



Legislative Assembly of Alberta

The 29th Legislature  
Second Session

Standing Committee  
on  
Legislative Offices

Child and Youth Advocate Act Review

Tuesday, February 7, 2017  
9 a.m.

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

**Standing Committee on Legislative Offices**

Shepherd, David, Edmonton-Centre (ND), Chair  
Malkinson, Brian, Calgary-Currie (ND), Deputy Chair

Drever, Deborah, Calgary-Bow (ND)  
Ellis, Mike, Calgary-West (PC)  
Horne, Trevor A.R., Spruce Grove-St. Albert (ND)  
Kleinsteuber, Jamie, Calgary-Northern Hills (ND)  
Littlewood, Jessica, Fort Saskatchewan-Vegreville (ND)  
Nixon, Jason, Rimbey-Rocky Mountain House-Sundre (W)  
Pitt, Angela D., Airdrie (W)  
van Dijken, Glenn, Barrhead-Morinville-Westlock (W)  
Woollard, Denise, Edmonton-Mill Creek (ND)

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Graeme Arklie	Principal
Mary Gibson	Business Leader, Performance Audit Practice

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[Mr. Shepherd in the chair]

**The Chair:** All right. Well, I'd like to welcome members, staff, guests to this meeting of the Standing Committee on Legislative Offices. I, of course, am David Shepherd, MLA for Edmonton-Centre and the chair of this committee.

I'd just ask that members and those joining the committee at the table introduce themselves for the record, and then we'll hear from those on the phone. I'll start to my right.

**Mr. Malkinson:** Thank you very much, Chair. Brian Malkinson, MLA for Calgary-Currie, deputy chair.

**Mr. van Dijken:** Good morning. Glenn van Dijken, MLA for Barrhead-Morinville-Westlock.

**Ms Gibson:** Good morning. Mary Gibson, business leader, performance audit practice, office of the Auditor General.

**Mr. Wylie:** Good morning. Doug Wylie, Assistant Auditor General.

**Mr. Arklie:** Good morning. Graeme Arklie, principal with the Auditor General's office.

**Ms Woollard:** Good morning. Denise Woollard, MLA, Edmonton-Mill Creek.

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

**Mr. Kleinsteuber:** Good morning. Jamie Kleinsteuber, MLA, Calgary-Northern Hills.

**Dr. Amato:** Good morning. Sarah Amato, research officer.

**Ms Dean:** Good morning. Shannon Dean, Law Clerk and director of House services.

**Ms Rempel:** Good morning. Jody Rempel, committee clerk.

**The Chair:** Thank you.  
And on the phones?

**Mrs. Pitt:** Good morning. Angela Pitt, MLA, Airdrie.

**The Chair:** Mrs. Littlewood, are you with us?

**Mrs. Littlewood:** Sorry. It's, I think, my first teleconferencing into committee. Jessica Littlewood, MLA for Fort Saskatchewan-Vegreville. Thanks.

**The Chair:** Thank you.

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

**Mr. Nixon:** Jason Nixon, MLA, Rimbey-Rocky Mountain House-Sundre.

**The Chair:** Thank you.

Before we turn to the business at hand, just a few of the standard operational items. The microphone consoles, of course, are operated by *Hansard* staff, and we need to keep all cellphones and BlackBerrys on silent. Audio of committee proceedings is streamed live on the Internet and recorded by *Alberta Hansard*. Audio access and meeting transcripts are obtained via the Legislative Assembly website.

We have the agenda in front of us today. It was posted online. Has everyone had a chance to review that? If everyone is okay with that, then, do we have a member that would like to move a motion to approve the agenda as circulated? Mr. Horne. All right. All those in favour? On the phones? Any opposed? That motion is carried.

Next we have two sets of minutes for consideration from our last two meetings. First of all, we have the minutes from the meeting on January 16, 2017. Does anyone have any errors or omissions to note? If not, is there a member that would like to move approval of those minutes as distributed? Ms Woollard. Thank you. All those in favour? Any opposed? That motion is carried.

We then have the minutes from the January 17, 2017, meeting. Any errors or omissions to note? If not, do we have a member that would move approval of those minutes as distributed? Mr. Horne. Thank you. All those in favour? Any opposed? That motion is carried. Excellent.

