



Legislative Assembly of Alberta

The 29th Legislature
Second Session

Standing Committee
on
Families and Communities

Mental Health Amendment Act, 2007, Review

Wednesday, April 13, 2016
6:31 p.m.

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Second Session**

Standing Committee on Families and Communities

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Wednesday, April 13, 2016

[Ms Goehring in the chair]

The Chair: All right. I'd like to call this meeting to order. Welcome to members, staff, and guests in attendance at this meeting of the Standing Committee on Families and Communities.

My name is Nicole Goehring, and I'm the MLA for Edmonton-Castle Downs and chair of this committee. I'd ask that the members and those joining the committee at the table introduce themselves for the record. I'll start with my right.

Mr. Smith: Mark Smith, Wildrose, deputy chair.

Ms Drever: Deborah Drever, MLA for Calgary-Bow.

Mr. Horne: Trevor Horne, MLA for Spruce Grove-St. Albert.

Mr. Shepherd: David Shepherd, MLA, Edmonton-Centre.

Mr. Westhead: Cameron Westhead, MLA for Banff-Cochrane.

Ms McPherson: Karen McPherson, MLA for Calgary-Mackay-Nose Hill.

Ms Luff: Robyn Luff, MLA for Calgary-East.

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

Mr. Rodney: Dave Rodney, Calgary-Lougheed.

Mrs. Pitt: Angela Pitt, MLA, Airdrie.

Mr. Orr: Ron Orr, MLA, Lacombe-Ponoka.

Mr. Hinkley: Bruce Hinkley, MLA, Wetaskiwin-Camrose.

Ms Sorensen: Rhonda Sorensen, manager of corporate communications and broadcast services with the LAO.

Mr. Koenig: Trafton Koenig, legal counsel with the Parliamentary Counsel office.

Ms Robert: Good evening. Nancy Robert, research officer.

Dr. Massolin: Good evening. Philip Massolin, manager of research services.

Mrs. Sawchuk: Karen Sawchuk, committee clerk.

The Chair: Thank you.

A few housekeeping items to address before we turn to the business at hand. The microphone consoles are operated by the *Hansard* staff, so there's no need for the members to touch them. Please keep cellphones, iPhones, and BlackBerrys off the table as they may interfere with the audiofeed. Audio of committee proceedings is streamed live on the Internet and recorded by *Hansard*. Audio access and meeting transcripts are obtained via the Legislative Assembly website.

Up next is the approval of the agenda. Would a member move a motion to approve? Moved by MLA McPherson that the agenda for the April 13, 2016, meeting of the Standing Committee on Families and Communities be adopted as circulated. All in favour of this motion? Any opposed? Carried. Thank you.

Next is the approval of the meeting minutes for December 16, 2015. We have the minutes from our last meeting. Are there any errors or omissions that anyone would like to note? Seeing none, would a member move the adoption of the minutes, please. MLA

Orr moved the motion that the minutes of the December 16, 2015, meeting of the Standing Committee on Families and Communities be adopted as circulated. All in favour of the motion? Any opposed? Motion carried.

Review of the Mental Health Amendment Act, 2007. Research services' summary of written submissions from the public. I understand that Ms Robert will be addressing the submissions summary document. Go ahead, please.

Ms Robert: Thank you, Madam Chair. Okay. I'm just going to give you a brief overview of the summary of written submissions received from members of the public with respect to the review of the Mental Health Amendment Act, 2007. That document was posted to the internal committee website last week for your review. A total of 68 submissions were received, and the names of all members of the public who made submissions are included at the end of the document. A number of submissions did not comment on the Mental Health Amendment Act, 2007, at all, so they were not included in the summary. One submission in particular, from a person named Shelley Hayduk, submission 052: her submission indicated only that while she would have liked to participate by making a submission to the committee, the fact that her submission would be made public deterred her from doing so.

More than half of the submissions, 35 of them, made only very general comments such as support for or opposition to the use of involuntary admission or CTOs – CTOs are community treatment orders – concerns with respect to those two mental health services, and suggestions for improvement to the involuntary admission and CTO process. Because they were very, very general comments, they are included – it's basically a high-level summary of those included at the end of the document under section 3, which is entitled General Comments.

Now, the remaining 13 submissions made quite substantive comments. These submissions came mainly from lawyers who've appeared before mental health review panels, health care professionals, mental health advocacy organizations, and private citizens, including family members of individuals suffering with mental illness. The issues raised in each of the 13 submissions were summarized in detail in sections 1 and 2 of the document.

The document was organized by issue, so there's a section on the issues that were raised with respect to involuntary admission and then another section with respect to the issues raised about CTOs.

Some of the issues that were raised with respect to involuntary admission include the change in criteria from likely to present a danger to themselves to the harm element, so harm instead of danger, or the likelihood that the person will suffer a mental or physical deterioration or serious physical impairment. I would say that the main issues raised were the effects of that change, so issues related to the change and the expansion of the criteria to include the likelihood element and how that likelihood is interpreted in terms of likely in five minutes or likely in six months. There was a lot of difference in interpretation of that, it would appear.

Some members of the public also raised issues with respect to what happens when somebody is released from involuntary admission. Who is informed? What kind of support do they have in the community? Are they released too early? That type of thing.

There were also issues raised with respect to the renewal process for involuntary admission. Apparently, there are challenges because an individual may no longer meet the criteria but is not well enough to cope with their illness without supports.

With respect to community treatment orders some of the issues that were raised by members of the public were: the criteria for issuing a CTO, who has the authority to issue a CTO, and who

should be given authority. Should it be doctors? Should it be the court? Should families have a say? That type of thing.

Issues with consent. One person who made a submission talked quite a bit about the great deal of authority that adult guardians have who have legal guardianship of people with mental illness. Also, service providers expressed concern about the fact that they have a lack of authority with respect to recommending whether a person should be the subject of a CTO. Service providers believe that they're sometimes the only health care provider for the person, that they sometimes don't have a doctor or maybe family, you know.

Administration issues with CTOs. Some people talked about the process being very cumbersome, lots of paperwork, and that that might be a reason some physicians won't issue them, because they don't want to do all the paperwork. Now, I mean, I don't know about the veracity of that, but those were some of the issues that were raised.

Another issue raised was with respect to mental health review panels and that they have the ability to renew a CTO or to cancel one but not to amend it. Sometimes all that needs to happen is to have it amended a bit so that medication is changed, and they don't have the authority to do that. That was raised.

And then there was an issue that was raised with respect to the apprehension and detention of people who are noncompliant with their CTO and the circumstance under which a CTO is automatically cancelled when that happens, and then perhaps the person is not actually admitted, and then they're out on the street, and they don't have a CTO.

6:40

Those are the basic issues that were raised in the submissions that the committee received. Nine people who made submissions offered to further consult on the issues that they raised in their submissions at the request of the committee. One person, Leanne Wyatt, submission 079, specifically requested another opportunity to provide input.

That's basically an overview of the document. If anybody has any questions, I'd be happy to try to answer them.

The Chair: Thank you very much, Ms Robert.

Is there anyone in the committee that has any questions?

Mr. Rodney: Chair, I'll beg your indulgence. I'll ask if this is an appropriate question for now or for later, so it's up to you two as to whether or not we refer to these right now. You know, folks, I can tell you that after close to a dozen years on the job as an MLA, I've had more experience with these sorts of files than I ever would have expected, not just assisting constituents but including my time as chair of Alberta Alcohol and Drug Abuse Commission.

I turn to my tab. Was it 68 total submissions, mostly, as colleagues will notice, from private citizens? We see other categories, and for the sake of confidentiality I won't go through that, but that is the nature of my first question. We heard that one Albertan would have submitted had it been confidential.

I'll ask all three questions. The first one is: do you have recommendations as to whether or not we could or should be utilizing confidentiality as a way to solicit more than the 68 and from more types of individuals or organizations? So confidentiality is item one.

Item two. Sadly, I do not recognize names from any of our indigenous communities. It affects every Albertan in one way or another as an individual, family member, or member of the community. What is the plan in order for us to seek and receive feedback from our First Nations, Inuit, and Métis Albertans?

Lastly – let's face it – there was a lot of deliberation around the table about the cost and the most effective way to get as many great responses for the lowest amount of spend. Do you feel we got a good return on our investment, considering the amount of money that was spent versus the number and not just the nature but the content of what we received?

So in summary, three questions. Can you advise regarding confidentiality, indigenous communities, and return on investment?

Ms Robert: I think so. I believe that with respect to question one, the Chair has that as an agenda item for later in the meeting.

Mr. Rodney: I just wondered if you had comments or advice.

Ms Robert: I would say that it's a committee decision whether that's important to them or not.

Mr. Rodney: Sure.

Topics two or three, though?

Ms Robert: Aboriginal groups were identified stakeholders and were solicited. I mean, I don't know how else the committee wants to reach out to aboriginal groups, but they were identified, and specific letters were sent to them.

Mr. Rodney: I understand that. My question is more so: how do we not only solicit but receive feedback, if you have any recommendations? If you believe it's beyond your scope, that's fine. We can talk about it as a committee. I just think it's obvious by its absence, and I think we all care very deeply about our First Nations friends and need and want them represented.

Ms Robert: Yes. I think the communications manager might be better able to answer that.

Before I ask her to do that, the other question was: do you think we got bang for our buck, if you will? A grand total of 84 submissions, and we had several, several, several pages of identified stakeholders that were invited and, of course, a broad-based public awareness or public invitation. So again I would say that that's for the committee to maybe decide if they think it was worth while.

Mr. Rodney: Sure. I just thought perhaps you might have an observation compared to other similar blitzes and if it compares or contrasts in a way that's similar or not.

Ms Robert: I think it depends on the issue. I mean, high-speed rail: tons of submissions. Pensions: pounds. You know, I just think it depends on the issue.

Ms Sorensen: If I may, Madam Chair?

The Chair: Absolutely.

Ms Sorensen: My comments will be more towards the return on investment that you're speaking of.

Mr. Rodney: Sure.

Ms Sorensen: We're in the midst of putting together a report right now that will be before this committee more towards the end of this. Once all the communication pieces have been put out, we can actually present you with some numbers on measurement of all of the different initiatives – how many people were following on Facebook, how many people were looking at Twitter and Google AdWords, things of that nature – to give you a bit broader scope,

that our engagement may not necessarily be going as far as doing the submissions. So that would supplement.

