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[Ms Haley in the chair]

Designated Supply Subcommittee – Justice and Attorney General

Haley, Carol, Chairman
Dickson, Gary, QC
Ducharme, Denis
Friedel, Gary

Graham, Marlene
Hierath, Ron
Hlady, Mr. Mark
Olsen, Sue

O'Neill, Mary
Pannu, Dr. Raj
Sapers, Mr. Howard
Stevens, Ron, QC

THE CHAIRMAN: Good morning, ladies and gentlemen. I'd like to call our meeting to order. We have a tentative agreement with the Liberal opposition that what we will in fact do is have the minister's opening comments, and we will then designate two hours to the Liberal opposition with the ND opposition's 12-minute block in the second hour, at which point we have the option to adjourn. I'm hoping that we can get unanimous consent on that motion. Any of my colleagues on this side that would like to question the minister are more than welcome to do so in writing, and he will in fact respond in kind. That way we can all go to caucus. Do I have unanimous consent to go ahead with this format?

HON. MEMBERS: Agreed.

THE CHAIRMAN: Anybody opposed? Thank you.

Then, Mr. Minister, would you like to take it away?

MR. HAVELOCK: Yes. Thank you, Madam Chairperson. Before I get started, I'd like to simply introduce the people that are with me. I have Ian Hope to my far left. He is the chief financial wizard for the department, so he will be feeding us all the numbers as the questions come up. To my immediate left is Neil McCrank, who's the deputy minister, and to my right is Hazel Cail, my executive assistant.

Of course, it goes without saying that I'm delighted to be here to present the '97-98 estimates for the Department of Justice. As a new minister I would ask all members to feel free to address their concerns to me both inside and outside of this forum. I recognize that there are times when we will have some differences on issues. Nevertheless, I think we're all committed to ensuring that we have a strong justice system in this province, and I'd be happy to work with you in that regard.

The Committee of Supply debate on the estimates is an important exercise in public accountability. The justice system must be understood and supported by Albertans to ensure its continued effectiveness, and this process assists in achieving that goal. The ministry's business plan is consistent with the government's focus on people, prosperity, and preservation. For people we protect some of our most vulnerable citizens, such as victims of crime, persons dependent on court ordered maintenance, dependent adults, and persons who cannot afford legal counsel. Under prosperity we contribute to the building of safer communities, which is the key to a prosperous Alberta. We also provide fair adjudication of disputes through the courts, which protects businesses and individuals. Finally, we preserve those aspects of our quality of life that Albertans cherish.

Our ministry's business plan is also consistent with the operating principles of our government, particularly since we are addressing Albertans' priorities in the area of crime control through the delivery of quality services at a low cost to Albertans.

Without an efficient and effective justice system it is difficult to envision how any of the other government priorities could be met.

On the national stage certainly we will continue to forcefully assert and represent Alberta's interests as an equal partner in Confederation.

Turning to the global financial picture, the ministry's 1997-98 gross operating expenditure estimates to be voted total \$337.4 million, which represents a net increase of \$4.5 million, or 1.3 percent, from the comparable '96-97 estimates. In 1992-93 the department's comparable actualities were \$411 million, indicating that by '97-98 reductions made since '92-93 will exceed \$73 million, or slightly under 18 percent. I should add that the ministry's '97-98 estimates also include a further amount of \$26.8 million as a statutory requirement for motor vehicle accident claims.

Alberta Justice has continued to exercise responsible fiscal leadership without compromising public safety or placing undue hardships on Albertans. While the department prides itself on its flexibility and ability to deal with emergent issues on short notice, there are clearly limits to which existing programs are able to accommodate unforeseen occurrences. In the event that spending pressures expand beyond the ministry's means to accommodate them, hard decisions will have to be made by government since our programs are presently directed to the core expectations of Albertans. In short, the plan is achievable, and we will continue to provide the services Albertans expect within the current budget, assuming no drastic occurrences outside the department's control take place.

Madam Chairperson, our business plan and budget address the many issues the ministry must face in order to fulfill its mandate. Many of these issues have been with the ministry for a long time, and we certainly do not claim that we can eliminate all the problems that we're faced with. Rather, the plan represents a measured approach to managing these public concerns in the best possible way with the resources at hand.

