



Legislative Assembly of Alberta

The 29th Legislature  
Third Session

Standing Committee  
on  
Families and Communities

Ministry of Justice and Solicitor General  
Consideration of Main Estimates

Monday, April 3, 2017  
7 p.m.

Transcript No. 29-3-1

**Legislative Assembly of Alberta  
The 29th Legislature  
Third Session**

**Standing Committee on Families and Communities**

Goehring, Nicole, Edmonton-Castle Downs (ND), Chair  
Smith, Mark W., Drayton Valley-Devon (W), Deputy Chair

Aheer, Leela Sharon, Chestermere-Rocky View (W)  
Drever, Deborah, Calgary-Bow (ND)  
Ellis, Mike, Calgary-West (PC)\*  
Hinkley, Bruce, Wetaskiwin-Camrose (ND)  
Horne, Trevor A.R., Spruce Grove-St. Albert (ND)  
Jansen, Sandra, Calgary-North West (ND)  
Luff, Robyn, Calgary-East (ND)  
McKittrick, Annie, Sherwood Park (ND)  
Miller, Barb, Red Deer-South (ND)  
Pitt, Angela D., Airdrie (W)  
Rodney, Dave, Calgary-Lougheed (PC)  
Shepherd, David, Edmonton-Centre (ND)  
Swann, Dr. David, Calgary-Mountain View (AL)  
Yao, Tany, Fort McMurray-Wood Buffalo (W)

\* substitution for Dave Rodney

**Also in Attendance**

Cyr, Scott J., Bonnyville-Cold Lake (W)

**Support Staff**

Robert H. Reynolds, QC	Clerk
Shannon Dean	Law Clerk and Director of House Services
Trafton Koenig	Parliamentary Counsel
Stephanie LeBlanc	Parliamentary Counsel
Philip Massolin	Manager of Research and Committee Services
Sarah Amato	Research Officer
Nancy Robert	Research Officer
Corinne Dacyshyn	Committee Clerk
Jody Rempel	Committee Clerk
Aaron Roth	Committee Clerk
Karen Sawchuk	Committee Clerk
Rhonda Sorensen	Manager of Corporate Communications and Broadcast Services
Jeanette Dotimas	Communications Consultant
Tracey Sales	Communications Consultant
Janet Schwegel	Managing Editor of <i>Alberta Hansard</i>

## **Standing Committee on Families and Communities**

### **Participants**

Ministry of Justice and Solicitor General

Hon. Kathleen T. Ganley, Minister

Philip Bryden, QC, Deputy Minister

Gerald Lamoureux, Assistant Deputy Minister, Corporate Services

Eric Tolppanen, Assistant Deputy Minister, Alberta Crown Prosecution Service

Lynn Varty, Assistant Deputy Minister, Resolution and Court Administration Services

Brad Wells, Executive Director and Senior Financial Officer, Financial Services



7 p.m.

Monday, April 3, 2017

[Ms Goehring in the chair]

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

**The Chair:** Good evening. I would like to call the meeting to order and welcome everyone. The committee has under consideration the estimates of the Ministry of Justice and Solicitor General for the fiscal year ending March 31, 2018.

I'd ask that we go around the table and have all MLAs introduce themselves for the record. Minister, please introduce the officials that are joining you at the table. I'm Nicole Goehring, MLA for Edmonton-Castle Downs and chair of this committee. We'll continue, starting to my right with the deputy chair.

**Mr. Smith:** Mark Smith, Drayton Valley-Devon, deputy chair.

**Mr. Yao:** Tany Yao, Fort McMurray-Wood Buffalo.

**Mr. Ellis:** Mike Ellis, Calgary-West.

**Mrs. Pitt:** Angela Pitt, Airdrie.

**Mrs. Aheer:** Leela Aheer, Chestermere-Rocky View.

**Ms Ganley:** Kathleen Ganley, Calgary-Buffalo and also Minister of Justice and Solicitor General. I'm also joined by my deputy minister, Philip Bryden; Gerald Lamoureux, associate deputy minister; and Brad Wells, senior financial officer.

**Ms Miller:** Good evening. Barb Miller, MLA, Red Deer-South.

**Ms McKittrick:** Hello and bonjour. Annie McKittrick, Sherwood Park.

**Drever:** Deborah Drever, Calgary-Bow.

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

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

**Mr. Hinkley:** Good evening. Bruce Hinkley, Wetaskiwin-Camrose.

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

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

**The Chair:** I'd like to note the following substitution for the record: Mr. Ellis for Mr. Rodney.

Please note that the microphones are being operated by *Hansard* and that the committee proceedings are being audio- and video-streamed live. Please set your cellphones and other devices to silent during the duration of this meeting.

Hon. members, the standing orders set out the process for consideration of the main estimates. Before we proceed with consideration of the main estimates for the Ministry of Justice and Solicitor General, I would like to review briefly the standing orders governing the speaking rotation. As provided for in Standing Order 59.01(6), the rotation is as follows. The minister or the member of Executive Council acting on the minister's behalf may make opening remarks not to exceed 10 minutes. For the hour that follows, members of the Official Opposition and the minister may speak. For the next 20 minutes the members of the third party, if any, and the minister may speak. For the next 20 minutes the

members of any other party represented in the Assembly or any independent members and the minister may speak. For the next 20 minutes private members of the government caucus and the minister may speak. For the time remaining, we will follow the same rotation just outlined to the extent possible; however, the speaking times are reduced to five minutes as set out in Standing Order 59.02(1)(c).

Members may speak more than once; however, speaking times for the first rotation are limited to 10 minutes at any one time. A minister and a member may combine their time for a total of 20 minutes. For the final rotation, with speaking times of five minutes, once again a minister and a member may combine their speaking time for a maximum total of 10 minutes. Discussion should flow through the chair at all times regardless of whether or not speaking time is combined. Members are asked to advise the chair at the beginning of the rotation if they wish to combine their time with the minister's time. If members have any questions regarding speaking times or rotations, please feel free to send a note or speak directly with either myself as the chair or the committee clerk about this process.

A total of six hours have been scheduled to consider the estimates for the Ministry of Justice and Solicitor General. With the concurrence of the committee I will call a five-minute break near the midpoint of the meeting; however, the three-hour clock will continue to run. Does anyone oppose having this break? Perfect. Seeing none, we will have the five-minute break.

Committee members, ministers, and other members who are not committee members may participate. However, only a committee member or an official substitute for a committee member may introduce an amendment during a committee's review of the estimates.

Ministry officials may be present and at the direction of the minister may address the committee. Ministry officials seated in the gallery, if called upon by the minister, have access to a microphone in the gallery area. We also have pages available to make deliveries should any notes or other materials need to be passed between staff in the gallery and the table. Members' staff may be present and seated along the committee room wall. Space permitting, opposition caucus staff may sit at the table; however, members have priority for seating at the table at all times.

If debate is exhausted prior to the six hours, the ministry's estimates are deemed to have been considered for the time allotted in the schedule, and we will adjourn. Today we will adjourn at 10 p.m.

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

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

Again I will remind all meeting participants to address their questions and responses through the chair and not directly to each other.

The vote on estimates is deferred until consideration of all ministry estimates has concluded and will occur in Committee of Supply on April 19, 2017.

If there are amendments, an amendment to the estimates cannot seek to increase the amount of the estimates being considered, change the destination of a grant, or change the destination or purpose of a subsidy. An amendment may be proposed to reduce an estimate, but the amendment cannot propose to reduce the estimate by its full amount. The vote on amendments is deferred until Committee of Supply convenes on April 19, 2017. Amendments must be in writing and approved by Parliamentary Counsel prior to

the meeting at which they are to be moved. Twenty copies of amendments, including the original, must be provided at the meeting for committee members and staff.

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

**Ms Ganley:** Thank you very much. So far I've always gone over, but we'll see what we can do.

I'm here today to present my ministry's 2017-20 business plan and highlights of the Alberta Justice and Solicitor General 2017-18 estimates. Before I present our business plan, I'd like to introduce my senior officials who are with me here today. I have introduced our officials at the table. Seated behind me are Eric Tolppanen, assistant deputy minister, Crown prosecution services; Kim Sanderson, assistant deputy minister, correctional services; Leslie Noel, acting assistant deputy minister, justice services; Frank Bosscha, assistant deputy minister, legal services; Bill Sweeney, assistant deputy minister, public security; Lynn Varty, assistant deputy minister, resolution and court administration services; Cheryl Leske, acting executive director of human resources; Fiona Lavoy, executive director, policy and planning services branch; Dan Laville, director of communications; and Derrick Gugulyn, director of financial planning.

My ministry's business plan helps ensure Albertans can live in safe and resilient communities while having access to a fair, innovative, and effective justice system. Justice and Solicitor General has a direct or shared responsibility for all elements of the justice system in Alberta. Our divisions work together to ensure the justice system functions as efficiently and effectively as possible.

Some of these areas include the Alberta Crown prosecution service, correctional services, the office of the Chief Medical Examiner, and resolution and court administration services. We work alongside our partners in law enforcement, legal aid, and the judiciary along with many other groups and organizations. My ministry's goals focus on outcomes. Specifically, these goals include: that vulnerable Albertans are safe and supported during interactions with the justice system; that justice system partners collaborate to make the best use of resources to protect Albertans through prevention, intervention, and rehabilitation; that Alberta's civil, criminal, and family legal issues are resolved quickly and appropriately; and that Albertans have access to non court-based resolution options when it best suits their needs.

This year my ministry's consolidated operating expense budget is about \$1.4 billion. Budget 2017 further invests in Alberta's justice system with a \$49.7 million increase, or a 3.6 per cent increase, over Budget 2016. It's a step in the right direction and focuses on funding front-line staff. There is more than \$30 million for manpower. Budget 2017 provides \$14.5 million more for 35 Crown prosecutors at Alberta Crown prosecution service in addition to the 15 Crown we're currently hiring and a further 30 court support staff at resolution and court administration services; \$13.7 million more to support staff hired at the correctional centres; \$12.9 million more for Legal Aid, bringing the total to \$81.4 million to support low-income and vulnerable Albertans; \$3.6 million net manpower increase to address workload demands across various programs, including the office of the public guardian and trustee, the office of the Chief Medical Examiner, the aboriginal court work program in the justice services division, and ASIRT in the public security division; \$2.6 million for rising motor vehicle accident claims; and an additional \$2.4 million for victims of crime.

Budget 2017 will help us to address some of the fiscal pressures that have been building in the ministry for several years. These pressures have been driven by external factors, including higher unemployment and inflation, recent Supreme Court of Canada

decisions, increasing caseloads and complexity of criminal matters, rising growth in inmate populations, and ongoing growth in the provincial population. Past funding for JSG has not kept pace with the growing demands on the ministry.

**7:10**

There has been a substantial growth in inmate populations. Over the past five years the average adult daily population has increased by 25 per cent. This demand on the justice system is not unique to Alberta. Recently other jurisdictions have announced significant funding increases. To address the increased pressure, the ministry has operated under tight fiscal restraint. Strategies such as hiring restraints and higher vacancy rates have been used to bridge the funding, but this is not sustainable, which is why we're investing.

My department has also taken steps to cut costs. Savings have been made through overtime restraint, implementation of technological efficiencies such as improved scheduling software and new business processes. We continue to look closely at our programs and services to identify changes that will increase efficiency while preserving the core programs that enable Albertans to live in safe communities.

I will now expand on the estimates by looking at a number of different program areas. The Alberta Crown prosecution service prosecutes all offences under the Criminal Code of Canada and Youth Criminal Justice Act as well as provincial statutes in all courts in the province and in the Supreme Court of Canada. For 2017-18 the Crown prosecution budget increased to \$98 million, a \$7 million, or 7.7 per cent, increase over Budget 2016. The division is facing significant workload pressures, and that was of course compounded last July by the Jordan decision. To address these backlogs, my ministry is investing new money. The Supreme Court of Canada, as you will be aware, in the Jordan decision has set some targets of 18 and 30 months respectively in terms of hearing criminal cases.

There are currently 310 Crown prosecutors, which will increase to about 360 over the course of the next year. This number includes Crown prosecutors who appear at first instance bail hearings. Additional prosecutors will help to ease the current workload pressures. They'll improve access to justice and help free up police for dealing with some other matters. Despite current fiscal challenges this will mean that Alberta has more prosecutors than at any time in history, and it will allow the full weight of the Crown to be focused on serious and violent crime.

The resolution and court administration services division promotes fair and equitable access to the justice system for Albertans. In addition, it supports the operation of three Alberta courts through administrative services by offering a broad range of programs and services. Those programs and services provide Albertans with enhanced access to justice, including information, dispute resolution, and court assistance. This year the division's consolidated budget increases by \$7.5 million, or 3.7 per cent, to \$212.9 million. This will help my ministry address staffing pressures in the courts by providing funding both for existing staff hired over the last year and to hire 30 additional clerks and data entry personnel. It will ensure that clerks are available for courtrooms and can assist in the timely processing of court-related documents.

Budget 2017 also allows for \$97 million over four years for a new justice centre in Red Deer. The centre will address a long-standing shortage of space in the current courthouse and help to meet the justice needs of central Alberta communities. Since the current Red Deer courthouse was built in the 1980s, the city of Red Deer's population has almost doubled, and the surrounding region's population has also increased substantially. The centre will have 12

new courtrooms, with a capacity to build 16. It will also have a resolution services wing that will provide for dispute resolution, civil and family mediation, arbitration, and other alternatives to court.

Correctional services provides secure custody of sentenced and remand adults and young offenders. The division also provides court-ordered community supervision of individuals both pre- and post-sentence. The correctional services budget was increased by \$13.7 million, or 5.1 per cent, mainly for staffing costs. This funding addresses one of the most significant pressures facing my ministry. As I mentioned, over the past five years the adult average daily population has increased by 25 per cent. This money will help pay for staff like correctional peace officers and for correctional facilities across the province.

The funding will also enable the staff to run a pilot project to increase safety for both staff and inmates at the Edmonton Remand Centre. A new whole-body X-ray scanner will be purchased and installed, aiming to reduce contraband such as drugs and weapons getting into the centre. We will assess the effectiveness of this scanner over the course of the year.

Legal Aid Alberta ensures that low-income Albertans have access to legal services. For 2017-18 Legal Aid Alberta's annual grant has been increased by \$12.9 million over the 2016-17 budget and \$3.5 million over the 2016-17 forecast. This brings the total support to Legal Aid from the province to \$81.4 million. This money will address caseload growth. Since 2015 Legal Aid's funding has increased by just over 26 per cent.

Budget 2017 also provides . . . [A timer sounded] And that's that. Thank you.

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

For the hour that follows, members of the Official Opposition and the minister may speak. Would you like the timer to be set for 20-minute intervals so that you're aware of time, or would you prefer to let the full hour flow without interruption?