Mr. Rodney: Let's face it, colleagues. You may agree that when we take a look at certain analytics, it will give us an indication as to whether or not: "Okay. That worked this time. It didn't work this time." If we're awake and paying attention around tables like this, then we're always learning no matter how long we've been here. Let's face it. We want to do the best we can for Albertans, the biggest return on the smallest dollar.

Ms Sorensen: Absolutely.

One caveat I will give this committee is that when we do that, we're in the infancy of providing that information, so we might not have something as comparable as we would like to be able to compare it to. But I think it'll still give you an idea of the number of Albertans who are actually involved in the process.

Mr. Rodney: Yeah. Well, as things change around here, we need different kinds of baselines. But let's face it. We need to take it somewhere and get it farther down the track. Thank you, staff.

Perhaps, Chair, we can address any of these others farther down the line. I'd appreciate that on behalf of those we're representing.

The Chair: Thank you.

Dr. Massolin would like to add a few points.

Dr. Massolin: Yeah. Thank you, Madam Chair and through you to the rest of the committee and Mr. Rodney especially. I can offer a comparison to the 2007 review, when this act was in bill form. I provided research assistance to that committee. I can tell you that the number of submissions was around 35 to 40, grand total, compared to the 83 that we have this time. So I guess you can consider that a little bit of an improvement. Perhaps there was an additional sort of bounce, if you will, to put it colloquially, because of the other committee, maybe, on mental health. That might have played a role as well, but it's hard to know for sure.

Thank you.

Mr. Rodney: Thank you, Dr. Phil.

The Chair: Thank you.

Mr. Hinkley: Well, I don't know if I'm stepping out of order here, but one of the things that I'm going to propose later in our meeting is that we actually invite an oral presentation from an indigenous perspective, and I have two names that I'd like to propose to the committee that we invite to speak with us. You're absolutely right. There were no written submissions, so we will look for an oral presentation.

Mr. Rodney: Well, Mr. Hinkley, we're completely on the same page. I was ready, too, but I'm happy to entertain yours. If it's good as it is, great, and if I have an idea, if you'd entertain a possible friendly amendment. But I think we're working to the same end, and I look forward to doing that with the rest of our colleagues here today.

The Chair: Okay. That's great. Thank you.

Are there any other questions respecting the submissions summary document?

Mr. Orr: I'd just like to make a comment. I don't know quite how we balance it with all of the complexities of this issue, but I read through most of the submissions directly, and I think there is a fairly recurrent theme on the part of family members who very clearly

feel not only ostracized from the process but disrespected. In many cases they are the primary caregivers, and in many cases after they've been through the system, they get dumped out, and the family members have to pick up the pieces again. I would like to at least explore the possibility of somehow opening the process or softening the process a little bit. Much of those expressed the concern that it was purely a physician-driven process, and both families and clients voiced their concerns about those things, if there was some way to include the broader community in that. Sometimes that will include families. I realize that families aren't always helpful, but in many cases they are. I think it's safe to say that in our day and age real social health is not for any of us a purely individual thing. We are parts of communities, and that is family. I don't think that's reflected at all in this legislation or in the process.

6:50

I realize that there is going to be the legal challenge of privacy, but I personally believe that in many realms the intent of privacy has created really serious consequences where, in fact, more negative is gained than positive is gained. Maybe we need to be carefully looking at: have we gone too far with the issues of privacy if we're going to live in a world in community with people in meaningful ways? I realize that there would be significant legal challenges for us to address that, but I don't think it's completely unaddressable. Maybe it's a re-examination of guardianship, or maybe it's about something completely different.

I'm going to throw it out as a bit off the wall, but to maybe challenge your thinking a bit, I wonder if there couldn't be some sort of process where there could be some sort of legal intervenor status, much as the courts have, for family members. I don't know how the details of that would work out, but I do sense in reading the submissions that we have some kind of an imbalance there that isn't accomplishing the kinds of positive outcomes that maybe we'd like to see.

Those are just my thoughts on it.

The Chair: Thank you very much for your comments.

Today the committee has before them two specific items of the legislation, which are the amendments, so that's where the focus of this committee has to stay when discussing this. However, further in the agenda we're going to look at some other possibilities of presentations, and perhaps family could be part of that.

Mr. Orr: Well, I just express it as sort of a summary of what I read in the submissions, and I think that's partly what comes up on the submissions. So that's why I express it now. I don't expect us to do anything with it right now, but I throw it out there.

The Chair: Thank you.

Are there any other questions about the submissions?

Seeing none, we'll move on to the next point, which is an e-mail that had been submitted. It was one e-mail, recorded as 052 on the submissions list. The committee may wish to exclude it from the review. I will ask that Dr. Massolin speak to this, please.

Dr. Massolin: Okay. Thank you, Madam Chair. This submission, or e-mail, as you put it, is e-mail 052. It's been distributed to you, so you have it before you. The consideration there is whether or not the committee should accept this as a submission for its review. The reason why it's a question is that it's not a traditional written submission. It doesn't offer any comments or opinions with respect to the amendments to the Mental Health Amendment Act, 2007. Rather, it questions a committee practice, and that practice is for submitters to indicate their names and, as well, for the committee to post such submissions to its site so that the public can see it. I would suggest that you consider whether or not to accept this as a

this as a legitimate submission. The consideration there is: does it meet that standard of a written submission and the standard that you set in terms of your call for written submissions? Does it comment on what you want it to comment on?

Thank you.

The Chair: Thank you.

Are there any questions regarding this submission?

Seeing none, I would ask that a member be prepared to move the following motion, that

the Standing Committee on Families and Communities exclude submission FC-MHAA-052 from the review process.

Mrs. Pitt. Thank you. All in favour of this motion? Any opposed? Carried.

Mr. Rodney: Chair, it's not a point of order, but in my experience we'll often ask for the motion and have a seconder and then discussion before the vote.

The Chair: Sorry. No seconds but perhaps a discussion.

Mr. Rodney: Okay. I know we've had the vote, and that's okay, but as I referred to in my initial comments, we'll be discussing this and perhaps – I mean, we want to get great feedback. When this is as sensitive a topic as it is – again, I cannot and will not state the person's name or their affiliation, but folks that see this right now see that this could perhaps have been an incredibly valuable submission. I don't want to exclude people like this in the process. In discussion I might have said, "Well, perhaps we should contact this person and see if they want to be excluded," but I don't want to waste anyone's time, and I don't think there's any way this person would want it included by the nature of the e-mail. But at some point I think we need to make decisions on the necessity of releasing personal information. I'd rather hear from people like this than not in the future.

The Chair: Thank you. We can discuss that perhaps under stakeholder and public submissions or under decisions on oral presentations.

Mr. Shepherd.

Mr. Shepherd: Thank you. Well, are we on to that point of the agenda, then?

The Chair: To the stakeholder . . .

Mr. Shepherd: Stakeholder and public submissions?

The Chair: Not yet.

Mr. Shepherd: Not yet. Okay. I just wanted to respond to Mr. Rodney's comment, but I can reserve that under that section if you'd like to move on.

The Chair: Thank you.

Our next item of business is the decision on posting stakeholder and public submissions received in relation to the committee's review of the Mental Health Amendment Act, 2007, to the external committee website, providing public access to all submissions received. This has been the general practice of committees, and stakeholder letters as well as the advertisement for public input advise that submissions and the identity of the authors may be made public.

Are there any comments or questions regarding the posting of stakeholder and public submissions to the external website? Mr. Shepherd.

Mr. Shepherd: More a comment. I appreciate the remarks that Mr. Rodney brought forward. Certainly, I can appreciate that in these situations there are difficulties of privacy. As he noted, these are very sensitive family situations. I can understand why some may not want to put their name on record for this sort of a review. My concern, however, with accepting anonymous records is that the purpose of the committee and the work that we do here is intended to be public and transparent, so if we're taking submissions and making decisions based on information that is not readily available to the public, that in itself can become problematic because then the basis on which we make these decisions is not immediately clear – it's not transparent – so those in the public who are seeking to understand why the committee has chosen to do one thing or another are not being provided with all the information on which the decision was based.

I guess that's the sort of difficulty of balance we have to look at in terms of, you know, wanting to be able to hear from as many voices as possible but at the same time wanting to ensure that in doing so, all of our activities are fully public and transparent.

The Chair: Thank you, Mr. Shepherd. I just have a speaking list, and I'll put you on it.

Mr. Yao: To what Mr. Shepherd was saying, there's a certain irony in these private submissions, which require that their information be released. How do I put this? I like what this person who has written here has said, that they should be able to provide this information with some level of confidentiality yet allowing it to be vetted by a certain group of people so that we know it is relevant, that it is real and accurate. In the medical industry the privacy laws really impair a lot of health professionals in various ways, but regarding these reports and whatnot I think we should be promoting some sort of confidentiality. There's a certain irony in not allowing any confidentiality with these submissions. That's all. Am I making sense here?

The Chair: Thank you.

I have Mr. Orr.

Mr. Orr: Yeah. Just for clarification, in the letters that went out and in the public announcements, there was a clear declaration that the submissions would be made fully public, correct?

The Chair: Correct.

Mr. Orr: Because if there was, then I think we have at least licence to make them public. If there wasn't, we could get ourselves into serious trouble. I had assumed there was, and you've affirmed there was, so I'm good with it.

7:00

The Chair: Thank you.

I've just been advised that the wording says: "may be made public."

Mr. Orr: I think of the Truth and Reconciliation Commission and some of the fallout from that of people who made submissions and didn't fully realize that they were going to be made completely public, and then after there was a huge unhappiness amongst some of the people who wanted them public and others who didn't want them public. It's a different thing to ask them to identify themselves for the sake of the committee versus putting them out there on the Internet.

The Chair: Yeah. We're going to look up the exact wording. Ms Sorensen has it. Thank you. Go ahead.

Ms Sorensen: The exact wording is “Note: submissions and the identities of the authors may be made public.”

Mr. Orr: Okay. As long as it wasn’t in the fine print at the bottom someplace. Thank you.

Ms Sorensen: It is in fine print at the bottom.

The Chair: Thank you.
Mr. Rodney.