Clearly, the law is driven by societal changes. As a consequence, we must manage our programs to ensure that federal and provincial legislative changes are addressed in an effective way. These changes, such as federal firearms registration or the Young Offenders Act, require the expenditure of resources and disruption to programs which, at times, are a challenge to accommodate.

Through the business plan we have attempted to ensure justice services remain accessible to all Albertans. We will, for example, work collaboratively with our colleagues in the departments of Health, Education, Community Development, and Family and Social Services regarding the co-ordination of services for children, particularly focusing on the prevention aspect of this initiative.

Public safety will always be an issue that is of great concern to Albertans and, obviously, to our ministry. Notwithstanding the fact that the crime rate has dropped for four consecutive years, in part I believe because of the effective actions taken by the department, our response must be firm so that a strong deterrent is apparent to potential wrongdoers.

There was a good deal of public concern when our last annual

report noted that 21 percent of Albertans reported being victims of crime in the past year. While all crimes are serious for the victims, the majority of these are of a relatively minor nature. In addition, we should note that compared with other jurisdictions, we are near the lower end of the crime scale and below the Canadian average of 24 percent. Relative to other countries in the world, Alberta is a safe place to live.

Similarly, it is important to reflect on the number of police officers keeping the peace in our province. Again, relative to other Canadian jurisdictions we have the lowest number of police per citizen ratio. Collectively this means that because Albertans are generally less victimized than other persons, we require relatively fewer police per capita.

An ongoing challenge is to ensure that our programs are not only effective but are also delivered at the lowest possible cost. In many areas – for example, correctional services – our expenditures are significantly below those of other jurisdictions. We will continue to use the taxpayers' resources wisely.

A significant challenge for the ministry is to develop a way of dealing with offenders, particularly serious and violent offenders, that is acceptable and cost-effective for the public of Alberta. We must manage our prison population so that serious offenders are incarcerated to protect society while those that commit less serious crimes are dealt with in innovative and appropriate ways outside of prison. We must implement the new federal sentencing reforms identified in Bill C-41, including the conditional sentence, which is expected to result in a decrease in the number of lower risk offenders in correctional centres and these lower risk sentenced offenders serving their sentences under community supervision.

In last year's business plan we identified a strategy to address aboriginal justice issues. Members of the committee will note that this strategy does not appear in the present business plan. We are not backing away from this important social priority. Rather, we are simply acknowledging that all our strategies are directed towards society as a whole, not one identified segment. However, we do recognize that the disproportionate aboriginal involvement in the justice system is an issue, and accordingly we have a number of initiatives that are specifically directed towards dealing with aboriginal offenders. In fact, we've included reviewing and improving First Nations' policing initiatives, aboriginal involvement in the administration of justice, and the development of an aboriginal open-custody young offenders' work camp as priority initiatives in the coming year.

8:43

Finally, there are many central agency requirements that have arisen as a result of government's restructuring initiatives over the past few years. These require our ministry to participate in the development of new approaches that contribute to the effective administration of our programs.

Madam Chairperson, I would like to identify some of the specific strategies we will pursue this year, but like last year, certainly those strategies support more than one goal and often address several issues. We will continue to refocus the resources of Alberta Justice on serious and violent crime. This was well received by our stakeholders and the public at large and continues to be a primary initiative of the new business plan.

As a key strategy we would also like to direct our attention more towards crime prevention. Over the past few years there have been many innovative approaches implemented which have helped in this regard. For example, it is our intention to encourage community policing as a means of preventing crime.

In addition, our programs must have the support of our

stakeholders in the community in order to be effective. We will continue to dialogue with these groups, listening to their concerns and describing the department's programs and initiatives. For example, when youths cross the line of acceptable behaviour and are charged with a criminal offence, they become the responsibility of the justice system. Now, this does not mean that it reduces our ministry's commitment to efforts aimed at diverting youth from the formal justice system wherever appropriate. One important undertaking is to continue our commitment to the children's services redesign initiative, providing support and information critical to the overall planning and development of prevention and early intervention programs, reducing the risk factors associated with future criminal involvement, and enhancing the community supports available to children.

