providing prosecution services, delivering programs and services to victims of crime, promoting safe communities, providing resolution in court administration services, providing legal and strategic services to government, providing secure custody and supervising and facilitating rehabilitative opportunities for individuals under corrective authority, providing accessible front-line justice services.

This year our ministry's consolidated operating expense budget is nearly \$1,361,000,000. We received a net increase of about 2.1 per cent, or \$28.4 million, over the 2014-15 actual. That is to offset items such as the reopening of the Calgary Young Offender Centre and to comply with staff settlements. In order to address these and other cost pressures, the ministry has made significant internal budget reallocations, maintained a number of position vacancies, worked hard to be more efficient and innovative in managing operations. We are looking closely at our programs and services to identify changes that will increase efficiency while preserving core programs that Albertans need. We have a responsibility to protect core services while being prudent stewards of the tax dollar.

I will now provide an overview of how Budget 2015-16 is being used to protect Albertans and support community safety and resilience.

Correctional services. This division provides secure custody of sentenced and remanded adults and young offenders. The division also provides court-ordered community supervision of individuals both pre- and postsentence. For 2015-16 correctional services is budgeted at \$267.3 million, about a \$1 million, or 0.4 per cent, increase from the 2014-15 actual. This increase is primarily due to reopening the Calgary Young Offender Centre. In May our government announced it would reverse the decision of the previous government to close this facility. I am pleased we were able to make this change that will keep young people in their communities and close to their families, where they will have the

best chance of being supported in making better choices in the future.

9:10

As you can see, the budget for this division is up almost \$12 million when we compare the 2015-16 estimate to the 2014-15 budget. This is a projected shortfall in funding as a result of operational demands related to rising inmate populations. The main cost drivers in this area are population and inflation. For this year funding was reallocated from other divisions within the ministry to help address this shortfall. In the short term costs are being addressed in a variety of ways, including managing vacancies. As population increases, my ministry will work to address this increasing pressure by ensuring that we use expensive remand resources only when they are helpful and necessary.

The Alberta Crown prosecution service prosecutes all offenders under the Criminal Code of Canada as well as the Youth Justice Act and provincial statutes in all courts of the province and the Supreme Court of Canada. This division's budget is \$92.7 million, a decrease of \$4.4 million from the 2014-15 actual, or about 4.5 per cent. This will be addressed primarily by delaying some work on expanding the court case management initiative. The constraint was necessitated by the increasing corrections budget. The division continues to work on initiatives with resolution and court administration services to make processes more efficient as we work to increase access to justice for Albertans. We've seen some success through these efforts. For example, time of trial for adult criminal trials at the Provincial Court level has decreased by 9 per cent from the 2014-15 year.

Moving on to the justice services division, key areas the division is responsible for are the maintenance enforcement and child support recalculation programs, grant funding for legal aid, the office of the Chief Medical Examiner, motor vehicle accident claims and recoveries, the civil forfeiture office, and the Property Rights Advocate. The division's budget is \$43.4 million, an increase of \$0.6 million, or 1.5 per cent. The increase is being used primarily to reinstate funding for the civil forfeiture office, which was reduced in Budget 2014-15.

Motor vehicle accident claims is a statutory program, and its budget is reported separately in the estimates. Its budget is \$21.2 million. This primarily represents payouts for Albertans injured in motor vehicle accidents by people without insurance.

The justice services division is also responsible for the grants to Legal Aid, which ensures that low-income Albertans have access to legal services. Legal Aid Alberta submitted its budget requests, and we are providing what was requested for this year. This budget is \$66 million, an increase of almost \$7.2 million compared to last year's estimate. This increase includes an additional \$5.5 million, which was provided to Legal Aid Alberta in October 2014. This funding was for Legal Aid to increase the eligibility threshold and allow for more low-income Albertans, including those on assured income for the severely handicapped, to qualify to access legal aid.

Funding for legal aid is provided by the provincial and federal governments and the Alberta Law Foundation. More than 80 per cent of the annual government funding is provided by Alberta. Since 2005 Alberta has more than doubled its funding for legal aid. The federal government funding has stayed about the same, and the funding from the Alberta Law Foundation has declined due to interest rates.

Supporting the work of my department is the ministry support services division. This division includes various corporate functions such as information technology, financial services, planning and policy, human resources, and communications. Its budget for 2015-16 is \$63.3 million, a \$0.3 million increase from

the 2014-15 actual. This increase is due in part to higher software licensing costs incurred to reflect actual computer utilization in the ministry. There is also an internal reallocation of funding for staff moved from various divisions to the Justice and Solicitor General Training Academy.

Moving to the legal services division, it consists of two branches. Civil law provides legal services to all government of Alberta ministries and represents them in matters before the courts and tribunals. The Legislative Counsel office drafts government public bills, regulations, and orders in council. This division's budget is \$55.5 million, an increase of \$0.1 million. The increase is primarily for a legal service protocol agreement, which operates on a cost-recovery basis.

Moving on to public security, this division is responsible for contract policing with the RCMP, as Alberta's provincial police service; the Alberta Serious Incident Response Team, or ASIRT; the Alberta law enforcement response teams, or ALERT; First Nations policing; police oversight and policing standards; enforcement officers, including sheriffs, fish and wildlife officers, conservation officers, and commercial vehicle enforcement officers; the Alberta first responders radio communications system; crime prevention; and the victims of crime fund and associated programs and services to support victims. This division's budget is \$500.3 million, or roughly half a billion dollars, an increase of almost \$20.8 million, or 4.3 per cent. This increase will primarily be used for funding the Alberta first responders radio... [Ms Ganley's speaking time expired] Okay. We're out.

The Chair: Thank you, Minister. You've used up your 10 minutes.

We'll now move into the first 60-minute rotation with the Official Opposition, which, I believe, is Mr. Cyr. Will you be going back and forth and sharing your time?

Mr. Cyr: Yes.

The Chair: Okay. Minister, you're in agreement with that?

Ms Ganley: Yes.

The Chair: Please go ahead.

Mr. Cyr: All right. Thank you, Madam Chair. I'd like to take a moment to thank Minister Ganley and all of the staff from Justice and Solicitor General for being here today.

Ms Ganley: Thank you.

Mr. Cyr: I would also like to congratulate Mr. Philip Bryden on his new role as the Deputy Minister of Justice and Solicitor General and thank him for his staff being here as well today.

Mr. Bryden: Thank you.

Mr. Cyr: The reason we're here is to ensure that there's transparency in the process, putting victims of crime and vulnerable citizens first, ensuring our police force has the right tools to use to maintain public safety, and to the best of our ability ensuring that our justice system is fair and holds those who are guilty accountable for their actions.

Minister, we have a lot of ground to cover today, and if at any point I've asked a question and I do interject, please don't take offence. I don't mean offence, but at that point I've gotten the information I've been looking for. In an effort to move this smoothly, I would ask that you give me a little bit of leeway there.

To get right into it right off the bat, I would like to start with the estimates, page 182. This is ministry support. Under line 1, ministry

support services, can you please tell us today how much your office spent on severance pay after letting the previous office staff go after the election on May 5, 2015?

Ms Ganley: Okay. As a result of severance as well as vacation payouts resulting from the change in government, as of September 30, 2015, approximately \$286,000 was paid out.

Mr. Cyr: Thank you, Minister.

I have a few questions about how Justice manages its FOIP office. Can you confirm that line item 1.6, information management and technology services, holds the FOIP program?

Ms Ganley: Yes. It does.

Mr. Cyr: Okay. My second question: is the FOIP office in Justice appropriately funded and staffed?

Ms Ganley: We believe that it is appropriately funded and staffed. I mean, obviously, requests will sort of come in at various times, so sometimes the volume of work that they have will be greater than it is at other times. But, yes, we believe it's appropriately staffed.

9:20

Mr. Cyr: Thank you, Minister.

I ask this because the Wildrose caucus has two FOIP requests outstanding from 2013 and two from 2014. We're being told that they're still in process. My question is: what's the holdup in your FOIP office? Again, is it because we're underresourced, staff turnover, or are there just obstacles that I'm not aware of within the office that are holding up these FOIPs?

Ms Ganley: I'm going to have to undertake to get back to you on that one. Obviously, I wasn't around in '13-14, so I'll have to figure out where those are in the process.

Mr. Cyr: I appreciate that. Thank you very much, Minister. Will you get back to me with a memo or something along those lines?

Ms Ganley: I believe we typically provide written responses to the entire committee.

Mr. Cyr: Fair enough. Thank you.

On the same page can you please explain to me what all is included in 2.2, access to justice?

Ms Ganley: That provides for the law information centres, the Alberta law libraries, transcript management services for the division, and civil mediation. There are law information centres in Grande Prairie, Edmonton, Red Deer, and Calgary. They provide assistance to self-represented litigants. Alberta law libraries maintain legal reference libraries for the judiciary, Justice and Solicitor General, and the public, so there's shared funding. Those libraries are actually, I think, a really fantastic resource for the public because they have librarians in there who can sort of point them to resources that they need when researching a claim. Civil mediation is established in select courthouses of the Court of Queen's Bench and the Provincial Court locations in Edmonton, Red Deer, Calgary, and Lethbridge. Yes, those are most of the things covered. I could go on if you like.

Mr. Cyr: No. Thank you very much. You answered my question.

In your business plan it's discussed how the ministry is going to review the structure and talk to stakeholders. When coming up with your budget, did you take time to talk with the Crown prosecutors across Alberta to see how and in what ways the system is bottlenecking in such a serious manner?

Ms Ganley: Well, we are working with the Crown prosecution service on ensuring timely results. I said in my opening speech that it was about a 9.7 per cent reduction, I believe, in lead times in court. There are a number of initiatives that are contributing to that. We have a remote scheduling system that allows Crown prosecutors to be scheduled. It used to be the case that, you know, if someone went in to schedule a matter, sometimes the information that a previous trial had settled or been cancelled wasn't conveyed. Now they can see that in real time, so it creates a little bit more even scheduling, particularly in rural locations, where we have fewer Crown prosecutors.

We're also working with the prison system to make sure that everyone has the appropriate information so that files, when they come before the court, can proceed and to make sure that everyone is sort of resourced in such a way that they're able to move ahead with matters. I mean, obviously, in individual cases there are going to be variances, but we are certainly alive to that issue and working to address it.

Mr. Cyr: Okay. Is this something that your department, I guess, is addressing right now, or was this something that the past government was working on and you just kind of took over the helm on that?

Ms Ganley: Well, I think that regardless of political lines we can all agree that making sure that justice is delivered in a timely way is very, very important. I think that the initiatives have in many cases sort of continued on. I think that, you know, remote scheduling and making sure that everyone's time is managed efficiently is something that doesn't really divide along political lines.

Mr. Cyr: Fair enough. Thank you very much.

Can we go to page 183 now, line 7.1. I see that you have almost doubled program support. What is included in that, and why did it almost double, from \$624,000 to \$1.2 million?

Ms Ganley: Okay. So from Budget 2014-15 we have a \$0.5 million increase. It's primarily due to the transfer of the information technology budget from ministry support services for divisional purchase of hardware, software, and Service Alberta costs. Essentially, what we've done across the ministry is that we've moved the cost of information technology into the divisions so that they can manage that themselves. Essentially, it's a reallocation to cover those information technology budgets.

Mr. Cyr: Thank you very much.

I see that you're holding the line on the Law Enforcement Review Board. Would you please tell me if this is the same board that will be reviewing any of the recommendations for the RCMP from the High River flood?

Ms Ganley: The Law Enforcement Review Board normally deals with discipline in individual officer cases. So if somebody makes a complaint about a police officer and it isn't resolved through the process or one or both of the parties is unsatisfied with the resolution that has occurred through the process, it moves up to the Law Enforcement Review Board. I don't understand that they would deal with those sorts of recommendations in terms of the RCMP. I think they just deal with individual officers.

Mr. Cyr: Okay. Thank you very much.

All right. Another area of concern is line 7.4, the policy and program development. Why is there such a huge increase? Please explain what all is included in this line item.

Ms Ganley: To answer first your question about the increase, the increase is primarily due to an increase in the biology casework contracts. Essentially, police services contract to a lab in Winnipeg, which is run by the RCMP, for things like DNA processing and a whole bunch of those sorts of biological services. There was a 10-year contract that held that at a certain amount, and now, that 10-year contract having ended, we're being charged for the actual costs of the services being provided. So there's been a significant increase. However, you know, it's really critical that our police partners have access to those lab services, so we'll pay what the actual costs are.

In terms of total things covered, they also co-ordinate divisional initiatives, participate in federal-provincial-territorial working groups related to crime control and community safety issues that may involve legislative programming or policy implementation for law enforcement divisions. These meetings are really critical in the sense that the Criminal Code, obviously, is in federal jurisdiction, so it's really important that we be able to communicate the things we need to to our federal partners.

They provide strategic research analysis and evaluation support on divisional initiatives relating to policing, law enforcement, victims' issues, and crime prevention. They're responsible for development, implementation, and support of specialized public safety programs such as family violence policing initiatives; DNA legislation and programming; gunshot and stab wound legislation; the Sex Offender Information Registration Act; Amber Alert; proceeds of crime; and policing programs related to illicit drugs, high-risk offenders, and child sexual exploitation.