Mr. Rodney: Thank you. Not attacking anyone at the table or processes from the past, but I firmly believe that when we’re going to Albertans in the general public, there should be no fine print whatsoever, and those sorts of things perhaps – I’m talking about future reference – could be moved up to the top of documents like that. When I read that, on the counterside of this, “may be” means that it may be, so if I’m writing in, I know that whatever I write could easily end up in the public realm, and I’ll adjust my comments accordingly. Especially when we’re in realms such as this, not everyone is dealing with the same experience and expertise, and we need to hear from those people as well.

With respect to Mr. Shepherd’s comments I dare say that we, again, are actually saying a very similar thing. We’re living in a fascinating age – aren’t we? – of freedom of information versus, I dare say, privacy. I do think that there is a happy middle ground somewhere in there with respect to this. Let’s face it, folks. There are a number of very frivolous, extremely expensive court cases that have been launched, especially south of the border, by, for instance, inmates against the federal government, and those launching them have a lot of time but not a legal leg to stand on. This is quite different from that, and one solution simply is that people do submit, but their names do not have to be listed: instead of “This is an article from Mr. or Mrs. Smith,” “This is letter number 1.” I do believe that that’s one very easy way of vetting documents that should never see the light of day and those that we really should see while protecting the privacy of people on extremely sensitive issues.

I am not complaining about the process here at all. I’m just saying that on a go-forward basis I’m asking the question: what can we do to receive more submissions from people? I’d rather include people than exclude them, and this person is telling us that they feel they need to exclude themselves because of the process. I’m not here to beat people up, but let’s fix it so it’s better next time.

The Chair: Thank you.

Mrs. Pitt: I certainly can agree with a number of points on a go-forward basis, absolutely, one hundred per cent. I think we had not the greatest number of submissions here, and we can do better.

As for, specifically, the question of these being posted online at this point in time, I think the wording during the submission was clear enough that we would be okay to do that, but I think we do need to have a conversation – I don’t know if we can today – about how to do this on a go-forward basis. I don’t necessarily think it’s necessary to publish names. A lot of the time there’s merit to an organization, but again that’s under the permission of whoever is submitting it. I think we could have done better had somebody not gone to the website and actually seen: hey, we’re going to post your name and your information. That was probably a big deterrent.

That’s all I have.

The Chair: Thank you.

Mr. Shepherd: I was wondering if we could perhaps get some further insight from Dr. Massolin with respect to, I guess: what has

been the traditional history with this? I assume that this wording was chosen for a particular reason, the word “may,” that being to allow the committee to make the decision whether or not they would be posted. If you could give us a bit more information perhaps on what the historical precedent has been with this. I assume this may suggest that committees in the past may have gone both ways, yes and no, chosen to do it or to not do it. If you could give us a bit of the history and maybe some of the reasoning behind why those choices might be made.

Dr. Massolin: Yes. The first point. The choice of that terminology is for that very reason. It’s a committee decision, and as yet the committee has not made that decision as to whether or not these submissions will be posted publicly. I think that’s coming right up.

The second point, the history of this. I think your comment is insightful in the sense that committees have grappled with this issue in the past, but for a number of years now – I can’t say exactly how many, but I’m guessing since 2008 – policy committees have decided to post written submissions to the external, i.e. the public, site with full names, without, however, contact information for obvious reasons. The reason for that was, at least to reflect some of the discussion, to make this process transparent and for submissions and submitters to be accountable for their submissions. That’s more or less the rationale there.

Thank you, Madam Chair.

The Chair: Thank you.

Ms Jansen: I know I’m probably going to repeat what a couple of people have said, but I’ve heard some good points here. I’m just wondering if we’re looking for an opportunity to move forward on this. We have collected information. I think you could argue that the quality of submissions might have been affected by people who looked at the lack of privacy, and I think there could be an argument made that the quality of the submission is affected by this. I think you’re comparing apples and oranges when you’re talking about different committees because of the subject. When you’re asking folks to talk about mental health issues in their family, you are delving into a whole area. This is not electricity we’re talking about. I mean, this is an incredibly personal experience some of these people are going through.

If I may make a couple of suggestions here in order to move forward. Perhaps we can go back to the people who’ve made submissions – I don’t think it’s going to be incredibly hard to do – to reiterate that in the fine print we actually said that there was the potential to make these public, to offer them the option of having their submissions available only to committee members or to make them public. Let’s go back to them – there were 75; it can’t take that long, being cognizant of time – to give them the option of having some security to their submission. First of all, now we cover whether this is going to be incendiary or not because we’ll go back and let people know: “You can make it public. Yes or no?”

Then, if possible, go back to some of the people like this woman who wrote the letter here about her wish to be able to submit a confidential opportunity for feedback. I think we should go back to some of those folks and give them the opportunity to give us some confidential feedback so that we have both. Then what goes on the public website has now been rechecked with the folks who want to do that submission.

I would argue that I think this is a special circumstance. I appreciate what Dr. Massolin said, you know, that since 2008 we’ve chosen to make this process transparent. The fact is that I don’t think that this process needs to be – we don’t need to hold that to the same account, because I think these are incredibly personal

stories that we're hearing or that we could possibly hear from families.

I would leave that out there as a suggestion in order for us to be able to move forward with the information we've gathered. Perhaps we put out a call to extend this by another two or three weeks and offer people the option for a confidential process as well.

7:10

The Chair: Thank you, Ms Jansen.

Mr. Horne.

Mr. Horne: Yeah. I've found a lot of very compelling arguments that I think we need to consider. I'm a little bit cautious with setting a precedent. I don't know how many submissions prior to 2008 had been made that had been made anonymously. If there's any clarity on that, I think that would be appreciated. Having said that, I think that if we're going to be holding some anonymously, then I do think we need to communicate that. My preference would be to have that decision made beforehand, before we start seeking submissions, but I leave that to the committee.

The Chair: Are there any other questions or comments?

Ms Luff: I was just curious. There's this submission, obviously, that had questions about anonymity. Were there other submissions? I feel like there were three. Was that the number? Were there other submissions that expressed concerns about conditions of anonymity?

Ms Robert: Madam Chair, I didn't notice a lot, no. The one I noticed was the one that we're talking about now.

Mrs. Sawchuk: I can add to that.

The Chair: Go ahead and add, please.

Mrs. Sawchuk: Thank you, Madam Chair. The committee offices received a number of phone calls, off the top of my head I'd have to say six people who inquired first. They did see the kind of qualifier on the bottom of the ad, and they did inquire about making a confidential submission. We explained the process to them, and, you know, I'm assuming that they didn't make a submission. Most often they did not even want to give their names. They would just call in and say what it was they were calling about.

The Chair: Thank you.

Mr. Westhead.

Mr. Westhead: Thank you, Madam Chair. I appreciate the discussion we're having, but to me the anonymity portion perhaps relates to the next time we are to engage in one of these activities and perhaps to potentially solicit more feedback and submissions next time around. You know, I appreciate Ms Jansen's comments about going back and asking people, but that's not going to change the submissions we have. The submissions we have are the ones we have, and asking people if they want to make that anonymous or not won't change the number or quality of the submissions that we've got already.

I'm just thinking that potentially that's something the committee could choose to do, asking these people whether they want to be anonymous or not, but in terms of the feedback and submissions, we have to live with what we've got for this process because the timeline has elapsed, and we have to keep moving forward. I just sort of think that perhaps this is a conversation we can have for next time we're soliciting submissions, but for now we have to kind of go with what we've got.

The Chair: Thank you.

Ms Jansen: My comments about going back and getting permission from people are not related to the quality of the submission. It's related to comments that I heard already from some folks who were concerned about the idea that people may not have understood completely that their comments were going to be made public and that they might be upset about it. I think the point is that in order to protect ourselves from complaints or even potentially something far more serious than that, the concern was that we go back to the stakeholders who have contacted us and given us information and reiterate that there is the possibility that this would be made public, and would they have a problem with that? I think that in doing so, not only do we offer them the respect of just reminding them that this information was in the fine print and that they may not have seen it, but it could save them potential embarrassment. I think we certainly owe that to Albertans who have decided to help us out by offering us information.

The Chair: Thank you, Ms Jansen.

Mr. Hinkley.

Mr. Hinkley: Yeah. Just to complicate it a bit more, I did have a constituent come into my office and state pretty well that they did not want their name printed because what was happening was that there was a family dispute and it was actually before the courts. They did want to contribute to the commission and what we had to say, but they realized that they couldn't or shouldn't put their name on it. So whether that has a factor in that – would we still want some reports to hear how sensitive and difficult and complex it can be? – and honouring their report yet also honouring their privacy. I can see that's one of the reasons why people would not want their name public.

The Chair: Thank you.

Mr. Orr.

Mr. Orr: Yeah. It is a difficult choice, and unfortunately we didn't have it clarified before we went forward. But I think that if I just put together the different comments here, we do need to keep moving forward.

I agree with Mr. Westhead, but I think Mr. Rodney's comment may resolve this for us. We can print the institutional names, I think, without any issue. The private names: I think we should just print them as "submission number," as he suggested. There are no names attached. It's still identified. If anybody ever comes back to us and we have to answer to it, we know whose it is, but their name isn't on it. I think that's the easiest way out of it at this stage.

The Chair: The committee clerk has just advised that she would be able to follow up with the people that have made their submissions. If we pass this motion that they will be posted to website, they have a week or maybe a week and a half to respond to whether they are okay with it being posted.

Mr. Orr: Did we get them all in digital format, or are some of them handwritten? I'm thinking particularly about the one from prison that was handwritten. Are we going to be able to communicate with him?

Mrs. Sawchuk: Madam Chair?

The Chair: Absolutely.

Mrs. Sawchuk: I think there may be an issue with at most, I'd say, five handwritten or, you know, paper submissions that we received

that we may not be able to even have a means of getting a hold of people if they didn't provide their full mailing address. It's difficult to say, but the large majority did come in by e-mail.

The Chair: Mr. Shepherd.

Mr. Shepherd: Yeah. That helps clarify a lot of what I was going to ask.

I guess I just wanted to see if counsel could offer any insight on: is there, in fact, a legal liability here that we should be concerned about? Or is this largely at this point sort of more something that we're considering in terms of courtesy?

The Chair: Go ahead.

Dr. Massolin: Thanks. I'm not legal counsel, but I can say that the people making submissions were notified that their submissions might be made public by this committee or authorized by this committee to be made public. So I can offer that. They were notified.

The Chair: Thank you.

Mrs. Pitt: Can I make an amendment to the motion?