**Mrs. Pitt:** Twenty-minute intervals would be great.

**The Chair:** And are you requesting to have your time combined with the minister?

**Mrs. Pitt:** Yes, please.

Are you okay with that?

**Ms Ganley:** Yeah. I think we should definitely start out that way. Always start with the assumption that we can all work well together.

**The Chair:** Thank you. Go ahead.

**Mrs. Pitt:** Wonderful. All right. Well, thank you so much for being here today and to your staff as well. I'm just going to dive right in. On page 188 in the budget, line 1.1, I see a modest reduction of approximately 1.5 per cent in your budget from the year previous. What was the reason for the savings here, and why only 1.5 per cent?

**Ms Ganley:** Line item 1.1: that's the minister's office. We have a \$13,000 decrease, mainly due to the reduction in employer contributions to the management employees plan, so that accounts for some of that.

**Mrs. Pitt:** Did you reduce any staff members?

**Ms Ganley:** No, we did not reduce any staff members.

**Mrs. Pitt:** Okay. How many FTEs in your office?

**Ms Ganley:** Seven, including me.

**Mr. Wells:** Excluding.

**Ms Ganley:** Oh, excluding me. Yes. That's correct.

**Mrs. Pitt:** Okay. I'll write down eight.

At line item 1.2 I see that the deputy minister was able to find above 15 per cent in savings within his own office. What were these, and is there any way you could follow his lead?

**Ms Ganley:** My understanding is that the reduction in the deputy minister's office is because we now only have one deputy minister whereas previously we had two.

**Mrs. Pitt:** Okay. How many FTEs in that office?

**Ms Ganley:** Six FTEs, including the deputy minister.

**Mrs. Pitt:** And seven previously?

**Ms Ganley:** Yes, because we had an associate deputy Solicitor General.

**Mrs. Pitt:** That's a tongue twister.

**Ms Ganley:** It is a bit.

**Mrs. Pitt:** At line item 1.3 I notice that your communications budget is the equivalent of both your office budget and the deputy minister's office, equating to almost \$2 million. What is the FTE number for communications?

**Ms Ganley:** There are 15 FTEs operating in communications.

**Mrs. Pitt:** Why so many?

**Ms Ganley:** My ministry actually receives, I think, a lot of calls from media, so the communications staff in the government handles a lot of those calls. Fish and wildlife certainly gets quite a few calls, as do a number of other departments. I think that overall there's just a fairly high interest from people in the province in terms of what's going on in the justice system, so at court, you know, when there's an ASIRT investigation, when there's a police incident – we get a lot of different requests. There's also an internal communications function to those people as well.

7:20

**Mrs. Pitt:** What does that look like, the internal?

**Ms Ganley:** Just informing employees of what other employees are sort of up to. There's an internal newsletter that goes out – it's, I believe, entitled Law and Order – that just sort of lays out some of the exciting work that different folks inside our ministry are doing so that people can be aware of what their coworkers are up to.

**Mrs. Pitt:** Is there any way you'd make that an external document?

**Ms Ganley:** I don't know. It's fairly broadly circulated. We can look at that.

**Mrs. Pitt:** It sounds kind of interesting.

Okay. Line item 1.5: can you explain why there's a half-million-dollar expense to your human resources operating budget? It's my understanding that there's currently a hiring restraint within the Alberta government.

**Ms Ganley:** Primarily that's due to manpower shortages. The department is primarily people. We have over 7,000 employees, so the ratio of staff at human resources, which has 71 FTEs to the 7,000 employees, is actually relatively good. That's just to make sure that everybody has access to human resources.

**Mrs. Pitt:** How do you work around the hiring freeze?

**Ms Ganley:** There has never been, in our ministry anyway, a hiring freeze. It's been hiring restraint that's been ongoing. It's a slightly more nuanced approach in the sense that it still allows us to examine things on a case-by-case basis in instances where potentially we do need some more staff. As we're coming forward now with respect to budget, we're looking at ensuring that we're sort of properly staffed throughout the ministry or at least moving on that track.

**Mrs. Pitt:** Okay. All right. Let's move on to the Gladue reports, if I'm saying that correctly. Outcome 1, page 100 in your business plan: "Albertans have access to information to help to resolve their civil, criminal, and/or family legal issues, and when required, have appropriate and timely access to the courts."

**Ms Ganley:** Sorry. I think I missed the question there.

**Mrs. Pitt:** No. I was letting you get there first. Key strategy 1.2 calls for an increase in the number of Gladue reports, which are presentencing and bail hearing reports that a Canadian court can request when considering sentencing an offender of aboriginal background. How are these currently being generated?

**Ms Ganley:** Currently it's outside contractors, often people with experience with indigenous communities or from those communities that are contracted to write those reports, and then it's overseen through the department. The purpose of those reports is obviously to inform the court of the circumstances of the offender and what the history of residential schools is and the impact that that may have had on the individual offender's circumstances, especially in terms of growing up. I think there's a lot of evidence that, you know, the intergenerational trauma has a huge impact on offending and reoffending behaviour. That's just to help the court out with that.

**Mrs. Pitt:** How much will this cost the system in terms of how many employees will be tasked with this and other administrative costs?

**Ms Ganley:** I think we hire, as I understand it, contractors on an as-needed basis, so we contract for each individual Gladue report.

In terms of the number of staff full-time in the department, I think I'm going to have to get back to you with that number, but we do sort of contract, and it'll be based on the number of instances in which the court recommends that such a report come forward. The hope is that by addressing those issues in the individual sentencing circumstances, over time that can have an impact on the offender, and they can get the services they need so that they aren't coming back into the system over and over again.

**Mrs. Pitt:** Okay. My next question is: where is this reflected in your budget?

**Ms Ganley:** In line 6.1, program support, under Justice Services. That includes indigenous initiatives.

**Mrs. Pitt:** In program support?

**Ms Ganley:** Yes.

**Mrs. Pitt:** Okay. Will this create further delays in sentencing?

**Ms Ganley:** Well, usually when the court asks for a Gladue report, they sort of set the next appearance far enough out, and then our staff work to ensure that the timelines are appropriate for the report going back and forth. There usually is about a three-month, I think, allowance for those reports to be written. But I think that at the end of the day, you know, for the justice system it's more important to get it right, particularly when we're talking about an offender who has already pled guilty to the offence in question.

**Mrs. Pitt:** Excellent.

All right. Trial delays. Under outcome 1 on page 100 of the business plan, key strategy 1.3: "Develop and enhance policies and tools to comply with the Supreme Court framework in R v. Jordan regarding the right of accused to be tried within a reasonable time." The question is: how many cases are currently at risk of being stayed in Edmonton, Calgary, and rural?

**Ms Ganley:** I think that with respect to cases at risk it's difficult to determine the exact number. The reason for that is that in each individual case it's going to vary in the circumstances. You know, in a lot of cases some portion of that time will be attributable to the defence because we didn't know about that prior to July. We maybe weren't always doing the best job of getting on record that it was the defence that had asked for said delay. But there will be arguments in both directions. So depending on that and the complexity of the case, the timelines will sort of vary significantly.

I do have province-wide numbers which were actually published on our website as of quite recently: 74 Jordan applications have been filed. As of April 3, 2017, which is what these numbers are, 14 applications are pending; 20 were dismissed by the court; six have been granted, one of which is being appealed by the Crown; 17 applications were abandoned by the defence; seven matters were proactively stayed by the Crown; and 10 matters were resolved in a way unrelated to Jordan.

I don't know of those 74 applications what jurisdiction they were in. I'm going to look to Eric. Can we get that?

**Mr. Tolppanen:** We can get that.

**Ms Ganley:** We can get that.

**Mrs. Pitt:** All right. What are the average caseloads of the prosecutors in Calgary, Edmonton, and rural?

**Ms Ganley:** I do know that there has been historically some difference because we've had some challenges sometimes hiring in rural areas. I don't know off the top of my head what those approximate caseloads are, but I think we can probably get back to you with those numbers.

**Mrs. Pitt:** Okay. Excellent.

Key strategy 1.5: "Reform the family justice system in Alberta to make it more open and responsive by providing families with coordinated services to resolve disputes where possible without having to go to court, and when court processes are required, making them less adversarial." I'm wondering if you could briefly outline what alternative measures would be taken.

**Ms Ganley:** Yeah. I actually think that this one, at the end of the day, has a lot of components to it. You know, one of the things is that we have intake court workers that work with unrepresented litigants when they first come into the system to see if they can be streamed perhaps to something else. We support the reforming the family justice system initiative, which is looking at different ways



that we can sort of change things. What they're suggesting is certainly that we have to sort of have a movement in terms of people's impression of what the right place is to go to. It's actually the case that for a lot of families it's better to go to a different resolution mechanism rather than going to court.

7:30

A lot of it has to do with how we can get people – part of it is to ensure that we're getting access to information. I think that we now have sort of a one-window system and a line that you can call through resolution and court administration services that give people all of the information so they can figure out what their alternatives are and what different places they can go. I think that intake worker program is also very important.

At the end of the day I think it's just a number of initiatives that will work together to allow Albertans to find maybe different resolution avenues other than court. Some people are, obviously, always going to have to go to court, but we should do our best to see how many families we can keep out of that because ultimately that's not particularly beneficial, usually, for anyone in the family. At the end of the day some people are going to want to go there.

**Mrs. Pitt:** You mentioned access to information. What tools are you currently looking at and referring to in key strategies?

**Ms Ganley:** One of them is definitely – I'm trying to remember the name. It's in RCAS, and basically you call a line or you approach anyone, and they can refer you to this line. Call, click, or come in: essentially what it means is that all the information is in one place. It's attempting to make it just a little bit more accessible for Albertans because there's actually been a lot of evidence that people are coming up to court clerks and trying to figure out where they're supposed to be going in the system. We're trying to streamline that so that they can, either through a window or through the Internet or on the telephone, get the information they need in terms of where they need to go. That's certainly one of those.

We also fund law libraries, which allow people to sort of access the law, and there are some librarians there who actually do a really fabulous job of being helpful in terms of accessing information.

A piece of it, too, in terms of sort of access to information and potentially to counsel comes through Legal Aid as well just to ensure that people have access to those services, particularly where there's sort of a strong differential in terms of income between the partners.

**Mrs. Pitt:** Okay. That's interesting.

Sorry. You just touched on that a little bit there. In the case of family court for, say, divorce proceedings you mentioned sort of income inequality and a system that measures – I guess what I'm alluding to is that when a couple is split up, will one spouse's income reflect on the other's and their access to legal aid?

**Ms Ganley:** That, I think, depends on the circumstances. When you're first separated, there can be a challenge in the sense that it sort of – my understanding is that it's based on your tax returns. I don't want to speak to any individual cases, but I think they do try to take account of that sort of thing. You know, often these proceedings take place over a fairly lengthy period of time, so usually that separation, shall we say, has occurred by then although sometimes it can be the case that both parties would have access to counsel or would qualify for access to counsel in any event.

**Mrs. Pitt:** Okay. I'm more so thinking of, like, domestic violence type of cases.

**Ms Ganley:** As I understand it, for emergency protection orders Legal Aid usually provides counsel in those cases.

**Mrs. Pitt:** Oh, okay. What's the process for that?

**Ms Ganley:** Do I have anyone who can describe it in greater depth than I understand it?

We're going to have to get back to you with that.

**Mrs. Pitt:** Okay.

**Ms Ganley:** I have a basic understanding of the process, but I don't want to misstate any of the steps.

**Mrs. Pitt:** That's fair. I'm curious. I'm actually off script here now, too.

Let's go back. Same key strategy, 1.5. Where will we see this reflected in the budget?

**Ms Ganley:** Sorry. I've now lost the page. Key strategy 1.5?

**Mrs. Pitt:** Family justice system reform.

**Ms Ganley:** Right. What I was talking about is the contact centre, the call, click, or come in. That will be reflected in the budget line for resolution and court administration services. I believe the reforming the family justice system initiative . . .

**Mrs. Pitt:** Sorry. Back up. Call, click, come in is . . .

**Ms Ganley:** Sorry. It'll be in line 2.2, resolution services.

I'm trying to remember where the grant for reforming the family justice system is. It's in 2.1, for RCAS, under program support.

**Mrs. Pitt:** Now, there's a bit of a decrease in that line item. The reform of the family justice system: is that accurately reflected in the line item?

**Ms Ganley:** Sorry. We're looking at 2.1?

**Mrs. Pitt:** Yes.

**Ms Ganley:** Okay. I'm showing a slight increase over budget by \$2.8 million, and we're saying that that's \$1.1 million for reinstatement of funding for cost-reduction initiatives not implemented; \$1.9 million to cover expenditures . . . [A timer sounded]

**The Chair:** It's okay. It's just the first 20 minutes.

**Ms Ganley:** Keep going?

**The Chair:** Yes.

**Ms Ganley:** Okay.

. . . \$1.5 million in increased manpower costs, including an increase to WCB premiums; \$0.3 million for costs related to Justices of the Peace Compensation Commission; and \$0.1 million to support the Queen's Bench scheduling system, which is offset by \$0.2 million in savings from reduction in the management employee pension plan.

**Mrs. Pitt:** Sorry. That's reflected in 2.1?

**Ms Ganley:** Yes.

**Mrs. Pitt:** Okay. Performance measures to monitor this strategy: how will you be monitoring this information?

**Ms Ganley:** I'm sorry. Monitoring . . .

**Mrs. Pitt:** The strategy.

**Ms Ganley:** This is strategy 1.5 we're talking about?

**Mrs. Pitt:** Yeah, 1.5.

**Ms Ganley:** That's reforming the family justice system.

**Mrs. Pitt:** Yeah. That's the one.

**Ms Ganley:** Okay.

**Mrs. Pitt:** Performance measures for reforming the family justice system.

**Ms Ganley:** Presently we've been working with them. I actually met with them not too long ago. One of their major premises is the theory of change. I think that one of the measures as we start implementing – they're still at the stage of having sort of talked to a number of different groups and trying to, like, come up with concrete strategies. They're meeting with people. But I think that one of the intentions ultimately is to implement this theory of change. At that point, I think we'd be looking to see essentially people who came in and made contact and then ultimately didn't wind up in court.

**Mrs. Pitt:** Okay. When can we expect there to be a model to track?

**Ms Ganley:** Of that particular initiative? I'd have to get back to you on that one.

**Mrs. Pitt:** Excellent.

Okay. Let's go to key strategy 1.6, explore and, where possible, implement reforms and electronic processes for driving offences, including traffic tickets, increasing the justice system's capacity to handle more serious civil, criminal and family matters in a timely way. The question is: what types of methods are you looking at in developing virtual trials?

