



Legislative Assembly of Alberta

The 29th Legislature
Third Session

Standing Committee
on
Families and Communities

Missing Persons Act Review

Wednesday, June 28, 2017
2 p.m.

Transcript No. 29-3-10

**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)
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)
McKitrick, Annie, Sherwood Park (ND)
McPherson, Karen M., Calgary-Mackay-Nose Hill (ND)*
Miller, Barb, Red Deer-South (ND)
Orr, Ronald, Lacombe-Ponoka (W)
Renaud, Marie F., St. Albert (ND)**
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 Annie McKitrick

** substitution for David Shepherd

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
Jeanette Dotimas	Communications Consultant
Tracey Sales	Communications Consultant
Janet Schwegel	Managing Editor of <i>Alberta Hansard</i>

2 p.m.

Wednesday, June 28, 2017

[Ms Goehring in the chair]

The Chair: Good afternoon. I'd like to call the meeting to order.

Welcome to members, staff, and guests in attendance for this meeting of the Standing Committee on Families and Communities. My name is Nicole Goehring. I'm the MLA for Edmonton-Castle Downs and the chair of this committee.

I'd ask that members and those joining the committee at the table introduce themselves for the record, and then I will call on those joining via teleconference. I'll start to my right.

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

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

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

Ms Renaud: Marie Renaud, MLA for St. Albert, subbing for David Shepherd.

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

Mr. Koenig: Good afternoon. I'm Trafton Koenig with the Parliamentary Counsel office.

Ms Sorensen: Rhonda Sorensen, manager of corporate communications with the Legislative Assembly Office.

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

Dr. Massolin: Good afternoon. Philip Massolin, manager of research and committee services.

Ms Rempel: Jody Rempel, committee clerk.

The Chair: On the phones?

Drever: Deborah Drever, MLA for Calgary-Bow.

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

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

Mr. Orr: Ron Orr, Lacombe-Ponoka.

Ms Miller: Barb Miller, MLA, Red Deer-South.

Mrs. Aheer: Good afternoon, everyone. Leela Aheer, Chestermere-Rocky View.

Mr. Rodney: Dave Rodney, Calgary-Lougheed.

The Chair: Thanks.

I'd like to note for the record the following substitutions: Ms McPherson for Ms McKittrick and Ms Renaud for Mr. Shepherd.

A few housekeeping items to address before we turn to the business at hand. The microphone consoles are being operated by the *Hansard* staff, so there's no need for members to touch them. Please ensure that all electronic devices are on silent mode. Audio and video of committee proceedings are streamed live on the Internet and recorded by *Hansard*. Audio access and meeting transcripts are obtained via the Legislative Assembly website.

Next we have the approval of the agenda. Would a member move a motion to approve?

Mr. Yao: Yes.

The Chair: Moved by Mr. Yao that the agenda for the June 28, 2017, meeting of the Standing Committee on Families and Communities be adopted as circulated. All in favour of the motion? On the phones? Any opposed? Thank you. Motion carried.

We're now at the approval of the meeting minutes. We have the minutes from the last meeting. Are there any errors or omissions to note? Hearing none, would a member move adoption of the minutes, please?

Mr. Yao: I will.

The Chair: Moved by Mr. Yao that the minutes of the January 23, 2017, meeting of the Standing Committee on Families and Communities be adopted as circulated. All in favour of the motion, say aye. Any opposed? Thank you. The motion is carried.

On to item 4, review of the Missing Persons Act, the committee's mandate. As members are aware, on June 1, 2017, the Assembly passed Government Motion 26, which deemed the Standing Committee on Families and Communities to be a special committee of the Assembly for the purpose of conducting a comprehensive review of the Missing Persons Act. The act requires our review to commence prior to September 6, 2017, and provides for a one-year review period, starting with our meeting today. Are there any questions about our mandate to review this legislation? On the phones?