The Chair: We don't have a motion yet. We're just having a discussion about the e-mails. I haven't ask to move the motion yet.

Mrs. Pitt: Okay. All right. I would maybe suggest that we make a motion to post these to the website after a two-week period has lapsed, that if nobody says no, we post to the website.

The Chair: Do you want me to read it as the motion stands?

Mrs. Pitt: Yeah.

The Chair: The way that we have it, it says: moved by Member Blank that the stakeholder and public submissions received by the Standing Committee on Families and Communities with respect to its review of the Mental Health Amendment Act, 2007, be posted to the external committee website with the exception of personal contact information or third-party medical information.

Mr. Yao: Could you say that last part again?

The Chair: With the exception of personal contact information or third-party medical information.

I have a speakers list. Did you want to make your suggestion, Mrs. Pitt?

7:20

Mrs. Pitt: Well, I think there's probably more discussion.

The Chair: Okay. Mr. Rodney.

Mr. Rodney: I trust there could be consensus built around the table. Mr. Orr, I appreciate your suggestion. If you want to move it, you could, I could, or we could together, whatever the will of the committee is.

I do want to share one piece of information that might be helpful to colleagues, a note passed to me by a very talented young lady right behind me, a reminder that when it comes to a parallel or a precedent in court – it's not directly related, and there are differences, but it should be worth noting – we protect victims, and often their information is kept confidential. The names are shielded from the public but not the court itself. So this could be a somewhat

similar issue. Again, it would alleviate the situation of frivolous submissions while protecting privacy.

I mean, as Ms Jansen has pointed out, we want the best possible submissions. I'll tell you that if it's a very sensitive topic, I would offer a lot more information if I knew that the information would be respected as written without the information as identified in this motion.

I'm a go-forward basis kind of guy. I also like to fix things if we can now, so I think that we could go ahead and make that motion unless there's further discussion and debate.

The Chair: Thank you, Mr. Rodney.

I still have a few members on the list. It's just been suggested that we amend the motion to now read: with the exception of personal contact information, names, or third-party medical information.

Okay. I have Mr. Yao.

Mr. Yao: I'll pass.

The Chair: Thank you.

Mr. Smith.

Mr. Smith: Thank you. It seems to me – and I think we all understand that – that we're trying to find a delicate balance here. I appreciate the suggestion there where there's an analogy or a comparable there in the courts. I guess the question that popped into my mind here, for better or for worse: is there any set of criteria that is used, if we were going to travel down that path, for deciding when a person's name could be shielded from the public versus when we would find that it was not acceptable to do that?

The Chair: Is there anyone from the staff that can answer that question?

Mr. Koenig: Yeah. I mean, I can speak briefly to some of these legal issues that have come up. My understanding is that in the court process, typically the names of individuals and, you know, victims in certain circumstances are withheld and that in certain circumstances there are legal tests and thresholds before that happens. The basic principle is that decisions of the court should be transparent. I mean, the courts definitely deal with this issue as well.

In terms of the legal liability issue that came up a bit earlier on, generally what the Legislative Assembly does in terms of disclosing information that may be somewhat similar – for example, petitioners, people who petition the Legislative Assembly, are also provided a similar public notice that their names and personal information may be made public, and when they're tabled in the Assembly, that becomes an official record of the Assembly and is made public.

That said, our general advice whenever information is being collected for the work of the Assembly is to follow what is typically done under the Freedom of Information and Protection of Privacy Act, which applies to government. That typically is that you let people know that you are collecting the information and what purpose you're collecting it for so that when someone discloses this information, they understand why it's being collected and what's going to be done with it.

That would be just a general principle that as legal counsel we would suggest members follow as well. That's just in terms of general comments.

The Chair: Thank you.

Mr. Smith: Can I follow up?

The Chair: Absolutely.

Mr. Smith: It appears to me that we're treading territory that either has never been tread before or it hasn't gone down that path for a while. I think you said 2008. Before we would shield a person's name, I think we better have very clearly set out in our own minds and somewhere down on paper what criteria we would use for making the decision to shield the name. It should be more than just: well, I don't feel comfortable. Yet at the same time we do want to provide for as wide a range of opportunity to submit.

The Chair: Thank you.
Go ahead.

Dr. Massolin: May I just offer something else, Madam Chair, to the committee? Thinking down the road in terms of the committee report, just to remind the committee that the committee report reflects or can reflect some of the submissions that are made to this committee. I mean, that's the evidence that this committee has heard, and that committee report is invariably made public. So it doesn't mean that you can't do what you're suggesting in terms of confidentiality, but it's a consideration in terms of your report-writing phase well.

Thank you.

The Chair: Thank you.

Ms Jansen: I just want to say to Mr. Smith's comments that I would actually argue that if someone indicates to us that they don't feel comfortable, that's reason enough not to publish their name. I think we're talking about some very sensitive issues here. If we go back and a person was not aware or didn't read the fine print and didn't know that their comments could potentially be made public, the fact that they might feel uncomfortable about it, to me, is reason enough to give them the option of privacy. I think we have to have that level of respect for people when we're dealing with issues as sensitive as mental health issues in families and with stakeholders.

The Chair: Thank you.

Mr. Yao: Patient confidentiality is patient confidentiality. In the medical field it's a very tight, tight line, and it's fully respected. You can compare it to whistle-blowers legislation, whatever, but a lot of identities are protected.

We have to ask why we're trying to get this information. It's to help develop these bills and whatnot. As long as we can verify that this is truthful information and we can verify who it's coming from and they can be held accountable for that on that personal basis, I don't see why we can't maintain their confidentiality. Is that fair?

The Chair: Thank you.
Mr. Westhead.

Mr. Westhead: Yes. Just in response to Mr. Yao's comment, my understanding as a medical professional myself is that in terms of patient confidentiality it's the health care providers' onus to keep that information confidential. But if the patient chooses to disclose that information, that's their choice to make. So a medical professional themselves couldn't divulge personal confidential information, but a patient or client is free to do so.

Mr. Yao: Can I have a rebuttal?

The Chair: Mr. Yao. Yes.

Mr. Yao: You know, it's just about trying to find out why we're trying to get this information and understand the perspectives on that. If we can do that, then we can recognize that we could probably protect their identity and information and save them from embarrassment, for lack of a better term. It's a sensitive issue when you're talking about your own family members. The reason why we want this information is to help build our society in a better way, for lack of a better way of explaining it.

We're competent individuals in here that can respect that information, we can justify where it's coming from, and we can move forward with it. I think we have some options to move forward with the information we have here today, and I think the public would recognize as well that even though we stated we would provide everything and it would be open and transparent that we are trying to respect private individuals and their information.

The Chair: Thank you, Mr. Yao.

Would members like to hear the motion again? Okay. The stakeholder and public submissions received by the Standing Committee on Families and Communities with respect to its review of the Mental Health Amendment Act, 2007, be posted to the external committee website with the exception of personal contact information, names, or third-party medical information.

7:30

Ms Luff: Sorry. I just have a question. So, basically, what that amendment does is that it would allow the submissions to be published to the website but without the names attached to them?

The Chair: The names would be redacted would be my understanding.

Ms Luff: But the submission would still be published?

The Chair: The submission would be published. However, it could be referenced in the submissions report, correct?

Ms Robert: Sorry. What do you mean?

The Chair: Just what Dr. Massolin was saying, that if their name isn't associated with the external website, their name could still somehow be part of the report.

Dr. Massolin: Well, I mean, I don't think that you'd want to include it as part of the report given that the report will be made public ultimately.

The Chair: Yeah. Okay. I just wanted to clarify that.

Ms Luff: Okay. I guess I'm just wondering about the consideration of asking people, because of that caveat that said that the submissions may be made public. We're still making their submissions public if we're not attaching the names to it. Do we still want to consider asking people if they want those things done? I'm just musing aloud, if you will.

The Chair: Thank you.

Mr. Smith: A question to Dr. Massolin. You referred to the fact that we would be collecting this information and that if we chose to redact the names so that they could have some privacy, which we can all understand why some would want that, that information would still be used in the report that this gives, which ultimately would be working towards amending or changing the laws on this. Is it wise to have reports where significant pieces of information that could affect the creation of law are not connected to individuals, where we couldn't trace that back as a general public?

The Chair: Go ahead.

Dr. Massolin: Thank you, Madam Chair. Thank you very much.

Mr. Smith: Sorry for the question.

Dr. Massolin: You're asking me to comment on the wisdom of doing this. Well, I mean, I think what I would offer is this. I don't mean to be oblique in my response, but what I would offer is that given that the committee has received these submissions and has seen names attached already, I think you can reasonably make the connection that there is an accountability attached therein and, therefore, that the submissions themselves would have that accountability and transparency attached already and that redacting, blacking out, the names now for public purposes doesn't necessarily mean that anybody's going to say: I've got free rein to say whatever I want.

I'm not absolutely sure on that. But I would sense that, you know, if you were to do it the other way around and say that they're granted absolute confidentiality – I mean, I'm not certain what people's motives are – you might invite that leeway perhaps. Here you don't have that because you've got names attached to all these submissions, and just sort of redacting those names for posting purposes, you know, may suit your purposes.

Thank you.

The Chair: Thank you.

Mr. Rodney: I wouldn't for a second suggest that we've stumbled upon the right words in the past because that might sound like it's rude to our staff, and I want to compliment the staff. I think it is the right word that we put in there, "may." That's on purpose, and it's in a lot of legislation. It doesn't mean it must, and it doesn't mean it won't, but it's possible.

Mr. Smith, I believe we're completely covered. I don't see any reason at all to list names and ask any questions as to whether or not that has a problem with law because you don't see people's names in laws, whether it's done by a caucus, a cabinet, individuals, or organizations. I think we've actually been given a bit of an opportunity and a gift in this particular situation because with the names attached as we have received them, we know that they're not frivolous. As a courtesy to them, we would be saying that we're protecting their privacy by not including the information as listed in the amendment.

You know, I'm happy to continue going through your speakers list, Madam Chair, as it is, but at some point, again, whether it's because of comments I initiated or Mr. Orr or both, I wonder if we should make the motion, see if there are any further comments, and vote on it. To me, this is an opportunity. We can get this out there to any public that wants to view it while protecting the privacy of those who have done this.