7:40

**Ms Ganley:** On this front, in terms of electronic processes we actually enabled through some legislation last year – and the regulations are coming in shortly – e-ticketing, which will allow services that have that ability. I believe the RCMP already has the technology to essentially punch it into, like, a computer, and then rather than the police having to go back and input into their system and then send it to the court and have them input into their system, the electronic ticket will just transmit everywhere. It also reduces the number of errors that occur in handwriting the ticket. That's definitely one of those.

We've also moved to get a government website up to allow people to pay their traffic tickets online. Previously you did it through a registry, and the fee was about \$9. It's down to \$3, so we think that that's an improvement.

And then further to that, we'll sort of continue talking to folks. There was, when I came in to government, a proposal that dealt with, you know, changing the way that traffic tickets were handled. There has been a series of concerns about that raised by stakeholders. I think there is still potentially some merit in instances where people want to do that, but I think what we're hearing from stakeholders is that they still want access to the process that we have now, which is to say the full-blown trial process. So we'll work with them going forward on that particular initiative, but I think no final decision has been made in one direction or the other.

But we definitely think that that e-ticketing initiative and allowing people to pay directly to the government online will be helpful.

**Mrs. Pitt:** Uh-huh. Absolutely. Does that reflect in your budget, or is that in Service Alberta's?

**Ms Ganley:** Oh, boy.

**Mrs. Pitt:** Who takes it? Or how?

**Ms Ganley:** Yes. Sorry. I remember this, and I remember it being complicated, so I'm going to look to see if anyone else can outline it.

**Mr. Lamoureux:** Basically, it's covered within JSG's budget. Service Alberta does provide some services, but at this point . . .

**The Chair:** Could you introduce yourself, please? Thank you.

**Mr. Lamoureux:** Oh, sorry. Gerald Lamoureux.

Service Alberta does provide this service up to a certain limit. Beyond that, we would pay additional. We haven't reached that limit yet.

**Mrs. Pitt:** Oh, okay. What is that limit?

**Mr. Lamoureux:** It's \$1.5 million.

**Mrs. Pitt:** Okay. Where do we typically sit in that? What's an average expense?

**Mr. Lamoureux:** We're getting close, but we'd have to get back to you on that number.

**Mrs. Pitt:** Okay.

All right. Let's go to performance measure 1(d), Provincial Court lead time to trial for serious and violent matters. In the last 2015-2016 actual it was reported that the lead time for court trials for serious and violent matters was at 21.9 weeks. Given the seriousness of the Jordan ruling I'm wondering if this time also includes the preliminary hearing.

**Ms Ganley:** A matter in Provincial Court won't have a preliminary inquiry. A preliminary inquiry occurs in Provincial Court for matters that will ultimately be heard in the Court of Queen's Bench. So if the matter is being heard in Provincial Court, it won't have a preliminary inquiry associated with it.

**Mrs. Pitt:** But if it's in the Court of Queen's Bench, the Provincial Court has no part in the preliminary process. Is that what you're saying?

**Ms Ganley:** No. They do, but I don't think that's considered in these lead times. I think this is time to trial, so they wouldn't be including preliminary inquiry times. Those would essentially be included by default in the Court of Queen's Bench lead times because the time that it took to get to trial would include the time that it took to get to the preliminary inquiry.

**Mrs. Pitt:** Okay. No. I follow you.

Given the urgency we must place on ensuring a speedy trial, can you explain why your target for 2017-2018 is only a reduction by two weeks?

**Ms Ganley:** You know, I think you're right. It's certainly important that people's matters are being heard in an expeditious manner. There are various reasons that a trial can take a little bit longer to

get to court. We definitely do want to see those coming down over time. But because this system has evolved over such a long time, I think we want to be realistic in terms of how far we can move that needle. It is still significantly below those Jordan time frames, but there can be legitimate reasons for that. The accused person may potentially change counsel, you may have a situation in which not all of the disclosure was received from the police in the first instance, or the defence counsel feels that they need access to more disclosure. Sometimes there are reasons that things don't get through as quickly as possible. If you try to push everything through too fast, you can kind of infringe on the rights of the accused person, which, of course, we don't want to do either.

**Mrs. Pitt:** That's true.

What are the savings from this reduction target, if any, and where do I find this in the budget?

**Ms Ganley:** Sorry. The savings from reducing the length of time that it takes to get to trial?

**Mrs. Pitt:** Yeah.

**Ms Ganley:** I wouldn't anticipate that you would see savings. You'd probably see the opposite. In order to have more matters heard more quickly, you'd need more staff, so usually you would actually see an increase in costs associated with that.

**Mrs. Pitt:** Okay. Where is it in your budget?

**Ms Ganley:** In terms of Provincial Court lead times it will be all over. It'll be in the Provincial Court budget for the judge and the judicial assistants, it'll be in RCAS for the court clerks and the other staff working on that, and it will be potentially in legal aid, depending on the circumstances. It'll be in the Crown prosecution office for the prosecutors. It'll sort of be spread, I guess, throughout the system.

**Mrs. Pitt:** Do you have a total cost for that?

**Ms Ganley:** No.

**Mrs. Pitt:** All right. Page 188, court resolution services, line item 2.4.

**Ms Ganley:** Yes.

**Mrs. Pitt:** All right. This line item deals with civil claims. Can you explain why this line item has remained constant over the last two years and the current budget year?

**Ms Ganley:** Yes. It seems we are anticipating the same number of civil claims will continue to be filed. That's an interesting question. I will maybe turn that over to see if someone has a . . .

**Mrs. Pitt:** It's too consistent.

**Ms Ganley:** Okay. It sounds like we're going to get Lynn Varty up to answer this one.

**Ms Varty:** Lynn Varty, ADM for resolution and court administration services.

This is a dedicated revenue stream. Based on the filings we get a fee. We've not taken a request forward to Treasury Board to increase that number, but we'll be doing that this year.

**Mrs. Pitt:** If I may, Lynn, why do you suspect an increase?

**Ms Varty:** We know that since the civil claims limit has gone up to \$50,000, the number of claims being filed in Provincial Court has also gone up.

**Mrs. Pitt:** Is that true in other jurisdictions? Where do the numbers come from?

**Ms Varty:** The increase?

**Mrs. Pitt:** Yeah.

**Ms Varty:** The increased jurisdiction means that we have more people who would have filed in Queen's Bench previously now coming to Provincial Court. Because the Provincial Court is really a court where self-represented litigants appear, we're seeing more of those folks actually appear before the courts. So we know that the number of claims is actually up.

**Mrs. Pitt:** Okay. Is this a reflection of Bill 2 as well? Do you suspect a significant increase?

**Ms Ganley:** Well, Bill 2 hasn't been passed yet, so we're not expecting that. These would be fairly low-damage claims. I mean, it's possible. Portions, at least, of Bill 2 having to do with sexual assault have been enacted in jurisdictions throughout the country, and they haven't seen a flood of litigation. Really, the purpose is just to allow people to make their own decisions. Even if they're deciding not to bring a civil claim in the end, the point is that they get to decide, and they get to decide when, too. Sometimes having a limitation period like that will force a survivor to come forward sooner than they would otherwise have liked, so that will just impact the timing. There probably will be some additional claims filed, but we're not expecting sort of a mass increase.

7:50

**Mrs. Pitt:** Okay. Line item 2.5, Provincial Court of Alberta. This line item received a \$3 million cut. Explain, please.

**Ms Ganley:** Yes. Essentially you will see it disappear from Provincial Court, and you will see that same \$3 million reappear in the Court of Queen's Bench. That was essentially just recognizing that court staff were in fact doing work in the Court of Queen's Bench. Yeah, it's essentially to align FTEs so that they're actually being reflected correctly in the budget.

**Mrs. Pitt:** Okay. So line item 2.5 goes to 2.6?

**Ms Ganley:** Yes.

**Mrs. Pitt:** Okay. I had to make sure my arrows were the right way. Why did you do it that way?

**Ms Ganley:** I think you will likely see this reflected in the actuals on those budget lines at the end of this year. Those folks were in fact doing work in the Court of Queen's Bench, and somehow they had been attributed to Provincial Court, so we're essentially just realigning them to where they actually are.

**Mrs. Pitt:** Okay. How many people was that, how many FTEs? I think you might have said it.

**Ms Ganley:** I'm going to guess roughly 30.

**Mr. Bryden:** For the switch?

**Ms Ganley:** Yeah, for the switch.

It's roughly 30, but we can get back to you with the number. It's not so much that the people moved. They were kind of there already. It's just that we're reflecting them in the place where they actually are.

**Mrs. Pitt:** Did you have a review process to discover this discrepancy?

**Ms Ganley:** As I understand it, it had to do with the fact that we used to report the budget differently. Provincial Court and Court of Queen's Bench are frequently co-located, and we used to sort of report budgets by region.

I can let Lynn speak to that further if you think you need to supplement.

**Ms Varty:** Yeah, this is really a realignment of funding to manage expenditures. A number of years ago we actually reported on a geographic basis, so it was Edmonton, Calgary, and regional centres. In many of our regional centres across the province we actually have Queen's Bench and Provincial Court staff share duties. This is really just realigning the budgets to recognize that the budget is now split as a functional model, so Queen's Bench and Provincial Court and not a geographic model any longer.

**Mrs. Pitt:** Why did you change models and when?

**Ms Varty:** Because we were often asked to actually report on: how much is Provincial Court spending as a total, and how much is Queen's Bench spending as a total? So realigning it from a functional perspective actually helps to give us data that we can report better on.

**Mrs. Pitt:** Okay. Thank you.

What is the average wait time for trials under this branch of government, the Provincial Court of Alberta?

**Ms Ganley:** I thought that was in the business plan. As I understand it, the last numbers we have – oh, we have it broken down by region. The last numbers we had, I think, were the 21.9 weeks reported in the fiscal plan.

**Mrs. Pitt:** Can you give me the breakdown by region?

**Ms Ganley:** Yes. The provincial average for 2016 was 20 weeks. Calgary urban was 20. Calgary region was 22. Edmonton urban was 21. Edmonton region was 19.

For the Court of Queen's Bench – oh, sorry. You asked about Provincial Court, didn't you?

**Mrs. Pitt:** Yeah.

**Ms Ganley:** Before I just sort of trot along.

**Mrs. Pitt:** Just wait. Just wait.

Now, what efficiencies have you found in order to reassure Albertans that victims will see justice for themselves and for their loved ones?

**Ms Ganley:** I think you're right. It's important that we start moving forward on those sorts of efficiencies, and I think that the Supreme Court of Canada has sort of issued us – I don't want to say an ultimatum – certainly a very strong suggestion that we move forward in a more timely manner, addressing what they have referred to as a culture of delay. That will require work on the part of all system participants. It will require work on our part in terms of the Crown prosecution service, it will require work on the part of court staff, including judges, to ensure that we aren't seeing

unnecessary delays in cases, and it will require work as well on the part of the defence bar to ensure that they're not contributing to that situation.

I think that there are a number of different pieces that can contribute to that. For instance, you know, our court case management initiative, which allows remote courtroom scheduling, means that a judge and a courtroom are not being used up on scheduling matters. We also have province-wide electronic case management. We have assignment courts in Calgary and Edmonton, so it minimizes the number of – often things will resolve at trial, so those assignment courts make sure that things that are going into courtrooms are actually going to be things that are heard.

Criminal e-file, which I believe began in Edmonton, is now extending to Calgary. That allows disclosure to go out electronically, and that has significantly reduced the amount of time it takes to get disclosure out the door. Obviously, it's difficult for an accused person to choose what way they're going to plead in a matter until such time as they've seen that.

I feel like there was one other thing that I was going to mention. There are a number of different initiatives, I think, that ultimately, hopefully, will bring down those lead times.

**Mrs. Pitt:** Okay. How much did the e-filing system cost? You said that it's only in Edmonton?

**Ms Ganley:** It started in Edmonton. We piloted it in Edmonton. It's being rolled out to Calgary, and then it will be rolled out to other jurisdictions. In order for the information to pass electronically from the Crown to the defence counsel, it needs to come electronically from the police, so a lot of it has to do with getting those other system participants also involved in the process.

**Mrs. Pitt:** So you can have the same system with the RCMP and, like, the Calgary city police? Is that possible? Is that what you're doing?

**Ms Ganley:** Yeah. Ultimately it will all feed into the electronic system that the Crown has, and then they'll be able to electronically disclose to defence counsel. I don't think we have it rolled out province-wide yet.

**Mrs. Pitt:** Okay. Line 2.7, Alberta Court of Appeal. What is the average wait time for a trial?

**Ms Ganley:** Sorry? In the Court of Appeal?

**Mrs. Pitt:** The Court of Appeal.

**Ms Ganley:** They would be hearing appeals, not usually trials. Obviously, they won't be subject to the Jordan timelines because it's not a trial hearing.

I suspect that we don't have that data. I'm sorry. It's going into the table-it portion.

**Mrs. Pitt:** You don't have that data?

**Ms Ganley:** We don't.

**Ms Varty:** I don't have it, but we can get it.

**Ms Ganley:** Sorry. We can get it.

**Mrs. Pitt:** Okay. I assumed that was the answer.

**Ms Ganley:** When they said that we don't have it, I thought we didn't have it as opposed to we just don't have it here. So we'll get it to you.

**Mrs. Pitt:** Okay. I assumed.

Do you track what type of appeals or process? Can you get that?

**Ms Ganley:** Yes, it appears so.

8:00

**Mrs. Pitt:** Okay. Now, given the Jordan ruling and the delays that are happening within our court system, we have learned that court clerks and reporters are part of the equation, obviously. How does this budget address the shortage of these essential court workers?

**Ms Ganley:** RCAS has seen about a \$7.7 million increase to the budget, so that will support some staff that we already have in place, which also required a supplementary estimate. It will allow us to hire another 30 or so personnel, so that will certainly help with the process. I mean, a lot of it, too, is sort of finding efficiencies, but it has been challenging for some of those court staff, so we will be monitoring, I think, very closely to ensure that that isn't a bottleneck point in the system.

**Mrs. Pitt:** How will you track that?

**Ms Ganley:** It will have to do with the tracking of lead times as well as just generally talking to different system participants. Certainly, we're likely to hear from the judiciary if they're having challenges with being able to have clerks in a courtroom. They do tend to keep up on that, so we'll certainly hear from them. It's just a matter of working with all sorts of different participants.

You know, part of the genesis, actually, of this increase was that I've had the opportunity to go around the province to talk to some of the individuals working in courthouses, and they have attested to the challenges that they're having, as has AUPE on their behalf.

**Mrs. Pitt:** Okay. Recently we've heard how expensive preliminary hearings can be. Can you explain how much money these hearings cost the system, specifically the costs contained in line items 2.4 and 2.7?