That brings us to the first part of our business here today. We have representatives from the office of the Auditor General who have joined us to make a presentation regarding the review of the Child and Youth Advocate Act. We, of course, received a letter from the Auditor General, which has been posted online for our review. As with our other presenters, the office has been invited to make an opening statement of up to 10 minutes, and then we'll have the opportunity for questions by committee members.

Mr. Wylie, you and your colleagues have introduced yourselves for the record, so I'd just ask that you go ahead and proceed.

**Mr. Wylie:** Mr. Chairman, members of the committee, good morning and thank you for having us here this morning. I'm very pleased to be here to represent the Auditor General of Alberta, Merwan Saher, in speaking to our office's submission on the review of the Child and Youth Advocate Act. Mr. Saher very much wanted to appear before you himself but, unfortunately, is out of country and could not adjust his schedule. Before I begin, I'd like to reintroduce my colleagues here: Mary Gibson, who, as indicated, is the business leader of our performance audit practice, and Graeme Arklie, who is a principal with our office.

Mr. Chair, let me first set the stage for what follows in our presentation to the committee this morning. We believe the matters we are bringing forward for consideration by your committee have the potential to improve the effectiveness and sustainability of the reporting structure of the office of the Child and Youth Advocate. In addition, the structure I will describe shortly is also intended to enhance the accountability of those responsible for implementing recommendations.

We determined we would submit a written submission to your committee after we compared the reporting requirements within the Auditor General Act to those in the Child and Youth Advocate Act. The differences are notable. Our legislation sets out a reporting structure where we work with two committees that are independent of our office: the Provincial Audit Committee, which is established in section 21 of the Auditor General Act, and the Public Accounts Committee, a standing committee of the Legislative Assembly.

A primary role of the Provincial Audit Committee is to meet with the Auditor General to review his reports prior to public release. In addition, section 26 of the AG Act provides that the Auditor General attend meetings of the Standing Committee on Public Accounts to contribute supplementary information respecting matters included in the reports of the Auditor General. The reports of the Auditor General are automatically referred to the Public Accounts Committee.

It is our experience that the effectiveness of our office is enhanced through our interaction with the Provincial Audit Committee and the Public Accounts Committee. We believe consideration should

be given to setting up a similar reporting structure for the office of the Child and Youth Advocate. Let me explain. Our core function is legislative auditing. Where appropriate, we make recommendations for improvement. The successful implementation of our recommendations by those we audit is Albertans' return on the investment of audit dollars. That's an important statement, that I think will hopefully resonate, on why we think the importance of the implementation of our recommendations is so crucial.

As a result, we are interested in seeing that all of our recommendations are implemented in a timely manner. The Public Accounts Committee is intended to provide oversight to assist with the implementation of our recommendations by the public service. The Standing Committee on Public Accounts is an essential component of the Westminster system of parliamentary oversight. Every jurisdiction in Canada – federal, provincial, and territorial – has such a committee. Comprised of Members of the Legislative Assembly, this all-party committee reviews the reports of the legislative auditor and is a significant part of the accountability cycle of government.

In Canada the legislative auditor's mandate is to report his or her findings to the Legislature. Legislative auditors do not have sanctioning power. They cannot force departments or agencies to correct identified deficiencies. The Standing Committee on Public Accounts therefore plays an essential role. As the audit committee of the Legislature, the PAC can encourage action at departments and agencies by calling officials to account for what has occurred and what action they are taking to fix an identified problem; endorsing the legislative auditor's findings so that departments and agencies bring about corrective action; compelling a response by departments and agencies to the legislative auditor's recommendations; and following up with departments and agencies to ensure recommendations have been implemented. The oversight provided by the Public Accounts Committee is intended to help get our recommendations implemented. A similar committee may assist with the implementation of the recommendations made by the office of the Child and Youth Advocate.

I'll take just a couple more minutes of your time to describe the role of the Provincial Audit Committee. The committee helps us ensure that what we report is understandable and that our recommendations are practical. Let me explain a little further. The Provincial Audit Committee is comprised of public members appointed by the Lieutenant Governor in Council. The committee reviews all reports issued by our office before they are made public. The Provincial Audit Committee members draw on their experience and varying perspectives to provide valuable advice on the readability and usefulness of our reports. For example, we normally receive feedback on whether our reports are understandable and whether our recommendations seem practical, a wise person test, if you will.