Let's face it, folks. We could continue to debate this for quite some time. We could make a suggestion, a request of our staff: okay; can you now contact all of these 67, 87 folks and ask them if it's okay if we publish the information or not? That's a bit of a make-work project, I dare say, and I just wonder if we can go ahead. This might actually be some good practice going forward possibly for this and/or other committees.

The Chair: Thank you very much for your comments, Mr. Rodney. I do have two more names on the list. I have Ms McPherson.

Ms McPherson: Thank you very much. I just have a question about the motion itself and the value of making a distinction between private citizens' names and professionals and if we want to make

sure that the professional names – because there's credibility involved with including their names, whereas with private citizens I think the spirit of this motion is to allow them the anonymity that's going to make them feel more comfortable.

The Chair: That's a good point. The way that it's worded, it simply says: names.

Mr. Orr: So you would still publish the organizations?

The Chair: But the organization names: my understanding is that they would still be included.

Mr. Rodney: That's the intention.

The Chair: Yes. It says "personal contact information, names," which would fall under personal contact information, "or third-party medical information."

Mr. Rodney: Right. But that would include professional organizations. That's how I'd read it.

The Chair: I think because of the piece that says "personal contact information," it would exclude stakeholders from that.

Mr. Rodney: Right. I'm not going to quote, because we haven't decided confidentiality, but let's say the Canadian Mental Health Association. You're saying that it would or would not appear?

The Chair: It would appear. Stakeholders would appear because they wouldn't be categorized by research as being a person.

Mr. Rodney: Yeah. That's I think what you're asking for, and I think we're all suggesting that. Okay.

The Chair: Go ahead.

Dr. Massolin: Okay. Thank you. Hopefully, I'll add clarity, Madam Chair. I think what you're trying to say is the context. You're talking about "personal contact information," and "third-party medical information" was initially there, and then you added "persons." The context for that is for members of the public, right? So I think you're there just by saying "persons," but if you wanted to be absolutely crystal clear, you could say "names from members of the public" or "private citizens," something like that.

The Chair: I have Mr. Westhead.

Mr. Westhead: Thank you. I would just like to ask staff such as Dr. Massolin a question in terms of adding, potentially, some wording as well. I'm concerned about setting a precedent for future committees and not wanting to tie the hands of future committees with a decision that we make tonight. Would it be worth while putting in wording to the motion, something to the effect of "without precedent" or "without prejudice," so that we're not tying the hands of future decisions by other committees?

The Chair: Go ahead.

Dr. Massolin: Madam Chair, to you, Mr. Westhead, I don't think this committee will create a precedent that will tie the hands of future committees just because, you know, again, it may be made public. I think that allows – this is the decision before this committee at this particular time for this group of stakeholders, not for anybody else or future committees or future committee members. So I think you're okay on that one.

Mr. Westhead: Thank you.

7:40

The Chair: Okay. I'm going to read the motion, and I would like someone to move it: be it moved that the stakeholder and public submissions received by the Standing Committee on Families and Communities with respect to its review of the Mental Health Amendment Act, 2007, be posted to the external committee website with the exception of names of private citizens, personal contact information, or third-party medical information.

Do I have someone to move this motion? Mr. Rodney.

Any discussion on the motion? I have Mr. Smith.

Mr. Smith: Could you reread that one more time for me, please? I want to know if that means that every private citizen will not be posted or if that just means if they request not to be posted.

The Chair: Moved by Mr. Rodney that the stakeholder and public submissions received by the Standing Committee on Families and Communities with respect to its review of the Mental Health Amendment Act, 2007, be posted to the external committee website with the exception of names of private citizens, personal contact information, or third-party medical information.

Mr. Smith: Okay. So now if you're trying to balance the two, I can understand why you would exempt a person who has requested it – I understand your arguments – but if they haven't, why wouldn't you post it for the sake of transparency?

An Hon. Member: Basic confidentiality.

Mr. Smith: If they haven't asked for that.

Mr. Shepherd: It's my understanding that there's not a legal liability here in terms of confidentiality and publishing the names. We're simply choosing to go this route for the sake of expediency rather than having to go back and ask each individual and then come back and say, "These ones are published; these aren't," and then make the motion fit that. The simplest thing in this circumstance is simply to not publish any of the names, and then for future consultations we can consider how we want to approach it in terms of allowing people to have anonymity.

Ms Jansen: I think that is very well said, and I would just add to that that what we're doing here, because that qualifier was in the small print, is just going back and ensuring that everybody is well aware that their comments could be made public, and if they don't want them to be made public that, certainly, we're taking that into account, the sensitivity of these issues. Then going forward, we can make adjustments and then put that qualifier up at the top so that when we look for information in the future, we've got it there, front and centre, so people understand that.

The Chair: Thank you.
Mr. Orr.

Mr. Orr: Yeah. To answer your comment there, Mr. Smith, Mr. Westhead already perfectly hit it. It's not going to change the value or the content of the submissions one bit whether we have the names or not. By not putting them in there, we protect people's privacy. There's nothing to be gained by adding the names, quite frankly. The content is still there.

The Chair: Okay. Discussion complete?

All in favour of the motion, say aye. Any opposed? Motion carried.

Decision on oral presentations. The timeline document approved at our October 5 meeting references a future decision on oral presentations. I will open the floor to discussion. Is it the wish of the committee to invite specific parties to make oral presentations? Dr. Massolin can speak to this item and respond to questions if needed.

Any questions or comments?

Ms Jansen: Do we have groups that have indicated they'd like to make oral presentations?

The Chair: Dr. Massolin.

Dr. Massolin: I'll defer to Ms Robert.

Ms Robert: A number of organizations said that they'd be willing to talk more if the committee requested that they want to talk more. One submitter, Ms Wyatt, asked for another opportunity to give public input. That's it.

Ms Jansen: So I would just say that if we could get an indication of which groups would like to make presentations and a bit of a sense of what those presentations might involve, then we can make a decision on whether we actually want to hear those oral presentations. You know, I think that an oral presentation can be a very effective way to get information, to be able to have a stakeholder in and question them, although I do think that we should be vetting this, certainly, and discussing whether a written submission is enough or whether we'd actually like to see something a little more fulsome than that. If there's a list that's easily available to us, maybe we can sort of consider those names.

Ms Robert: Well, do you want the list of people who said, "If you want to talk to me more, call me"? You would like that list?

Ms Jansen: Yeah. I would like to know who they are.

The Chair: Is it possible for them to be read into the record?

Dr. Massolin: You may not want to do that given the fact that you don't want to make their names public.

The Chair: Right. Good point.

Ms Robert: No. These are all public. The stakeholder ones: I'd have to look back. I don't know that a lot of the stakeholders said: I want to make a public presentation. I have a couple of suggestions of stakeholders that might be useful if you want to hear from them. Stakeholders in the law enforcement area might be of interest, perhaps the Edmonton Police Service. Someone from the mental health review board. Somebody with respect to health ethics; we had a submission from the John Dossetor Health Ethics Centre at the U of A. Service delivery people. Perhaps AHS; they made a very significant submission. Maybe the Salvation Army; they made a submission as well. Those are the top ones I can think of right now that the committee might want to consider hearing from.

Mr. Rodney: Chair, this may delight you: I'm not about to make a motion because that could take a while to debate and pass, even if it does. I just have a friendly suggestion based on previous experience on other committees, and that is, you know, that it doesn't need to be formally read into the record.

I suggest that a subcommittee be formed. In other circumstances when we've had questions like this, we've had the chair and the deputy chair and a member of the third party – and we could volunteer – get together with a member of staff and in a matter of a

number of minutes on an occasion, not right now but on a different occasion, choose from a cross-section that really makes sense and then come back to the committee and say: we suggest the following for this reason. If anybody says, "Well, how about this group and this group," we might add it to the list. That way we'll have done our homework before we come to the meeting. We can say in an informed way what the suggestion is, especially from professional organizations that come from different realms such as those just read into the record, and we invite those folks.

Let's face it. We could be so blunt as to say: well, we don't need oral submissions because they've done written ones. But hang on. As my colleague rightly pointed, there's an opportunity for a back and forth, a question and answer, and these are experts in the field. Perhaps they state something, even if the oral presentation is very similar to what the written presentation is, that would spark some conversation that might not have otherwise happened. That actually often bears incredible fruit, especially when you're talking about something as important as this, not just the fact that it's mental illness but that it is about a law.

So a friendly suggestion that the chair, deputy chair, and a member of the third party get together for a quick meeting with a member or members of staff so that we can offer this group a cross-section of who we'd suggest for oral submissions. That would maximize the efficiency and time of not only this committee but the people presenting to us.

The Chair: Thank you, Mr. Rodney.

I'm just going to go through the speakers list. I have Mr. Westhead next.

Mr. Westhead: Thank you, Madam Chair. I agree fully with Ms Jansen's comments about the oral presentations, having a back and forth with the committee. I know that the committee members have all had in their hands the information in the submissions from the procedure of soliciting those submissions. I think, you know, I've personally come prepared, and I believe a lot of other members have come prepared tonight to make those suggestions of who we should invite for oral submissions, so I don't think that a small working group is the correct way to go about making that decision. Even though it may take us some time to come to an agreement, I think that here at the committee is where all the members had an equal opportunity to look at those submissions beforehand, and this is the time to make that decision.

7:50

The Chair: Thank you.

I have Mr. Horne.

Mr. Horne: Yeah. I certainly agree that there's a lot of value in an oral presentation, and there are a couple of organizations that I have in mind in particular that I suspect have a perspective that they can offer that wasn't necessarily present in their written submission. But I also agree with Mr. Westhead that we had this on the agenda, and I believe many members here likely came prepared for a discussion and a decision on that today. I don't think we need to come back.

Ms Jansen: I'd just like to say in order to get the ball rolling that I know we've got some groups that were willing to discuss. I personally think that hearing from the police service is an excellent start because, certainly, they are on the front line of mental health issues in our communities. So I would just put forward the suggestion right now that we could certainly entertain an oral submission from them and then perhaps go on to discuss other potential oral presentations in the future. That way we get the ball

rolling, and we get our first oral presentation under way if everyone agrees that the police service is certainly a good way to start. I just throw that out there.

The Chair: Thank you.

Mr. Shepherd.

Mr. Shepherd: Yeah. I'm very much in agreement. I think we're ready to go. Yeah. I think the suggestion of the police is an excellent one. I would be good to go with that. I've got a couple of others I had in mind as well. How do we want to proceed on this, then? Do we need to make a motion for each one, or do we want to just create a list and then make a motion encompassing all of the suggestions?