It also includes the priority prolific offender program, which is responsible for identifying and designating prolific offenders, and providing Crown prosecutors with comprehensive bail packages. The crime prevention and restorative justice unit provides community support and awareness for grassroots crime prevention and restorative justice programs, ensuring that the communities have opportunities to participate in the justice process and are empowered to address local crime concerns. In working with our justice system partners, the unit provides educational materials, resources, and training opportunities for interested not-for-profit organizations, aboriginal and municipal governments throughout the province of Alberta, and the biology casework analysis, which I just mentioned.

Mr. Cyr: Thank you, Minister.

Looking at 7.7 now, First Nations policing, why is it being budgeted \$1 million less than in 2014-2015?

9:30

Ms Ganley: Essentially, I mean, those funds were reallocated to corrections, but the difficulty we're having is a recruitment issue. One of the challenges we have in this province both with respect to police officers and with respect to Crown prosecutions is recruitment to work in certain rural locations. So we're having a challenge, particularly with the RCMP because they have to be recruited and go through central depot because they're federally set up. We're having some challenges keeping people recruited to those positions.

Mr. Cyr: How is decreasing going to help those challenges?

Ms Ganley: Well, that decrease represents an actual decrease. We haven't had a body in those positions. Because the budget is happening at a somewhat weird time in this particular year, we already know that we haven't spent that money. So we've been able to reallocate it because we were unable to fill that position.

Mr. Cyr: A question pertaining to line 7.11, the sheriffs court security and prisoner transport line: how much of the \$41 million is going towards court security, and how much of it is going towards prisoner transport?

Ms Ganley: Okay. The way I have it broken down is 90 per cent for manpower, 10 per cent of the budget for supplies and services. There are 433 FTEs. We don't have those numbers in front of us, so we're going to have to – are we able to break that down?

Dr. Clarke: Yes, we are.

Ms Ganley: Okay. So we are able to get back to you with those numbers. I don't have them in front of me now.

Mr. Cyr: Thank you very much.

Now I would like to ask some questions about the Alberta first responders radio communication system. I do know that you touched a little bit on that in your opening speech. I can't help but notice, though, on page 184 of the budget, line item 7.16, that the budget was \$131 million for 2014-2015, but we only spent \$94 million. The \$66 million that we're allocating this year: does that include the \$30 million that wasn't spent, and is this finalizing the building of that system?

Ms Ganley: Sorry. We're not looking at expenses; we're looking at capital.

Mr. Cyr: We're looking at capital, yeah.

Ms Ganley: Sorry. I'm just on the wrong page here. You're on page ...

Mr. Cyr: I'm on page 184, line 7.16.

Ms Ganley: We're just pulling up the information. Sorry about this. We have moved the money forward from last year. We didn't spend all the money last year, and we're moving it forward to this fiscal year to ensure that the project is completed. That should be coming online in I think July 2016.

Mr. Cyr: So is this a pilot project that's coming online, or is this the whole radio system? I apologize for not being familiar with this.

Ms Ganley: Essentially, the radio system will be mostly built up, but it'll start deploying to different communities, from what I understand, just to test it. So we'll start with a bunch of testing before any first responders are on it because, obviously, it's pretty critical that it works when we put first responders on it. Then it will start to roll out to different communities, and then we'll start to sort of transition people over.

Mr. Cyr: Is this \$66 million the last of the capital investment, or are we looking at a significant amount going forward?

Ms Ganley: I'm going to let you speak directly to that if that's okay.

Mr. Lamoureux: That \$66 million is not the last of it. There is some more that will be spent in 2016, but we're near the completion of it. The total cost will be about \$438 million.

Mr. Cyr: A little bit over the \$400 million that you had anticipated a while back. Okay. That's fine. Thank you very much. You answered my question.

Is it true that Calgary is not signing up for this system?

Ms Ganley: I don't think that Calgary is moving over immediately, but they do have plans to move over. They're just not going to jump over immediately. Currently they have a series of radio communication towers in Calgary, and their first responders are on it, and so are a number of other people like water and power. They're just working through those issues. When last I spoke to them, I think they were looking at transitioning over in about 2020. We think they're going to come over in about 2020, but I wouldn't want to say for sure. They won't be one of the first to get on this system, no.

Mr. Cyr: Are there any other predominant first responders that are maybe going to be left out or that are going to be waiting to join the system? Calgary is pretty significant.

Ms Ganley: We don't think so, no. I mean, obviously, people will not move over all at once. We'll start coming online in July 2016, and then moving forward, people will be transitioning over. It won't happen in a sort of immediate sense, I don't think.

Mr. Cyr: This capital investment that we're looking at, the \$66 million: has Calgary got all of its infrastructure built, then, or is this something that we're going to have to do in 2020?

Ms Ganley: Yeah. All of the towers will be up. We're just completing them now. Essentially, that's the infrastructure we're building, those towers. I mean, they will require a certain amount of maintenance, obviously. Those towers are up and ready to go. It's just a matter of transitioning people onto the system.

Mr. Cyr: Thank you.

If we can go back to page 183, line item 8.1, why is there an increase in program support spending? Is this because of the fact that we're moving the IT over to them, like the rest of them?

Ms Ganley: Yes. That's correct. The \$0.7 million increase is primarily due to the transfer of the information technology budget to ministry support services in the division.

Mr. Cyr: Where was all of this expensed before?

Ms Ganley: I'm going to pass that one over to you.

Mr. Lamoureux: The funds previously were in ministry support services information technology. What we've done is moved over hardware and software costs, with the understanding that the closer you have it to program delivery, the more likely people are to think about whether or not they need a new printer or a new computer rather than just asking for one. By moving it closer to the user, we think that, overall, there will be some cost savings.

Mr. Cyr: When we reallocated all of these expenses over to these program supports, did we see a reduction in that line item in the ministry?

Mr. Lamoureux: No, we didn't. We moved the funds over, and any savings will accrue to the line areas themselves, and they can reallocate those funds within their line area.

Mr. Cyr: Ministry support: how much did that go up by? You said that it was in that one line item before, in ministry support. If we're moving funds from there to here, how come it didn't go down? I guess that's my question.

Mr. Lamoureux: Okay. Any time you move funds, there are compensating changes. Negotiating salary increases: that raises funds. You move dollars out; they go down. So there are some

balancing items. I can go back and find out what those were in this case.

Mr. Cyr: I'd appreciate that. Thank you.

Now if we could take a look at line 8.2 on the same page, adult remand and correctional centres, you've indicated an increase of \$1.6 million to the adult remand and correctional centres from what was used in the prior year. Why did you decide to decrease the funding to the young offender centres by \$727,000? Was this funding not needed for the young offender centres?

9:40

Ms Ganley: I'm sorry. Could you say that again? I just didn't quite catch it.

Mr. Cyr: Yeah. I'll read the whole question here. If we take a look at both line 8.2, adult remand and correctional centres, and line 8.3, young offender centres, why have you indicated an increase of \$1.6 million to the adult remand and correctional centres over what was used in the prior year, and why did you decide to decrease funding to young offender centres by \$727,000? Was the funding not needed in the young offender centres?

Ms Ganley: The \$0.8 million decrease is primarily due to a \$2.4 million decrease due to Budget 2013, the federal government's decision to reduce federal contributions to youth justice services and programs, which was funded internally in 2014-15. This is offset by a \$1.4 million increase in manpower attributed to contractual changes. So, essentially, that is primarily a decrease from federal funding.

Mr. Cyr: Okay. Thank you.

This is a question from page 189, and there's also another page, 193. If we could go to page 193 specifically.

Ms Ganley: That's the victims of crime fund?

Mr. Cyr: That is correct. In 2014-2015 the budget for that year was \$33.6 million, and what was to go out as expenses was \$33.3 million used. The actuals for that year were \$36.7 million and \$30.1 million out, which translates to \$6.6 million being unused in that fund. Is my understanding correct?

Ms Ganley: Sorry. What you're saying is that more money came in than went out?

Mr. Cyr: That is correct.

Ms Ganley: Yes, that's correct.

Mr. Cyr: Okay. Now, we're anticipating that in 2015-2016 we're going to be bringing in \$46 million with only \$33 million going out, which means that we're going to have \$12.7 million unused in that fund. Is that correct?

Ms Ganley: I believe that the victims of crime fund has an accumulated net surplus of approximately \$44 million at this point. That's not just these two years, obviously. That represents time going back considerably since it was established in 1997. It has over \$16 million in future contractual obligations to be paid out. In some cases it'll have a contract.

So it does two things. There are contracts with service providers that provide services for victims, and then there's money that is allocated to individual victims of crime. They sort of apply through a process, and then that's assessed based on a number of factors. We have contractual liabilities going forward with respect to a number of those program services. Some of that funding is just

overage, and some of that funding is money that we know we will spend. It just doesn't go out until in the future.

Mr. Cyr: How much is an appropriate amount of reserves to be held by this fund? Is there some kind of guideline that you guys are going to have? I guess my concern is that we're going to be collecting \$60 million and putting out \$30 million. Are the victims getting the appropriate services that were intended by this collecting of funds?

Ms Ganley: Well, part of the increase in terms of funds we're collecting is due to the increase in traffic fines. That's part of the increase that I don't think we have yet allocated for. I mean, certainly, we do need to keep a certain amount in that fund because we have sort of forward-looking contractual liabilities on that right now. So that needs to be covered for sure. We do want to maintain a certain amount because year to year it's going to sort of vary based on whether people decide to apply or not. A certain amount needs to be held and reserved for that reason as well.

Mr. Cyr: So we're not concerned about accumulating massive reserves in this fund, I guess.

Ms Ganley: Well, I wouldn't say that we're concerned about the accumulation of funds. I mean, it means that there will be funds there for people in the future and that there will continue to be funds there to fund programs that provide fairly essential services to people.

Mr. Cyr: Are we anticipating that someday we're not going to be collecting this, I guess, victims' surcharge? Like, I'm just trying to understand how accumulating massive reserves in this is going to help our victims.

Ms Ganley: The victim fine surcharge is a federal program, so we'll be collecting it, I suppose, as long as the federal government tells us to do so.

In terms of, you know, where we allocate it or where we roll it out, I think it's going to sort of depend, going forward, on what we decide to do with those funds and how we decide to budget it into future years.

Mr. Cyr: Okay. Thank you.

If we can go to page 78 of the business plan, priority 1.1 states that you intend to "create innovative policy on community safety issues affecting law enforcement, vulnerable Albertans, including those with addiction and mental health issues, and the justice system." If you go to page 183, on budget line 7.3 – and I'm sorry; I'm moving fairly quick with this – can you explain why the Alberta Serious Incident Response Team is being cut more than what they actually used in the last year?

Ms Ganley: Relative to last year's budget they're staying roughly similar. Compared to the actuals there is a slight reduction. That \$0.2 million decrease is primarily due to higher than budgeted spending in 2014-15 for additional temporary staff to meet program demands in the last year. So there was sort of a blip in last year's budget. I mean, compared budget to budget, we've kept them essentially the same, but certainly, as times improve, we will be looking at them because they do some incredibly valuable work.

Mr. Cyr: I would agree. Thank you very much, Minister.

In the early morning hours on November 16 the RCMP seized over 500 fentanyl pills in a residence in Bonnyville, a town in my constituency. We all know that Albertans are dying because of

fantanyl. Our province has hit a crisis point, so my question is: what is the government doing to reduce the deaths caused by fantanyl?

Ms Ganley: In terms of fantanyl we're working with our law enforcement partners. We're working with our partners as well within the Ministry of Health because it's our view, primarily, that these sorts of addictions and public health crises are best addressed through ensuring that the information gets out there. We think that the best way to deal with this crisis is to ensure that people have the right information to understand that this is an incredibly dangerous drug. It continues to surprise me that, knowing the dangers, people continue to take it. So we're focusing on increased public awareness about the potent nature of it and the unpredictable nature of it. We're focusing also on making sure that naloxone is very available as broadly as possible, and we're working with a number of groups on that.

9:50

We're also working to reduce supply and trafficking of drugs. As you're probably aware from yesterday, the Alberta Association of Chiefs of Police has come forward with a number of resolutions on this. Those resolutions include limiting access to the precursor coming into Alberta and limiting the access to pill presses because, primarily, what we're told is that the powder is coming in from overseas, and then it's being pressed into pills and sold here. In fact, I spoke to my federal counterpart – I believe that was just yesterday – requesting that this issue sort of be on her radar. They have asked – of course, again, it's a federal law – that those restrictions be put in place, and we're hoping that that will help to restrict it. But mostly we'll be working to ensure efficient communication between our law enforcement partners to ensure that they're able to work on this issue.

Mr. Cyr: Thank you.

Could you explain how you have budget reductions but still can do more for this fantanyl issue?

Ms Ganley: I'm sorry. Which budget reduction are you referring to?

Mr. Cyr: The ASIRT, please.

Ms Ganley: Oh. The Alberta Serious Incident Response Team is responsible for dealing with deaths in custody. When someone is detained by the police, whether in a facility or out in the world, and that person suffers an injury or a death, then ASIRT goes to investigate that. What they are is an independent body that deals with in-custody deaths in situations where we don't think that police are in the best position to be investigating themselves, whichever service it is. So they're not actually directly responsible for that.

Mr. Cyr: All right. It definitely is something that needs to be addressed.