Madam Chairperson, in the coming year we will continue our vigorous attempts to streamline our services so that they can be delivered in the most cost-effective and appropriate ways, and that is in addition to, of course, the 18 percent reduction I indicated earlier in my comments. Our business plan also adopts a strategy of developing appropriate dispute resolution mechanisms to the greatest degree possible. It is our view that the court should be used as a last resort. We intend to ensure that citizens have every option available to them for the resolution of disputes without formal recourse to the costly and cumbersome mechanics of the higher courts.

We will examine other program delivery alternatives. In order to have reached the spending targets and achieved success with our previous business plans, we were required to rethink our approach to program delivery. As a matter of business practice we will continue to ask ourselves: are these the right services, and are they being delivered in the best possible way?

We have many programs that are cost shared with our federal colleagues which are now being reviewed as part of our restructuring initiatives. We will ensure that our views are heard in Ottawa and that our citizens' interests are protected in any new approaches taken by our federal counterparts.

More than ever the administration of justice requires better coordination among our stakeholders. It is our intention to use technology wherever possible to ensure that integration across the justice system occurs wherever it makes sense to do so. This will be done through a combination of developing information, communications, and administrative networks in a better way between our stakeholders.

As responsibility for a number of functions previously within the central agencies of government devolves to the ministry, it is important that we develop a means to accommodate this. We are committed in the coming years to working with our colleague departments to ensure that greater flexibility, responsibility, and control of the programs rests with the business delivery.

Madam Chairperson, I know that we have responsibility for a critical public trust. Our department staff, who, I might add, have worked very hard in achieving the goals established by previous business plans, are committed to this process of restructuring of government. There is a new emphasis on accountability, and I believe our approach in the coming year exemplifies this commitment.

I would now welcome questions from the committee and take the opportunity to address any issues or concerns my colleagues may have concerning my ministry. I should note that any questions that I can't answer at this time, you will certainly receive a written response to, and I will guarantee that.

THE CHAIRMAN: Thank you very much, Mr. Minister, and just for future reference, you can refer to me as "Chairman," or

“Madam Chairman.” Either one will get my attention.

Our first question will be from Ms Olsen.

MS OLSEN: I'm going to ask a number of direct questions, and then I'll refer back to the goals and performance measures. Some of my questions will, in fact, refer to that, but we'll just start with some questions that I really want to see answered.

Just to start with, the overall budget is \$4.4 million higher than what was budgeted for in '96-97. However, it is only \$829,000 higher than what was actually spent in '95-96 – that's according to public accounts – or \$1 million higher if you use the figures for '95-96 which are listed under the department summary in these estimates. If you refer to page 254, my question is: could you set out in detail how the following changes under the Gross Comparable 1995-96 Actual column were arrived at under the department summary? That's in program 2 and program 3.

Court services. The annual report indicates \$61 million was expended, not \$61,488,000. We've got \$61,398,000 indicated in these estimates, so we're looking at \$90,000 difference. That's in program 2. The annual report and then your actual are different by about \$90,000.

In program 3, legal services, the '95-96 annual report indicates \$35,351,000 that was expended, not \$35,091,000, at \$260,000 more. So I'm just wondering why the discrepancies in the annual report as opposed to your column under gross comparable, '95-96.

Then the department revenue is estimated at \$13.8 million less than the revenue actually received in '95-96. Revenue from the government of Canada for the category “other” is down about \$8 million, I believe. So why such a large decrease in the revenue, and how much has been decreased under each major federal/provincial agreement?

There is also a \$2 million decrease in anticipated revenues from statute fines compared to the actual of '95-96. I want to know why this has decreased.

Again, there's a \$1.3 million decrease in other revenues from premiums, fees, licences compared to the actual in '95-96. Why has this decreased?

Under program 1, ministry support services, I have a couple of questions there. Program 1 has a total decrease of \$520,000 from the '96-97 budget. It's still a \$339,000 increase from what was actually spent for the ministry support in '95-96. Why the increase in support?

Then why are you spending \$40,000 more for the minister's office and the deputy minister's office than was actually spent? I believe that breaks down to \$20,000 and \$27,000 for each office.

MR. HAVELOCK: They're doing a good job.

MS OLSEN: Got a raise.

Then on line 1.0.3 you're spending \$1.4 million more for administrative services than '95-96. What new duties has this division taken on? What would account for that increase?

In the old annual reports you've referred to an internal audit which was conducted by the department each year for an average cost of about half a million dollars. The '97-98 estimates don't contain any reference to the internal audit. What happened to it? Will you no longer be conducting an internal audit, or is this now combined with another line item such as administrative services? Is that why the increase in administrative services? Can we have copies of previous internal audits?