**Ms Ganley:** For 2.4 I have provincial civil claims.

**Mrs. Pitt:** Sorry. Items 2.2 to 2.7, under line 2.

**Ms Ganley:** A preliminary inquiry would occur in Provincial Court. It would cost some money in resolution services because that's where the clerk will be. Then it would cost some money in prosecutions as well and potentially to legal aid, depending on the circumstances. It would be difficult to estimate the exact cost. We could probably calculate a rough estimate. It depends in each individual case on the sort of length of the preliminary inquiry.

You know, one of the concerns with that can be cost, but it's a slightly more complex situation. Part of the concern is delay because, of course, the preliminary inquiry has to occur before you can schedule in the Court of Queen's Bench, so you can potentially have a problem with the Jordan timelines on the other side of that. Sometimes preliminary inquiries can be useful in the sense that when the person is confronted with the evidence, that may prompt a resolution, so it may ultimately never go to trial as a result of that. So they can have impacts in both directions.

Alberta's position, I think, at the federal-provincial-territorial table has been that there may be some instances in which we want to keep these. In all but the most serious cases we would – we believe that they're not always useful. There can be some instances in which, yes, you had the preliminary inquiry, but it will ultimately save you the trial time. So it's difficult to get those exact estimates.

**Mrs. Pitt:** Okay. Have you made any changes to the preliminary hearing process at this point in time? I know you said that you were kind of, like, on the fence with its usefulness.

**Ms Ganley:** There is an FPT working group that's working on this issue. Preliminary inquiries are in the Criminal Code, so it's ultimately the federal Minister of Justice who will make that determination. This FPT working group is essentially examining how useful these things are and in which cases and will ultimately make recommendations to the federal Justice minister on what she should do with the entire system.

In Alberta, compared to other provinces – so there is a provision in the Criminal Code that allows a provincial Attorney General to seek direct indictments. We seek more direct indictments in the province of Alberta than they do in most other provinces, and that is actually arising out of changes that were made arising from a 2013 report called Injecting a Sense of Urgency, that suggests that more direct indictments be sought.

**Mrs. Pitt:** Okay. What is the average length of a preliminary hearing?

**Ms Ganley:** It's difficult to estimate just because they vary wildly. There are provisions that allow preliminary inquiries to occur on some issues at trial or potentially all issues, depending on how counsel sort that out, so that can affect the length of time significantly. It's also affected by what the individual case is, depending on how much evidence there is to produce. That's not necessarily related to the charge. It's often related to sort of the number of witnesses that the Crown thinks will be necessary in the end.

**Mrs. Pitt:** Okay. Are you on page 188?

**Ms Ganley:** I can be.

**Mrs. Pitt:** Line item 4.3.

**Ms Ganley:** Line item 4.3. Okay.

**Mrs. Pitt:** What percentage of this line item is being used to try youth offenders?

**Ms Ganley:** I'm going to ask Eric Tolppanen to come up.

**Mr. Tolppanen:** Eric Tolppanen, assistant deputy minister for prosecution service. The way youth matters are prosecuted in Edmonton and in Calgary: there are designated units of prosecutors. There are about half a dozen or so in each of those two centres, and for the balance of the province those matters are handled by the general prosecution offices in the regions. We can certainly attempt to discern the breakdown of youth matters and get that number for you, but that's how it's set up.

**Mrs. Pitt:** Okay. Do you have a number of youth, not a financial number but, like, a number of youth?

**Mr. Tolppanen:** The number of cases that are prosecuted?

**Mrs. Pitt:** Yes.

**Mr. Tolppanen:** Yes, we can find that out.

**Mrs. Pitt:** Okay. In the 2016-2017 budget you cut the budget by \$3 million, but the forecast for that year ended up being almost \$5 million. Was this because Jordan wasn't anticipated or something else?

**Ms Ganley:** The Jordan decision had the majority of the impact there. We had obviously been struggling to find efficiencies across government. Ultimately, when the Jordan decision came down, I think the court made it pretty clear to us that they didn't think that that was a place to be looking for said efficiencies. So, yeah, when the Jordan decision came down in July, it sort of represented a marked change in the law, so we have injected resources at this time.

I think we're going to have to keep monitoring that situation quite closely. You know, my first reaction when I heard the Jordan decision come down was just a real sense of concern for the victims who might ultimately not only see the person that they're accusing go free but see them go free without even a trial. When that decision came down, a large number of matters were already in process and had already had dates set, so it drew some considerable concern. This is, of course, a concern that exists, I think, across jurisdictions. You've seen a number of provinces inject resources as a result of this.

So, yeah, that's what happened there.

**Mrs. Pitt:** So, officially, on the record, we will not see an unbudgeted \$5 million increase next year?

**Ms Ganley:** I wish I could say definitively that that would be the case. Part of this number is for the bail decision, as has been pointed out. That requires Crown prosecution staff to appear at all bail hearings. Part of the number is to begin to address Jordan.

We're going to have to keep monitoring those numbers very closely. As the population in the province has been growing, we'll have more prosecutors in the province than we have historically, but whether or not that will be sufficient to ensure that we're getting everything to trial in a timely manner, I think that ultimately that is something we're going to have to keep an eye on. I think that Albertans would want us to continue doing that monitoring. This sort of represents a fairly marked change in terms of time frames and in terms of law, so I think we're going to have to keep a close eye on it.

So I won't be able to make that commitment. I'm sorry.

8:10

**Mrs. Pitt:** I don't like your answer, Minister. But I think you're going to do it. I think you're going to stay on budget. It's going to be just fine.

I want to move on to line item 6.3, page 188, office of the Chief Medical Examiner. What has been done to address the caseloads which have Albertans waiting months to hear what the official cause of death is?

**Ms Ganley:** I'm sorry. What line item was that?

**Mrs. Pitt:** Line item 6.3.

**Ms Ganley:** Okay. Obviously, you're seeing an increase in the office of the Chief Medical Examiner by about a million dollars, and that increase will go to support. That will increase two medical examiners, and it will also add an additional staff person who can help to respond to inquiries as well as work with some data. We've asked the office of the Chief Medical Examiner to significantly alter the way it collects data with respect to deaths.

Previously where a death had been called a death by multiple drug toxicity, we have asked them to look at those deaths in more depth and try to form a professional judgment on whether or not the sort of cause of death was an opioid. In order to track those numbers, which can be very challenging because sometimes it's as much an art as it is a science – so if the person has multiple drugs

in their system, all of which are potentially in lethal doses, it's not always super easy to determine what was the actual cause of death. So that requires some pretty detailed work on the part of our staff to ensure not only that they're doing their best job but that they're applying a consistent screen so that those numbers are being measured in the same way in all instances.

Ultimately, you know, when you're going to produce that data for the public, it's not only important to have the data, but it's important to ensure that the data is as accurate as you can make it. Because we've asked them to do that additional work, that will assist with that. It's also a matter of just ensuring that the staff is keeping pace with a growing province.

**Mrs. Pitt:** So sort of a staffing issue, essentially, is what would create the ways.

Okay. I get a lot of complaints about this in my office, and my colleagues do as well: the fees that are charged to receive a certificate from the medical examiner, a detailed autopsy report package, things that are often quite painful for families, generally, already going through a grieving process. Is this something that you would be able to manage in a different way? I mean, minimal fees though they are, they tend to really impact a grieving family. How much money do you currently take in from this?

**Ms Ganley:** I can get back to you on the exact number in terms of how much is coming into the OCME. I do understand the concern, and to a certain degree I do share it because you are talking about people who are usually in a very challenging time. I think, at the end of the day, when you're talking about any service, depending on – someone's going to pay for that service at the end of the day, so it can either be the general taxpayer or it can be the individual requesting the service. You know, I think they consider that balance fairly carefully in this case, but we will absolutely talk to them about it.

**Mrs. Pitt:** Okay. I just want to jump to line item 6.6, the Public Trustee. How much money is currently being managed by the Public Trustee in the form of discretionary trusts?

**Ms Ganley:** We're going to have to get back to you on that one.

**Mrs. Pitt:** Okay. Maybe this one, too. How much money, on average, is spent on covering basic needs through discretionary trusts for Albertans who would have otherwise qualified for AISH and other income support supplements?

**Ms Ganley:** Oh. That is a complicated question. I can commit . . .

**Mrs. Pitt:** That would be a meeting for another time.

**Ms Ganley:** I was going to say that I can commit that we'll look at it. I don't even know that we can necessarily get those numbers since part of them will reside in other ministries. So I don't want to – I mean, the Public Trustee money will be managed through the Public Trustee, but that's sort of the individual's money. In terms of people who would otherwise qualify for AISH, it's difficult to say because if they haven't applied, it's difficult to know exactly what their medical condition is and whether they would qualify for AISH. We can look at it. I don't know if we'll be able to get a definitive read on that one.

**Mrs. Pitt:** Okay. I'm going to squeeze one in. Public guardian services, 6.5. When Albertans search online for the office of the public guardian and trustee, it links to the human services website. Can you clarify where this program actually belongs?

**Ms Ganley:** The office of the public guardian and trustee has been moved to Justice and Solicitor General. I believe that occurred in January. It sounds like perhaps we have some website updating to do.

**Mrs. Pitt:** Okay. Why are they in two separate line items when they call it the office of the public guardian and trustee?

**Ms Ganley:** Historically they were two different offices. They're now combined into one, but they had been two for a long time, so I think they just sort of kept that distinction.

**Mrs. Pitt:** Oh, okay. But it's one office, so the administration is split between the two?

**Ms Ganley:** Yes, they do. They work under one executive director, I believe.

**Mrs. Pitt:** Okay. Excellent. Thank you very much.  
It's going to beep on me. [A timer sounded] There you go.

**The Chair:** Good timing. Thank you.

For the next 20 minutes I would now like to invite members from the third-party opposition and the minister to speak. Mr. Ellis, did you want to combine your time with the minister?

**Mr. Ellis:** Sure.

**The Chair:** Go ahead. Thank you.

**Mr. Ellis:** Great. Thank you. Minister, thank you so much for being here. Staff, a pleasure. I'll say that I'll apologize in advance for asking a question that might be similar to the ones by my colleague here. I guess we'll start off with some questions that kind of came to mind upon your opening remarks as well as questions that came up from the Official Opposition. Minister, you mentioned that \$30 million in total had gone to, I think, your budget for manpower. Is that correct? That was in your opening remarks. I just want to be clear. That's everything from a clerk all the way through the judicial system, the police, the judges. Would that be included in all of that as well?

**Ms Ganley:** That will include employees of the ministry: corrections officers, RCAS, Crown prosecutions. Yeah. A number of different places. It wouldn't include Court of Queen's Bench justices because while we pay for the staff, the federal government pays for the actual justices.

**Mr. Ellis:** Okay. What about the, you know, police services; for example, the RCMP, or Calgary, Edmonton, Lethbridge, some of the other smaller municipalities. Is there money from that that goes toward those?

**Ms Ganley:** This particular money, no. RCMP: rural and urban under 5,000 are policed on a contract between the province and the federal government, of which we each pay a portion of the cost. Municipal police forces will be paid for by the municipality with transfers from the province. We transfer back in terms of fine revenue and in terms of municipal police grants and in terms of peace officer grants. Those are not considered employees of the ministry, so you just see an increase in the grants there.

**Mr. Ellis:** Thank you.

One other question that kind of came up here was, I think, that you touched on 310 prosecutors that went up to 360 Crowns. I'm

just curious as to: what were the factors that came up with that type of number, that increase?

**Ms Ganley:** Currently we have 10 Crowns who are working on a pilot project with respect to bail. We will have to hire 15 more, so we believe we will need roughly 25 Crown prosecutors to run that project. That's part of it. Then the other part is to ensure that we're staffing back up and adding a few additional bodies to make sure that we're able to start handling the Jordan decision. I think we're going to have to keep a close eye on that number in terms of what's going on. Yeah. We'll be hiring those people over the course of the year, so hopefully we'll be able to see the impact and then make determinations going forward.

8:20

**Mr. Ellis:** Okay. What about special Crown prosecutors that deal with those complex mortgage-type files or the victims, let's say, the senior that was taken for her life-savings, for example, right? What kind of resources coming from your department are for those types of folks or issues?

**Ms Ganley:** As I understand it, special prosecutions are a portion of criminal and adult prosecutions. I think there are in some areas specific prosecutors that attend to those cases. Sorry. I'm wrong. It's a special line item: 4.4 is specialized criminal and regulatory prosecutions. They have 75 FTEs currently.

**Mr. Ellis:** Wow. I know just from personal experience that those files can be so complex, not only from the officer's perspective but, obviously, from the Crown's perspective. It could sometimes take, for one complex mortgage fraud or just a large fraud in general, a Crown prosecutor six months to a year just to put the case together. Are these cases that you, you know, are looking to prosecute, or will they potentially fall victim to the Jordan decision or, sadly, even the triage protocol? Like, is there a concern? I don't want to see all that work go to waste. I guess that's my point, right?

**Ms Ganley:** No. I think you're absolutely right. We certainly don't want to see that happening either. It will obviously vary in the individual circumstances of each case, and the prosecutors will make those decisions, or in the case of the Jordan decision, I guess the court will make the decision whether we like it or not. You know, those do tend to be complex matters. I think in Jordan applications in those cases we would certainly be looking to argue exactly that to ensure that we could keep the file on track. I think we definitely want to avoid a situation in which we're not prosecuting those sorts of crimes because they do have a lot of victims. Usually, as I understand it, the largest challenge in those cases is that often the perpetrators are not in Canada, which creates its own set of prosecution challenges.

**Mr. Ellis:** But our victims are here, sadly.

**Ms Ganley:** Yes.

**Mr. Ellis:** Thank you.

Another question that came up: I think you mentioned an increase in staffing costs to corrections. Did I hear that correctly? Was it 5.1 per cent? No. You mentioned an increase in . . .

**Ms Ganley:** It's \$13.7 million.

**Mr. Ellis:** Oh, okay. Is that because there was a contract negotiated or renegotiated, or is this that you hired more folks in that particular . . .

**Ms Ganley:** This is to support additional staffing, and it's actually staff that have been hired over the course of this year. They're mostly bodies that are already in place. They were in the supplemental estimates as well.

Essentially what's going on is that the population in the province has been increasing, so that has driven an increase in remand populations. The increase in the remand population has actually exceeded the increase in the general population, so we're just seeing more individuals. In order to ensure that our staff are able to be safe in the environment in which they're working, we need to make sure that there are enough of them to cover. It's also necessary to make sure that those bodies are in place so you're avoiding overtime, which can be bad both from a financial perspective but also from a perspective of those employees because they do very, very difficult and challenging work, and we want them to be able to be at their best when they're doing that work.