Hearing none, we'll move on to (b), the decision items. Technical support. Although this act is not lengthy, it can be quite technical at points. It also includes several references to the Freedom of Information and Protection of Privacy Act. In order to ensure that we have a solid understanding of this legislation as we make decisions regarding our review process, it may be beneficial to request technical briefings on the act from both the Ministry of Justice and Solicitor General, as the ministry responsible for this act, and from the office of the Information and Privacy Commissioner.

Does anyone have any thoughts on this? Mr. Horne.

Mr. Horne: Yeah. You know, given how technical this act is and the scope or the importance of this act, I think that that would be a very prudent measure, and I'd be happy to move a motion to that end if one is needed.

The Chair: Thank you.

Anyone on the phones? Go ahead, Mr. Orr.

Mr. Orr: Thank you. Yeah, I'm in support of that motion. I think it is important that we understand the perspective of government on it. It's only five years old. There's not a lot of feedback out there in the public domain on it. I think we need to get that from the department. Of course, I think we'll also later on be seeking input from some other stakeholders as well. I think the more information we get, the better a job we'll do. Thanks. The job is important.

The Chair: Thank you.

Anyone else on the phone?

I have a possible motion, Mr. Horne, if I can read that. Moved that the Standing Committee on Families and Communities invite representatives from the Ministry of Justice and Solicitor General and from the office of the Information and Privacy Commissioner to provide a technical briefing on the Missing Persons Act at the next committee meeting.

Any discussion? Mr. Horne, do you move this motion?

Mr. Horne: Yeah. I would be happy to move that motion.

The Chair: Thank you.
Any questions on the phone?

Mr. Orr: Yeah.

The Chair: Go ahead.

Mr. Orr: Just to ask the question – maybe it’s not technical – are there other ministry departments that have a vested interest in this bill that we should also be considering?

The Chair: I’ll pass this question over to perhaps Trafton or someone from support.

Mr. Koenig: Yeah. Thank you, Madam Chair. I think that the ministries that have been identified and the Information and Privacy Commissioner likely touch on the government ministry that sort of deals most directly with this piece of legislation. Just for the benefit of committee members, the Missing Persons Act, in a nutshell, provides the police with a certain ability to collect information when a person goes missing but before it becomes a criminal matter. In that context, it really touches on Justice issues. I wouldn’t identify another ministry that, you know, would be imperative. Again, I mean, it’s up to the committee if they wish to, you know, have input from other ministries.

The Chair: Thank you.

Mr. Rodney: Madam Chair, if you could add me to the list.

The Chair: Go ahead, Mr. Rodney.

Mr. Rodney: Thank you, Chair. For Mr. Orr and for the others, I think it’s a very good question: what other ministries are involved? Let’s face it; we’re living in a time and a province and country when people are very, very aware of our indigenous populations, especially women, when it comes to this issue.

I will say this. In my experience, if things are at all similar to what they’ve been in the past, Justice will do a sweep of all the other ministries, in any case, to ensure that they are covered, and indeed those ministers would be asking the Minister of Justice for advice. If you have the understanding that Justice will be reporting to us based on what they find with other ministries, I think that, you know, they’ll be well represented that way. If there’s anything outstanding where they think they should have extra support, including from Indigenous Relations, then I think we should, but I think we can leave it in their hands and trust that they’ll report accurately both on a deep and a wide basis.

Thanks.

2:10

The Chair: Thank you.
Mr. Smith.

Mr. Smith: Yeah. Thank you, Mr. Rodney. Those are good comments from somebody that’s got a little more experience than some of us. My questions were just revolving around: do we need, you know, human services or Seniors? Would those ministries have a take on this? I mean, if we’re looking at missing persons, often it’s the young or it can be the old that go missing. I’m just wondering. If it’s the practice of Justice to consult with those ministries, then that would be sufficient, but if it’s not, then maybe we need to consider those other ministries.

The Chair: Go ahead.

Dr. Massolin: Thank you, Madam Chair. I would also offer – like, you’ve got this initial briefing, should you accept doing that, but also there’s another opportunity for the committee to invite, possibly, if you wish, stakeholder submissions. So if, as a result of your meeting with the Ministry of Justice and Solicitor General, other ministries and their issues come to light, there’s an opportunity to include other ministries on the stakeholder list and invite written and/or in-person feedback down the road if you so choose. So there’s another opportunity, in short.