#### 9:10

It's important to emphasize that the committee is advisory in nature. The process does not impact the independence of reporting by the Auditor General. In our view, the process is working. The input we receive from the Provincial Audit Committee makes our reports better. A similar external committee established to assist the office of the Child and Youth Advocate could provide a similar review function of the advocate's reports.

In conclusion, Mr. Chair, we believe that the creation of an external advisory committee to review the advocate's reports prior to public release and establishment of a legislative standing committee focused on completing the accountability loop for the advocate's recommendations would enhance that office's ability to fulfill its mandate. While our mandates are not identical, we see

important similarities between the reporting function of our office and that of the advocate. We believe that the considerations discussed today could improve the effectiveness and sustainability of the reporting structure of the Child and Youth Advocate and enhance the accountability of those responsible for implementing recommendations from the advocate.

Again we'd like to thank the committee for the opportunity to appear before you today, and we'd be pleased to answer any questions you may have.

**The Chair:** Thank you, Mr. Wylie.

I imagine the committee members have some questions regarding the proposal.

And, of course, welcome, Member Drever, who has joined us on the phones. Ms Drever, did you want to introduce yourself quickly for the record?

**Drever:** Good morning, everyone. Deborah Drever, MLA for Calgary-Bow.

**The Chair:** Thank you.

I believe I saw a question from Ms Woollard.

**Ms Woollard:** Thank you, Mr. Chair. You've explained the audit committee part of the recommendations really thoroughly, so I don't want to be asking a question that's going to be redundant here, but if you could give us a bit more information on what you see as kind of the best functioning of the audit committee, how it works, and who sits on the committee in just a little more detail, I'd appreciate it.

Thank you.

**Mr. Wylie:** You're referring to the Provincial Audit Committee?

**Ms Woollard:** Yes.

**Mr. Wylie:** You know, what the committee is intended to do is, as we say, provide advice on our reports. The reports in our office really have two core functions, financial auditing for the financial statements of the Crown as well as our performance audits. The committee composition helps in both regards.

We do have those who have an accounting background to assist with the Auditor's reports on the financial statements, and then we have a broad spectrum of individuals who comprise the committee. For example, there are those from academia, the business community, and those with governance background and experience, so there's been a real variety of competencies, if you will, of the audit committee. I think that one of the real benefits is the diverse competencies of the committee so that they can bring forward a breadth of variety in advice when they're looking at our reports and what we're suggesting and actually recommending. They're bringing their wealth of experience, if you will, to the table.

**Ms Woollard:** Okay. Thank you. What do you think the main value is, to help you kind of fine-tune the recommendations in the reports before you present them, or is there something else?

**Mr. Wylie:** It does help to get, you know, to describe it very simply, a wise person test, if you will. It is having somebody independent of our office have that view. Really, what we're asking is such things as: is our report understandable, and do the recommendations make sense as written and given your experiences? It really is from that perspective. It's kind of a final opportunity to engage someone outside of the office to hear what they have to say on our report.

Mary, did you want to supplement?

**Ms Gibson:** Yes. Good morning. I think that if you go back to our mission, which is to improve the performance of the public service, our main vehicle for doing that is our reports, so we want our reports and the message contained in them to be as clear and helpful as possible. A sober second review or a wise person review of what we're saying: my experience thus far is that they've given us very substantive and useful advice, which sometimes causes us to go back and significantly rethink how we're expressing our comments.

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

**The Chair:** Excellent. Thank you, Ms Woollard.

Do we have any other questions from the committee? Mr. van Dijken.

**Mr. van Dijken:** Thank you, Chair. Thank you for your report, and thank you for coming before committee this morning. I have a couple of questions with regard to the recommendations put forward and how the implementation can possibly move forward. The concern I would have is that I understand the office of the Auditor General essentially operates under guidelines, legislative auditing, and very well put in place standards that are guiding you in the work that you do. My question would be: are there the same types of standards available to be put in place that would help a legislative committee to be able to understand the recommendations from the office of the Child and Youth Advocate? Is the office of the Child and Youth Advocate essentially held to a professional standard that could be the guiding light, or is it very subjective and relative to the people in the office at the time?