8:53

MR. HAVELOCK: Would you mind if I try to answer a couple of these now?

MS OLSEN: No, I don't mind.

MR. HAVELOCK: Okay. Just very briefly with respect to the budgets for the minister's office and deputy minister's office. With respect to ours particularly, we have reduced the staffing by one FTE, and that I think has caused the majority of the reduction there. The deputy minister's office: I think that's just a question of we're trying to do more with less, and we're finding better ways to utilize the funds that we have. There's no specific reason tied to why that budget has gone down in that way.

For administrative services one of the reasons it's increased so significantly, as I indicated earlier, is that there have been some services that are being moved into the departments from centralized services in government. I believe that was the telecommunications, \$1.8 million being moved to our department for responsibility.

Regarding the audit function, I believe that has been merged within the financial department, and therefore we aren't reporting it separately or breaking it out.

On your previous questions, by the way, regarding the comparisons to the '95-96 annual report, we're going to have to get back to you on those because we'll have to do a little bit of detailed work on them.

MS OLSEN: Okay. We'll move to program 2, which is court services, line item 2.1.2. In the previous public accounts this line referred to court system improvements, and in the five previous public accounts an amount between \$2.9 million and \$4.9 million was spent on this item. This year it refers to court business services, and it will be about \$1.56 million. What is this new program? Is it to provide the same services as court system improvements but with less than a third of the budget?

On page 269 the business plan summary indicates that “additional resources will be provided to enable the judiciary to improve case flow management” compared to '95-96. In vote 2.2.2 the Court of Queen's Bench in Calgary is receiving an extra \$745,000. In vote 2.3.1 the Court of Appeal in Edmonton has a \$728,000 increase. Queen's Bench in Edmonton is receiving \$553,000. Support for Calgary is \$1.19 million, and you've got regional support for Edmonton at \$1.2 million. I guess my question is: how will this \$4.4 million increase to the courts of Calgary and Edmonton and associated regions improve case flow management? They're not really additional funds. In '95-96 half a million more was spent on the court system improvements. What is the cause of the variance? How is this going to improve the case flow?

In 2.2.9 Canmore is now part of the Calgary operation. Why did that happen? What effect is this going to have on the resources available for court operations in Calgary and Canmore? Why the move?

MR. HAVELOCK: Would you like an answer to some?

MS OLSEN: Sure.

MR. HAVELOCK: Okay. With respect to the court business services, that is the same program. What's happened there is that we've actually taken money from systems and moved it into the field, into the front line. That's why there was a change there.

With respect to a lot of your questions regarding what's happened at the various courts in the province, we increased funding to the courts by approximately one and a half million dollars across the board. What we've been doing is adjusting those expenditures based on historical patterns. That accounts for most of the variance.

With respect to Canmore and Calgary, that was simply an attempt to try and keep the number of courts available north and south equal. That again gets back to the issue of access.

MR. SAPERS: We just want to know if it was the previous minister.

MR. HAVELOCK: That had nothing to do with it.

MS OLSEN: Just a question on the courts. Last year Fort McMurray lost one full-time judge. I'm just wondering if there's consideration given as well to replacing that Provincial Court judge in Fort McMurray to account for the influx of residents and people now moving to Fort McMurray. I'm wondering if any consideration has been given to the issues that will revolve around the increase in the population of the city itself.

MR. HAVELOCK: You're right: one judge position was lost there. The volumes weren't high enough. We now have one judge there plus a supernumerary. However, as the population increases – you make a good point – we're going to monitor it. If we do feel there is a need to have a second judge reappointed there, we'll do so.

MS OLSEN: Okay. Then I want to move on to lines 2.2.7 and 2.3.7. The sheriff's office has been privatized. I'm looking at what efforts are being taken to ensure that the service offered by private bailiffs is not inferior to that offered prior to the privatization. I think that's a big fear many people in the communities have, that services that are being replaced are not going to have the same standards. Is there a monitoring process in place? What is that monitoring process?

MR. HAVELOCK: Actually, we are doing an evaluation of it at this time to ensure that there hasn't been a decrease in service. What we can do is get you a little bit of written information on what the monitoring process actually is.