The Chair: Any other questions or feedback? Are members okay with moving forward with just the two entities identified?

Okay. I’ll read the motion. Moved by Mr. Horne that

the Standing Committee on Families and Communities invite representatives from the Ministry of Justice and Solicitor General and from the office of the Information and Privacy Commissioner to provide a technical briefing on the Missing Persons Act at the next committee meeting.

All in favour of the motion, please say aye. Any opposed? Thank you. The motion is carried.

During reviews of this nature other committees have found it useful to request that the experts on the subject matter from both the ministry and the office attend committee meetings to provide technical assistance when requested. Is this a request that this committee would like to make? Anyone on the phones?

Mr. Horne.

Mr. Horne: Well, as we’re all jumping to speak at the same time, I think that, you know, certainly this is a very technical bill, and I think the expertise from the Information and Privacy Commissioner as well as from the Ministry of Justice and Solicitor General would be very helpful to this committee. If you have a motion prepared, I’d be happy to move it.

The Chair: Thank you.

Any other members wishing to comment? Go ahead, Mr. Yao.

Mr. Yao: Yeah. I just want to say that this is a very serious bill, and there are a lot of implications in this bill to our personal privacies and freedoms, so it is very important that we do a very thorough job. So, yes, I agree that we’re on the right track.

Thank you.

The Chair: Thank you.

Was there someone on the phone wanting to comment?

Mr. Rodney: You know, Chair, whenever it makes sense in the process, I do believe that we should be hearing from stakeholders who are aboriginal, representing aboriginal groups, First Nations, Métis, Inuit. I almost want to leave it in the hands of the chair and the co-chair to contact groups that, yes, might be provincial or even national, but it would be nice to get some folks that are a little bit more local as well.

I don’t know that you need or want a motion in this regard at this point. It could be something that could happen as a result of future meetings, after we hear from Justice, et cetera. In fact, I’d be interested in hearing Justice’s recommendations in terms of who the right groups and individuals are to come and see us when it comes to, especially, missing and murdered indigenous women and girls.

The Chair: Thank you very much, Mr. Rodney. We agree a hundred per cent that we need to do a robust consultation, and we’ll get to that later in the agenda.

Are there any other comments regarding this discussion?

Hearing none, I’ll read the possible motion: moved by Mr. Horne that the Standing Committee on Families and Communities invite

officials from the office of the Information and Privacy Commissioner and the Ministry of Justice and Solicitor General to attend committee meetings and participate when requested to provide technical expertise and request that department officials work in conjunction with Legislative Assembly staff as required to support the committee during the review of the Missing Persons Act.

Any discussion? Go ahead, Mr. Orr.

Mr. Orr: Thank you. So does that mean that we're inviting them to have representation at all of our meetings? I just thought that they'd make an initial presentation and then be available on call if we have further issues that arise later.

The Chair: The way that this motion is worded, if I understand you correctly, because you're cutting in and out, is that, yes, we would have them present at the committee meetings.

Mr. Orr: It seems like a bit much to me. I mean, I think that if they give us a presentation and then we have them available on call, if we need them, to cover the bases – but it's not a hill that I need to die on.

The Chair: Perhaps we can get some feedback on why this would be requested.

Dr. Massolin: Thank you, Madam Chair. I can, yes, fill the committee in on just the common practice. This is a standard motion that most committees undertaking a statute review consider, and the reason for it is that, as the motion implies, if there are questions that come up at any stage during the committee's review, the people with technical expertise are there to lend assistance. The other part of it is working with Legislative Assembly staff and helping out with some of the research and other information.

But I will also add that the staff from the ministry and the office, in this case the OIPC, are usually most available to the committee in its deliberation phase, at the very end of the committee's review. That's where it's most important for them to be available. You know, it's up to the committee. I think that the wording of the motion is such that the committee can decide when exactly they want to consult or call upon the officials to be there, but I would suggest that at the end phase, for sure, it's important.