**Mr. Wylie:** I think that question is best answered by the advocate with respect to the processes and the methodologies he uses to undertake his investigations. Our submission here is really focused on the external reporting structure. Notwithstanding the methodologies and processes used to generate the recommendations, our focus is on having a permanent, predictable, and sustainable process from an external perspective that then interfaces with the reporting. Once those methodologies and processes result in a product, then it's a matter of, if you will, the prevetting of the report prior to finalization and public release, which really, I think from our perspective, enhances the quality of our product, as Mary was saying.

Then there's the other aspect, which is postcompletion of the work. Actually, once the recommendations are out there and have been accepted by the various departments or agencies, it's then dealing with: how are they being implemented? Are they being implemented in a timely manner? If there are any issues or roadblocks with respect to implementation, that's where the committee can help, and that's where we have a lot of interface and discussion with the committee. If there are, you know, time delays on implementations, the committee can ask: why? What are the impediments? They also have the ability to get our assessment as we're sitting in on most committee meetings. So it's really a pre-external process, if you will, and then a postimplementation aid. But our submission does not deal with the methodologies that the advocate uses to carry out his work.

**Mr. van Dijken:** Thank you.

**The Chair:** Do you have a supplemental, Mr. van Dijken?

**Mr. van Dijken:** I'll ponder that yet.

**The Chair:** Certainly.

Then next up I have Mr. Horne.

**Mr. Ellis:** I have a question, Chair, when you get a chance.

**The Chair:** Certainly, Mr. Ellis. We'll put you on the list.

**Mr. Nixon:** Me as well, Mr. Chair.

**The Chair:** Certainly. Thank you, Mr. Nixon.

**Mr. Horne:** I just wanted to first thank you, all, for taking the time to come and discuss this submission with us. Certainly, I'm very interested in this recommendation. I was wondering if you're aware of any other legislative officers with similar structures in place or if there are other jurisdictions within Canada that have similar functions.

**Mr. Wylie:** I can tell you that we did not do a thorough or exhaustive analysis of that, but what we did do is have a cursory look to see some of the child and youth advocate offices across Canada and across the jurisdictions. My understanding based on that initial feedback is that there are not others following a process that we are recommending. The advocate might have a better sense of that, might have more information on that, but I think that this would not be common practice across Canada would be my understanding.

**Mr. Horne:** Okay.

9:20

**The Chair:** Okay. I have Mr. Ellis, Mr. Nixon on the list. Are there any other members on the phone that wish to be on the speakers list at this time?

**Mrs. Pitt:** Yes.

**The Chair:** Thank you, Mrs. Pitt.

All right. Before we move on, Ms Dean just has a quick comment she'd like to make.

**Ms Dean:** Thank you, Mr. Chair. I just wanted to point out for the benefit of the members of the committee and the Auditor General's staff that part of the recommendation that you brought forward is addressed in our standing orders. Standing Order 55.01 does provide that "reports of the Officers of the Legislature shall stand referred to the Standing Committee on Legislative Offices unless otherwise ordered."

**The Chair:** Thank you, Ms Dean.

Mr. Ellis, please go ahead.

**Mr. Ellis:** Thank you, and thank you, all, for being here today. I think mine is more of a follow-up to some of the discussion that we've already had here. There was some indication that the legislative standing committee could help to assure the office of the Child and Youth Advocate that those recommendations are implemented by government. Where would you see the authority coming from for this standing committee, and if so, do you think that there might be legislation required?

Thank you.

**Mr. Wylie:** Well, the authority, I think, really comes from – let me just refer to the Public Accounts Committee. You know, I think it's a public committee, first and foremost, so what it does is that it provides an opportunity for the Legislature via the committee to ask management with respect to the implementations of recommendations that have been made. It's an opportunity to have a public discussion on the Auditor General's recommendations and the status of those. I know that it varies across jurisdictions, but some of the public accounts committees across Canada do make

recommendations. Again, our focus isn't so much on that. It's really the sense of the focus on the outstanding recommendations.

It's a combination – and let me just digress for just a second. I can tell you that I think by a combination of working closely with the Public Accounts Committee and focusing on the outstanding recommendations here in Alberta as well as work that we've undertaken with Treasury Board and Finance directly, we have made significant progress in reducing the outstanding recommendations. When the current Auditor General took office, there were about 300 outstanding recommendations. At our last count, I think in October of '16, we're down to about 160, and I think that comes about by the two elements working together. I don't think establishing a committee is going to be the panacea, but I think it certainly is a combination of working with our office and our office working directly with Treasury Board and Finance or the interface through to government that has resulted in a positive change, and that is the implementation of a significant number of recommendations. In our office historically recommendations were increasing at a rate faster than the recommendations were being implemented, and that was something that we thought needed to change. I think it's potential for positive change.