The Chair: I think we should make a list. If there are other members that are prepared to make submissions of who they would like to have present orally, we could start a list. So far I have Ms Jansen saying the police services.

Mr. Yao: Obviously, EMS, Alberta Health Services. The representatives they have who wrote a submission are EMS individuals: David O'Brien and Barry Andres. I'd love to see these boys.

The Chair: Thank you.

Mr. Shepherd: Along those lines, then, I would very much like to hear from, I guess, one of the community service agencies, particularly some of the front-line groups that are dealing with folks who maybe have more severe issues and may be homeless or sort of on the verge of, so folks with more of the street experience. I would suggest perhaps locally – I know Boyle Street Community Services in downtown Edmonton offers significant mental health supports for individuals who are encompassed in the street lifestyle. I think they offer quite a few services in-house and would probably be able to offer some good insights on some of the issues that are involved here.

The Chair: Thank you.

Mr. Rodney: Well, folks, I understand we each only get one vote, but the reason I had made that suggestion is – and I don't want to say that we're picking winners and losers because that's the wrong terminology for this sort of thing. I'll tell you that there are so many local organizations that I know from every town and city, let alone our rural friends as well. Is it fair that we have group A from Edmonton but not group F from Lethbridge? I'm a big fan of inviting umbrella organizations. For instance, do you see the Canadian Mental Health Association here anywhere? I don't.

I think, on top of that, that as a courtesy we could be saying to the five or six, as staff have told us, you know, if you want more information, please contact me. I just think that this is now happening on an ad hoc, let's make this up as we go along basis. Folks, I'm not trying to create extra meetings and delay anything. I'm just thinking that if we have the homework done and come back, it could be done even through e-mail.

I'll conclude by saying it this way. We sent this out and requested information from certain groups – correct? – and some of those submitted and some did not. In my experience there are reasons sometimes why they do or don't. Some of them didn't want to do a written one, some of them just wanted to do oral, but at that point they didn't. Again, if we're to get a true cross-section, why don't we just get a list and go through it?

I'll tell you that you can't do this by huge committee. You need to get a smaller group of people that say, "Okay. EMS is a natural. Police is a natural. Canadian Mental Health is a natural." and so on

and so on. That can be done in a relatively short amount of time with a small number of people. But with a lot of people around the table – let's face it – if we're truly representing, I'm going to have a number of suggestions from my constituency alone and so are you and you and you and you and you. What I'd like to get is the folks who have the best information from a particular realm and then the next realm and so on and so on. But we can't have a list of 30 of them, especially if we're going to spend a half hour with each.

The Chair: Thank you, Mr. Rodney.

Ms Luff: Well, I mean, I was just going to suggest that it's really important and, I'd say, crucial in this matter that if we're having oral submissions, we ensure that we're getting folks who have had lived experience with mental health issues and not just, you know, large organizations that treat those folks. I know that Forward Action in Mental Health made a submission. I know that they are a group of folks who do advocacy from the point of view of people who are living with mental health problems, and their whole goal is to advocate for people with mental health problems as people with mental health problems. I mean, that's a suggestion that I would like to make. However, you know, if we wanted to just say right now that we all agree that oral submissions are a good idea and then look at doing an e-mail list or something, I'm not opposed to that either.

The Chair: I have Mr. Horne.

Mr. Horne: Yeah. I definitely agree with Ms Jansen's earlier comment on the value of talking to police services, and I believe we had three or four different organizations make a submission. I also notice that we had a bit of a lack of a rural voice on here, so I would recommend the RCMP because they service some urban, including St. Albert and Spruce Grove, but also a lot of rural. They also are the police on a lot of First Nations as well. I think they would have a good cross-section of experience there.

The Chair: Thank you.
Mr. Yao.

Mr. Yao: All right. When we're asking for oral submissions – I think I want to retract my last one – we already have responses from all of these groups. Wasn't the point of the oral submissions to attract more information from, for example, as you mentioned earlier, indigenous peoples and whatnot? Shouldn't we just stick with that and recognize that we do have the information from these agencies? Is that fair?

The Chair: So you would like to withdraw Alberta Health Services and EMS?

Mr. Yao: I think we should withdraw all these agencies. We have a written response from them. Is that right? We're asking these very same questions. Can people confirm that for me?

The Chair: That's a committee decision. You can have exploratory questions based on their submissions. Mr. Rodney had indicated that it gives you the opportunity to have a back-and-forth conversation with the people that are providing oral presentations.

Mr. Yao: I'd suggest that the intent of the original request for oral submissions was to perhaps address people who aren't as adept at providing that written submission or who are discouraged from doing so but might be willing to speak, like our indigenous citizens or other people who are affected by these issues, and just maintain it at that.

Thank you.

The Chair: Thank you.

Mr. Shepherd: I appreciate Mr. Yao's suggestion, and I understand what you're saying. I fully agree that part of the reason for the oral submissions is to get some of the voices that we might not have heard. Certainly, as Mr. Rodney was mentioning earlier and as Mr. Hinkley mentioned, I think the aboriginal voice should be part of that.

But as someone else noted earlier, as well, there is a bit of a qualitative difference in the submissions that are made in writing and the opportunity to actually interact with some of these groups in person. I know that for myself, in the opportunities I've had to go out and meet with groups where they're working on the street and talk with them about their work on the front lines, I get a very different picture of what's happening than simply reading a report that they've written. So I think it's a good opportunity for us, even for some of the folks that have already sent in written submissions, to have an opportunity even if it's just brief, you know, a half hour – I mean, that's something we could easily accomplish within a day – to sit down, speak with them in person, be able to ask a few questions back and forth, and just top up the information that we have.

8:00

The Chair: Thank you.
I have Mr. Hinkley.

Mr. Hinkley: Okay. Three things, quickly. One, I think we should have oral presentations. Two, I think we should have just five or six, and I would like to make one of those five or six, for the record, the indigenous perspective. I would like to offer two names so that we have something concrete. Dr. Esther Tailfeathers is a physician from Stand Off-Cardston, and she spends one week a month in Fort Chipewyan. I'm suggesting her because she is from north and south First Nations. I have met the other person I would like to recommend, Dr. James Makokis. He is a young family physician, very well spoken. He has spoken to large groups and would do very well in front of our panel. He's from Saddle Lake Cree Nation, so more of a north-central position. So those are my three points: yes to oral, five or six because we don't need all 68, and that this be one of them.

The Chair: Thank you.
Mr. Orr.

Mr. Orr: Yeah. I think questioning and probing certainly has value, but we need to really be prepared for that. I mean, if we're just going to come here and listen to them regurgitate what they've already given to us in writing, it's a waste of time.

I totally agree with Ms Luff's comment, though. I think we need to be careful that we don't inadvertently stack this toward professionals and not also clearly include a balanced portion of it from the people who actually live with it. I think that's very important, that we don't accidentally stack ourselves in only one direction.

The Chair: Thank you.
Ms Drever.

Ms Drever: I'd like to recommend mental health review panel lawyer Jason Morris. Alberta's mental health review panels are responsible for making decisions about formal patients under the Mental Health Act and under community treatment orders and deciding whether to cancel or renew certificates of admission or CTOs. The panel seeks to balance the liberty, the interests of

persons with mental illness, on the one hand, and the safety of persons and the public, on the other. This is why I recommend him.

The Chair: Thank you.

Is there anyone else?

Ms Jansen: In relation to the suggestions we've gotten so far, I think, you know, that when we talk about law enforcement, it's a pretty big umbrella, so I would suggest that, certainly, we can target the folks we're looking for oral submissions from in terms of what we'd like to see. For instance, we have groups that can speak to the indigenous population in law enforcement. I met a number of people when I was associate minister of family and community safety; for instance, law enforcement experts who worked with sex trade workers, who worked with homeless LGBTQ youth.

We certainly have a lot of law enforcement experts that have a wide spectrum of experience dealing with homelessness and mental health supports and domestic violence and mental health supports. You know, I think that when we talk about law enforcement, we may want to actually look at perhaps a number of issues that fall under the mental health umbrella that we could look to different law enforcement experts to answer. For instance, we could probably dig up a few names of police officers in Edmonton who have worked in these areas for years. I know Mr. Shepherd talked about Boyle Street. A great suggestion, but there are lots of law enforcement experts in our major cities and even in some of the smaller areas who touch on all these issues.

If you look at the indigenous population, they are overrepresented in terms of spots in shelters, at drop-in centres, et cetera. I think we have an opportunity there to encompass a lot of those issues by speaking to a targeted group of law enforcement experts who deal directly with those.

The Chair: Thank you.

Mr. Smith: Just a question. We've said that there are people that expressed a reluctance to write to us. I'm wondering if follow-up conversations with them and inviting them to come in for an oral presentation if they didn't write to us might be a way of dealing with it. No? Yes?

The Chair: Go ahead.

Mrs. Sawchuk: Thank you, Madam Chair. The issue here is that the people who called the committee services branch would not give their names. We don't have a way of getting a hold of them to see if they'd be interested.

Mr. Smith: But I was just wondering about . . .

Mrs. Sawchuk: Well, other than that one, number 52, I'm not aware – we checked . . .

Mr. Smith: Fair enough. It was a question.

The Chair: Mr. Westhead.

Mr. Westhead: Thank you, Madam Chair. Just as we're creating the list here, I think we've got some fine examples already, and I'd just like to add one from my standpoint. Alberta Health Services submission FC-MHAA-013 was quite an expansive written submission. I think AHS did quite a fine job with that, but I think it would be in the committee's interest to have them provide an oral presentation so that we can have a bit of a back and forth. I mean, obviously, AHS is the largest provider of health care in the

province, and it's of value for us to have some interaction with them, so that would be my suggestion.

Ms Drever: I just wanted to agree with what Ms Jansen was saying. I have been dealing with a lot of different organizations within the domestic violence realm, so if there are some suggestions that I can make there – I'm just putting it out there.

The Chair: Thank you.

Mr. Shepherd.

Mr. Shepherd: Yeah. I just wanted to follow up on Ms Jansen's comments. I appreciate what she was suggesting there in terms of trying to, I guess, condense the number of folks that we need to bring in. I recognize the wide experience that our law enforcement has. Certainly, they do touch on quite a few different areas and have expertise that they experience through that.