Now that highway 63 is – I'm sorry, I'm changing gears – almost completed, have you included additional sheriffs for this highway in this budget?

Ms Ganley: Not in this budget, no. But this budget will end in March, so going forward, we certainly will be looking at that process. We're deeply hopeful that the increase in that highway, the infrastructure there, will make people a lot safer on that highway. But, you know, we will be looking at this, and certainly it has been brought forward that one of the main concerns from the RCMP is traffic-related fatalities.

Mr. Cyr: Thank you.

Line 7.9, organized and serious crime. This is being cut by almost \$4.3 million, yet in 2014-2015 they went over budget by \$1.2 million. Why are you cutting front-line workers serving Albertans?

Ms Ganley: The organized and serious crime funding goes to the Alberta law enforcement response team, or ALERT. They saw a decrease as a result of the end of a federal funding grant. The federal government had provided a certain amount of money, which I believe is somewhere here in my notes. It's a \$3 million decrease due to the end of the police officer recruitment fund from the government of Canada and \$1.2 million from an additional grant paid to ALERT in 2014-15. So, primarily, what that is is an end of federal funding.

We have been in touch with ALERT. They are able to continue their operations within the funding provided in this budget year, so the '15-16 year. Going forward for the '16-17 year, we will be working with them through the normal budgeting process to determine how to manage that in the future.

Mr. Cyr: So they've lost their federal funding by \$3 million. Now, that funding – and I'm sorry for my lack of understanding here – comes in through general revenues, and then you put it out to the organized and serious crime? Is that how that works? Or do they get that directly paid to their nonprofit?

Ms Ganley: It appears that in 2008-09 Alberta received a one-time grant of \$42.4 million from the federal government as part of their \$400 million initiative to recruit new police officers. We have been paying it over time to ALERT, and it has now ended.

Mr. Cyr: Okay. Thank you.

If we can go to page 78, priority 1.2, in the business plan, to "review the structure and program delivery of organized and serious crime enforcement services within the province to ensure they are responsive to community needs," which serious crime enforcement services would you be referring to? Would you perhaps mean the Alberta law enforcement response teams?

Ms Ganley: Yes, that does refer to the Alberta law enforcement response teams. They have been up and running for almost 10 years now, so it was timely to sort of do a review to see how well that was working for everyone. We've heard varying responses from our police partners in terms of how they feel that that's operating, and we have had some outside auditing done on that. We're going to be working with them to make sure that that is as efficient and as useful for all our law enforcement partners as it can be.

Mr. Cyr: All right. Thank you for that answer, Minister.

Under priority 1.3, where you talk about enhancing and formalizing "the processes for information sharing practices between Correctional Services and other enforcement agencies so that intelligence gathered within correctional facilities is shared appropriately to prevent and detect criminal offences" – wow, that's a long one – can you tell me if you are planning to enhance an electronic system, perhaps some software projects, whereby information can be shared and retrieved between facilities and police enforcement?

Ms Ganley: Sorry. Just give me a minute. I'm just sort of reminding myself.

Mr. Cyr: That's a long one. I'm sorry.

Ms Ganley: I don't believe that that's being done by way of technology. That's being done by way of working with our partners.

Correctional services through the correctional services intelligence unit works with other law enforcement agencies to develop and refine protocols for information sharing. Essentially, this is, I think, an ongoing project not only within my ministry but within all of government to ensure that information can flow appropriately so that we don't have a situation where information that was in the hands of corrections could have assisted the police.

Mr. Cyr: Okay. Thank you.

Page 79, priority 2.1. As I'm sure you're aware, the last update on your Justice and Solicitor General website regarding the Alberta Family Law Reform Stakeholder Consultation Report is from May 2002. I'd like to ask for all Albertans: what work has been done on this, and what are your policies regarding reforming the family justice system?

[Mr. Smith in the chair]

Ms Ganley: I'm sorry. Did you say May 2002?

Mr. Cyr: Apparently, yeah.

Ms Ganley: Well, let me start by talking more generally about the reforming family justice initiative. That initiative has been up and running for a while now, and it involves upwards of a hundred partners, as I understand, who are coming together to attempt to see instances in which we can stream things out of the court process. Obviously, it's a complicated process. People often think that their disputes should go to court, but it's not enormously good for the system. It's often not good for families in the sense that it can be quite costly to go to court, and it's not good for them in the sense that, you know, it's sometimes damaging to children to have them go through that process. What that group is working on are initiatives to see if we can come up with different ways to have different dispute resolutions so that we're using the right tools in the right circumstances. Some of them involve assisting the parties themselves to come to better ways to resolve their disputes.

It is moving forward. We have heard from some of the partners that maybe the group is very large, so it's not moving quite as quickly as we might like. We're certainly going to be looking into that because I think this is a critical issue for Albertans, to ensure that they're able to access the services they need. Probably more Albertans will come into contact with the family law service than would come into contact with the criminal justice system.

Mr. Cyr: Do we have a bit of a timeline on when you think that you're going to have completed that review? You said that it's going to be a little bit of time. Obviously, this is important.

Ms Ganley: In March 2015 collaborators met to select three areas to engage for work to proceed. You know what? I don't have a timeline in front of me on the proposed plan, so what I'm going to do is undertake to get back to you with a sort of more fulsome outline. Sorry. There are a lot of words here, and I could read them all to you, but I feel like that's not the best use of our time.

10:00

Mr. Cyr: I appreciate that, Minister.

All right. If we can go to the business plan, page 80, can the minister please tell me what partners they are going to collaborate with to develop processes for online payment of fines and debts and what they are referring to in this line? Can the minister please explain how to reduce Albertans' fears that with additional court fees involved, they may not be given the right to face an accuser?

Ms Ganley: I think what you're referring to here is that when we're talking about developing online payment for fines, fees, and debts, mostly we'd be working with Service Alberta, developing an online portal so that people could pay their fees online. That will have an impact on Treasury Board as well because sometimes people pay with credit cards, and then the government is charged fees. Every time you pay with a credit card, the retailer is charged a fee. So those partners are mainly Service Alberta and Finance and Treasury Board on developing a way to allow Albertans to pay fees online.

[Ms Sweet in the chair]

Mr. Cyr: Okay. At this time I would like to go to line item 2 on page 182 of the expenses to discuss the resolution and court administration services. On the whole, it appears that you have increased the budget by \$5.6 million. However, looking closely, we see that the Provincial Court of Alberta, line 2.5, is receiving the biggest chunk by a whopping \$9.2 million. Interestingly enough, citizens will now not only have to carry the tax burden of these increases but, in addition, the increase to the Provincial Court. Citizens can now expect additional court fees when using the system. Anyone can find these additional court fees on albertacourts.ca under the Resolution and Court Administration Services tab and proceed to court fees. Can the minister explain the extra fees that the Alberta courts are charging citizens when there has already been an increase in the budget for these services?

Ms Ganley: To start with, the reason that the Provincial Court number is much higher is because we in Alberta pay for Provincial Court judges whereas with respect to the Queen's Bench and the Court of Appeal we pay for the support services, but the justices themselves are paid federally. That's why the number is higher. The reason there is an increase in the number is a result of the Judicial Compensation Commission, who completed their findings, and that resulted in a wage settlement that would increase funding there. In terms of those court fees that you referenced, as I understand, those went through in May. That decision was made under the previous government, so I can't speak to specifically what the factors were in terms of considering that decision. I know that it did go through, and I'm not aware that we reversed it, so those fees would probably still be in effect.

Mr. Cyr: Okay. Going to page 182 of the budget, line 5, support for legal aid, I see that you've budgeted \$66 million, and you did bring this up in your opening speech here. In 2014-2015 \$58.8 million was budgeted, and the government of the day gave an increase of \$5.5 million in December 2014. Records indicate that in 2008 Legal Aid was funded \$74.6 million and had approximately 30,000 fewer applications. It seems to me that the system is increasingly flawed and not properly funded to meet the needs of our disadvantaged citizens.

In December 2014 the financial eligibility guideline was increased to \$19,080, and due to the increase that this government has given for the minimum wage, a person on minimum wage that works full-time will no longer qualify for legal aid. Is this why, in the business plan, you believe that we need to create and implement a sustainable plan for courthouses that would take into consideration the increasing number of Albertans who will represent themselves in court?

Ms Ganley: Sorry. There were a couple of parts there. Did you say that Legal Aid was funded \$74.6 million at some point in the past?

Mr. Cyr: Records indicate that in 2008 Legal Aid was funded \$74.6 million and had approximately 30,000 fewer applications.

Ms Ganley: In last year's budget the government had put in a one-time increase. The total funding that goes to Legal Aid includes ALF funding as well as user fees, so I think that the number you are referring to includes those numbers because I don't recall that the government's funding was ever that high. Now, ALF funding, the Alberta Law Foundation, is essentially interest on lawyers' trust accounts. So when interest rates were high, they had a lot of money, and now that interest rates are low, obviously, there isn't very much money there. Then that also includes user fees. I think that maybe you're looking at a slightly different number than the number that we're looking at here.

Sorry. There were a couple of pieces to that question. Last year there was sort of a \$5.5 million increase to Legal Aid to allow them to cover more people. We've continued that into this year, so that increases to \$7.2 million in terms of increase over last year's budgeted target. There is an increase in funding there. We are working with Legal Aid, and we hope to have an announcement very soon in terms of ways to ensure that they are able to focus on protecting the most vulnerable citizens in Alberta. We should have more information for you shortly on that one.

We're also working with them going forward to make sure that we're reviewing the system to ensure that it's sustainable. We have sort of a weird governance model for legal aid here, so we had to review that in any event, but we're working on scoping that review with Legal Aid to make sure that we have a really good understanding of what we need to do to provide the best services for vulnerable Albertans while ensuring, you know, that we're fiscally prudent.

In addition, Legal Aid determines eligibility based on net income. In terms of determining eligibility, I think you had said something about how much people made and how much they're eligible for. The eligibility determination is based on their net income.

Mr. Cyr: Right.

Ms Ganley: Sorry. There were a couple of moving pieces in there.

Mr. Cyr: I agree. That was a long question.

Rather than adequately funding Legal Aid, are you enhancing self-representation, then, in the courts?

Ms Ganley: This year we have provided Legal Aid with the funding they have requested. We are working with them on a number of initiatives to ensure that that funding is targeted at the most vulnerable Albertans to ensure that we're sort of working with the court cases. I mean, in general, yes, I think you're correct. If we were to withdraw all funding to Legal Aid, it would cost a lot more in court services. That's certainly correct. But we have been working with them, and we've given them the money they've asked for in this current year, and going forward, we're doing a review to sort of potentially make some changes to that system. Then we will be determining, you know, what their budget will be in the normal process going forward.

Mr. Cyr: Under the business plan, page 80, priority 3.5, the next statement has me a little worried. It states: "create and implement a sustainable and innovative infrastructure plan for courthouses across [Alberta] that will focus on the needs of Albertans, taking into consideration the increasing number of Albertans who represent themselves in court." Does this have to do with the adequate funding to legal aid services?

10:10

Ms Ganley: No, I wouldn't say that it has to do with the adequate funding for legal aid services. There is an increase in people

representing themselves. Most of what legal aid covers will be criminal representation. Because the state is prosecuting someone, we have an obligation to ensure that that person can be represented within the system. We also provide a lot of funding towards family law matters because sometimes that can be a real social justice issue. But we're seeing an increase in self-represented litigants all over the spectrum, so we're not talking necessarily about low-income individuals. Because of the sort of increasing income inequality in society generally – and the problem is not quite as bad here as it is in the States – the result is that middle-income people are kind of sliding backwards. That results in a lot of people who are sort of middle-income people who just are not able to afford legal services or don't feel that they wish to pay for legal services, so they're coming into the court without representation.

Mr. Cyr: So in those cases we're planning on dramatically increasing the threshold for legal aid?

Ms Ganley: No, we're not planning on dramatically increasing the threshold for legal aid.

Mr. Cyr: Okay. All right. There appears to be something really wrong with this funding model. The authority of the Legal Aid operations come from the governance agreement that they have entered into with the Minister of Justice and the Law Society in 2011, and this expires on March 31, 2016. The minister controls this budget for policing, prisons, and the prosecution services. Does this not create an obvious conflict of interest for you when considering spending priorities?

Ms Ganley: If what you're referencing is the governance model of Legal Aid, which is between myself and the Law Society, yes. That's part of the process that's under review. Obviously, that model was entered into long before my time. It is coming to its end, and we may have to extend it temporarily while we undertake the full review to make sure that we can make all the changes that are necessary. If you're asking if we're looking at that, yes, we are.

Mr. Cyr: Are you willing to legislate a new body which is independent of both the government and the Law Society to create further transparency, like other provinces are doing?

Ms Ganley: Well, that will be part of the review, yeah.

Mr. Cyr: Legal aid exists to defend the poor against state action. Legal Aid Alberta pays lawyers 46 per cent less than the median hourly wage rate from Legal Aid Ontario. Significant court delays and wasted court time and legal resources continue to be caused by the Rowbotham process. Minister, have you considered the societal imbalance that exists here, and are you willing to correct the imbalance and give every person the right to legal representation?