**Mr. Ellis:** Thank you.

I guess, Mr. Chair, just one supplemental follow-up.

**The Chair:** Yes. Please go ahead.

**Mr. Ellis:** Thank you. This is more a follow-up to Mr. Horne's question. My understanding is that British Columbia is another province with a standing committee created to oversee children and youth. You said you did, you know, some – I mean, you didn't check the entire country, and I totally get that. But if you have looked at British Columbia, which obviously is one of our neighbours here – if you have an answer to this, that would be great – would you be recommending a similar set-up in Alberta to what they've done in British Columbia?

**Mr. Wylie:** We haven't studied their structures, so I can't comment on that today.

**Mr. Ellis:** Thank you, Mr. Chair.

**The Chair:** Thank you, Mr. Ellis.  
Mr. Nixon.

**Mr. Nixon:** Yeah. Thank you, Mr. Chair. My question is about the crossjurisdictional study that we received. We received that crossjurisdictional study from our committee's researchers, and it notes that under Manitoba legislation even the services of the office of the child advocate could come under the scope of the advocate's review. So my question is: if this is the case, that a portion of the review must be conducted or reported on by a qualified independent person in Manitoba, do you think, in your opinion, that we may need a similar mechanism like that in Alberta?

**Mr. Wylie:** Mr. Chair, is that question directed to me? I'm not familiar with what's happening. Maybe the Legislative Assembly staff . . .

**Mr. Nixon:** Well, let me try it a different way. Do you think there's any cause or reason for a mechanism that would review the performance of the Child and Youth Advocate?

**Mr. Wylie:** That's outside of our submission this morning, Mr. Chair, and I think is obviously part of the mandate of your committee.

**The Chair:** Thank you, Mr. Wylie.

Mr. Nixon, did you have any further questions on that?

**Mr. Nixon:** Not a follow-up to that one, no.

**The Chair:** Okay. Thank you, Mr. Nixon.

**Mrs. Pitt:** Good morning. Thank you very much for being here. Sort of a two-part question. It was interesting, you know. You recommended that a standing committee be created similar to the Public Accounts or be referred to Public Accounts, and I think that's great. Then we heard from the committee clerk that there's actually a standing order that recommendations be referred to committee. My question may be for the clerk, but why is this currently not happening if it's in the standing orders?

**The Chair:** Ms Dean, did you have any comment on that?

**Ms Dean:** Thank you, Mrs. Pitt. Well, it's a provision in the standing orders that the reports of the officers of the Legislature stand referred to the Standing Committee on Legislative Offices. It's really up to the Standing Committee on Legislative Offices in terms of what it wants to do with those reports, so it's the master of its own procedure.

**The Chair:** Thank you, Ms Dean.

**Mrs. Pitt:** Sorry. If I may: what is the process to have that referred, then? Is that in the purview of the chair of this committee? I know I'm new to this committee, but I've never seen the process where this has been brought forward or debated or written upon or anything like that. What is the process for that to happen?

**Ms Dean:** Well, the reports automatically stand referred to the committee, so there's no procedure that needs to be followed per se. It's really within the purview of the committee to make a decision in terms of whether it wanted to consider something.

**Mrs. Pitt:** So I could essentially make a motion in committee to review the recommendations?

**Ms Dean:** Yes.

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

**Ms Dean:** If I may, Mr. Chair. I think some of this dialogue may be more appropriately handled when the committee is at a deliberation stage. I believe that there are other provincial statutes – I think B.C. has been mentioned – whereby there is some process outlined in the statute that might be beneficial with respect to how a committee would handle this type of situation.

**The Chair:** Thank you, Ms Dean.

Mrs. Pitt, based on that, then, did you have any questions for our guests?

**Mrs. Pitt:** Actually, my question was if we should create another legislative oversight committee to deal with the recommendations, but I think that maybe there's room for us to explore the standing order that already exists in terms of that. Maybe, more so, if the guests have any comments on – we don't know if it's a failure in the system that we've never actually taken upon ourselves or what that is, but maybe if our guests could comment on, you know, that standing order and the recommendation that was made for a legislative committee.