My one concern there is that law enforcement – and this is not in any way to make any insinuations or any comment on their perspectives – is simply one perspective on the issues. Certainly, it's important to get the law enforcement perspective, but I think we have to recognize that other groups may have some differences in how they view things from how law enforcement might even in each of these particular areas. To suggest that we could simply bring in law enforcement and have them cover all of the areas that we've discussed, I don't feel that would quite necessarily capture everything that we'd want to hear about each.

The Chair: Thank you.

Would you guys like me to read out the list that we have? Okay. Jump in, please, if I miss anything. I have police services with a recommendation for RCMP; Alberta Health Services; Boyle Street Community Services; Canadian Mental Health Association; Forward Action in Mental Health; Dr. Esther Tailfeathers or Dr. James Makokis.

Mr. Hinkley: Well, they're just two names, but they could be the indigenous perspective, whoever can be recommended.

The Chair: And I believe you said a lawyer, Jason . . .

Ms Drever: Morris.

The Chair: Thank you.

And the mental health review board.

How do our members feel about this list?

An Hon. Member: How many are there?

The Chair: Nine.

Mr. Rodney: With great respect, I would say that if we're going to do this on any kind of scientific basis while maintaining the personal side of things, each of us would have access to a list of those that this has been sent to so that we could go down that list and choose those that would give us the broadest range with which the interactions would be the most meaningful. That's why I made the suggestion that we have a quick meeting with three different parties involved here, and if that's not going to happen here, what I know this committee will be accused of is just kind of making it up on the fly and not having a real methodology that can be backed up. I mean, I want to see as many people as it makes sense to see, give them as much time as we can, but we need to do it with some sort of efficiency.

8:10

I haven't heard a deadline for this. Maybe we have a few people that we meet on a certain date. I know that the last agenda item is deciding the date of the next meeting, but the danger of simply picking a few now is that, well, then we should pick some more, and then we should pick some more, and then we should pick some more in successive meetings. I don't think anyone wants to do that. I think that we should have a full list that we can agree upon and set a date and a time that works for as many people as possible so that as many of us can hear from as many of them in the most efficient way possible.

Chair, I guess it's up to you if we have a list that we can all see. Perhaps we can take minutes or hours to hammer this out, or again we could just put it in the hands of a subcommittee that could have an e-mail as early as tomorrow to the rest of the committee or perhaps next week. Just trying to help, Chair.

The Chair: Thank you.
Ms McPherson.

Ms McPherson: I've changed my mind.

Mr. Yao: Just regarding AHS I do have a concern as to why they only chose EMS folks in there. For that matter, one of them, David O'Brien, isn't with the organization anymore. He's moved on. Wouldn't Alberta Health Services be able to provide us with a wider spectrum of references and health care professionals to provide us with the pertinent information?

The Chair: In terms of the Alberta Health Services recommendation?

Mr. Yao: Yeah. Regarding the Mental Health Act.

The Chair: We have Alberta Health Services on the list.

Mr. Yao: Yeah, but the folks that they provided provide only a very narrow spectrum. How did they get chosen? When you recognize the huge bureaucracy that AHS has, that you always hear about from us in the House, why did they only provide EMS folks?

The Chair: I can't speak to that.

Mr. Yao: Interesting. Enough said.

Ms Jansen: I don't want to presume to read your mind here, but I think what you're saying – and I understand this – is that if we're going to AHS, you know, my fear is that we bring in some upper level officials from AHS to talk about things that perhaps we're not going to find all that relevant. To my thinking, if there's an opportunity to have some stakeholders through AHS to choose from who actually might provide us with the kind of information we're looking for, that actually might be more relevant than, say, asking some folks from AHS to come and make a presentation and hearing from some senior officials when, in fact – I'm not trying to sound jaded – what we would potentially hear from them we could get in a written report. I think the idea of an oral submission is to have some folks with some lived experience in these issues able to interact with us and answer questions as opposed to having upper level management types. I know that there are some good folks doing this work in AHS who could actually submit some names to us of people who might actually do a fulsome presentation.

The Chair: Yeah. Absolutely. At no point did I indicate who from AHS should come.

Mr. Yao, is your recommendation that AHS be on this list? That was all that I was putting on the record.

Mr. Yao: Sorry. Yes. I somewhat agree with Ms Jansen in that AHS is such a big organization. They have many branches. They all deal with medicine in various channels. The people who provided the written submission for this report are EMS specific. I'm wondering why AHS didn't provide something from the physicians, something from the psychologists, someone from the nurses who are working emergency departments. I find it an interesting choice, what they provided there. If any organization can give us a very wide spectrum on this issue of mental health, it is Alberta Health Services, whether it's nurses from the psychiatric units or – anyway, thank you.

The Chair: Thank you.
Dr. Massolin.

Dr. Massolin: Thank you, Madam Chair. I'd just speak briefly to you, Mr. Yao, and your question. I suppose that AHS made the decision themselves as to who they would get to respond or how they would respond to the submission, but your point is well taken. It's up to the committee now. Echoing what Ms Jansen and other committee members have said, you know, you could make this a lot more targeted in terms of who you want, exactly what you want to ask, what kind of submission you request so that you get what you want out of this entire process.

Thank you.

The Chair: Mr. Smith.

Mr. Smith: Yeah. I think I'd just like to speak to Mr. Rodney's suggestion. I think we could go around the bush here for an awful long time trying to make some decisions on this. I'd like to make the suggestion – and I don't know if it's a motion that you can make or what – that we have the chair, the vice-chair, and a member of the third party, whether it's Mr. Rodney or Ms Jansen, get together to draw up a list, and then we can run it past the committee.

Mr. Westhead: With all due respect to Mr. Rodney's comment earlier that we're making a decision on the fly here tonight, I couldn't disagree more. You know, I looked at the agenda in advance. I looked at the submissions in advance and spoke to some of my colleagues, and I came here prepared to make an informed decision tonight. I don't feel that we're making a decision on the fly at all. I think we've got some really good suggestions that have been put forward by members of the committee. It seems like a fairly workable number of organizations and stakeholders that have been recommended. I move that we accept the list that's been presented to the committee, that you had recently read, Madam Chair.

The Chair: Is that a motion on the floor?

Mr. Rodney: We already have one.

The Chair: Okay. Sorry. She was writing it while I was speaking. Should we speak to Mr. Smith's motion first?

Mr. Smith: My motion would read that the chair, the deputy chair, and a committee member from the third party be authorized to prepare a draft list of the stakeholders and private citizens to make an oral presentation at a future committee meeting and that the list be circulated to the committee members for comment by a week from now.

The Chair: Any discussion on the motion? Mr. Rodney.

Mr. Rodney: Well, thank you. I didn't want to be the only one making motions tonight. With great respect – and I mean that sincerely – thank you, Mr. Smith, for doing that, and Mr. Hinkley, of course, on agreement about our indigenous friends. And I can tell you: Dr. Tailfeathers, a wonderful suggestion.

Folks, this is about efficiency, and I really respect the time of every person here and each of the individual and public stakeholders. Mr. Westhead, with the utmost of respect, I'm ready to make a bunch of suggestions, too, but I don't think everyone in this room is ready to agree on that. That will take a little bit more time, as we've seen. We've just kind of scratched the surface. So I truly think that if we're going to do the right thing, we'll have a list.

By the way, I don't want to make a friendly amendment to your motion, but I think it would be natural that we would include staff on this. Again, I don't think we need a friendly amendment to the motion that every person around this table would have every right to submit suggestions to the chair. We'd be doing all of the work at the same time, just a lot more expeditiously. So we're not excluding anyone; we're including people.

But, folks, I'll end this way. Take it from me. I've seen it first-hand before. Whenever things are rushed, there are major problems. Is there a rush to do this tonight, or should we do this within the week and do it right?

The Chair: Thank you.

Ms Jansen: First of all, I agree with the motion, and I agree with the comments from my colleague Mr. Rodney. I'll just say that, in fact, we didn't actually start discussing the idea of oral presentations till we sat down here tonight, so I would have to agree that it is on the fly. We've got some excellent suggestions out there. I think we need to cull those. I think the ability for the deputy chair and for a couple of folks to sit down and cull that list after a discussion is an excellent way to get us to a place where we have, say, four or five submissions. If they can do that within the week, we can move forward efficiently, and I think that's probably the best way for us to go and not have a drawn out conversation about stakeholders. I just think it's much more efficient to do it this way, and I'd say that, you know, the quicker we can move forward on this, the quicker we can get to those oral submissions.

The Chair: Thank you.

Mr. Westhead: I just have a question about what Ms Jansen just said. Are you proposing that the working group would cull the list of submissions that were recommended by the committee this evening, the list of about nine stakeholders that the chair read earlier?

8:20

Ms Jansen: I would say that probably their job is to cull the list to a group that we could certainly meet with in person. I think that the idea of meeting nine different stakeholders for oral presentations seems a little bit onerous. Maybe, you know, if they have a direction to cull it to a specific amount, we include that in the conversation.

Mr. Rodney: Chair, I have a helpful idea that'll take seconds. It's simply this. As we know, because of the progress made in the House today, there's no morning session tomorrow. We could do this tomorrow morning.

Mr. Orr: In fact, I think it's probably good process to go with the motion, so I'm okay with that. But I do have to continue to lobby for clients or peers or whatever you want to use. So in that light I would like to suggest that we add to the list numbers 074 and 075,

which are the Schizophrenia Society, which speaks for family members, and also Forward Action in Mental Health, which is another group that does the same thing.

The Chair: Thank you.

Mr. Westhead: I'd like to make an amendment to the motion. I'd like to amend that we add to the motion that the working group that's being proposed by the motion be culled to six but from the list that was proposed by committee members this evening. I know that was kind of wordy. What I'm getting at is that, you know, around the table tonight we suggested about nine different groups, submitted by different committee members, so that would be the list that the working group could narrow down to six.

Mr. Smith: Does that have to be a part of the motion? Could it not just be direction from the committee to the subcommittee?

The Chair: He's asking for an amendment to the motion. Can we discuss . . .

Mr. Smith: Could not the committee as a whole just give direction to the subcommittee as far as the numbers that they would like?

Mr. Westhead: I'd like to make it explicit that we start from the list that was suggested by the committee members this evening.

The Chair: Ms Jansen, is this related to amending the motion?