Ms Ganley: There are a couple of questions in there. In terms of the Rowbotham situation that you identified, we are aware of it, and we are working with Legal Aid on that. As you may be aware, the Criminal Trial Lawyers Association had undertaken a project called the missing advocate, wherein when people were denied legal aid and the Criminal Trial Lawyers Association felt that they ought to have gotten legal aid, they were bringing a Rowbotham application to the court. That had been ongoing for a little more than a year, and they ended that recently. Essentially, what the project was doing was that it was using the court system as sort of an appeal for the legal aid process, which I don't think was the best use of resources for anyone. So we are working with Legal Aid on that issue with

respect to the tariff rates that you identified. We have some interim measures we've been working on with Legal Aid, and we hope to have some announcements in the very, very near future. Hopefully, we can get you some more information on that.

I think that perhaps a bigger conversation needs to be had, but with what you're saying in terms of sort of massively increasing the guidelines and giving every person the right to legal representation, I think that's something that will need to be carefully considered and discussed going forward. What you're talking about would require a massive increase in funding; like, we're talking in the millions and millions of dollars. I think the question then becomes whether the taxpayers and the voters of this province want to create such a right given what the cost of creating such a right would be.

Mr. Cyr: Thank you, Minister.

On October 1 Global news reported that the Alberta criminal defence lawyers have told the province that they will no longer be able to provide their volunteer program that helped the poor and people with disabilities apply for legal aid as of November 1, 2015. This is due to increased pressure on their lawyers and the thousands of free hours they're contributing to the system, and it's because our funding model is failing. To the minister: how will justice be served if there is an increase in Albertans representing themselves in court? Can you answer that question, please?

Ms Ganley: Yes. The program you're referring to, that Rowbotham program, was actually the missing advocate program I just referenced. Yes, you're correct. That was a problem that was identified. The Criminal Trial Lawyers has now withdrawn that service, so they're no longer using that Rowbotham application process. We have been working with Legal Aid, like I say, to identify some changes, and we should be announcing those very, very shortly. But we do thank the Criminal Trial Lawyers Association for sticking up for vulnerable Albertans and for doing that work.

Mr. Cyr: Thank you.

All right. Can we go to performance measures on page 79 of the business plan? It reads: "Percentage of offenders successfully completing their sentence while on temporary absence without incurring new criminal charges." The last actual, in 2013-2014, was 99.6 per cent. I'm going to assume that your target for 2015-2016 is 100 per cent, that you mean that 99.6 per cent of offenders successfully completed their sentence while either on probation . . .

The Chair: Thank you, Member. Thank you, Minister.

We will now move into our 20 minutes for the third-party opposition. Mr. Ellis, I believe you are going first.

Mr. Ellis: Thank you very much, Chair.

The Chair: Will you be going back and forth with the minister?

Mr. Ellis: Yeah, if that's okay.

The Chair: Thank you so much.

Mr. Ellis: Minister, thank you so much for being here and to all your staff for being here as well. You know what? Just please forgive me. I'm like you; I'm new to this. I'll just start off by saying, you know, that I want this to be a respectful environment. I just want to make sure of that. I have some questions, and if we can get some answers to them, that's great, and we can move on after that. I guess I have some general questions initially here.

If we're looking at page 188, your ministry is bringing a .3 per cent increase in revenues in the next three years, but there are a

number of increases in expenses. Why are so many expenses changing when the revenues do not support it? For instance, the ministry support services are seeing a budget increase of \$4 million approximately, give or take, above March estimates over three years to \$12.6 million. Again, this is just my perception. This is kind of a bureaucratic section of the justice system which has increased by \$4 million, but how can you explain that?

Ms Ganley: I'm sorry. Where are we looking? Are you in number 1?

Mr. Ellis: Page 188, where we look at – sorry. My apologies. I guess it's page 189, then, the revenues there, that bureaucratic administration – those are my words, I guess – section.

Ms Ganley: Okay. Page 189. Sorry; I have on page 189 – maybe I'm looking at the wrong . . .

Mr. Ellis: Ministry support services: is that 188?

Ms Ganley: Oh, 188. Okay. It's all coming together now.

10:20

Mr. Ellis: That's okay. For me, too.

I mean, my perception is that I look at that as being kind of a bureaucratic section of the ministry, but I see an increase there of about approximately \$4 million from our March estimates, right? Is this going to salaries or severances?

Ms Ganley: Ministry support services, consolidated estimate, voted supply: the voted supply only covered a certain portion of the year whereas consolidated estimates covered the entire year. That's not so much an increase as it is that instead of only covering up until the end of November, it covers the entire fiscal year.

Mr. Ellis: Okay. I see that there's, say, a similar trend to other numbers upcoming over the next three years. I'm trying to see where I'm looking here.

You know what? Let's just go over to adult remand and correctional centres and adult community correctional services. I'm seeing a \$10.5 million increase this year alone, and this is above what was spent in March.

Ms Ganley: Sorry. Are you still on that same page?

Mr. Ellis: The correctional centre.

Ms Ganley: Page 183. So not over what was spent in March. We're talking budget to budget a \$10 million increase. The 2014-15 budget versus the 2015-16 estimate is an increase of almost \$10 million in correctional services. What that is is that essentially we've put about 8 per cent more people in jail, and that's a challenge that we're certainly aware of because it's sort of population and inflation that drive those costs, and we're definitely concerned. We are working on innovative ways to make sure that we're putting people in remand centres when they need to be in remand centres, not for things like mental health challenges or failure to pay fees on sort of minor offences like not leashing their dogs.

Mr. Ellis: Yeah. I mean, I one hundred per cent agree. If you follow the Calgary Police Service and see what former Chief Hanson had done over the last number of years, which was prevention, intervention, and education – you know, the belief and philosophy of the Calgary police, of course, is that we don't put people with mental challenges in jail. We don't want to put people that have

drug and addiction problems in jail, right? I totally agree with that as well.

I guess another question I have in relation to that, just to be clear, is that you indicated that the population increase accounts for the budget increase. That is correct, right?

Ms Ganley: Well, the remand population increase would account for the budget increase. The reason it costs more is population and inflation, so wages, essentially, because when you have more people in jail, you require more correctional officers to monitor those people.

Mr. Ellis: Okay. I know you talked about, even in question period, efficiencies. Are there any efficiencies that you're looking at in regard to corrections?

Ms Ganley: Yes, actually. We are working with some software to sort of readjust how we schedule in those corrections areas to ensure that we have the right people in the right places, but mostly I think what we're going to have to do moving forward is be really innovative in terms of the strategies we're using to make sure that, again, like you said, we don't put people in jail who don't need to be in jail. We've made some significant submissions to the mental health review panel. We're hoping that a certain amount of that will help. We're hoping that this government's new focus on increased funding in mental health areas in Human Services will help with that, and we're also looking within Justice at some initiatives that we can have so that we aren't remanding people who have failed to pay fines.

Mr. Ellis: Yeah. I can't speak for Edmonton or any of the rural areas – I'm not saying that it one hundred per cent does not occur in Calgary – but I can tell you that these strict directions from the management of Calgary Police Service are, again, you know, a waste of everybody's time and money, right? So I like that direction that you're going in. You also mentioned, quote, unquote, only using expensive remand resources when necessary. What did you mean by expensive remand resources? What does that mean?

Ms Ganley: Well, I suppose, as you can probably see from the budget, it's fairly costly to keep people in jail. So sometimes, if we're using a housing first approach, a lot of people will find themselves not coming into conflict with the law if they're housed. A lot of people will find themselves not coming into conflict with the law if they're helped through mental health services. Sometimes these problems pretty much, exactly as you say, can be addressed in other ways. We'll also be working on strategies to make sure that, you know, if people are able to be helped within community corrections, that might be a better chance for someone because in cases where you're talking about offenders who aren't serious or who have long-term mental health problems, we think that there are many better ways to assist them than to put them in a correctional facility, where sometimes they come out worse than when they went in.

Mr. Ellis: I don't disagree with you. When I was member of the Alberta Secretariat for Action on Homelessness, one of the things that I identified was that we were releasing people from correctional facilities into homelessness, which obviously just perpetuates the cycle to, you know, commit further crimes. They just have no assistance. I guess my question to you is: do you have any money set aside, at least within your correctional facilities, to assist these people that have been incarcerated so that when they are released, they're just not going to be released into homelessness, that they're

going to be given the opportunity to become productive members of society?

Ms Ganley: What we're doing in those cases is that we're working with our partners in Alberta Health Services and in Human Services because they have within their budgets issues that deal with that. We're also working on transition teams so that when people are coming out of remand, we can get them linked up with those programs in Health and Human Services to make sure that they are housed so that they're not put in a position where they're more likely to reoffend than they otherwise would be. I couldn't agree with you more that there are much better ways to do this.

Mr. Ellis: See? We're not that much different, are we? Right?

If I can just talk to you a little bit about the Young Offender Centre before I get to the police. I guess my question is on the Calgary Young Offender Centre. The Calgary Young Offender Centre: how much, roughly, does it cost to operate that facility?

Ms Ganley: When we made the decision to keep the Calgary Young Offender Centre open – it will cost approximately \$3 million. We think that that money will be way more than recuperated through exactly the thing that we've been talking about, which is helping and supporting young people who have made bad decisions to stay close to their support systems so that they can make better decisions in the future.

Mr. Ellis: Have you been to the Calgary Young Offender Centre?

Ms Ganley: Not in this capacity but in my previous capacity.

Mr. Ellis: Okay. You have been there before?

Ms Ganley: Yes.

Mr. Ellis: I've been there a lot, not as a juvenile, just to let you know. I wasn't incarcerated. How many kids are housed there on average?

Ms Ganley: Just let me see if I can get those numbers. On average, it's 80. I mean, I think you are alluding to the fact that it's not full, which we actually think is good news.

Mr. Ellis: Well, it's not, and for those in the room that may not know this, the Youth Criminal Justice Act is actually written so that the children do not go to jail. The children that are in there, sadly, are in situations where they are from very dysfunctional homes. They, sadly, are either repeat offenders that are so bad that they must be incarcerated, or they've committed such an egregious offence that it puts the administration of justice into disrepute if they are released. We're not talking about children who have committed a minor shoplifting or a ticket, right?

10:30

I guess my question is: you know, if it's not being used to capacity – and I'll ask this as a two-part question, which is: what is the capacity of that facility? Would it not be in the best interests of the child – I don't think that the 200- to 300-kilometre difference to the Edmonton Remand Centre is that big of a stretch. Would it not be better to take that money, that \$3 million, and use it for rehabilitation and prevention programs and assistance for those kids as opposed to just locking them up in that facility? I just throw it out there.

Ms Ganley: I guess our position would be that, you know, first of all, there is a lot of rehabilitation that happens in there. You've been

there, but just for the rest of the committee – I mean, it looks a lot more like a school than it does a jail.

I think the other thing to note, as you quite rightly pointed out, is that these are people who come from some significantly troubled backgrounds, and usually significantly troubled backgrounds are associated with poverty. So for the parents and the families of these children to travel that distance to Edmonton, if you don't have a car and you can't afford a bus ticket, is substantial for them. That makes it very, very difficult for them to visit their young people. We think that it's very important that those sorts of community connections – because it's not just people in Calgary, right? It's people from the surrounding areas. Sometimes people would have to travel quite a distance.

Certainly, we are undertaking a review to see what can be used. You know, the centre isn't full – that's correct – so we are undertaking a review to ensure that that facility is used to its full capacity. We need all of the infrastructure we can get, and we're hoping to come up with some solutions on that.

Mr. Ellis: Well, I'm glad you're undertaking a review. You know, I think everybody needs to know that the vast majority, like, 99 per cent, of these kids are not coming from an *Ozzie and Harriet* type of family, where mom or dad is actually going to come and visit them on a regular basis. I encourage you to do that review and to really understand what the Calgary Young Offender Centre does, which, I guess, is a good thing, right? There are alternative ways to help these children and also save the taxpayers some money. I just throw that out there.

My other question in regard to the Calgary Young Offender Centre. You indicated in question period that training was going on there. Who's training there?

Ms Ganley: Currently, as I understand it, we're training the staff for young offender centres and for adult remand as well. That's what the facility is being used for now. You're correct that it's underutilized, and we are looking into ways to better utilize it. But just to be clear, when I say that we're looking into ways to better utilize it, we're talking about the unused portion. We're not talking about moving the Calgary Young Offender Centre or removing it.

Mr. Ellis: Okay. Is it being used, like, five days a week for the training? I mean, I've done cell extractions myself. For one cell it takes, like, an hour.

Ms Ganley: I'm going to pass that over to Dr. Curtis Clarke because he's a little more versed on this.

Mr. Ellis: Great. Thanks.

Dr. Clarke: In reference to the training it is recertification training, that's required for all correctional officers in Alberta, and it's a five-day training. We've needed to put through over a thousand individuals over the last year, so we've been using both the Edmonton Young Offender Centre and the Calgary Young Offender Centre for training capacity. Unlike cell extraction, which may just take half a day or a day, there are large components within the training that require recertification: OC sprays, baton, cell extraction, a variety of other direct supervision components that are required for all correctional officers. So it's being utilized for that purpose.

Mr. Ellis: Are you looking at other agencies, whether it be correctional facility agencies or police agencies, that could possibly do some training there as well?