9:30

**Mr. Wylie:** Certainly, Mr. Chair. Our submission is based on our experience with the interface that we have with the committees that we're dealing with. We're basing our submission on the effectiveness of those processes. I mean, they can certainly be achieved by other means, but we're bringing forward a process that works for us. If it can be achieved through other means as indicated – we're looking at a structure, I guess, and having that legislative provision provides predictability, permanency, and an element of transparency with respect to the reporting structure of the office. However that is achieved, I think it's up to the committee to move forward.

**The Chair:** Thank you, Mr. Wylie.

**Mr. Kleinsteuber:** Good morning, folks. Thanks again for joining us here today and for your presentation. I'm just wondering. In your submission you indicate that a similar external committee would provide a similar final review function of the advocate's reports. Could you explain more about what is meant by a final review function and why you consider it so important? As well, do you feel that it's a supplemental currently missing in this process?

**Mr. Wylie:** Well, as I was just indicating, I think that we're drawing on our experience and our interface with the two committees that we deal with. We certainly do see value to working with the Provincial Audit Committee. The process as it is currently is that before our reports are made public and go forward, actually referred to the chair of this committee, we must meet with the Provincial Audit Committee. They review our report and provide advice to us on our report.

Generally when we send a report to the committee, we will send it with a cover letter that identifies a specific question or the specific focus that we'd like the committee to bear down on, and in the majority of cases that really is: does our report make sense? Does it appear that the recommendations are practical? Those types of interface. They're not coming at this, I would suggest, from a subject matter expert perspective. They're coming at it from the perspective of: overall, does the report make sense, and does it appear to add value, and if they're implemented, could they see that, drawing on their experiences?

We do have and we do use subject matter experts as part of our methodology and internal processes that the member was inquiring about earlier. This is in addition to subject matter experts that we would bring as part of our internal process to do our audit work. We view it as a final check, if you will, to be able to hear from somebody outside the office with respect to the readability and understandability of our report and what we're proposing.

**Mr. Kleinsteuber:** Okay. Thank you.

**The Chair:** Do we have any other questions from members?

**Mr. van Dijken:** Just a question with regard to the appointment of the Provincial Audit Committee. You referred to them earlier as kind of the wise person test. The Provincial Audit Committee I believe is appointed by the Minister of Finance and Treasury Board. Who would you see appointing a similar committee in this jurisdiction?

**Mr. Wylie:** To be honest, I haven't reflected on that thoroughly.

**Mr. van Dijken:** Okay.

**Mr. Wylie:** Mary or Graeme, did you have any initial comments?

**Ms Gibson:** Under our act the Provincial Audit Committee can also advise cabinet of major issues or items raised in the reports, so they do serve as a bit of an interface. It could be the minister of child and family services. It could also be the Minister of Finance and Treasury Board. I think the point is that it's essentially a cabinet-level appointment.

**Mr. Wylie:** If I could just supplement, Treasury Board and Finance are involved in that process. They also provide the secretariat services to the Provincial Audit Committee, so there's that continuity, if you will, of their role there.

**Mr. van Dijken:** Just a supplemental to that, you're suggesting cabinet-level approval of committee as opposed to, say, appointment of oversight committee through the Legislative Offices Committee, at the cabinet level as opposed to at our committee level, if I'm hearing you correctly.

**Mr. Wylie:** Member, through you, Mr. Chair, we really don't have any preconceived ideas. I think, again, what we're bringing forward is a structure that works. It's an external structure to the office, so however that takes form is up to those who are making those decisions and deliberations. Again, we're bringing this forward because we think it provides predictability, transparency to process, and permanency by having such a structure either legislated separately or through this committee, as suggested by the member.

**The Chair:** Thank you, Mr. Wylie.

Just to check in again with our members on the phone, are there any members on the phone that wish to be on the speakers list?

**Mr. Ellis:** I have a question, Chair.

**The Chair:** Okay. We will add you to the list. Thank you.

All right. Next up, then, I have Mr. Malkinson.