MS OLSEN: I move down to 2.4.9. Why was the budget for court operations in Stony Plain decreased by \$220,000 over what was actually spent in '95-96?

Now I'll move on to program 3, legal services. On 3.3.3 the budget for the civil law division is almost half a million dollars less than was spent in '95. How many lawyers currently work for the civil law division, and what is their average salary? How many lawyers working for the civil division have left in the last year or will be eliminated as a result of budget cuts? How much of this budget is used to contract outside private legal counsel to provide opinions to the government and represent the government in legal disputes?

I'll move down to 3.4.3, the budget for general prosecutions. I've raised this issue in the House, that it's only \$703,000 more than what was spent for general prosecutions in '95-96. That was what was actually spent. I'd like to know how many prosecutors are currently working in general prosecutions. What is their average salary, and actually what is their average service level to the department? How many secretaries are working in general prosecutions, and what is their average salary? How much of this

budget is used to contract outside private legal counsel to conduct prosecutions on behalf of the government? Another question I have is: in the smaller centres are there any numbers of ad hoc prosecutors when need be?

9:03

MR. HAVELOCK: We'll be able to get you all of that specific information. What we won't be doing, though, is disclosing to you what we've paid particular lawyers, but we will give you the global amount that we've spent; for example, hiring outside counsel in civil and criminal matters.

MS OLSEN: Okay.

We'll move on, then, to 3.4.5, special prosecutions. It's up \$117,000 from what was actually spent in '95-96. How many prosecutors currently work for special prosecutions, and what is their average salary? How many secretaries work in special prosecutions and their average salary? Again, how much of this budget was used to contract outside legal counsel to conduct prosecutions on behalf of the government? Although I have a good idea what crimes are prosecuted by this division rather than the general prosecutions, what crimes? With \$117,000 that's likely one and a little bit of a special prosecutor. If you're to hire one more special prosecutor, where is that prosecutor going to be located?

MR. HAVELOCK: With respect to the question as to what the difference is between the special versus the, I guess, nonspecial prosecutor, although they're all special . . .

AN HON. MEMBER: General prosecutor.

MR. HAVELOCK: General prosecutor. The special prosecutors are dealing with commercial crime, organized crime, and they handle those cases which would take them out of the system for an extended period of time. They're very intensive, so that's the difference. Bre-X is a good example.

MS OLSEN: I'll bet it is.

Okay. We'll move down to 3.5, maintenance enforcement. The budget is down \$604,000 from what was actually spent. Some of the duties of maintenance enforcement might be taken care of by the new provision for child support initiatives, which is budgeted at \$2.25 million. The business plan on page 269 indicates this money will be spent "to assist people affected by new federal legislation." Does the department have a contract with a private law firm or private lawyers to do the legal work involved in maintenance enforcement? If so, which firms and lawyers? How much of the budget is going to go to that firm or those lawyers?

Questions around how many maintenance enforcement files are in arrears for more than 90 day and how many files are ongoing. In previous annual reports it indicates there have been approximately 700 new files each year, and again we have no idea now of how much was actually collected on behalf of the government and how much was actually collected on behalf of the clients. It would be nice to know that.

THE CHAIRMAN: Excuse me, Sue. The normal way this is done is you have a 20-minute block and then another member and then a 20-minute block again, if you want.

MS OLSEN: My 20 minutes is up?

THE CHAIRMAN: That's it.

MS OLSEN: Why did I know that?

THE CHAIRMAN: It was excellent.

MS OLSEN: I have two more 20 minutes.

THE CHAIRMAN: And the good news is we can probably do that; right?

MR. HAVELOCK: Madam Chairman, could I just answer a couple of the last questions then?

THE CHAIRMAN: If you do it fast.

MR. HAVELOCK: Of course. I don't think I've been taking a lot of time.

The maintenance enforcement. The reason it's gone down is that the new system we've put in place is actually enabling us to do what we were doing before but with less expenditure.

The child support guidelines. That is separate and distinct from maintenance enforcement, and we have a separate line item for that. With respect to the legal work that's done regarding maintenance enforcement, virtually all of it is done in-house by our existing staff, so there's very little contracting out.

THE CHAIRMAN: Mr. Dickson.