Thank you.

The Chair: Thank you for the clarification.

Mr. Orr, just to reiterate, I know that it was a long motion, but the motion actually does say "when requested." Does that answer your question?

Mr. Orr: Yeah, it does, and the explanation also helps, so I'm good with it. Thanks.

The Chair: Thank you.

Any other members with any questions?

Seeing none, I'll read the motion. Moved by Mr. Horne that the Standing Committee on Families and Communities invite officials from the office of the Information and Privacy Commissioner and the Ministry of Justice and Solicitor General to attend committee meetings and participate when requested to provide technical expertise and request that department officials work in conjunction with Legislative Assembly staff as required to support the committee during the review of the Missing Persons Act.

All in favour of this motion, please say aye. Any opposed? Thank you. That motion is carried.

Research services. Although we are in the initial stages of our review, I expect that there may be some tasks that we can already have research services begin working on.

Dr. Massolin, do you have any comments on this?

Dr. Massolin: Yes. Thank you again, Madam Chair. I'd just like to start by saying that research services will be available for the committee throughout the course of this review to provide nonpartisan research support. A couple of things I would highlight in terms of the research, two things specifically. There is an opportunity – as I understand from Ms Robert, who has done some preliminary research, there are other acts, other statutes out there in other jurisdictions across the country that are similar to our legislation here in Alberta. It might be worth while for the committee to request a crossjurisdictional report so that we can see how we compare with other jurisdictions.

2:20

The second thing that I would point out to the committee is something that's already been alluded to by Mr. Rodney and others, and that is a stakeholders list. I would think that the committee would like to reach out to stakeholders to receive written feedback and to get more information from their perspective, the stakeholders' perspective, on the act. We can assist the committee in terms of putting together a draft stakeholders list. Of course, it's a committee document, so the committee can add to it or subtract from it as the committee wishes.

Thank you.

The Chair: Thank you.

Any discussion? Go ahead, Mr. Orr.

Mr. Orr: Thank you, Madam Chair. I think that crossjurisdictional is a great idea, but I would like to specify with regard to that also or more in-depth maybe. I understand there's been no court interpretation yet of the Alberta act. It's only five years old, so there's been no opportunity for the courts to speak toward it. I would like to know if, in other jurisdictions where they have a similar law, there have been court interpretations of their law. I think it would be important to include that bit about the courts' interpretation.

The Chair: Thank you.

Any further discussion?

Mr. Smith: I guess one of the questions I've got is: in your research would you be giving us a brief on how this act has impacted Alberta over the last five years?

Dr. Massolin: Thank you, Madam Chair. I don't know exactly what you mean by that.

Mr. Smith: It's a brand new act. It's five years old. It's up for review. Somewhere in that brief it would be kind of nice to know: "Okay. How has it been implemented? Has it achieved what it was intended to do over these last five years?" So an evaluation of it.

Dr. Massolin: Right, Madam Chair, I think that what Mr. Orr was referencing in terms of the way the court has interpreted is part of that, and we can check into that, for sure. I think that's the other thing that the stakeholders can bring to the committee table in this regard. I mean, we could certainly try to add to that, but I think that's why you want to talk to your stakeholders, to see what they have to say about it.

Ms Rempel: And the technical briefing.

Dr. Massolin: Right. As Ms Rempel has nicely informed me, the technical briefing will also assist in that regard. Certainly, if we can add to that, we will, but I would think that they would be – I'm not trying to get out of work here, Mr. Smith.

Mr. Smith: We would not want to send that impression. [interjection]

The Chair: There's someone on the phone that isn't muted that is contributing quite humorously to our conversation. If you could please mute your phone, that would be greatly appreciated, unless, of course, you have questions.

Is there anybody else on the phone wanting to ask a question or contribute to the discussion?