**Mr. Ellis:** Okay. Thank you. That is true.

Has there been an increase? You mentioned remand, obviously, the adult facilities. But even with CYOC, have we seen an increase in, I guess, kids in custody that would require . . .

**Ms Ganley:** I don't know that I know year over year off the top of my head. We've actually seen a trend of decrease in children in custody as a result of the young offenders act, which sort of doesn't presuppose custody as much. Actually, I think our facilities in Edmonton and Calgary are both sort of half empty.

**Mr. Ellis:** Okay. I think you had mentioned last time that you were looking at utilizing that space in those facilities for other things such as training, for example. Has that been the case? Have we been able to utilize those buildings?

**Ms Ganley:** I don't think that up to this point we have, no.

**Mr. Ellis:** Okay. I'm curious just because I've done many searches and search incidents. You mentioned scanners for the remand centre. I guess, number one, are we referring to those, like, airport scanners, and what would the cost associated with that be?

**Ms Ganley:** As I understand it, they are scanners to see if individuals are smuggling contraband, particularly illicit substances or weapons, inside their bodies.

**Mr. Ellis:** Oh, yeah. No. I've sat and done those searches. Sorry. I guess the scanner that I'm referring to: I think we've all been through an airport, and I know myself that, you know, you've got to stand in that thing. Is that the type of scanner that we're looking at purchasing or similar?

**Ms Ganley:** It's similar. I don't think it's identical. They've been using them in I believe it's Ontario, and they have had a pretty good rate of success not only in terms of the scanner but in terms of the fact that when people see the scanner, they tend to get rid of whatever the thing is.

**Mr. Ellis:** Oh, yeah. You know, they're not hiding it under their armpits. I'll tell you that right now.

Minister, I'm just curious about the traffic tickets online. You also mentioned that, you know, obviously, through the registries – I think you said that \$9 was the cost. It's good to see those online services. I think that's a great thing, that they're being utilized. I'm just curious. The \$3 fee: is that just, like, a surcharge that the government charges for doing it online?

**Ms Ganley:** It's obviously at this stage an estimate because it's fairly new. But what it's designed to capture is the cost of the actual program – Justice will pay some portion to Service Alberta to administer that – but also the cost of merchant fees. People, when they go online, will pay with their credit card, and there's between a 1 per cent and a 4 and a half per cent surcharge that's charged on those. We're trying to break even. It remains to be seen how good a job we do of it.

**Mr. Ellis:** Yeah. I know. I get that.

I guess my question is – and I don't know if you're able to answer this as well – have you had a response from the registry offices? Are they good with what you guys are doing online, or do they have some concerns?

**Ms Ganley:** There were some concerns. Those fees for those services were going not to the registry offices but the registry association, and they obviously had some concerns about us undercutting their market.

**Mr. Ellis:** Okay. And then on another topic here, I guess, again, prior to my starting my little session here, you mentioned the medical examiner. Of course, believe me, I get that the testing for opioids is really, truly a science and is so complex. You know, you can test for OxyContin, but something may not come up for carfentanil, right? I guess my question has to do with the – I think you had indicated that you're getting additional staff in order to assist with this. What kind of cost would be involved in really trying to capture all of the opioid-related deaths in this province? Do you have any idea?

**Ms Ganley:** Well, we believe that the money that we have injected will enable us to do that work and continue to do that work going forward. We had been working with Alberta Health Services as well on some of those numbers, but we believe at this point that the staff will assist in ensuring that we can complete that work.

**8:30**

**Mr. Ellis:** Great. Well, I guess I'll go to my script now. I was off script there.

Minister, I just want to talk a little about the triage protocol. I think it was key strategy 1.3 on page 100 of the business plan. It relates to developing and enhancing policies and tools to comply with, of course, the Jordan decision, which you and I have already discussed here. I've just got a couple of questions regarding the triage protocol. I know you had mentioned to the Member for Airdrie, you know, how many cases were stayed explicitly, so I won't get you to mention all those numbers again. It's great to see that you are capturing that stuff.

I guess my question is: was there a dollar savings associated with each one of these cases that were stayed? Obviously, when a case gets stayed, we don't have to continue on with it. Did you realize a cost saving to this, or is this not something you even thought about?

**Ms Ganley:** I don't think there's a way to monitor exactly what the cost is because you can't predict what the outcome would have been in the alternative, how it would have gone or whether you had enough data. The triage protocol focuses on a couple of things: deficient cases, cases in which resolution should be attempted, things like that, and increased alternative measures. It's difficult to say exactly what that impact would be on that because you're sort of predicting against an unknown other universe.



**Mr. Ellis:** Fair point. Did you have any idea, thought process, or did it even come up in regard to stayed cases that were indictable versus summary? Was that part of the process in the thinking?

**Ms Ganley:** Well, it's difficult to speak to the individual cases because, of course, the prosecutors will make those decisions. Certainly, our intention was to ensure that we're focusing on the most serious and violent matters. Usually when something is more serious or it's an offender who has been forward a number of times, the Crown will elect to proceed by indictment on those charges in a greater proportion of the cases. I would hope that it is having the effect of staying fewer of those charges, but, again, it'll depend on the individual circumstances in the case and how long it had been in process.

**Mr. Ellis:** Thank you. As it pertains to efficiency within the system, do you have an idea of how long you plan to keep the triage protocol in place, or is this something that's kind of going to be judged on a weekly, monthly, yearly basis?

**Ms Ganley:** Initially that was a protocol that was brought in, obviously, in response to the Jordan decision because we had to react quite quickly to a system where a number of cases were in serious jeopardy. We wanted to make sure that we could focus our attentions on those things which were in the public interest and which were serious and violent. In terms of going forward as we staff up, we're sort of hopeful that we won't be seeing as much of that. Interestingly, one of the recommendations in the Injecting a Sense of Urgency report in 2013 was actually exactly such a triage protocol, so I think we'll have to monitor it.

**Mr. Ellis:** Okay. Great. Thank you.

If we talk about legal aid a little bit here, on page 196 I think the government estimates for funding of legal aid have increased by almost 25 per cent, one-quarter, in the past three years. What has been the benefit specifically to the efficiency in the court system to spending more on legal aid? Have we seen an actual benefit?

**Ms Ganley:** There are a couple of things here. A lot of the costs in legal aid are ultimately driven by the number of people who are eligible, and the number of people who are eligible varies with unemployment, obviously. That is one of the major cost drivers. Ensuring that counsel is present, particularly in terms of duty counsel, for instance, actually saves an enormous amount of court time. Again, you'd be trying to predict against an alternate universe, but we are hoping to be able to run numbers.

When we initially piloted our bail project, we also had a duty counsel in place during certain hours, so we may be able to see what impact that had. It's difficult to say the impact on the overall system, but the impact on the rights of Albertans is huge. Having legal aid counsel available can often save a lot of court time so that the person isn't coming back and making multiple appearances.

**Mr. Ellis:** Do you have any metrics in place to monitor, or are we planning on having metrics in place?

**Ms Ganley:** We will likely be looking at how to monitor that sort of thing going forward. We're expecting to have metrics in the next annual report from Legal Aid. We have been working with them to try to determine just a way to measure that because we know that legal aid is a really important component of the system, but we've been having some challenges determining exactly how best to measure that protection of rights and the efficiencies gained in the system.

**Mr. Ellis:** Great.

In one of our previous conversations a year, a year and a half ago, I know the lawyers for legal aid were in around \$90 an hour. I'm assuming that's now increased proportionally up.

**Ms Ganley:** No. That's stayed the same.

**Mr. Ellis:** Oh. It's stayed the same. So really we're just talking about making sure there is more legal aid available. Is that really what it is?

**Ms Ganley:** Yeah. It's essentially an increase in applications for certificates. A greater number of Albertans now fall within the financial eligibility guidelines and will therefore be eligible for services either on the criminal side or the family side.

**Mr. Ellis:** I'm just wondering. One of the challenges that was faced by the accused was having legal aid available even at the wee hours of the morning or late at night. Has there been any incentive provided to those lawyers to make sure that they are available for the accused?

**Ms Ganley:** I believe that the legal aid rate remains the same.

**The Chair:** I hesitate to interrupt. However, the allotted time for this portion has expired.

We will now be taking a five-minute break. We're going to set the timer, and we'll be resuming once the timer goes off. Thank you.

[The committee adjourned from 8:37 to 8:42 p.m.]

**The Chair:** We'll be resuming the meeting. Thank you, everybody.

As there is no independent or other member present, we will now move for the next 20 minutes into government caucus.

Would you like to combine your time with the minister?

**Mr. Horne:** I would. Yes.

**The Chair:** Go ahead. You're wanting to combine your time?

**Mr. Horne:** Yes, and if the minister . . .

**Ms Ganley:** Sure.

**Mr. Horne:** Okay. First, I would like to thank you for taking the time to come down here today.

Minister, on page 100 of the ministry business plan, specifically outcome 1, the plan speaks to the need for ensuring that Albertans have access to the relevant information needed to resolve their legal issues. I know that this is a topic that many of my constituents have brought to my constituency office, so I'm hoping some of them will take the time to listen or read the transcript of this meeting. Given that not all disputes may need to go to court, how does the minister expect that increased access to information will impact the ministry's budget?

**Ms Ganley:** We're hopeful that our contact centre, which deals with the call, click, or come in portion, will not only allow for greater information to be circulated to the people of Alberta for them to have better access to that information but will also sort of free up some of the time of our court clerks, who would otherwise be engaged in that. So you won't see direct savings there, but you will see time savings. Probably in terms of frustration in the general public you'll see savings there, too.

We also, I think, are working to make sure that we have access to affordable and less adversarial options for addressing legal issues, for instance mediation or other resolution strategies, because

oftentimes it is more efficient and also better for the individuals involved not to go through the lengthy court process. You know, family law obviously springs to mind on that front. It's not usually very good for children to be hearing mom and dad say mean things about each other, and it's costly for the entire family, so ensuring that those options are available and that people know about them I think is absolutely critical.

**Mr. Horne:** Yeah. I know that a few constituents come to mind, especially on the family law side of that.

As a follow-up, Minister, how is the ministry ensuring that Albertans are aware of those alternative dispute resolution options such as mediation services?

**Ms Ganley:** Resolution and court administration services has been partnering with family support order services, or FSOS, on a pilot program aimed at urging clients to use the ministry's mediation services instead of taking their matters to court. That's certainly one initiative that will move people in that direction.

I think that as we start to see more information coming back from the reforming the family justice system initiative, hopefully they'll have additional ideas for us in terms of how to sort of sway that general public perception, because a lot of it really is that the individuals involved think that the court is the right place for them, and we need to make sure that they're aware that there are other options and that often those other options are better options.

**Mr. Horne:** Yeah. That's excellent.

Now, kind of switching, key strategy 1.1, also on page 100 of the business plan, indicates the need to collaborate with legal aid stakeholders to improve the sustainability of legal aid. One of the concerns I've heard from Albertans is on the pressures legal aid has been under given the increased demands, so I can assure the minister that my constituents and, I'm sure, many Albertans outside of my constituency as well will be pleased with the \$12.9 million increase for legal aid as noted on line 5, page 188 of government estimates. Now, Minister, how exactly is that increase being used?

**Ms Ganley:** It did support an increase in financial eligibility guidelines as well as an increase in demand in a couple of other pieces. In total, since we took government, we've increased the funding to legal aid by about 26 per cent. Some of that can be considered sort of catch-up. There had been a perception amongst the legal community and, I think, the public generally that there had been some concerns with underfunding there. Going forward, I think we'll have to continue to work with all of our stakeholder groups to ensure sort of a sustainable model for the future. We do have lots of conversations – with the Crown, with the criminal defence bar, with the judiciary, and with a number of other system participants – about what that looks like. I think, going forward, we'll be trying to look to get some measures of that in place because that hasn't been necessarily measured historically. To have sort of sustainable, regularized funding so that everyone knows what to expect I think is the ultimate goal.

**Mr. Horne:** Okay. Thank you, Minister.

Given that one of the strategies the ministry outlines in the business plan is ensuring Albertans are supported and that the justice system is accessible and responsive, can the minister discuss what initiatives the ministry is taking to improve access to justice for all Albertans?

**Ms Ganley:** There are, I think, a number of components there. Certainly, we've been working very hard with the federal government, and we were glad to see some of the moves they've

made. We've been working to make sure that they are able to fill vacancies on the Court of Queen's Bench because lead times on the Court of Queen's Bench have been going up significantly. Alberta has historically had the fewest number of superior court justices per capita. That's a concern, I think, for everyone, so we're happy to see them recognize those positions that we created – really happy, actually – and we're happy to see the appointments they've been making.

RCAS also has a contact centre, that I've mentioned previously, that provides information to Albertans with legal issues, including self-represented litigants, so that they have one point of contact and so that they can sort of figure out what the options available to them are and how to proceed forward with their matter.

**8:50**

Increasing funding to Legal Aid is obviously also a component of that to ensure that in instances where counsel is necessary, it's available.

The \$14.5 million increase to resolution and court administration services as well as Crown prosecutions will also sort of speed matters through, so that's more timely access at minimum.

Also, I think a focus is on making sure that we're using the appropriate resources in the appropriate cases. One example of that would be Bill 9, which the regs are coming in for quite shortly, and that ensured that we weren't issuing warrants for minor offences. You know, some other indicators there would be ensuring increased diversion availability so that people are being diverted to alternative measures. That just helps to ensure that those people aren't in the system.

A lot of that work actually occurs also outside of my ministry. Ensuring that people are appropriately housed, that they have access to the appropriate mental health supports: that has an impact on ensuring that justice system resources are used for justice problems and maybe not other problems that they're not best suited for.

**Mr. Horne:** Yeah. Definitely. Access to the justice system is certainly a rather large challenge and very multifaceted as well.

On legal aid specifically, given that the funding is provided by a tripartite agreement between the Alberta Law Foundation and the provincial and federal governments, could you explain a bit what work has been done to ensure that the federal counterparts also provide funding to support the program here in Alberta?

**Ms Ganley:** We have raised the need for increased funding with our federal counterparts. I think several other provinces have done that. Over time the province has taken on an increasing share of funding for legal aid. The federal government, I think, put in a little bit of additional money recently, but, you know, over the last, say, 10 years or so the provincial contribution has increased significantly, and the federal one has not kept pace. Funding for legal aid, like other aspects of the justice system, is a shared responsibility. Currently about 84 per cent of annual government funding is provided by the province. We'll continue to work with them, and we have actually found them to be pretty good to work with. Actually, they were still pretty happy about recognizing our justices, so we hope that as we move forward, we can make some headway on that issue, too.