Dr. Clarke: At this moment it's just correctional officers, partly because of the restriction of the building itself. Again, it is still a youth detention centre. We need to ensure the security of the building, and the access should only be at this moment to correctional staff and the trainers.

Mr. Ellis: You don't need any tactical guys showing up with their big guns or anything like that during the training.

Dr. Clarke: We have our own tac guys, and they train off site, so not there, no.

Mr. Ellis: All right. Fair enough.

Okay. I have another question here. I think I have page 182 here. Specialized prosecution services has decreased from the 2014-15 actuals in the March budget. The same holds true for general prosecutions and for appeals and prosecution policy. However, program support is actually increasing above what had been budgeted in March. I guess my question to you, Minister, is: what is kind of so special about program support that it needs to be increased when every other line item in prosecution services seems to be decreasing? If you can answer that. I think you touched on it briefly with the other group, which is that \$97.1 million, and then you reduced it to \$92.7 million or something.

Ms Ganley: So you're looking at 4.1, which is program support. Budget '14-15 was \$6.578 million, and it's down to \$6.232 million. It's a \$0.3 million decrease, and it's comprised of \$0.2 million in lower information technology services and \$0.1 million in ministry-wide reallocations.

Mr. Ellis: The way I envision the justice system is that, you know, you have police, who make the arrests . . .

The Chair: Thank you, Member. Thank you, Minister.

We're about at the halfway mark, so I would suggest we take a five-minute break. We will be back at 10:42, please.

[The committee adjourned from 10:37 a.m. to 10:42 a.m.]

The Chair: We'll call the meeting back to order, please. If everyone could please find their seats.

At this time we'll be moving on to the government caucus, a 20-minute rotation. My understanding, Member McPherson, is that you'll be asking first but sharing your time with Mrs. Littlewood. Is that correct?

Ms McPherson: That's correct.

The Chair: Okay. Would you like to go back and forth?

Ms McPherson: Yes, if that's okay with the minister.

Ms Ganley: Absolutely.

The Chair: Please go ahead.

Ms McPherson: Thank you, and thank you, Minister, for the opportunity to ask questions on behalf of my constituents. I have sat through quite a few estimates meetings so far, and I'm impressed by the information that we're getting from the minister, so I really appreciate it.

I'd like to begin by asking about the Calgary Young Offender Centre. I know that in May the government announced that it was going to keep the centre open, and it's a decision that I and many of my colleagues supported. My dad actually used to run a young offender centre in Grande Prairie, so I knew how much it meant to

keep it open. Question one – and it’s kind of close to the other questions that you’ve had but a little bit different – is: what was the cost of keeping the Calgary Young Offender Centre open? I believe you said that it was \$3 million?

Ms Ganley: That is correct.

Ms McPherson: How does that approach fit into a balanced budget?

Ms Ganley: Well, we think it fits in with a balanced budget in the sense that we’re supporting these young people close to their families. Tragically, as has been pointed out – sorry, I’m not sure if we’re allowed to use names – you know, often these people come from very troubled backgrounds, and sometimes they don’t have a lot of family support. But in instances when they do have support either from their immediate family, their broader family – sometimes grandparents can be involved or aunts and uncles or from their community – we think it’s really important to keep them close to those people. We also think that in cases where they’re building community support networks, it’s important for them to be able to build those networks there. We believe that keeping them there will ultimately save the system money in the long run.

Ms McPherson: Is that through decreasing recidivism?

Ms Ganley: Yeah, through decreased recidivism, through decreased reliance on not only the justice services but also services in other parts of the government. We are very hopeful that young people, regardless of their difficult start in life, can make positive changes and make better decisions.

Ms McPherson: Thank you.

What do you think the cost to Albertans would have been in closing the centre?

Ms Ganley: Well, it’s always difficult to estimate in numbers, but certainly there would be, I think, a tremendous social cost long term. I mean, I can’t give you a direct figure, but I think that going forward, the cost of removing people from their communities, as we, I suppose, know from the tragedy of residential schools, can be prolonged and extremely difficult to bear. We think that supporting these young people will save significantly more than the cost of keeping the centre open.

Ms McPherson: Thank you.

I know you’ve highlighted some, but what are some of the benefits of keeping the centre open?

Ms Ganley: Well, primarily that the young people are kept closer to their communities. Again, those families often are of extremely limited means. Even though for you and me, who travel up to Edmonton regularly, that’s not such a big deal, for some of these people that’s an incredibly big deal. The financial cost involved, the cost in terms of taking time off work to be able to do that can be unbearable.

Ms McPherson: Okay. Thank you.

I’d like to shift a little bit and take a look at legal aid. We’ve been hearing a lot about urgent challenges in legal aid, and I understand that in recent years the number of certificates for representation provided by Legal Aid has been decreasing. The first question is: do you expect that trend to continue?

Ms Ganley: Well, Legal Aid has experienced a significant increase in volume of calls coming in. We are working with them. Again,

we hope to have an announcement coming out soon in terms of how to deal with those challenges with them, but, no, we don’t expect to see a decrease in the number of certificates going forward.

Ms McPherson: What was the \$7.2 million increase in legal aid funding being directed towards?

Ms Ganley: In the last budget there were \$5.5 million in additional funds provided to Legal Aid, that they said they needed to increase the financial eligibility guidelines to ensure that they were covering those on assured income for the severely handicapped. That’s what that money is going towards. It increases the financial eligibility guidelines. Again, we’re working with them in the hopes of revamping the program in such a way that we can work further on that piece and make sure that we are directing those funds in times of scarcity towards the most vulnerable Albertans.

Ms McPherson: Okay. Thank you.

What else is the ministry doing with the budget to ensure that the Alberta legal system is equitable and accessible to Albertans?

Ms Ganley: The ministry actually works on a number of initiatives. In addition to legal aid, we also provide funding to law libraries, which many Albertans access. We’re also working with resolution and court administration services on ensuring that all front-line staff have the same information so that they are able to stream people to the right places and even creating a system where people can call in and find out not legal advice but basic information about how the system works and where to go with their particular challenges. We’re also working with and will be working with a number of community groups that I’ve been meeting with because often community groups of lawyers will sort of fill in some of the gaps that sometimes occur as a result of somebody maybe not being eligible for legal aid but maybe needing a little bit of assistance.

Ms McPherson: Thank you. I’m glad to hear your ministry is taking steps to address what’s going on with legal aid.

I know you might have mentioned this, but I’d like to learn a little bit more on what role the federal government plays here. What role does the federal government play in funding for legal aid, and is that something that your ministry has to close a gap in through the budgeting process?

Ms Ganley: In about the last 10 years the government of Alberta has significantly increased funding to legal aid. The cost of legal aid has gone up somewhat. The portion of legal aid covered by the federal government has remained constant for at least the last decade, so they’ve been providing the same \$10 million. In Alberta there is some funding from the Alberta Law Foundation. With the decrease in interest rates that funding has been withdrawn. The result is, I think, that we’ve almost doubled in the last 10 years the amount of money we put towards legal aid.

10:50

Ms McPherson: Thank you. Well, you answered my question. In essence, the federal funding has decreased since it stayed the same but the costs have gone up.

Ms Ganley: Yeah. I think that would be accurate.

Ms McPherson: Okay. Thanks.

How is your ministry working with the federal government to ensure that Alberta has the resources it needs for a well-funded and high-functioning legal system?

Ms Ganley: I actually was just in contact with my federal counterpart yesterday, I believe. The ministers of justice, federal and provincial, will meet. I don't think the exact date on that has been worked out. Certainly, I've raised this as an issue. As I understand it, other provincial justice ministers have also raised it as an issue, so hopefully we'll be able to have some more fulsome discussions around that. Obviously, my colleague is extremely new to her position, but hopefully we will have some fruitful discussions.

Ms McPherson: Great. Thank you very much.

I'd like to pass the questioning off to my colleague, but before that, Chair, I'm finding the side talking to be really distracting when talking to the minister. I wonder if there's a way that we can minimize that.

The Chair: Members, can you please just keep the volume down a little bit?

Mrs. Littlewood, go ahead, please.

Mrs. Littlewood: Thank you. I really appreciate you being here. I know that I'm sitting near the front of the class right now, so that might have something to do with why I'm finding it particularly engaging. Thank you very much for bringing your staff.

I would like to ask something about police funding. I'm wondering about funding for police forces because, living where I do and having a rural constituency, there are, of course, some different crime issues, some of them being rural theft and farm theft. Of course, when it happens there, it can be really expensive equipment that farms require to do their jobs. I'm wondering if municipalities will be receiving any more police funding in the budget and where that would be indicated.

Ms Ganley: Municipalities have received slight increases, and those are based on population. The municipal police grants are population-based. In terms of rural policing that's usually the RCMP contract. We have had some challenges, as I alluded to earlier, in terms of maintaining recruitment levels. Because the RCMP recruits centrally, we have had some challenges in ensuring that we recruit sufficient members to work in those areas, but we are working to address that issue.

Mrs. Littlewood: Thank you.

Priority initiative 1.5 talks about working with First Nations partners to develop culturally appropriate crime prevention initiatives. In the city of Fort Saskatchewan we just opened up a new RCMP station, and we had the honour of welcoming a chief, that gave a blessing. As well, they erected a teepee outside. It was a great honour. I'm wondering how, through this initiative, you and your ministry plan to build those bridges and paths to reconciliation.

Ms Ganley: We are working on a number of initiatives in terms of working with indigenous populations. In partnership with Canada, under the umbrella of First Nations policing programs Justice and Solicitor General supports enhanced policing arrangements through community tripartite agreements in 21 First Nations communities. In fact, First Nations have certainly expressed their desire to increase that program. The former federal government hadn't had an enormous amount of appetite for that. I will be talking to my new counterparts in the hopes that they have a greater desire to do that. Currently that program is seen as quite effective. There are 57 RCMP officers that provide enhanced, effective, efficient, and culturally sensitive policing services in those communities.

We also fund three self-administered First Nations police forces, the Blood Tribe, the Tsuut'ina Nation, and the Lakeshore Regional

Police Service. There are a total of 63 First Nations police officers providing policing on those First Nations. We also provide police resources for the Tsuut'ina, Blood Tribe, and Lakeshore. Each of those services has an enhanced police officer, a school resource officer, and a drug intelligence officer to try to combat some issues that they have indicated are sort of big issues for them.

In terms of Crown prosecutions, you know, prosecutors are trained in terms of that sort of cultural sensitivity as well as on Gladue report matters.

I guess I could go on for quite a while. There are a number of programs, as well, in correctional centres to ensure that people are able to connect with their culture and their heritage if they feel that that would be helpful to them moving forward to make better choices.

Mrs. Littlewood: Thank you. I know that you've spoken at great length about how you plan on creating those plans in tandem with First Nations groups, so I appreciate you speaking to that. Thank you.

I would like to talk for just a moment about – of course, it's just a moment, but it's a large amount of money. We're talking about policy and program development. I think it is line 7.4 on page 183 of the budget package, policy and program development. I see that it is going up from \$3,818,000 to \$6,273,000. I'm just wondering what that is funding in terms of policy and program development, and I'm wondering if this is something that's being developed with regard to developing a citizen-centred approach.

Ms Ganley: That increase there is actually by and large for the biology casework thing. Essentially, as I had mentioned earlier, we send all our lab work out to Winnipeg to be processed. It's an RCMP facility, and the cost of that facility had been held stable for 10 years. Now the federal government is asking the provinces to pay the actual cost of processing at that facility, so there's a significant increase there.

Mrs. Littlewood: Thank you very much for clarifying that.

Priority initiative 3.7 mentions the right people, right place, right time. How are we moving towards the right place piece of the plan? Of course, representing a rural constituency – there is very often not the same service that occurs in rural areas of Alberta as compared to urban.

Ms Ganley: One of the initiatives that, you know, had been attempted – and we are probably going to be making some changes to that – is the ALERT model. That assists in sharing. There are also a number of initiatives between police services to ensure that information is being shared back and forth because some of the bigger police forces have access to different resources. The intention behind the ALERT model was to ensure that those resources could be deployed based on need. There are some challenges with the way it has been running, but we are convinced that working with ALERT, we can address those challenges so that we're able to still provide those services in terms of rural communities.

Mrs. Littlewood: Thank you very much.

I'll turn it over to Member McPherson.

Ms McPherson: Thanks. I'd like to talk about the maintenance enforcement program. Constituents are often in my office with concerns or questions – and they're on the phone and e-mail – about the maintenance enforcement program. I hear a lot of stories about how they're not receiving payments that they're entitled to. I notice that the target of the maintenance enforcement program compliance

is 74 per cent for this year, and priority 3.2 in the business plan: improve client awareness and satisfaction of family support order services, that's made up of maintenance enforcement and child support recalculation, through improved client and stakeholder engagement. Where is this reflected in the budget, and what are some of the barriers to ensuring that the people who are entitled to maintenance payments are receiving them?

11:00

Ms Ganley: Obviously, maintenance enforcement is not a place where anyone really wants to wind up. It does have some significant challenges, and we are sort of committed to making sure that we can maintain those services for people who do need them. The target is set somewhat low because historically the achievement has been a little bit low in the past, and the reason for that can vary. I mean, oftentimes people will register for maintenance enforcement and the person on the other end sometimes isn't easy to locate – that's often one of the challenges – or they've moved out of province, and we are working with our partners in other provinces to ensure that more consistent and better enforcement is able to occur interjurisdictionally. In fact, I believe we've just recently signed an agreement that will allow for that better enforcement to occur interjurisdictionally.