**Mr. Malkinson:** Thank you very much, Mr. Chair. Looking through these recommendations, the main recommendation is that the advocate's report would be reviewed by a committee. I mean, the example that I'm most familiar with is, you know, the Public Accounts Committee, where those reports come forward. As you said, we do some very good work in that committee reviewing various recommendations and hearing from your office and from the ministry's office as far as where they're at as far as those recommendations are concerned. With this recommendation – you know, you were sort of touching on this with Mr. van Dijken's question – would you be imagining that your recommendations would be coming forward to Public Accounts or to this committee or perhaps to some other committee in the same sort of way? Is that what you were imagining?

**Mr. Wylie:** Well, again, we're drawing on our interface, and it's working. We think it's adding value. As I said, since the Auditor General has come in place, we've done significant work through the two means to reduce the outstanding recommendations. Is our process the only way? I would suggest no. In fact, the actual operation of public accounts committees varies across jurisdictions within Canada. For example, in our case, in Alberta we track the outstanding recommendations, and we have quite an onerous process. When we make a recommendation, we require an implementation plan from the recipient within six months. We track those recommendations, and we're working with, then, the Public Accounts Committee to help the committee focus on areas where there might be issues that are causing a lack or a slower implementation than might be expected.

In other jurisdictions some of the public accounts committees themselves have their own processes where they track the recommendations themselves, if you will. So the Auditor General would make the recommendations, and then it's over to the committee to deal with the follow-up and interchange with the ministry.

What we're proposing is, again, a structure and a framework. We really haven't studied the details to say that this would work best in the case of the advocate's office or not. I would say that I think, you know, that while our office's mandate is similar, our submission to the committee really is focusing on the work where investigations are done and reports are made public. As you're aware, the advocate's office has a much broader mandate in the sense of providing advocacy services, et cetera. Our focus is really on section 15 of his act, I believe, where it's referring to the investigations and reporting on those investigations.

Again, to summarize, we haven't studied the details or are not putting forward a best, you know, alternative. It's the structure.

9:40

**Mr. Malkinson:** Mr. Chair, a follow-up if I could. Thank you. One of the things that stood out that I was thinking about as per my experience in Public Accounts – you were mentioning some of the work that you've been able to provide through your reports that you give to Public Accounts as being able to help the committee prioritize various recommendations as well as to potentially help the committee understand or provide context when there is a ministry or a recommendation that is perhaps taking longer than originally recommended.

I take it that with your letter and your submission to the committee, you would imagine that that would potentially continue to help the committee, whichever one it may or may not be, with the large number of recommendations that have come forward over many years, help prioritize, you know, which are the most critical recommendations. Is that something that your committee, as you were thinking of it, whatever it may be, could do? Am I understanding that correctly?

**Mr. Wylie:** I'm going to ask Mary to maybe just help a little bit to describe some of the process that's behind the scenes. That might help to answer your question.

**Ms Gibson:** Thank you. I think what you're referring to or, certainly, what resonates with me is that we as an office do a fair amount of work with both the Provincial Audit Committee and the Public Accounts Committee to make sure that their role in the process is most effective. As you know, there's a working group of the Public Accounts Committee, and we meet with them and help them do that prioritization.

Before every appearance of a ministry or audited entity in front of the Public Accounts Committee, we prepare sort of supplementary briefing notes, and so does Leg. research. We do prebriefings. The objective of all of that support work is to help the Public Accounts Committee be most effective in meeting with the officials from the ministry and following up on our recommendations and understanding, as Doug was saying, any barriers to implementation.

Yes, I would see that as part of the process. If you're going to put this kind of a structure in place, it needs to be supported to make it most effective.

**Mr. Malkinson:** Okay. Thank you very much.

**The Chair:** Thank you.

Mr. Ellis.

**Mr. Ellis:** Thank you. My question is more tailored towards the LAO. I know we've already had the discussion of the possible committee. Have you folks put any thought into what the cost might be for establishing a standing committee of this kind?

**Ms Dean:** Mr. Ellis, we haven't put our minds to that question, but we could certainly bring information back to the committee at a later date.

**Mr. Ellis:** Thank you.

**The Chair:** Are there any further questions, then, from members? Anyone on the phones?

All right. Well, in that case, I will thank our guests very much for joining us this morning and responding to our questions. If you do have any additional information that you'd like to submit, that can be done through the committee clerk. Much appreciated. Thank you.