**Mr. Horne:** Yeah. That sounds like a reason for optimism, anyway.

Now, Minister, on line 6.2 of the government estimates it notes increased funding of over \$2.4 million for family support order services. This is certainly a topic that has come up several times in my office, and I'd be interested if you could explain a bit why that was necessary.

**Ms Ganley:** Essentially, it's important to maintain these service levels in family support order services. Those obviously deal with support orders for children amongst other things and ensure that as the population of the province grows, we're remaining focused to ensure that those children get what they need. Ultimately, I think it's really critical that they don't fall victim to a dispute between adults. At the end of the day, it's about ensuring that children and families are supported. The money will also go towards improving and enhancing services to clients, just always ensuring that that focus is maintained on supporting families to support children.

**Mr. Horne:** Okay. Yeah.

Kind of changing topic now, I think that all members of the committee can certainly agree that the office of the Chief Medical Examiner is critical to maintaining an effective and accountable justice system. Now, Budget 2017 provides an increase of \$868,000 to the office as noted on line 6.3. This has definitely been a topic that has been much discussed in the media and in the House lately. Could the minister speak to how this increase in funding will enhance the capacities of the office and to what outcomes you're expecting?

**Ms Ganley:** As I've mentioned in response to previous questions, this will support two new medical examiners and a research person. That will help with caseload management issues that have resulted from growth in the provincial population over a number of years. It will also assist them in terms of data we've asked them to collect related to the fentanyl crisis. Obviously, ensuring that we have the best data is really important, and that is a significant use of time for medical examiners. But this will also ensure that there is a data-analysis person in place to help with those numbers and to help with media requests for those numbers.

Obviously, you know, it's important that not only we but also the public understand sort of the scope of the challenge we're facing and why it is that my colleagues in Health are injecting additional resources to ensure that we can combat this. This will also improve case completion times and enhance the office's ability to deal with those sorts of things. At this point, once we've completed hiring, Alberta will have more than 20 per cent of the medical examiners in the country.

**Mr. Horne:** That's certainly improving on those timelines and getting a better sense of data, especially on the current situation with fentanyl. They're definitely very important issues to, I think, many Albertans.

Now, I suspect I'm almost out of time, but I'll try to get in one more. On page 189 of the government estimates, specifically line 7.3, it indicates a \$427,000 increase for the Alberta Serious Incident Response Team, if I don't trip over that title. How does this increase align with the ministry's overall strategic goal, and how will this money be used to ensure the safety of Albertans?

**Ms Ganley:** ASIRT does some incredibly important work. They are the outfit that comes in to investigate in instances in which there has been a death, a serious injury in custody, or a serious and sensitive incident, so places where it's best that the service of jurisdiction not be investigating their own members. We have ASIRT come in in those instances.

We have been hearing a number of concerns from stakeholders that the case completion times were longer than they would like. I think it's important to bear in mind that what you're talking about is that, you know, the family of the individual in question is often awaiting the outcome, as is the individual officer. It can be very stressful for all parties while they wait. Obviously, in every case it's challenging for parties on both sides to await the outcome of an

investigation, but in this case we wanted to make sure we were injecting additional resources to help with that. We had the opportunity to talk to them about what it was that they needed, so this will go to support manpower primarily. It will support sort of an increase in assigned files. Part of that will be for legal support, to support the director of ASIRT to make sure that she is able to review files in a timely manner. Yeah, essentially, that will just assist with case completion times.

**Mr. Horne:** Okay. How much time do we have left?

**The Chair:** Three minutes.

**Mr. Horne:** Three minutes? Okay. More than I thought I had.

Minister, on page 102 of the ministry business plan it provides various performance measures, including things like safety after dark, satisfaction with policing over the past 12 months, and satisfaction with the services provided by employees and volunteers within the criminal justice system. Across the board all three of these performance measures have targeted increases. How does the budget reflect those increases?

9:00

**Ms Ganley:** I think one of the things we're doing to support that is ensuring that we focus on initiatives that will be able to put police back on the street rather than in the office doing paperwork. Obviously, that e-ticketing initiative is one piece of that and ensuring that they're not executing warrants on sort of low-level tickets. Also, you know, ensuring satisfaction across the criminal justice system has a number of components. Certainly, I think our most recent Bill 2 will have an impact on that because it gives survivors of sexual and domestic violence the opportunity to come forward in their own time frame on a civil basis. That increases access or increases the avenues for access for survivors.

You know, it's also about ensuring that we're, again, prioritizing how resources are used and ensuring that the criminal justice system is focused on the things it needs to be focused on. Over a number of years and decades a lack of social services, so a lack of support for mental health for individuals who are vulnerable to homelessness, has resulted in police winding up dealing with a lot of things that maybe aren't really best placed in the criminal justice system. Ensuring throughout government that we are making sure that those supports are in place so that police can focus on serious and violent crimes I think is always a really critical goal, moving forward, to ensure that Albertans are safer and that they feel safer as well.

**Mr. Horne:** Yeah. I seem to recall that the various police services raised a similar point when this committee was looking at some of the recommendations on the Mental Health Act, so those are definitely very important topics. It's certainly not necessarily efficient from a budgetary perspective. Really, it's important to show those Albertans the respect they need in terms of mental health.

Now, I'll try to get in one last question although I don't know if I'll make it. I have five seconds, so apparently not. I'll try next time.

**Ms Ganley:** Well, thank you very much.

**The Chair:** Thank you.

For the next 20 minutes I would now like to invite Dr. Swann, the leader of the Alberta Liberal Party, and the minister to speak.

Dr. Swann, would you like to combine your time with the minister?

**Dr. Swann:** Thank you. Yes.

**The Chair:** Go ahead.

**Dr. Swann:** I'd like to thank the minister and staff for holding with us for the evening.

First of all, thank you for arranging my visit to the remand centres today in the Edmonton area. I'm very impressed with the facility there. Thanks to the staff for helping me get through there. Very inspiring in a lot of ways, especially the boot camp area.

**Ms Ganley:** Yeah. They were lovely. I had an opportunity to meet them as well.

**Dr. Swann:** Also, I'm impressed with the health and medical staff that were there. I learned that 75 to 80 per cent of people in the remand or in correctional centres in general have a mental health or addictions problem, obviously the wrong place for these folks.

I guess that in relation to that, I don't see anything in the budget in crime prevention. Do you want to talk a bit about how much budget is associated with crime prevention, or can you identify that as such?

**Ms Ganley:** I think a lot of the crime prevention initiatives – I mean, there are obviously things within my ministry. For instance, civil forfeiture grants go to support a number of community associations. But a lot of that ultimately will come in other ministries. For instance, increasing funding in Health certainly takes a lot of pressure off my system. Increasing funding in Education, particularly in certain areas, has known benefits for ensuring that we're taking some pressure off those systems.

One of the things that certainly springs to mind is the province's commitment to additional aboriginal policing workers. Obviously, because of the history and the tragic legacy of residential schools, it's often the case that First Nations and indigenous individuals come into contact with the justice system more often. That First Nations policing initiative allows for additional officers who can spend time in the community so that they develop that relationship of trust. It's difficult to measure exactly what impact that has, but ultimately over time that's one area where we can rebuild that relationship of trust. I think that that will start to have, certainly, an impact on ensuring that going forward, yeah, those things are addressed.

There are also a number of strategies within the RCMP, well, within all our police services – I shouldn't single them out – to address those sorts of initiatives. They have groups that sort of work with, you know, school students, work with areas, segments of the public to ensure their availability. We also support rural crime prevention and seniors' programming through funding to associations, including Alberta Citizens on Patrol, Alberta Provincial Rural Crime Watch – sorry; that's kind of a mouthful at this time – and the Alberta Community Crime Prevention Association.

**Dr. Swann:** Thanks very much.

You related about First Nations issues. I note that most of the folks in remand and in correctional centres are First Nations. I didn't notice very many First Nations staff. Is there any kind of a hiring policy to try and get more First Nations?

**Ms Ganley:** We do provide programming in that area, and we also seek to have support staff available, elders as well. Certainly, one of the aims of this government is to, I think, increase diversity across all sectors of government, so in appointments to agencies, boards, and commissions, in hiring decisions.

**Dr. Swann:** As far as staff, though, in corrections do you know what the proportion of First Nations is?

**Ms Ganley:** I don't think they're required to give us that information, so it would be difficult to track exactly.

**Dr. Swann:** I don't think I saw a single First Nation in the remand centre, but I'm sure there are some. It just struck me that most of the inmates are First Nations. That's something to think about.

**Ms Ganley:** I think so.

**Dr. Swann:** I've asked your staff for the number of naloxone doses given out this quarter in remand and correction centres and the number of overdoses. We haven't had anything for the last quarter, so I hope that we can get some of that at some point.

I'm very pleased to see the Calgary Remand Centre get the refurbishment it needed.

Shifting to the Chief Medical Examiner, the Chief Medical Examiner committed in committee to a nine-month turnaround for final death reports. Are we getting there? I still have some people contacting my office that they have to wait over nine months for a final report.

**Ms Ganley:** As I understand it, as new staff comes online, we will have a sort of positive impact on those goals. I wasn't in that meeting, so I don't know precisely what the commitment is. Certainly, the purpose of injecting the additional money, to ensure that we could have, you know, three additional staff hired, was to ensure that those turnaround times do decrease in addition to ensuring that we're able to gather the data related to fentanyl, which can be quite time consuming for our staff. But we think that that's important, and we think it's important to all Albertans, so we'll continue moving forward on that.

**Dr. Swann:** I would encourage you to set a target and report on it. It's a measure of quality in performance in that department. I mean, that was her verbal commitment, but I haven't seen anything in writing in terms of a target. Nine months is a long time to wait for a family member's final report.

Quarterly reporting. I thought we were going to try to increase, three months down to at least two months, in reporting on opiate deaths. Is that something you've discussed with Health and in your department?

**Ms Ganley:** You know, there are ongoing discussions as we try to improve the data available. I'm not familiar with that particular change, but it's quite possible. I mean, obviously, there's the data that we report from the office of the Chief Medical Examiner, but there's also data being reported from emergency rooms in Health. Yeah, I'm not personally familiar with that number, but there are ongoing conversations on how best to ensure that the most accurate data is coming out.

I think that in the majority of cases the examination of the individual and the final report are completed in significantly less than nine months.

**9:10**

**Dr. Swann:** I hope so.

The Calgary police last year responded to 223 fentanyl-related overdose calls. Will you be reporting on those kinds of data in the future? I had to contact the police directly. Will the province be reporting?

**Ms Ganley:** Well, the Calgary police is an independent organization, as are all of the police services in the province. I don't

think there's any requirement that they feed that data through to us, so you're probably usually best placed to ask the individuals that have the information for it.

**Dr. Swann:** With respect to the overdose crisis, obviously treatment is preferred over incarceration. Why are we only funding 25 persons in the drug court in Calgary when there are hundreds now being incarcerated? Is there any way to increase the number of drug court processes?

**Ms Ganley:** Just to be clear, treatment and drug court aren't necessarily the same thing. It's just sort of one aspect. Certainly, we are looking in the longer term to be able to increase spaces in drug treatment court. That requires that we re-envision the model a little bit to make sure that we're providing the most cost-effective service to Albertans in that respect, but certainly we have been working with them quite regularly.

**Dr. Swann:** Is that only in Calgary and Edmonton? Is there no way we can get it out to the rural areas?

**Ms Ganley:** Currently it's only in Calgary and Edmonton. That's why we're working on the model, to see if we would be able to use some of the resources we have within the justice system itself to assist with that. Otherwise, it wouldn't be cost feasible to roll out to other places. That's why we're looking so closely at that model.

**Dr. Swann:** Great.

With respect to the Law Enforcement Review Board my understanding is that since 2011 the Law Enforcement Review Board has lost the ability to do de novo reviews; that is, retrials of appeals.

**Ms Ganley:** I'm sorry. Could you refer me to where you're looking?

**Dr. Swann:** I'm just asking a general policy question about the Law Enforcement Review Board. I assume that you're funding it still, that you're paying salaries?

**Ms Ganley:** Yes. We do continue to fund that. Sorry; it would just be easier if you would indicate to me sort of what line item you're referring to or where in the business plan . . .

**Dr. Swann:** Yes. Line 7.2. I guess two questions that come of that are: will you consider revising that decision – I guess it was back in 2011 when they lost the official role to do retrials instead of simply reviewing a case and saying, "Yes, it was a good process" or "No, it wasn't a good process" – and if not, should we be paying the same salaries to people who are simply saying yes or no to whether a process was acceptable?

**Ms Ganley:** Well, I think that the Law Enforcement Review Board does some pretty important work in light of what it is, ensuring that public complaints have somewhere to go, that there's an independent body that can look at those things and that can make determinations. I think that in terms of ensuring faith in the administration of justice, that board is pretty important. You know, in terms of changes that occurred in 2011, I'm not sure I can speak directly to them, and I don't think they'd be in the materials before us today.

**Dr. Swann:** Oh. Okay. I'm asking the question whether you would consider giving them that power again and making a better use of that body, but you don't have to answer it if you don't want to. I'll leave it for the record. I've had some concerns expressed from some

community members that they don't feel that the salaries paid to these folks are warranted given that they're not actually doing a formal review, that they're simply saying yes or no to a process.

**Ms Ganley:** Well, I think the situation is considerably more complex than that. I think we can have further discussions, but that's not before us in the estimates or in the budget as far as I'm aware.

**Dr. Swann:** I think that's it for me. Thank you.

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

**The Chair:** Thank you.

I would now like to invite members from the Official Opposition and the minister to speak for the next 10 minutes. Are you wanting to share your time with the minister?

**Mrs. Aheer:** Thank you. So we'll go back and forth?

**Ms Ganley:** Sure.

**Mrs. Aheer:** Okay. Thank you so much. I just wanted to go to page 100 of the business plan. In there you say that within the strategic direction of the government justice will be "accessible and responsive . . . focus on prevention, intervention and treatment" and that that's "key to ensuring long term system sustainability." I just wanted to ask, then. Under the victims of crime fund we have legislation and regulations where there's a two-year cap for victims to receive any sort of financial compensation through the fund. How does this legislation work within that strategic direction that I just listed?

**Ms Ganley:** The victims of crime fund, I think, is an area that's under examination right now. We have been working with the Auditor General with respect to ensuring that we have a good scoping of what the needs of victims are, how those needs are best met, and how we measure the benefit that we get for the cost that we put in. So we have been working, going forward, to determine what those measures are. We've done a gaps analysis, and we'll be moving forward to sort of determine how we best measure outcomes from that fund.