Ms Jansen: Yeah. My concern here is the idea of taking a smaller group to go over the submissions and to cull them and to perhaps, you know, take some other suggestions and look at them as a whole. For instance, if you look at the list, law enforcement is on the list. Well, they're going to have to actually have a discussion about who from law enforcement. So if we're too prescriptive in this amendment, then they don't have the freedom to do what they actually should be doing, which is looking at the picture of who we should have at the table and discussing the merits of those people.

I would be a little concerned about being too prescriptive. As long as you have folks there representing the different parties, each bringing their own perspective to the table and all agreeing in the end on a group of stakeholders, I would just be concerned about being too prescriptive. If one of us decides that we found an excellent stakeholder, whether it's in indigenous relations or another area, we should actually feel free to send this committee a note and say: hey, look who we actually thought of that we didn't actually consider when we were discussing it the night of the committee meeting. To me, then, the group can evaluate that going forward. I mean, we are a bit last minute on this right now. The point of the committee is to sit down and evaluate those groups and any groups that we might have neglected to include.

I would hope that we wouldn't be too prescriptive but allow the committee to do that work together, to give them a week to brainstorm and to give us a week to submit suggestions to them in case we haven't thought about them tonight.

The Chair: Thank you, Ms Jansen.

Anyone else wanting to speak to the amendment?

Ms Luff: I don't know if this is to the amendment, but it's to the motion in general. My concern is just that we are working with a relatively tight time frame here. The committee has to report by July. And as we all know, we're going to be tied up in estimates pretty quickly. So if we strike a subcommittee and then we have to come back to have another meeting to approve whatever the subcommittee comes up with, I'm just not sure that there'll be

enough time. I mean, I know that I put some consideration into the groups submitted. There's a pretty wide cross-section on the list as it stands. So my concern is just with respect to time, knowing that we have to report in July, knowing that we're going to be in estimates really soon, and I don't know that we necessarily have time for another meeting before then. Those are my concerns.

The Chair: Is there anybody else that would like to speak to the amendment or to the motion? To the amendment. Sorry. Only to the amendment.

Mr. Rodney: Well, let's face it. The mover of the motion would have to accept the amendment before it would be part of the motion, so we would have to defer to Mr. Smith on that.

The Chair: We would vote on it first, on the amendment, and then we would vote on the motion. So he doesn't have to . . .

Mr. Rodney: Right. Unless it's a friendly – in any case, folks, we know that we have a deadline of July. Should we take one week in this month of April to get it right, or should we rush it through tonight? Certain people are ready to make decisions tonight but not everyone. This is in the spirit of all-party co-operation. This isn't to get in the way and slow things down. This isn't about: I happen to wear blue and orange, and you wear orange and a different colour or pink and green. That's not what this is about. Sorry, folks, but this is very commonplace so that we can get things done more efficiently and more effectively. That's what this is about. So I appreciate that a number of people from all three parties have suggested: trust your chair and deputy chair and some folks who happen to have been here for a little while to make suggestions because if we've had nine suggestions tonight and we're told to narrow it down to six, what do we need a subcommittee for? We could do that right here, right now.

What we're saying is that maybe there are others that we should be hearing from as well. We'll get the support of the staff to maybe suggest: oh, my goodness; we've left this group out that was on the original list. In the meantime if we do give people a number of days to submit, as I've already suggested, some names that they think of tomorrow morning or the next day or whatever it is, that can be done, too. I'm the very last person to extend, extend, extend and meet and meet and meet. It could be as simple as: we meet soon, the three folks who would be involved with staff; submissions would be made by those who care to make those submissions; it's sent out on an e-mail list; you have 24 hours or 48, whatever the chair or the subcommittee decides, and you write back, and you say: "Hey, are you okay with these? Yes or no." In my experience, people really co-operate when they trust those people who are sanctioned by this committee and agreed upon by this committee to do that job.

The Chair: Okay. Would you guys like to have the motion with the amendment read?

Mrs. Sawchuk: No. The amending motion.

The Chair: The amending motion. We're asking to vote on accepting the amendment. All those in favour of the amendment?

Mrs. Sawchuk: Madam Chair, the committee votes on the amendment to the motion before they move to the motion, whether it's as amended. The amendment put forward by Mr. Westhead is that

the motion be amended by adding a draft list of six presenters from the list of nine discussed by the committee.

That is the amendment to the motion before the committee.

The Chair: Thank you.

All in favour?

Mrs. Pitt: Can I speak first? Okay. Here's the thing. I think there is no harm in taking a couple more hours, a couple more days to get a greater list for our committee to start at; however, there is harm in limiting the people that we talk to, right? From the beginning we should get this right. Mr. Westhead, I totally understand your concern for time. I absolutely understand, and I get that, but let's just take a little bit more time, let the subcommittee not be limited to the stakeholders on this list. One of the things is that – and Mr. Orr brought it up – the people that should be contacted are individuals affected and their family members. I think that's just going to maybe take a little bit longer than tonight. I really don't support the amendment, with respect.

8:30

The Chair: Thank you.

We've had a lot of discussion on this amendment, so I would like to call the vote. All those in favour, say aye. All those opposed? Okay. Amendment defeated.

Now, if we can go back to the motion, I'd like to call the vote on the motion.

Mr. Smith: Further discussion?

The Chair: We need to have further discussion.

Mr. Smith: At least you have to ask for further discussion.

The Chair: Would anyone like to have further discussion on the motion that's presented by Mr. Smith?

Seeing no one, I'd like to call the vote. All those in favour of the motion, say aye. All those opposed? Now we have to record it.

Mr. Yao: Sorry. Reread that motion there, Mark.

Mrs. Sawchuk: Motion by Mr. Smith that the chair, deputy chair, and a committee member from the third party be authorized to prepare a draft list of stakeholders and private citizens to make an oral presentation at a future committee meeting and that the list be circulated to committee members for comment by next Wednesday, April 20.

Mr. Rodney: Just a point of clarification for the clerk. That means, then, that if we pass this, we get this done in a week, and if we do not pass this now, colleagues, we have nothing. We are at zero.

The Chair: This is the motion that we have.

Mr. Rodney: We'd have to start all over.

Mr. Smith: We had a voice vote.

The Chair: Now we have to call for each person to say their name into the record and if they are voting for the motion or against the motion. We'll start to my right.

Mr. Smith: I vote in favour of the motion.

Ms Drever: Voting against the motion.

Mr. Horne: Voting against.

Mr. Shepherd: Voting against.

Mr. Westhead: Voting against.

Ms McPherson: Voting against.

Ms Luff: Voting against.

Ms Jansen: Voting for.

Mr. Rodney: Voting for.

Mr. Yao: Voting for.

Mrs. Pitt: Voting for.

Mr. Orr: For.

Mr. Hinkley: Voting against.

The Chair: The motion is defeated.

Mr. Rodney: What was the final count, please?

The Chair: Seven against, six for.

Mr. Westhead: I'd like to make a motion. I'd like to move that we accept the nine submissions that were suggested around the committee table this evening by members present here tonight for oral submissions.

Mr. Yao: Reread the list, please.

The Chair: I have police services/RCMP; Alberta Health Services; Boyle Street Community Services; Canadian Mental Health, Forward Action in Mental Health; an aboriginal perspective from either Dr. Esther Tailfeathers or Dr. James Makokis; Jason Morris, the lawyer with the mental health review; and the Schizophrenia Society centre.

Discussion on the motion?

Mr. Smith: A question, then, about the list. When you say police services, are we talking about multiple police services? Are we talking about the RCMP only? What are we talking about? When we talk about AHS, what branches of AHS are we talking about? Those are broad categories. Those aren't individuals.

I'm done. Thank you.

Mr. Rodney: Very good questions, Mr. Smith. These questions could have been answered by a subcommittee in the course of the week.

Mr. Smith: I agree.

Mr. Rodney: I'm serious, folks. I think you can tell by the tone of my voice that I'm very saddened by what's happened here tonight. It's not about party politics. It's about Albertans, and we need to do this right, and I am very concerned that this is an exclusive list that is not complete. The homework has not been done by everyone in this room, and we owe that to Albertans.

I'll ask the question one more time for the record: is it more important to rush this through tonight with a majority, or is it more important to take our time, a short amount of time, do our homework, and do it right? When I vote against this, please consider all the comments since we started this – is it two hours ago or more?

The Chair: Thank you, Mr. Rodney.

Mr. Horne: I completely disagree. I believe that this is a very diverse group that we have come up with, and, quite frankly, if anybody feels that they weren't prepared, that's their lack of preparation.

The Chair: Any other comments about the motion that's been proposed by Mr. Westhead?

I call the question on this. All in favour of the motion, say yes or aye. All opposed?

Mrs. Sawchuk: Do we need to do a count, then?

The Chair: If we could please go around the room, indicate your name for the record and if you are in agreement or opposed to this motion.

Mr. Smith: No.

Ms Drever: Yes.

Mr. Horne: Yes.

Mr. Shepherd: Yes.

Mr. Westhead: Yes.

Ms McPherson: Yes.

Ms Luff: Yes.

Mr. Rodney: No.

Mr. Yao: No.

Mrs. Pitt: No.

Mr. Orr: I'm going to choose to abstain.

The Chair: You can't.

Mr. Orr: Really? Oh. I just didn't want to get all the political stuff going, but I guess I'll have to vote no.

Mr. Hinkley: Yes.

The Chair: We have seven for and five against. The motion is carried.

Moving on in the agenda, we're now at the overview of process to complete review. I'm calling on Dr. Massolin to address this item and to respond to any questions that the committee may have. Go ahead, please.

8:40

Dr. Massolin: I think we heard a lot about what the next step will be. That's to hear oral submissions from stakeholders, after which I think the committee will be ready to start its deliberations, assuming that it's prepared, that it's gathered its information and at that stage considered the issues and is prepared for the next step, which is to make recommendations and direct research staff to prepare a draft report, which will be tabled in the Assembly sometime before I believe the date is July 14.

Thank you.

The Chair: Thank you.

Any discussion or questions regarding this?

Seeing none, I'll move on to other business. Are there any other issues for discussion before we conclude our meeting?

Seeing none, our next meeting will be at the call of the chair, and members will be polled to determine their availability once a date is established.

I'll call for a motion to adjourn. Mr. Yao. All in favour of the motion moved by Mr. Yao that the meeting be adjourned? Any opposed? The motion is carried.

Thank you.

[The committee adjourned at 8:41 p.m.]