**Mr. Wylie:** Thank you very much.

**The Chair:** Excellent. We'll move on, then, to the next item on our agenda, that being discussion of next steps. Just a quick reminder to our committee members that we've already tasked our research services support staff with preparing an issues document for us. Now that we've completed our oral presentation stage, that will be moving forward. I anticipate that that document should be available for our next meeting. Did anyone have any questions on how that's progressing or how that's proceeding? Excellent.

We do have one other issue related to ongoing technical support that the committee is receiving through the review of this act. As committee members are aware, at the beginning of the review process we passed a necessary motion to request that both the office of the Child and Youth Advocate and the ministry of human services make themselves available to provide support during the review and to permit staff from the LAO to work with these organizations and share information as appropriate to support the review.

Of course, since our last meeting there have been some changes to cabinet, and we now have the Ministry of Children's Services which has been established. I anticipate that this new ministry may now at least at times be in the best position to provide support for the work of this committee. So if other committee members are in agreement with this, we may wish to consider passing a motion to additionally invite the support of the Ministry of Children's Services as part of the review process.

Is there any discussion on that? Any thoughts? Or is there a member that would like to make the appropriate motion? Mr. van Dijken.

**Mr. van Dijken:** Yeah. I would so move, in addition to the . . .

**The Chair:** Okay. So we have the motion from Mr. van Dijken. Should we read the motion before we . . .

**Ms Rempel:** Thank you, Mr. Chair. If Mr. van Dijken is wanting to follow similar instruction to what we did with the other two groups, it would be that

the Standing Committee on Legislative Offices invite officials from the Ministry of Children's Services 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 Child and Youth Advocate Act.

**The Chair:** All right. Any further thoughts or discussion? Hearing none, I'll put the question, then. All those in favour of the motion as read? Any opposed? Hearing none, that motion is carried. Thank you.

Let's move on, then, to the RFQ that's in process for the audit of the office of the Auditor General. Now, as we're aware, the deadline for responding to the RFQ has passed. Now that we have the responses that have been received, we can determine the most suitable process for us to go ahead and identify the successful proposal. At this point, though, in order to respect the confidentiality of the bidding process and those who've responded, I would suggest that we move in camera, including Parliamentary Counsel and the Law Clerk, to further discuss this item. Would anyone be willing to make the motion to move in camera? Mr. Horne, thank you. All those in favour of the motion? Thank you. Any opposed? Hearing none, we will move in camera.

[The committee met in camera from 9:48 a.m. to 9:56 a.m.]

**The Chair:** Thank you. We are back on the record. At this point I understand that we have a motion that Ms Woollard wished to move.

**Ms Woollard:** Yes. I move that the Standing Committee on Legislative Offices establish . . .

**The Chair:** Okay. Establish a working group. I believe the clerk has some specific wording on that.

**Ms Rempel:** Thank you, Mr. Chair. I believe that the motion would be that

the Standing Committee on Legislative Offices establish a working group consisting of the chair and one committee member from the government caucus, the Official Opposition caucus, and the third-party caucus to review and rate the responses to the request for quotations for an auditor to the office

of the Auditor General and to identify and recommend the most suitable proponent to the committee for consideration.

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

Any discussions or questions on that motion?

Hearing none, I'll call the question. All those in favour of the motion as read? On the phones? Thank you. Any opposed? Hearing none, that motion is carried.

Clerk, if I may ask just a quick question of clarification. With the motion as passed, then, what would be the approach in terms of naming the members that would fill the slots as the committee has proposed?

**Ms Rempel:** Thank you, Mr. Chair. That's something that we could follow up on after the meeting, of course. Essentially, the caucuses would just determine amongst themselves who they would like to put forward, and then that information would be shared, of course, with the committee.

**The Chair:** Thank you.

All right, then. Then I guess we move on to other business. Are there any other items for discussion under other business?

If not, our next meeting date is currently set for 9 a.m. on February 17, 2017. I believe that agenda has been made available online.

Do we have a member who would like to make a motion to adjourn? Mr. Kleinsteuber. All right. All those in favour of the motion to adjourn? Thank you. Excellent. Any opposed? Hearing none, this meeting, then, is adjourned.

We'll have a short break, and then we'll move on with the next meeting, the search committee for the Public Interest Commissioner and Ombudsman. Thank you.

[The committee adjourned at 9:59 a.m.]