I think it's under review right now because, as you'll no doubt be aware, for quite a while there has been a surplus accumulating in that fund while at the same time victims' groups have been telling us that they're very challenged in terms of their funding in being able to meet the needs of people and community. You know, they have wonderful volunteers that do an incredible job. But I think that we may need to look at that to ensure that we're providing access for all victims and that we're supporting victims in that way. We're hoping to have that work rolled out within the next year.

**Mrs. Aheer:** Okay. Thank you very much.

My next question is more towards the part of the business plan on page 99, where you speak about living in "safe and resilient communities" and about "access to a fair and innovative justice system." With regard to that, I think it would be important to understand, especially if you're doing a review, how many victims of violent sexual assaults are denied compensation at this point because of the program limitations. Do you have any numbers on that or any idea of the metrics on that? It might be a good starting point, right?

**Ms Ganley:** I don't know if we have those numbers now, but I think we're certainly looking at getting them.

**Mrs. Aheer:** Okay.

**Ms Ganley:** If we have them, I will get back to you with them.

**Mrs. Aheer:** That would be great. Thank you so much.

Again, on page 99 you also have within the business plan that the programs and services help to ensure Albertans' security and access to justice through an efficient and functioning court. This is probably the most important piece of that, something that we've talked about an awful lot. If we look at that with respect to the fact that the government has just passed Bill 2 to remove the limitations for people to sue for sexual assaults and given that in those violent sexual assault cases it can take years to come forward – and we heard, you know, during the time in Committee of the Whole some really, really heart-wrenching stories of what people have gone through – can you give us some idea, based on that information, of why the fund is denying sexual assault victims coverage, then, due to this limitation? We have Bill 2, that's come forward, but then there's no way for these people to move forward because of that cap on the limitations.

**Ms Ganley:** I think you're right that the two things are linked. We do want to ensure that people can come forward whenever necessary. Bill 2, which allows a person to seek civil remedy from the person they're accusing, will allow them to proceed forward.

With respect to restrictions on the victims of crime fund I think we will probably be looking at who has jurisdiction over those and what we can do in terms of moving forward. That's a separate sort of area of money that's accessible only in instances where a criminal conviction has resulted.

**Mrs. Aheer:** Yeah. You're right. I mean, the combination of the two is important even though one is civil. If they're being denied, though, that compensation, it's just another hit – right? – in a time that's very difficult.

If we're looking at ending violence against women – and this is an extremely pervasive and extremely serious situation across the country, and it affects every culture, community, and is a barrier to equality. Do you have any idea how many of the assault victims were turned down last year due to those time limits? How many applications does the fund process in a year? Do you know any of that? Just to help, you know, with the understanding of how to move forward, especially given that it's under review.

9:20

**Ms Ganley:** It appears that we can in fact get that data, so we'll be able to provide that.

**Mrs. Aheer:** Okay. I just have one more question, actually. You had mentioned before about being effective and accountable. The question just goes back, again, to – and maybe it's just more of a comment. If we're looking at being effective and accountable and creating safe places for people to live, as you go through the process of finding out these metrics and understanding what's going on with that, I think it would be really, really important to also do crossministry discussions with the Ministry of Status of Women to find out if there's any flow through there that could potentially help out with those ideas. Just a thought. I'm sure you've probably already done that and thought about that, but I think it might be worth while.

**Ms Ganley:** I think that's right. Yeah, we have been working together, and they are sort of the lead on a general violence prevention strategy, so we will be working, I think, very closely with them on that.

**Mrs. Aheer:** Yeah. Okay. Thank you so much.

**Ms Ganley:** Thank you.

**The Chair:** Go ahead, Mrs. Pitt.

**Mrs. Pitt:** Excellent. MEP, maintenance enforcement. Line item 6.2, family support order services: is this the line item that deals with the administration of MEP?

**Ms Ganley:** Line item 6.2: that is family support order services. It's comprised of the maintenance enforcement program and the child support recalculation program, so this will be staff that are working in that area primarily. It allows them to do the work around maintenance enforcement, but the child support recalculation program also allows, in instances where the parties have agreed, that when a new income comes in, they don't have to go back to court. That can be a very useful tool for families if they're agreeable to it.

**Mrs. Pitt:** Absolutely. As it relates to this budget, how much money goes uncollected due to a loss of employment; more specifically, a loss as a result of the suspension of drivers' licences? One of the tools that MEP has is the suspension of drivers' licences, which in many cases can actually result in a loss of work for the person who has the suspension. Now, what amount because of that – like, do you have any numbers on sort of the loss of income or uncollected monies because of a suspended driver's licence?

**Ms Ganley:** I think there are two important things to note there. The first is that child support is the right of a child, so we're talking about protecting children from parental disputes. The second is that the step of suspending a driver's licence is only taken after a number of other steps have been taken, so it's quite far down the process, when the individual has been unresponsive. It's difficult to know. You know, sometimes people will say that they're unresponsive because they've already lost their job, so it's difficult to know what the impact of that would be overall. But it's certainly not a step that MEP ever takes lightly.

**Mrs. Pitt:** Do you track any of these numbers?

**Ms Ganley:** In terms of the number of suspended licences?

**Mrs. Pitt:** Yeah, and the steps to get there.

**Ms Ganley:** I believe that they go through a number of steps. I'm not sure. I mean, in each individual case it's going to be a little bit different, but usually a suspended driver's licence is a result of not only a failure to pay but a failure to make contact when the maintenance enforcement program has contacted you repeatedly. Normally they'll attempt to make contact with the person to get a payment program in place. You know, you can call and report. If you move right away when you've lost your job, you can call and report that, and they will give you sort of a stay of enforcement for a period of time. So you can go in and seek a court order. There are a number of other tools they have at their disposal, but if the person is unresponsive, ultimately they do have to protect the rights of that child.

**Mrs. Pitt:** Absolutely.  
Is it beeping?

**The Chair:** Half a minute.

**Mrs. Pitt:** Half a minute. Okay. I've got nothing really quite easy. What drug treatment programs are available to inmates in the remand and correctional services? Line 8.2.

**Ms Ganley:** Okay. I think that . . .

**The Chair:** Thank you. The time allotted for this portion has expired.

I would now like to invite members from the third-party opposition to share the next 10 minutes. Mr. Ellis, would you like to combine your time with the minister?

**Mr. Ellis:** Yeah. Thank you.

**The Chair:** Go ahead, please.

**Mr. Ellis:** Thank you. Minister, thank you very much again. If we can just return to legal aid, I think we were discussing earlier page 196 of government estimates. Legal Aid has publicly indicated an interest in tying its funding levels to the crime rate. My question: is that something that this government is considering?

**Ms Ganley:** I think that ultimately what we're examining is what a sustainable model would be for legal aid, whether that ultimately has to do with some sort of population and CPI equation or a crime rate equation or an equation having to do with economics. Obviously, when more people are not working, there will be more people that will qualify, so a downturn in the economy results in more people qualifying. I think that ultimately we're trying to go forward and make those determinations in terms of what the best metric is to tie legal aid to.

I think it's important to keep in mind that legal aid does represent people in criminal matters – that is the majority of their work – but they do family work as well, so that's not necessarily going to be tied to exactly the same factors.

**Mr. Ellis:** Okay. Thank you.

Last year, Minister, you mentioned that a review of legal aid was ongoing, and it seems to have taken quite some time. Is this review now completed or still under way?

**Ms Ganley:** We're still having ongoing conversations with Legal Aid. We had made attempts to determine sort of how to sustainably fund that project. Ultimately, you know, we made some initial changes, and in the interim we needed to inject some money to ensure that they could continue meeting their obligations. I think that that work will continue to be ongoing. It tends to be a pretty complicated system, and if you don't make exactly the right assumptions in sort of your predictive modelling, you don't get the right answers. But in addition to sort of financial efficiency, you have to balance that off against the rights of the individuals or against other things like ensuring that family law services are available when there is that massive sort of disparity in income. I think that work is proving challenging and will be ongoing.

**Mr. Ellis:** If it does get completed, is this something that will be made public?

**Ms Ganley:** I think we're looking, certainly in next year's business plan coming out of Legal Aid, to have some reporting metrics in place there. I mean, eventually we will have some better metrics and some, I think, attempts to determine rationally what kind of funding Legal Aid needs so it isn't sort of dependent on what the government budget is doing.

**Mr. Ellis:** Right. Thanks.

If we can touch on . . .

**Ms Ganley:** Oh, sorry. We also have the What We Heard report from the review coming out shortly, in the next couple of months.

**Mr. Ellis:** Thank you. All right. That's exciting.

If we can look at page 103 of the business plan, at key strategy 3.4 as it relates to assessing the pilot bail hearing model, what pilot is this referring to? Is it the Red Deer model? Can you expand on that slightly?

**Ms Ganley:** The pilot for the bail hearings? That was the pilot that was done in Edmonton. That was working with EPS, essentially, to replace their officers with Crown prosecutors. Ultimately, we will be rolling that out everywhere because when we sought an opinion from the court, they said that we had to.

**Mr. Ellis:** Yeah. No choice, right?

Okay. From that pilot project that you did there, did you get any metrics in regard to efficiencies or any cost savings? Are there any takeaways from that?

9:30

**Ms Ganley:** I think we were still looking at the metrics. Had the court decision gone the other way, had the court said that we didn't have to do it, we would have had to sort of roll out some additional numbers and decide whether we ought to do it in any event. As it's turned out, we haven't had to do that, but we will be, I think, looking at over time what the efficiency – for a portion of the time in that model duty counsel was available at least for the shift from 8 until 4. We'll be evaluating the efficacy of that as well. Hopefully, we'll be able to see, ultimately, what impact that has on remand populations because sometimes an individual who maybe should seek release won't seek release because they're just awaiting legal advice.

**Mr. Ellis:** Was there a cost associated to this court case in the estimates anywhere?

**Ms Ganley:** Not specifically because it would have been – we would have just made the application to the court, and it would have been done with in-house staff, and then, obviously, there would have been a judge, so sort of like any court case would have. But I think that it was important to get the answer in the best scenario we could, so that allowed us to sort of make sure that we were framing the facts, that we weren't dealing with a specific case, and then it allowed all of our stakeholders to have their input as well. Obviously, the Edmonton Police Service and the Calgary Police Service came down on opposite sides of the issue, so it was important that everybody be heard by a neutral third party.

**Mr. Ellis:** In regard to rural policing, Minister, you indicated last year during estimates that your ministry was looking at the disparity in the policing funding model for rural policing with populations of 5,000 and under and for all those over that limit. Is there anything reflected in the 2017 budget for a different funding framework?

**Ms Ganley:** No. It has remained the same funding framework, so we continue to provide policing to rural municipalities and urban municipalities under 5,000. There will probably be a slight change because, I believe, on the last census there were three municipalities that now exceed that 5,000, so they will have to take over those costs.

**Mr. Ellis:** Other than those three are there any discussions with any other municipalities, small or big, in regard to changing that framework?

**Ms Ganley:** The ministry had had a number of discussions. I think there probably will be discussions going forward. We were trying to be mindful of not overtaxing, especially smaller municipalities who don't have a lot of capacity, in light of the fact that we were sort of dealing with sort of the Municipal Government Act, and that required, I think, a lot of attention from a lot of people. So as that comes forward and we move to city charters, we're hopeful that we will be able to work with our colleagues in Municipal Affairs on getting that moved forward.

**Mr. Ellis:** Thank you.

If we can turn to a little known and talked about area within your department, fish and wildlife, if we could. Fish and wildlife officers cover wide regions, often by themselves, and they are especially taxed during the hunting season. I notice on page 189 of the budget, line 7.10, funding for fish and wildlife tends to fluctuate by \$500,000 to \$1 million each year. Is there any indication of why that is?

**Ms Ganley:** In this case it was to increase funding to address existing manpower budget pressures. I think the ministry is in all areas sort of constantly struggling with the right balance of efficiency to ensure that we're providing the necessary service for Albertans, but in this case it was, ultimately, our determination that we needed to make sure – and I believe that those were bodies that were actually already in place that we had to hire to make sure – that we're covering the necessary area.

**Mr. Ellis:** At this time what is our complement of officers and support staff? Do we know that?

**Ms Ganley:** In the fish and wildlife enforcement branch there are 172 and a half full-time equivalents.

**Mr. Ellis:** Is that down or up from where we should be? I know it's a bit speculative, but are we able to do that job with the resources that we have, I guess?

**Ms Ganley:** I think it's up slightly from where it was in the last budget in terms of FTEs. I think that in our sort of increased FTE number this was one of the areas affected, so there will be a slight increase there. In terms of what it is relative to the ideal, I guess that depends on your definition of ideal. We think the increased resources were necessary. Whether there will be more in the future: it's entirely possible. You know, as we continue to examine the system and as the population continues to grow, that may be the case. [Ms Ganley's speaking time expired]

**Mr. Ellis:** I knew we were getting close.

**The Chair:** For the next 10 minutes I would like to invite Dr. Swann, leader of the Alberta Liberal Party.

**Dr. Swann:** No further questions. Thank you.

**The Chair:** No further questions? Okay.

Seeing as there is no other independent or other members present, I would now like to invite members from the government caucus for the next 10 minutes to share time with the minister. Mr. Shepherd, you will be speaking. Did you want to combine your time with the minister?

**Mr. Shepherd:** Yes, please.

**The Chair:** Go ahead.

**Mr. Shepherd:** Thank you. Thank you, Minister, for the opportunity to be here today and talk about some of these issues. Well, we'll start out looking at the business plan, key strategy 2.1. It talks about a commitment to working with partners to focus on a preventative model of community safety and address drivers of crime, including addiction, mental health issues. Certainly, those are some things I'm well aware of in my constituency, Edmonton-Centre. We certainly see those issues on the streets every day, and I know that certainly the police service there are having to invest, well, I'm not sure I'd say significant but certainly a larger portion of their resources than I think we'd like in taking care of folks that are in some of these situations. Talking about a preventative model, then, of community safety and, obviously, one that's going to be somewhat collaborative, can you give me a bit of an idea of what that looks like to you?

**Ms Ganley:** I think there are a number of elements to that. Certainly, it's been the case that we've been working very closely with the Alberta Association of Chiefs of Police in terms of harm reduction vis-à-vis the fentanyl crisis. We've been having a lot of conversations around supervised consumption but particularly with wraparound services. Certainly, what we're hearing from our police partners is that they think those wraparound services are absolutely essential, and we agree with that. Health has been providing some grants to ensure that we can go forward and do that work. Edmonton had a community group that was already working on that, so they're a little bit further on in the process than some other areas, but we're examining it sort of across the province.

In addition, you know, one of the first things that was actually brought to my attention by the Edmonton Police Service, certainly, was the need for, essentially, a sort of wraparound services wellness centre, some place to take individuals when they are potentially problematic in the sense that, you know, they've ingested a substance and they're potentially dangerous to themselves or to other people, but it's not best to put them in jail or for people who need treatment in other ways, to have somewhere to take those individuals. Not an identical model, but certainly something that's not dissimilar is under consideration. Health is providing a grant to another social service agency to sort of examine the feasibility of that sort of a model as well.