I think the challenge with the maintenance enforcement program is typically that we are unable to find the individual, or if we do find the individual, they don't have anything against which we are able to necessarily enforce. In individual cases there are sometimes situations where the court has put a stay on the order for various reasons, so we're not able to enforce that way. But often the challenge is – and we're trying to work with the recalculation program to address this – that these systems have a number of moving pieces.

Ms McPherson: Great. Thank you very much.

I'm going to shift a little bit to a different issue. I know that very often people with mental health issues end up in our justice system. I have a son who has bipolar disorder, and he's been incarcerated for reasons that have to do with his mental health issues. It's clear that a lot more needs to be done to support individuals with mental health issues to ensure that they can lead happy, healthy, productive lives. Given this, what is the ministry doing to address the prevalence of mental health issues for those people that are involved with the justice system?

Ms Ganley: Obviously, the government as a whole has undertaken an initiative with respect to this. I actually think it's really critical that we have a full-government approach to this because issues which stem from mental health and would be in health services will often touch on human services in terms of people being unable to maintain employment and therefore housing, which is a really critical challenge, and then in turn touch on the justice area because when people don't have their basic needs met, they'll usually . . . [A timer sounded] Sorry.

The Chair: It's okay. Thank you, Minister, and thank you, members.

We will now be moving into our 10-minute section with the Official Opposition. Mr. Cyr, will you be going back and forth again?

Mr. Cyr: Yes.

The Chair: Okay. Thank you very much.

Mr. Cyr: Thank you. To go back to the line of questioning that we were going on before, on page 79 is the percentage of offenders

who successfully complete their sentence while on temporary absence without incurring new criminal charges. The 99.6 figure seems very impressive. I think it may be missing some important criteria. First, Minister, can you please tell me whether or not this measures people who may return to a provincial jail within two years after leaving federal custody?

Ms Ganley: The measure that you're referencing doesn't refer to recidivism, so it's not talking about people who have completed their sentence and then reoffend. What that measure is looking at is people who offend while they're supervised.

Mr. Cyr: Okay. So defining repeat offenders and calculating recidivism rates among convicted criminals is a murky subject and one where there is little co-ordination or co-operation between the provincial and federal branches in the justice system. Figures from Statistics Canada say that 37 per cent of offenders in Alberta breach community supervision and fail to complete the period of probation or conditional sentences. Can you explain the difference between the federal and the provincial?

Ms Ganley: I think I'd need to see those numbers and see how they're calculated to really understand, so I'm going to have to undertake to get back to you with sort of a further response on that. I mean, certainly, you're right. Recidivism rate calculation is, like most social science statistical things, a bit of a challenge, and there can be some disagreement, I think, on how things should be calculated.

Mr. Cyr: Thank you, Minister.

Earlier I was talking about fentanyl, and I apologize. When I said ASIRT, what I meant was ALERT. Let me start that question again. With less funding for ALERT and organized and serious crime, how do you think that you can do more for fentanyl and other emerging priorities that are coming forward?

Ms Ganley: Yeah. Sorry about those acronyms. I also found them a little bit – they all sort of sound the same.

Yes. ALERT does perform an important function in terms of linking up different police services together and making sure that information is shared. Again, that \$3 million reduction was through the federal funding running out. That wasn't a reduction that we made. They are able to complete their mandate within their current budget for this fiscal year. Going forward, you know, we'll be working with them in the normal budgeting process to ensure that they are able to serve Albertans, to perform the function that's necessary, and to ensure that Albertans are getting that service at the best possible price.

Mr. Cyr: That \$3 million that they're cutting: are there any parts of ALERT that are going to be dramatically affected by that? You said that they're going to meet their mandate, but are there parts of their mandate that are going to be reduced or eliminated? I mean, not mandate, but their . . .

Ms Ganley: There are no impacts in this current fiscal year. They're able to maintain their services because they had had a significant surplus, which they have been slowly drawing down upon. They're able to meet their mandate within this fiscal year, and going forward, we'll be discussing multiple options with them.

Mr. Cyr: So they had reserves to draw on.

Ms Ganley: They did have. The reserves are now depleted.

Mr. Cyr: All right. On a different line of questioning here, business plan page 79, priority 2.2: “Review ticket processing to improve traffic safety while developing a fair, accessible and sustainable process for Albertans to dispute tickets and ensure that resources are effectively utilized.” I’ve heard complaints that distracted driving legislation may be too lenient and that there’s some frustration with the number of accidents caused by distracted driving. Are you planning on making some changes to this legislation?

Ms Ganley: The Traffic Safety Act is actually within Transportation, so that’s Minister Mason’s area, but in fact we actually just recently passed an order in council to put demerits on distracted driving beginning in January of 2016.

Mr. Cyr: Excellent. Thank you, Minister.

All right. To go to a different line of questioning again: with the traffic court, are you looking to replace commissioners with justices of the peace or adjudicators to minimize courtroom overuse for traffic ticket violations?

Ms Ganley: Traffic commissioners, I believe, are justices of the peace, so we couldn’t really replace one with the other. In terms of a go-forward basis no decisions have been made in terms of what we’re doing with the traffic court model, but we are examining all options. Currently it’s the case that we use a very, very expensive model to deal with what is really not a particularly fundamental interest. Sometimes with a ticket that’s, you know, only worth about \$150, we have police waiting in the courtrooms, which only costs money in cities, but in rural areas that’s an officer who’s sometimes off the street for a significant length of time, so we’re looking at ways to address that.

Mr. Cyr: So if we were to eliminate traffic court, have we studied the savings that we are going to get from eliminating it?

Ms Ganley: Well, I don’t think we would ever eliminate traffic court. I think that that would be a mistake because sometimes traffic violations are very, very serious offences and they need to go into the criminal system, so there are instances in which we would absolutely need those systems. I think what we’re looking at – and, again, no decisions have been made – is sort of what the savings realized would be, in terms particularly of infrastructure and police time, if we were to move to a model that adjudicated a little bit differently.

11:10

Mr. Cyr: Okay. So we would continue with commissioners and Alberta prosecutors. Is that kind of the system that we’d be looking towards?

Ms Ganley: Possibly. I mean, it would depend on the offence and where it was landing, right? I mean, the difficulty with traffic matters is that, you know, at one end you have a \$150 ticket for speeding a little bit, and then at the other end you have a dangerous driving charge, that’s resulted in the death of someone. Obviously, those two things don’t necessarily belong in the same place.

Mr. Cyr: So you’d be changing some of the legislation away from fines and to administrative penalties? Is this where you’re looking at going with some of our . . .

Ms Ganley: Potentially. It’s certainly one of the options that we’re examining, but, again, everything is still on the table. No decisions have been made on this front.

Mr. Cyr: Will Albertans automatically be deemed guilty, and will they lose the right to face their accuser if this new system would come . . .

Ms Ganley: Well, I don’t think that anybody’s talking about automatically deeming anyone guilty. So, no, I don’t think that would certainly be the case. You know, some of the options that we’re examining just sort of deal with adjudicating through a slightly simpler model. We’ve been hearing from Albertans that the fact that they have to take time off work and go down to the courthouse is not really efficient for them. And we’ve been hearing from our police partners, particularly the RCMP in rural areas, that sometimes having those officers off the street is quite troubling to them. We’re looking at ways to address that problem and to address the sort of significant infrastructure burdens that we’re bearing currently in Justice. There are a number of options on the table, but, no, we’re certainly not looking at deeming people to be guilty of anything without some sort of process in place.

Mr. Cyr: I guess traffic court has been reviewed for a lot of years. Are we using what we’ve learned in these prior reviews to make some of the decisions, or are we going to be opening a new review to look at this?

Ms Ganley: A lot of the information is there already. A lot of the information was gathered under the previous government, as you’re aware. They were looking at this initiative as well, and we are also looking at it, just in terms of determining what the best path forward for Albertans is and, you know, making the best decision that we can. But, certainly, yes, we’ll be using that information because a lot of the information is the same, right? The cost would be the same regardless of what political party is in power.

Mr. Cyr: If we were to change to a more efficient system, would we be . . . [A timer sounded] Thank you.

Ms Ganley: Thank you.

The Chair: Thank you, Member.

We will now move on to the third-party opposition. Mr. Ellis, if you’d like to go back and forth again.

Mr. Ellis: Yeah. Sure.

The Chair: Okay. Thank you.

Mr. Ellis: Minister, thank you. You know, I find that perception is always another person’s reality. I just want to touch back on the youth, CYOC, and although I understand – you and I, I feel like we were on the same page here. I just want to apologize on the record if I implied in any way that any of these children don’t have families. That’s not it at all. I think that you and I understood that many of these children come from dysfunctional families, but that certainly is not to say that they don’t have families.

You know, I will still stick to what I was saying: education, prevention, intervention. We need to help with the addictions. We need to help those with mental health problems. I think we are on the same page, but, again, perception is always another person’s reality, so if I may have offended somebody, I certainly do apologize for that. It’s certainly not my intentioned result. I have a lot of experience dealing with youth and certainly believe that they do need the supports necessary so they can lead productive lives. That’s why we have to do that prevention, intervention at those young ages. So I think that you and I are on the same page with this, but I apologize to anybody who didn’t understand that.

Specialized prosecutions, as we were talking about before: I guess I'll just lay it out there. Are you planning or is there consideration to lay off any Crown prosecutors?

Ms Ganley: I guess the first thing I'll say is thank you very much for your comments. I do believe we are on the same page. I didn't understand you to be saying anything like that. You know, I guess I'll thank all members for their tone. I think we've been working very well together.

Mr. Ellis: Respect, right?

Ms Ganley: With respect to Crown prosecutions, no, we have no intention to lay off any prosecutors. We have seen some reductions there. Those are mainly sort of holding vacancies in some places although, you know, there are some places where we have vacancies we're trying to fill as well. We're not planning to reduce any staff.

Mr. Ellis: Okay. That's great, and that explained what we were talking about, that \$97.1 million down to \$92.7 million. I'm glad to hear we're not laying off any Crown prosecutors.

Also, maybe just some further explanation in regard to special prosecutions. I noticed that there was a reduction. I've got two figures before me from the actuals of 2014-15 which show – I can't remember – a decrease of \$500,000 or a decrease of \$300,000. I'd like to know why there's a decrease. Maybe I'm speaking from a level that understands the importance of a special Crown prosecutor, how in depth those files are, and I think you know what I'm talking about. If you can explain why there was a decrease there, I'd appreciate that.

Ms Ganley: Okay. I think I'll start by saying that you're absolutely right. Those people are absolutely critical in the system. We have a decrease of \$0.4 million from budget, and that's \$0.2 million in ministry-wide reallocations – we've reallocated some manpower funding – and another \$0.2 million, primarily due to lower management supplementary pension charges and vacancy strategies to create efficiencies, which is partially offset by the AUPE salary settlement. Then from actual we have a \$0.6 million decrease comprised of \$0.2 million due to additional temporary disclosure clerks in 2014-15 – we had to have some additional people for some files there – a \$0.2 million reallocation in manpower funding, and \$0.2 million in, again, lower management supplementary pension charges and human resource management strategies.

That's sort of the explanation for the decrease there, but going forward, we're aware that we have some significant challenges in terms of the Crown prosecution service. Those prosecutors are working incredibly hard for us. We have managed to decrease lead times a little, but I think that you're right that in the out-years we're going to have to turn our minds very seriously to the situation. They're doing amazing work for us, but we do know that they're challenged.

Mr. Ellis: Yes. Understanding the length of the files: I mean, for those who don't know, to do a major fraud file, which, you know, consists of multiple victims, millions and millions of dollars, that could take one prosecutor eight months, right? I just want to make sure that money is available for those victims so that they are able to get – we'll say the word – justice.

You mentioned a couple of times just now and also you talked in a number of question periods about efficiencies. Can you please tell me what kind of efficiencies you're looking at in the Crown prosecutors area?

Ms Ganley: A lot of it is sort of due to, you know, movement in the court case management thing, which is a project that has been ongoing for a number of years, and I think it's creating some significant efficiencies. Certainly, in smaller areas it creates some scheduling efficiencies so that we don't have unused days in the same way. Obviously, the PRISM system, which allows file notations to be implemented directly into a computerized file, increases efficiencies in the sense that, as I'm sure you're aware, sometimes paper files don't do a real good job of getting into court when they need to be. There's also the e-disclosure piece, which we think will create some considerable . . .

Mr. Ellis: I was part of the very first.

Anyway, that's good. Okay. Again, just to be clear, to simplify, we're getting away from the papers and more towards the electronic versions of everything. Is that correct?

Ms Ganley: Yeah, and that has resulted in some gains.

Mr. Ellis: Right, and then, of course, video and all that sort of stuff. It's good to hear that we're still on track with that.

Minister, that \$9 million increase on page 182, the Provincial Court of Alberta.

Ms Ganley: Yes.

Mr. Ellis: Okay. I think we talked about it with the Official Opposition. Is this increase just going for wages? Like, what is that \$9 million? Can we expect more judges?