Okay. Hearing none, I'll read a possible motion: that the Standing Committee on Families and Communities direct research services to prepare a crossjurisdictional comparison, including court interpretation, for the review of the Missing Persons Act for consideration at a future meeting.

Any discussion on the motion?

Does anyone want to move the motion? Mr. Horne?

Mr. Horne: Sure. Yes, please.

The Chair: No discussion? Okay. Moved by Mr. Horne that the Standing Committee on Families and Communities direct research services to prepare a crossjurisdictional comparison, including court interpretation, for the review of the Missing Persons Act for consideration at a future meeting.

All those in favour, please say aye. Any opposed? Thank you. The motion is carried.

Another possible motion is that the Standing Committee on Families and Communities direct research services to prepare a draft stakeholder list for the review of the Missing Persons Act, including contacts provided by committee members received no later than August 31, 2017, for consideration at a future committee meeting.

Is someone able to move this motion?

Mr. Rodney: I'd be happy to move that, considering my earlier comments, if that's okay.

The Chair: Yes. Thank you, Mr. Rodney.

Any discussion? Go ahead, Mr. Orr.

Mr. Orr: My only question would be: is there any sort of guess as to when we would see the initial list so that we can have time to evaluate and to add to it?

The Chair: If we have a deadline of August 31 . . .

I'll let you respond.

Dr. Massolin: Okay. Thank you, Madam Chair. This is what I could propose, that perhaps you've got two opportunities. If you have ideas in mind, you can submit them by the 31st. We'll incorporate them into our draft, and then that will be posted. Then at the committee meeting, if there are additional suggestions, you could put them on the table at that point. I don't know if that would work in a satisfactory way.

Mr. Orr: Yeah. Okay. Thanks. I think I misunderstood. I thought, like, it was the final by August 31. I was looking for the process in

between. But if it's just the initial by August 31, then my question is moot.

Thanks.

The Chair: Thank you.

Mr. Horne.

Mr. Horne: Yeah. You know, just reflecting on previous comments by Mr. Rodney here, this is definitely an act that many of the First Nations, Métis, and Inuit Albertans will take an interest in, whether their concerns are directly in here or not. I think it's very important that we make an effort, both as members and as a committee, to reach out to those communities right now and get their feedback. If there are any contacts that the LAO has or that any members have, I think they would definitely be an important community to be reflected in our discussion going forward.

The Chair: Thank you.

Any further discussion or comments?

Mr. Smith: Well, just pursuant to my previous comments, I think there are two groups that I see that tend to go missing. One is young kids, young children. I know that, personally, I have been involved in rural searches for young kids that get lost. There may be some groups that you would want to consider: search and rescue, those kinds of groups, and, of course, seniors as well. There may be some seniors' groups that we would want to reach out to as well.

The Chair: Thank you.

Anyone else wanting to contribute?

Hearing none, I'll call the question. Moved by Mr. Rodney that the Standing Committee on Families and Communities direct research services to prepare a draft stakeholder list for the review of the Missing Persons Act, including contacts provided by committee members received no later than August 31, 2017, for consideration at a future committee meeting.

All those in favour, please say aye. Any opposed? The motion is carried.

Ms McPherson, do you want to have a comment now?

Ms McPherson: Sorry. I'm on mute. No. I was confused. I'm okay. Thanks.

2:30

The Chair: Thank you.

Just to be clear on the process, committee members may send the contact information for anyone they wish to have included on the draft stakeholder list to the committee clerk by the end of August. There will then be a final opportunity to add names to the stakeholder list when we meet again in September, so please be prepared to bring this information with you to the meeting.

We're on to other business. I'd like to thank everyone and ask if there are any other issues for discussion before we conclude our meeting. On the phones?

Hearing none, the date of our next meeting will be in September at the call of the chair. We will poll the committee members for dates and times.

Now I'd like to call for a motion to adjourn. Mr. Yao. Moved by Mr. Yao that the meeting be adjourned. All in favour of this motion, please say aye. Any opposed? Thank you. The motion is carried, and the meeting is adjourned.

[The committee adjourned at 2:31 p.m.]