I think a lot of this will also be placed within housing. It's very difficult for someone, as you no doubt will be aware as well, to deal with their mental health challenges or their addictions challenges when they're not suitably housed, so ensuring that there's access to those sort of housing first supports and to a full range of different housing supports is really critical, and that's something that we've been hearing from our policing partners as well. I think we're sort of all on the same page moving forward.

Our partners in Health, here in our ministry, and our policing partners are also of the view that ensuring that those things which are not best placed in the criminal justice system are not going to the criminal justice system. You know, another way of ensuring that is to increase access to diversion in courts, so we're looking at ensuring that – it's the Crown prosecution service that administers the alternative measures program – there's sort of increased access to that program. So instead of saying, "You can only get it for these charges," saying, "Presumptively you can get it except for these things" will hopefully allow more people to access that program so that people who have maybe found themselves in the criminal justice system when they ought better have been placed somewhere else can be dealt with in another manner.

9:40

**Mr. Shepherd:** Excellent. Thank you, Minister.



You mentioned harm reduction there, and I do want to come back to that because that is an area that I am interested in, but you also just mentioned diversion in talking about some of that stuff there. I'm just curious. Of course, we had Bill 9 passed last year, the act to modernize the enforcement of some of the provincial things. With that coming into effect, I understand, as of May 1 – I believe it was just recently proclaimed.

**Ms Ganley:** Yes.

**Mr. Shepherd:** Are there any provisions within the budget or within the business plan for sort of helping educate, I guess, our police forces on how that's going to operate now with that in place?

**Ms Ganley:** Well, I think they'll be pretty well aware of what the change is going to mean for them. It won't go to warrant, and it just won't be entered in their system, so they won't be interacting in that way. But I think that most of our front-line police officers are fairly well aware of the challenges suffered by people who are struggling with mental health who may have fallen into homelessness. They're probably more aware than most of the population of what those challenges are and why they're not best placed in the justice system. So yeah, I think, certainly, they'll be prepared to deal with that. In fact, police have been extremely supportive of those measures.

**Mr. Shepherd:** Okay. So essentially it's a tool that they were looking for, and they're quite ready to use it.

**Ms Ganley:** Absolutely.

**Mr. Shepherd:** Excellent.

Well, returning, then, to what you were saying about harm reduction, of course, there is a local group here, AMSISE, that's looking to bring some safe consumption sites into downtown Edmonton. I'm very excited to see it happen. I've had the opportunity to attend a few sessions with them, with the information. At one of those there were several police officers who were present, who were there to gather the information, and I've heard many that have spoken very much in favour. So it's great to hear that you've got this collaboration happening between Justice and Health and some of these other areas so that we can tackle this more effectively together. Would you see that, then, as falling as well under this preventative model of policing and sort of the direction you're going there?

**Ms Ganley:** Absolutely. I think it works very well with that model. You're preventing harm in the sense that an individual who may otherwise be subject to overdose, who may not have someone around them to administer an antidote or to even know that they're in trouble, will have access to that, so it reduces harm in that way. But it also will provide them with other services, so when that person may be ready to transition to a replacement therapy, that will be available to them, right? I think that that's a really important piece because, you know, it's important to be able to catch that person in the moment of readiness in the hopes to best support them to transition away from that substance use.

Sometimes there will be a covariance between addictions and potential mental health issues, so it would also potentially provide access to supports so that maybe people struggling with those issues could start to speak to someone about it, and that might help resolve their issue. It might also allow for referral to other services, so sort of housing support services or income support services. You know, sometimes people who find themselves on the street are not aware of the services to which they could get access, or they frequently

lose their ID, and then they're not able to access those services because of that.

You know, wraparound services could have a number of positive impacts, I mean, also in terms of just straight-out health. Someone who is accessing those services might potentially require some sort of other health support, maybe wound care or something like that, and that could assist them in not getting sicker down the road.

**Mr. Shepherd:** Excellent. Thank you, Minister.

I believe Mr. Horne had another question he wanted to ask.

**Mr. Horne:** Yes. Just while we still have a bit of time, as the minister knows, currently there's a lot of interest in truth and reconciliation, and certainly Justice has a very big role in that. One of the key strategies, specifically key strategy 1.2, from the business plan specifically notes that collaboration and partnership with indigenous communities is critical to ensure that the vital programs and services indigenous communities rely on continue. Can the minister elaborate on how the government is working with these indigenous communities to ensure that those services do in fact continue?

**Ms Ganley:** There are a number of fronts. Certainly, the federal government actually provides money to the provincial government to help support the indigenous court worker program, so that's a big piece of that because that will support individuals as they move through the criminal justice system. We also in concert with the federal government – the previous federal government had not increased the number of First Nations that had access to the First Nations policing program for quite a while, and there were a number of people that came forward seeking that. Hopefully, it will improve, but right now, at least in some communities, they are able to access an additional officer that can work with their community to ensure that that person is embedded in that, just sort of increase the relationship of trust between the RCMP and those officers. We also have . . . [Ms Ganley's speaking time expired]

**The Chair:** Thank you.

For the next 10 minutes I invite the members of the Official Opposition and the minister to speak. Mr. Cyr, are you wanting to combine your time with the minister?

**Mr. Cyr:** Yes, please, if that's okay with the minister.

**The Chair:** Go ahead.

**Mr. Cyr:** Thank you. Minister, which line number would bail hearing reviews be in?

**Ms Ganley:** Bail is going to fall into a couple of different places. You have a prosecutor, obviously. Part of the increase in the Crown prosecution service number was for prosecutors to act at those bail hearings. Also, the justice of the peace will come under the Provincial Court budget, and then court staff will probably come under resolution and court administration services. Those different components will come from different places. For that moment when the pilot project also had access to Legal Aid, that would have come from their budget.

**Mr. Cyr:** Okay. It's RCMP officers that fill the spot right now, no?

**Ms Ganley:** It depends on the jurisdiction. It depends on where the person is arrested. Whoever the police service jurisdiction is, they would be doing that work.

**Mr. Cyr:** Okay. Do we know the number of officers and justices of the peace, if you will, that are currently involved with the bail hearing system?

**Ms Ganley:** That will vary from police service to police service. For instance, in Calgary, at least that I'm aware of, they had sort of a specific unit of police officers that did that work. Then in the RCMP it depends on whether, you know, you're in a larger centre or a smaller centre. With the RCMP, especially in smaller areas, it's often the arresting officers themselves who will be the presenter, but in larger services they usually did have specific individuals who were more trained in that area.

**Mr. Cyr:** So going forward, we're going to see prosecutors fill that role?

**Ms Ganley:** Yes. The court has said that by August we have to have prosecutors doing all of those hearings.

**Mr. Cyr:** Am I hearing correctly that you're adding 25 new prosecutors to fill the role?

**Ms Ganley:** In total we'll need 25 prosecutors. Ten of those people we already have because they were working on the pilot project, so we'll need 15 more.

**Mr. Cyr:** Are we anticipating that 25 people will be able to fill the positions of hundreds of people?

**Ms Ganley:** Because you have a Crown prosecutor who's going to deal with a series of cases rather than having, you know, one RCMP officer from one jurisdiction, one from another jurisdiction, then a CPS officer, ultimately you'll see a reduction in the number of people doing that work because there will be specific people dedicated to doing only that work. Yes, you will see a savings in terms of time of officers going back out on the street.

**Mr. Cyr:** Are we setting these Crown prosecutors up to fail by having so few of them?

**Ms Ganley:** No. We believe that that is the appropriate number at this point. Those Crown prosecutors will be in major centres, so if it turns out that we have overestimated the number that we need, they can be doing other work, like assessing intake files and that sort of thing.

9:50

**Mr. Cyr:** Okay. Thank you.

Now I'd like to talk about that new staffing program that you brought in at the end of 2015-2016 that was to help out with corrections, line 8.4, if you will. When we had the 2015-16 supplemental, I had noted that we went from being under budget by \$11 million in the third quarter to being over budget in the final quarter by \$8 million, which is what your request was, and that was revolving around a new software, more or less, from what I heard from the situation, that was supposed to optimize or reduce staffing levels or reduce strain within the system. Now, we are seeing from 2015-2016 to 2017-2018 almost a 7 and a half per cent increase. Has the launch of that software failed?

**Ms Ganley:** I actually think that it is still doing the job that we were hoping to do, so we have done a good job of rationalizing the way we schedule and sort of decreasing the amount of overtime. The challenge is that this is all in the context of ever-increasing populations. You know, when your population has increased by 25 per cent, you would expect your staffing to increase by 25 per cent

with it. Anything you can do to reduce that number is actually a gain in terms of efficiency. If the court has said that the person needs to be incarcerated, then we have a constitutional obligation to do that and to ensure that, in fact, that person is held, and we have to make sure that our staff is safe in doing that. Even though we have been working to ensure that we have an optimized staffing model and that we're not paying excessively to overtime, the increases in population have required that we continue to increase staff and, therefore, cost.

**Mr. Cyr:** A 25 per cent increase in inmates in our corrections?

**Ms Ganley:** That is over four years, I believe.

**Mr. Cyr:** Does this seem like we've got crime that is out of control in Alberta, then, Minister?

**Ms Ganley:** Well, for some of those years crime was decreasing, and then there's been an increase more recently. I don't think it's necessarily reflective of crime out of control. A lot of ink has been spilled by a lot of academics involved in the justice system over why that is, but it has a lot to do with moves made by the federal government with respect to mandatory minimum sentences and conditional sentence orders. Essentially, we are just sort of incarcerating more people.

**Mr. Cyr:** I had tabled a Cold Lake RCMP report that had been done about two weeks ago that showed dramatic increases in crime in my local constituency of Bonnyville-Cold Lake. Is this reflective of RCMP across rural Alberta, or is my constituency unique to what's happening in Alberta right now?

**Ms Ganley:** I don't believe your constituency is unique, not in Alberta and not in the country. We're actually seeing these trends in Alberta, and I think it's a concern for us. We're also seeing these trends in other provinces. For instance, Saskatchewan has been having some serious concerns on that front as well. You're sort of seeing that as a country-wide phenomenon to a certain degree. In some areas of Alberta it has been worse. We do ensure that we're monitoring that very, very closely. Certainly, that requires additional enforcement, and that's why this government stepped in when former federal government funding ended to make sure that we're funding ALERT because that's a really good model not just for rural. It can move; it can share information crossjurisdictionally. I think that's the gold standard model. That's certainly one piece of it, but another piece of it is focusing on prevention, and a lot of that, again, has to do with ensuring accessibility of housing, of mental health supports, of addictions treatment, those sorts of things.

**Mr. Cyr:** Thank you, Minister.

Now, a lot of this is repeat offenders in my constituency, it sounds like. Our prosecutors, from what I've heard, are 3 to 1 for their caseload from what a rural to an urban prosecutor is. Now I'm hearing today that we're shifting more prosecutors back to the city. You're hiring all these prosecutors. It seems like we're not going to be really reinforcing rural prosecutors. Is that the case? Are we planning on reducing the caseload of these men and women?

**Ms Ganley:** Those bail prosecutors are not being shifted from elsewhere; they're new people. They're new people we're hiring, and that's supported by money that we sought both in supplemental estimates and, obviously, in this year's budget. Those people will act for police throughout the province. They'll just be located – a lot of these already occur via video conference or alternately via telephone. I mean, first of all, this will have the impact of ensuring

that those rural police officers can get back to what they were otherwise doing, so that's an important piece of it. Also, as we're filling vacancies in the Crown prosecutor's office and adding a few additional people, we will be looking at, you know, ensuring that sort of balance.

**Mr. Cyr:** Thank you, Minister.

**Ms Ganley:** Thank you.

**The Chair:** For the remainder of the meeting, which is about six minutes, I would like to invite the members from the third-party opposition to share their time with the minister. Are you wanting to combine your time?

**Mr. Ellis:** Yes, please, if that's fine.

**The Chair:** Go ahead.

**Mr. Ellis:** Thanks, Minister, and thank you, Chair. If we can go to outcome 1 on page 100 of the business plan, it notes: "The ministry is committed to delivering alternative dispute resolution pathways... [because] not all legal issues require court intervention." Key strategy 1.6, though, page 101, includes: "implement reforms and electronic processes for driving offences." One of the means for obtaining this goal could be a court stream specifically for traffic offences. Minister, is the ministry considering creating a separate traffic court to make the system more efficient?

**Ms Ganley:** Currently traffic court uses the same sort of physical infrastructure, but it tends to be sort of a traffic commissioner, which is a justice of the peace, and specific prosecutors, in Calgary and Edmonton at least. In rural locations it may differ somewhat. One of the things we had been looking at is sort of how best to ensure proportionality with respect to those sorts of things. There had been a proposal, when we came into government, having to do with altering the way traffic court is done. There were significant concerns from lots of different stakeholder groups. We haven't proceeded forward with that yet.

I think we'll continue sort of working with the stakeholders to examine what a better model would be that also addresses their

concerns because they had some sort of concerns about a lack of procedural fairness in some instances. On the other hand, it's certainly the case that our data indicate that Albertans would like some more effective or efficient ways to deal with their traffic tickets, so potentially, you know, by e-mail or by Skype, without having to go down to the physical courthouse because that can be a bit of a pain.

**Mr. Ellis:** Yeah, it can be.

I guess what you're saying is that this is just an ongoing process, that you're continuing to consult with stakeholders. The previous project, if I may be so bold, is not dead. You're just trying to come up with, you know, efficient solutions that involve all stakeholders. Would that be a fair point?

**Ms Ganley:** Yeah, I would say that that is correct. Certainly, we've heard from our police partners that having their officers sort of have to wait through is not ideal for them. On the other hand, we're hearing from stakeholders who represent people who have been subject to a ticket saying that they need the ability to cross-examine that officer.

**Mr. Ellis:** Okay. So those are primarily the stakeholder groups that we're talking about, though, right?

**Ms Ganley:** Yeah.

**Mr. Ellis:** Here's a question that can perk up the ears of my friend from Sherwood Park. This is regarding the courthouse. Red Deer built in the 1980s...

**The Chair:** I apologize for the interruption, but I must advise the committee that the time allotted for this item of business has concluded.

I'd like to remind the committee members that we are scheduled to meet tomorrow, April 4, 2017, from 3:30 p.m. to 6:30 p.m. in the Rocky Mountain Room to continue our consideration of the estimates of the Ministry of Justice and Solicitor General.

Thank you, everyone. This meeting is adjourned.

[The committee adjourned at 10 p.m.]