11:20

Ms Ganley: That is money for the findings of the Judicial Compensation Commission. I can't speak particularly well to that process because, of course, we sort of came in and the decision was already made, but essentially that's the wage settlement for the years 2013 up to 2017.

Mr. Ellis: Okay. Are we expecting any more judges? Are we expecting any more appointments? I'm in favour of it just because I know that it's a clogged system.

Ms Ganley: That's totally fair. We have appointed to the vacancies available. We haven't created any more positions at this point. Certainly, going forward, we're looking at a number of strategies in terms of how best to balance that. You're absolutely right: the court system is a little bit underresourced.

Mr. Ellis: Thank you.

Since we're on the topic of efficiencies here, you had previously mentioned lab services and how we go over to Winnipeg, and, believe me, I've processed crime stuff via that route as well. Has any consideration been put into creating or utilizing the space in Calgary – specifically, the Calgary Police Service just recently developed their own forensic area – and possibly doing our own laboratory, which would support all of Alberta, as opposed to a contract? What I found was that in dealing with Winnipeg, we're consistently finding delays. In fact, we've lost cases because Winnipeg is so – basically, most of western Canada is using Winnipeg. I mean, they get so bogged down. Is there any consideration for that? Or maybe you haven't given it any thought. I don't know.

Ms Ganley: We haven't considered that yet. I mean, for the most part, the equipment that is used in that Winnipeg facility is sort of prohibitively expensive at this point. At some point we may have the sort of economies of scale, if you will, to consider looking at

moving to a different facility. I will undertake to look into that and get back to you, because if we're losing cases, that's a considerable concern.

Mr. Ellis: Yeah. I mean, the facility is there. I think that when we're talking about efficiencies – I don't want any victim to lose a case because some forensic DNA or whatever it is just couldn't get there on time, right?

One question. I know it's kind of an Infrastructure type of question. There was a recent commissioned report in regard to new courthouses in Sherwood Park, Airdrie, and Red Deer. Do you know if there's been any money allotted for these projects? I do understand that it's Infrastructure that courthouses really fall under, but do you know if there's any money allotted for that?

Ms Ganley: Currently we understand that over... [A timer sounded]

Mr. Ellis: Can I get a yes or a no?

Ms Ganley: Probably not.

The Chair: Thank you, Minister. Thank you, Member.

We will now move over to the government caucus. Mrs. Littlewood is first.

Mrs. Littlewood: Thank you. Thank you, Minister. As everyone here knows, we are in tough economic times. Knowing this, how has your department managed to ensure that jobs are protected while still managing the budget restraint that we know you have to show?

Ms Ganley: In terms of our department all of our internal management has been done by way of maintaining vacancies. We haven't had any layoffs, fortunately, in our department. We're managing within our budget despite the corrections situation, if you will, just by holding vacancies.

Mrs. Littlewood: Thank you.

Of course, being in rural Alberta, I see how devastating it is to small communities and their viability when they lose good family-supporting, mortgage-paying jobs. Knowing that, what do you believe the harm would be to enact cuts to your department at this time?

Ms Ganley: Well, I think the difficulty in terms of cutting this department is that it's been held at a fairly low level – I don't think we've experienced cutbacks – held at a comparatively flat level for quite a long time. As the third party has alluded to, we have some significant challenges in terms of volumes of cases coming into court. You know, we're primarily a manpower shop in Justice and Solicitor General, so cutbacks would tend to be towards manpower cutbacks, and those would be police on the front lines, correctional officers, Crown prosecutors, people working within the court system to make sure that it functions. I think the difficulty would be if we were to try to cut back on those services. Right now we're managing to maintain front-line services that Albertans rely on, but if we were to cut that further, there would probably be some impacts.

Mrs. Littlewood: Absolutely. I think we all know that, unfortunately, when we're in economic downturns, policing becomes a really important thing just in terms of people being stressed beyond capacity and then it leads to unfortunate circumstances. So thank you. I know that you're taking a responsible approach.

Moving on to a separate issue, of course, in the media recently there were, unfortunately, some very demeaning and deeply troubling comments that came from a then Provincial Court judge regarding a sexual assault complaint. Of course, I'm sure that I and all members would like to know what efforts are under way within Justice to ensure sexual assaults are investigated and prosecuted appropriately and that victims are treated with sensitivity. I know that it relates to priority initiative 3.3 of your business plan, but I'm sure that for other reasons we would like to know that.

Ms Ganley: With respect to that specific case, obviously, there is a process under way, and I'm very glad to see that that process is under way. I can't comment enormously, but we certainly are examining our options in that respect. You know, generally, we are committed to making sure that victims are treated with the sensitivity that they deserve and to making sure that the law is upheld. The Supreme Court has been quite clear, in my opinion, that those sorts of stereotypical attitudes that are sometimes displayed have no place in the law.

The point of first response in these sorts of situations for us is law enforcement officers, and they have a responsibility to treat every incident of sexual violence with sensitivity and diligence. Police officers are well trained, you know, not only in gathering evidence but in making sure that they're sensitive to victims' needs. In addition, we have developed a best practices for investigating and prosecuting sexual assault handbook, which is used throughout the ministry. Crown prosecutors also receive training on these sorts of things through the process of normal training to ensure, as best as we are able, that we respect the rights of victims as they come into the system.

Mrs. Littlewood: Thank you very much.

I'll pass to Member McPherson.

Ms McPherson: Thank you. I'd like to discuss another issue that has come up in the media recently. Late last week everyone was shocked and appalled by the heartbreaking events that unfolded in Beirut and Paris. Given the disturbing attacks in Paris on Friday, can you tell us what the department is doing to ensure that everyone is kept safe from terrorism and where that is reflected in the budget?

Ms Ganley: Obviously, with respect to sort of outward-facing concerns like that, the primary on that is the federal government. However, the provincial government, I think, has a really important role to play in ensuring that all Albertans and all Canadians are kept safe. We work with the federal government and with their RCMP and CSIS resources through the Alberta Security and Strategic Intelligence Support Team, or ASSIST. Sorry; another acronym. They work closely to co-ordinate and make sure that intelligence is flowing between departments. In this case, I have been in contact with my federal counterpart, and no specific threat has been identified to Canada or Alberta. We're confident that they are working to make sure, and, you know, a whole lot of resources sort of jumped into gear in that instance. As I said, I've spoken to my federal counterpart. They haven't seen a need to raise the threat level, but of course we will, going forward, be vigilant and diligent. You know, our hearts go out to the victims of that attack.

11:30

Ms McPherson: Thank you.

You've kind of answered my second question, about working with other provinces and the federal government. Are these costs shared at all, or how are they shared?

Ms Ganley: The ASSIST team is funded through our ministry, obviously. CSIS is federally funded, and the RCMP resources that exist within Alberta, many of which are currently dedicated to exactly this, are partly provincially and partly federally funded although usually this sort of work comes from the federal government. So the cost is shared although primarily it's a federal responsibility. But, certainly, we have a huge responsibility in ensuring that information is shared in a timely and appropriate manner.

Ms McPherson: Thank you.

I'd like to shift topics again – I do this a lot – and talk about priority initiative 2.3, and that's on page 79 of the business plan. The initiative states that the government will “examine innovative policies, processes and practices for bail/remand, pre-trial supervision and intermittent sentences.” Could you please explain what kind of policies will be examined?

Ms Ganley: In this instance we're committed to examining sort of the new policies that we could bring forward in this area. Obviously, we have an ongoing review under way in terms of the bail system, which may assist us with that. We're hoping to have the results of that – I believe it's coming through in February.

Since about 1972 section 732 of the Criminal Code of Canada has provided judges with the option of ordering a sentence of incarceration for a period of 90 days or less to be served intermittently, and what that means is on the weekends, essentially. People go into the remand centre and come out. In instances when that program works, it's somewhat costly because we're processing people in and out, and sometimes there are difficulties in terms of the population levels inside the remand centre. So we're sort of looking at ways we can re-examine how that supervision takes place and ways we can ensure that, you know, we're keeping communities safe, that we're using the right resources in the right places, and that we're not exposing individuals who have committed sort of minor offences to potentially dangerous situations or, potentially, to skill sets we don't want them exposed to.

Ms McPherson: Yes. Fair enough. Thank you.

The benefit to Albertans, then: is that simply cost savings?

Ms Ganley: We think that it's more than cost savings, actually. I mean, certainly in terms of the bail review, when we have a better understanding of what resources should be allocated and how . . . [A timer sounded] Too long winded.

The Chair: Thank you, Minister.

We will now return to the last 10 minutes for the Official Opposition. Mr. Cyr.

Mr. Cyr: Thank you. Minister, I would like to go on a different tack here on your community safety issues affecting law enforcement. I'd like to bring up the review that Mr. Ian McPhail, chair of the Civilian Review and Complaints Commission, released on February 2 of this year in response to the 2013 flood in High River. The commission investigated the decisions and actions of the RCMP members in regard to the entry of private residences and the seizure of firearms from some of these residences during the emergency response to the flooding in High River. What I would like to know is: how many of the 10 recommendations to date have been completed, and where are they in the process if they're not completed?

Ms Ganley: Sorry; you're referring to the initial report, that's come out. We're awaiting the final.

Mr. Cyr: They came out with the 10 recommendations.

Ms Ganley: They came out with 10. That report is an interim report. Those recommendations haven't been finalized yet, so we are currently awaiting the finalized report. In terms of, you know, when those recommendations come forward, we will certainly be assisting our RCMP partners in moving forward with that.

Mr. Cyr: When are we expecting this final report to be completed?

Ms Ganley: Sorry. I'm going to pass it over to Dr. Curtis Clarke again.

Dr. Clarke: It's in the hands of the RCMP commissioner right now, and once he has finished reviewing it, it will be publicized at that point.

Mr. Cyr: At this point are we saying that we're doing nothing?

Dr. Clarke: At this point we can't do anything because we're waiting for the final sign-off from the RCMP commissioner as to what those recommendations are from the aspect of a final report.

The Chair: Member, can we bring this back to the business plan or the estimates, please?

Mr. Cyr: Absolutely. Thank you for that, Madam Chair.

All right. Do you have a plan to monitor dangerous offenders who have been released and are on our streets?

Ms Ganley: Well, currently my department is responsible for supervising offenders, and obviously given the complexities of the code – you know, there are different supervisions depending on whether someone has been incarcerated and then has been released on probation versus sometimes there'll be a community supervision order or there'll be a probation order given in terms of supervision. We certainly do have a responsibility for supervising those offenders.

Mr. Cyr: Okay. Thank you.

All right. To go back to page 182, under 2.2, access to justice, can you please explain why you decided to cut access to justice by \$121,000 when last year in the 2014-2015 actuals they were actually over budget by \$340,000?

Ms Ganley: I'm sorry. Can you repeat what line you're on?

Mr. Cyr: It's line 2.2 on page 182.

Ms Ganley: Okay. The budget provides primarily for manpower. They do the Alberta law libraries, the law information centre, and civil mediation.

In terms of the change for 2015-16 from Budget 2014-15: a \$0.1 million decrease due to a \$0.3 million reallocation to correctional services in terms of their manpower. This is partially offset by an increase of \$0.2 million for the AUPE settlement. From 2014-15 actuals: a \$0.5 million decrease is attributed to a \$0.4 million overexpenditure in 2014-15 due to AUPE settlements not being fully funded from other reorganization activities. That was sort of a one-time thing. Then a \$0.1 million decrease in budget is primarily due to a \$0.3 million reallocation for correctional services, which is offset by the \$0.2 million increase in AUPE settlements.

Mr. Cyr: Okay. Thank you, Minister. That was very informative. I'd like to cede my time to Member Orr.

Mr. Orr: Hi. Thank you, Chair, and also to the minister. My question is related specifically to, I guess, central Alberta. Maybe I'll speak on behalf of the central Alberta ridings. I had a meeting with the justices quite a few months back, so my questions come out of that meeting. I guess I would be interested in the department's understanding of the capabilities of the Red Deer facility. Sort of related to the question already asked: is it capable of servicing the need, in your opinion, and recognizing the financial constraints, what kind of interim measures can be used to sort of meet some of that need? The issue is, for instance, that traffic court is in a hotel. Family court issues: 40 per cent of the cases involve children in one way or another, and in many cases they're put off for months and months, up to six, eight months, because there are no courtrooms available for booking. They're all booked.

11:40

Ms Ganley: Okay. I guess the first thing to say is that, yes, we are definitely aware of the situation with the Red Deer courthouse. You know, we are sort of speaking with the committees in terms of getting them on the priority list, and I believe that within our budget for courthouses Red Deer is quite high on the priority list. We'll be working through the normal process in terms of determining what the priorities are. I mean, I think the challenge is that we're in somewhat challenging economic times, and we have a sort of substantial infrastructure deficit in this province. We'll be working with our colleagues and with the committees to determine . . .

Mr. Orr: I recognize the financial constraints. I respect that entirely. I'm not pushing for that. I guess I'm looking for creative solutions. A number of times in the business plan it talks about the priority of accessibility, and I guess I would want your assurance on the record that there won't be an interim measure saying that central Alberta people have to drive to Red Deer or Edmonton. I think that would not be appropriate.

Ms Ganley: I'm sorry. I'm not sure that I'm understanding your question. You're saying that you don't want them to go to Red Deer?

Mr. Orr: No. Maybe I worded that wrongly. I don't want them to have to go to Edmonton or Calgary. I want an assurance that it will be accessible in central Alberta.

Ms Ganley: We definitely understand the Red Deer courthouse issue, and we're definitely working to address that issue. That's sort of all I can say at this point.

Mr. Orr: Okay. Fair enough.
I'm done.

Ms Ganley: Thank you.

Mr. Cyr: All right. The business plan, page 79, priority 2.3: under that priority do you also have plans to improve the bail system after you've received your report from Nancy Irving in February 2016?

Ms Ganley: Once we receive that report, we'll be taking it under advisement to sort of determine what we have to do next. It's difficult to say what we'll have to do next because we don't really know what the outcomes are going to be yet. You know, she's a very experienced person who, we think, will give us some really great advice, and we're hoping to find a way that we can both respect the rights of offenders while simultaneously ensuring that the public and our front-line workers are safe.

Mr. Cyr: Is that report going to be public?

Ms Ganley: I'm going to have to get back to you on that. I'm not entirely certain whether that's – I'm afraid I can't remember off the top of my head. Sorry.

Mr. Cyr: Okay. Thank you.

If it is Ms Irving's suggestion to have Crown prosecutors instead of police officers representing the Crown in bail hearings, have you started work on calculating how much more it's going to cost for such changes?

Ms Ganley: Sorry. I'm just going to jump back to the last question because I've been informed that, in fact, the report will be public.

We haven't started costing out anything yet because we don't want to presuppose what we think the outcome is going to be.

The Chair: Thank you, Minister and Member.

We will now move into the last 10 minutes for the third-party opposition. Mr. Ellis, go ahead.

Mr. Ellis: Thank you, Chair. I just want to talk a little bit, Minister, about the provincial police service agreement here. Communities with fewer than 5,000 people currently pay nothing for policing, and this obviously, sadly, creates a disparity between small and large municipalities. Is there a plan to ensure or anything to ensure that, you know, everyone pays for policing on a per capita basis, or are we just sticking to the old model?

Ms Ganley: We're not a hundred per cent sure what we're doing on that yet. What we are moving forward with is examining ways in which we could do this, but of course, as you're probably aware, the MGA is under review as well, so there are a significant number of moving pieces. We certainly are bringing forward a report so that we can deliberate on and discuss, maybe, changes to that model because, you know, we are aware that Albertans pay anywhere from zero per cent to 83 per cent of the cost of their policing, and we are aware that that is seen as rather inequitable.

Mr. Ellis: Absolutely. I couldn't agree more.

Is this maybe part of this report that you're talking about? Are you looking to eliminate the RCMP in favour of provincial police, or what kind of model – not at all? I saw some shaking heads.

Ms Ganley: No, I don't think we're looking at getting rid of the RCMP contract at this point.

Mr. Ellis: Not at all? Okay. Fair enough.

Back to ASIRT if you don't mind. I notice that you previously talked about a decrease in ASIRT. Please forgive me, but I thought I heard you say – and it's not a direct quote – that there were unnecessary expenses from the previous year. Could you please just elaborate on what you mean by unnecessary expenses?

Ms Ganley: I'll apologize if I said that there were unnecessary expenses because there definitely weren't.

Mr. Ellis: And I'll apologize if I misheard it. I just heard the word "unnecessary." So the decrease, right?

Ms Ganley: There was a temporary staffing issue. So it wasn't unnecessary staffing; it was just temporary staffing.

Mr. Ellis: Oh, okay. All right.

Ms Ganley: Sorry; my apologies if I misspoke there. It's entirely possible.

Mr. Ellis: Me, too.

When we talk about ASIRT – and, you know, I’m obviously familiar with ASIRT – could you just explain to me: exactly what is ASIRT’s role?

Ms Ganley: Currently ASIRT’s role is investigation in incidents where there is an injury or a death in custody. Now, sometimes, depending on the situation, the service itself, whichever one it is that’s had the incident, will take the investigation, and then ASIRT will oversee. Sometimes ASIRT will do the investigation themselves. The purpose behind that is that oftentimes – you know, it’s really critical that this government maintain confidence in public policing. We think that our police partners are doing an amazing job of what they do, but sometimes the public perception of having an organization investigate itself is not particularly transparent, so it’s not particularly well received. We think it’s important to sometimes have that outside agency there so that the public can be assured that the investigation was fully completed.

Mr. Ellis: I think we’re in agreement.

Officer-involved injury or death. Minister, this is not meant to be an attack against you. I just would like some explanation on this, especially when we’re talking about expenses that would have come out of ASIRT. Why was retired chief Rick Hanson investigated, then, if he had nothing to do with the in-custody death or . . .

The Chair: Member, we have to be cautious. If we could just stay on the budget.

Mr. Ellis: It is. That’s money allocated out of ASIRT.

The Chair: But we’re speaking about individuals. I think we just have to be cautious when we’re looking at investigations.

Mr. Ellis: Okay. So take him out of there. Just the situation without the name. Sorry. Why was money allocated for a retired member who had nothing to do with an in-custody injury or death investigation?

Ms Ganley: I will apologize because ASIRT also takes on matters of a serious or sensitive nature, particularly where it may undermine the police source. So without mentioning any incident specifically, the process is that a complaint will be made by the service to the director of law enforcement, who then makes the decision on how to proceed.

Mr. Ellis: Thank you very much for the clarification there.

Just one more before I pass it on to my colleague here, going back to the radio communications that we had talked about previously. You know, I know that specifically in Calgary – and that was line 7.16 and that \$66 million that was allocated and stuff like that – that has been a significant issue for years and years and years. I mean, the radios that are used in Calgary – I’m going to say that this is an officer safety issue, right? You nodding your head tells me that you’re completely aware of this, right? Is there a way for you or are you encouraging the Calgary Police Service to get onboard with this new system from an officer safety perspective? Please explain.

11:50

Ms Ganley: I mean, certainly, we know that radio communications are absolutely critical for officers, so we’re very glad that this project is going ahead. Obviously, we can’t really take full credit for that because it’s been going ahead for a number of years. You know, in terms of the Calgary Police Service I think I will leave it to them to determine when they feel – their reasons are actually reasons of officer safety. They want to make sure that their officers are as

protected as possible, and they feel that they want to transition over a little bit later and that they want to continue to maintain their infrastructure for various reasons. You know, I will trust that they have the best interests of their officers at heart. If someone feels that that isn’t the case, I encourage them to bring that forward.

Mr. Ellis: Absolutely.

When you talked about agencies, I guess, which ones are jumping onboard first? Is it the rural areas? Is it Edmonton? Is it Lethbridge, Medicine Hat?

Ms Ganley: It sounds like Edmonton and the RCMP are transitioning first. If you’d like, I can get back to you. Obviously, there are other parties involved in this decision. I’m not sure if we have an exact rollout time, but I can get back to you with the information we do have.

Mr. Ellis: That would be nice. Thank you. You know, I’m just speaking from the perspective, obviously, of officer safety, and we’re talking about systems that are in some cases 25-plus years old. That’s all I’m talking about there.

Anyway, just going on to the bail system review, I would like to thank you again for continuing with that initiative. I know I’ve been on that issue since, like, 2007, so I’m really happy. I hope it comes out. Do you have any money allotted at this time or foresee any money allotted at this time? Have you predicted any money to be allotted?

Ms Ganley: Well, I think that when the report comes forward, it’ll be right at the end of this fiscal year that we’re discussing because of the weird timing of the budget, so I think we’ll probably be considering that in the next budgeting cycle, depending on what the recommendations of that report are.

Mr. Ellis: Okay. Sorry; just one more quick question here. The Official Opposition talked about traffic matters and stuff like that. Has any thought or consideration been given to, again, making it more convenient for people but also possibly utilizing the registry agents further – like, I know they accept payments, right? – making it more convenient for people that have received traffic tickets or whatever, whether it be an adjudicator, whether it be a justice of the peace, utilizing the registry agents?

Ms Ganley: I mean, at this time you can pay your tickets online through the registry agents, as I understand it, but in terms of utilizing them for adjudicative functions, no, I don’t think we’re considering that.

Mr. Ellis: No consideration. Okay. Thanks.

I’m going to hand it over to my colleague. Thanks very much.

Ms Ganley: Okay. Thanks.

Mr. Rodney: Thank you so much, Member, and thank you, Chair. From before the spring election and to this day the new Premier, the new minister, and the new government have regularly expressed support for the Truth and Reconciliation Commission report and the United Nations declaration on the rights of indigenous peoples, and we all know that is extremely important. However, when we look at line item 7.7 on page 183, we see a huge drop with respect to an extremely important issue, and that, of course, is the fact that our March budget earmarked \$12.1 million for the First Nations policing, but in your budget it’s fallen a million dollars to \$11.1 million. Considering this government’s platitudes regarding TRC and UNDRIP and especially considering the recent fentanyl crisis on top of all the other issues, how does the minister

explain the rationale for a huge drop in funding for First Nations policing. I heard it has something to do with the RCMP, but I don't think . . . [A timer sounded]

The Chair: Thank you, Member.

Mr. Rodney: Thanks.

The Chair: Okay. Now moving on to the government caucus, you will have six minutes.

Ms McPherson: Thank you for providing the clarification on innovation earlier, and I'm looking forward to seeing what kind of innovative programs you'll be implementing.

I'd like to ask a question about priority initiative 2.4, which states that you will "explore actions that promote excellence in prosecutions." What are those actions? What would promote excellence in prosecutions?

Ms Ganley: Currently the province has a large number of prosecutors, and we actually think they're doing a really fantastic job. They're working really hard for us. In terms of, you know, moving forward to ensure that they're able to do their jobs the best that they're able to, a lot of that has to do with the court case management piece and the PRISM piece, that enables them to have access to the files and information. Because it's stored electronically, they will always have access to the files – sometimes, unfortunately, in any system paper doesn't always find its way to the place that it was intended to go – so that's quite helpful. The court case management system is also very helpful with that and in ensuring that we utilize prosecutor time effectively and that everybody can be where they need to be.

Of course, our prosecutors undergo an enormous amount of training to ensure that they're prepared to act in the best interests of all Albertans. Prosecutors have interesting ethical obligations in the sense that their ethical obligations are to act in the best interests of the public, not necessarily to obtain a conviction. We want to support them to make sure that they are able to do the best job for Albertans, and we think that they're doing very well.

Ms McPherson: Thank you very much.

I'm going to cede the rest of the time to Member Littlewood.

Mrs. Littlewood: Thank you. Minister, priority initiative 1.5 talks about working with First Nations to "develop culturally appropriate crime prevention initiatives." I'm particularly curious because in Fort Saskatchewan we have a restorative justice team that works out of the RCMP detachment there. I'm wondering if or how the ministry is working to incorporate the indigenous restorative justice ideas and initiatives.

Ms Ganley: Actually, those restorative justice programs exist in a number of places, and we think that they're working very, very well within the communities. Obviously, another initiative that we have is those First Nations policing initiatives, which were, interestingly, just referenced. The struggle there has been filling vacancies. Because we're recruiting through the RCMP, we try to keep those vacancies as full as possible, but sometimes there's a little bit of a

lag. You know, we want to ensure that those people are sort of active in the community.

In addition, we produce Gladue reports. In keeping with the Supreme Court decision, those reports are used in sentencing to ensure that the unique circumstances of aboriginal offenders are taken into consideration. Now, there had been some challenges with those reports, and we have been working to ensure that they're getting out there in a timely manner. In addition, you know, we have dealt with a whole bunch of community-based report writers on that front.

I guess there are a number of initiatives within the ministry, and we're hoping that they're working together. We're also deeply hopeful that in concert with our new federal partners we're able to address some of those underlying drivers so that the overrepresentation of aboriginal persons in the justice system decreases.

Mrs. Littlewood: Absolutely.

Priority initiative 2.1 talks about the ministry partnering with Alberta courts and stakeholders to reform the family justice system. Unfortunately, one of my first memories at three years old was going to the courts because my parents were fighting over custody of me. I know that this, unfortunately, becomes the story of many of the children of our province, so I would like to know, as I'm sure everyone here would like to know: what do you think are the most needed reforms in the family justice system? I know that you spoke about it briefly earlier, but if there are some more that you would be able to expand on or perhaps improvements that the ministry could make. I know that we are short on time.

Ms Ganley: I guess, very quickly, we will be getting back to all the members with respect to sort of timelines on that. We are working with our community partners because we think that they are sort of best placed to give us advice. The intent is to stream matters that don't need to be contentious to other resolution mechanisms. You know, the court is just not the best place for everything, and it certainly isn't the best place for young children. I think our priority there is going to be to ensure that people have access to the appropriate dispute resolution mechanisms even if those aren't a court mechanism.

Mrs. Littlewood: I think I just have one more thing here. When you're talking about priority initiative 1.2, it mentions being "responsive to community needs."

The Chair: Sorry for the interruption. I apologize, but we have now met our time allotment.

I just want to say thank you to all the members. I think this is one of the best committees that we've had. We had lots of time for everybody to ask questions, so thank you so much for the decorum.

I'd like to remind the committee members that we're scheduled to meet again this afternoon from 3:30 to 6:30 in the Foothills Room to consider the estimates of the Ministry of Seniors.

Thank you again.

[The committee adjourned at 12 p.m.]