MR. DICKSON: Thanks very much, Madam Chairman. Mr. Minister, Deputy Minister, good morning. I'm pleased to see that the government is moving on a suggestion to increase the monetary jurisdiction of the Provincial Court, small claims division. I am assuming – although I have not seen this anywhere in a formal government document – that the new ceiling is going to be \$10,000. I'd like to know what impact that's going to have on our Provincial Court system. In other words, is there a projection? I don't see it in the budget. How many more Provincial Court judges are going to be required? What is the impact going to be on the wait time from the time you issue your small claims summons until the time of hearing? Is it going to mean another two or three months' delay? So I'd be interested in knowing the particulars of how that change is going to ripple through the Provincial Court system.

MR. HAVELOCK: Do you want me to answer that?

MR. DICKSON: Sure.

MR. HAVELOCK: Okay. We're actually going to implement the increase in two stages. It's going to go to \$7,500 and then \$10,000. The reason for that is for the issues you're raising. We want to make sure that we aren't disrupting caseload management and we aren't lengthening the period of time which people have to wait to have their issue heard. We've chatted with the Chief Provincial Judge, and he's indicated that he feels he needs one more judge in each of Edmonton and Calgary to handle the expanded jurisdiction. Hopefully, as we monitor this, there won't be any lengthening of the period of time in which these matters will get before the court. But we'll monitor it, certainly.

MR. DICKSON: So what's the timing of the staged increase in jurisdiction? When will it move to \$7,500, and when is it going to move to the \$10,000 ceiling, Mr. Minister?

MR. HAVELOCK: Okay. This fall we're planning to go to \$7,500. In fact, I think that is going to be tabled in the Legislature, if it hasn't already occurred. We'll monitor it, and then depending on how things are going, we'll boost it up to the \$10,000.

MR. DICKSON: Okay.

The next question. The Shunda Creek young offender camp near Rocky Mountain House used to come out of the budget of the Calgary Correctional Centre. Is that still the case? If so, I can't, at least in my review of the budget documents, clearly see the amount that's allocated for Shunda Creek and the change from last year.

MR. HAVELOCK: It's now under the Calgary Young Offender Centre, line 8.2.15. It's not separately accounted for.

MR. DICKSON: Okay. Thank you. I'd like some particulars then, if you can, to break the Shunda Creek operation out and give me some costs on that.

MR. HAVELOCK: Sure.

MR. DICKSON: Now, I'm interested in terms of contracted services. It seems to me that in the last year I'd seen a number that we'd spent, I think in the order of \$300,000, for outside counsel between the gun control issue and appeal and another issue that attracted a lot of notoriety that you'd hired outside counsel for. It may have been the Delwin Vriend challenge. It seemed to me that the aggregate cost was about \$300,000. I think it's already been asked, and you've indicated you were going to give some breakdown in terms of what the cost is for outside counsel. Rather than just an aggregate number, I'd like to know what the actual cost to Alberta taxpayers is of the gun control challenge, how much we've paid. I'd like you to indicate which lawyer that has been paid to. Similarly with the Delwin Vriend litigation as it wends its way to the Supreme Court of Canada; I'd like to know what the cost has been to the Alberta taxpayers of that litigation.

9:13

I heard you say, Mr. Minister, a few moments ago that you might give some numbers, but you didn't intend to identify particular lawyers. I want to be clear. I hope you're not suggesting it's not appropriate that we know which lawyers outside of the department get what tax dollars to be able to do work in the name of the Crown right in the province of Alberta. You know, the *Canadian Lawyer* magazine every year puts out a list of what lawyers receive from the federal government. I'd like to think my provincial government is going to be no less forthcoming in terms of identifying what's paid out. I'm looking for the amounts that are paid out to lawyers not in the employ of the provincial government on either civil or criminal matters.

MR. HAVELOCK: Let me interrupt for a moment to make it clear what we'll be showing you. We will give the gross amount that's paid out, plus public accounts, I understand, identifies how much each particular firm receives annually from the provincial government for providing legal services by department. But we will not be disclosing which lawyers worked on which file and how much they've been paid for that file.

MR. DICKSON: Well, I'm disappointed to hear that, Mr. Minister. Thank you for the response, but we'll pursue that in another venue.

Now, in terms of freedom of information application. I'm interested, Mr. Minister. It appears that your department has still not yet constituted a separate division or section that deals exclusively with freedom of information applications. I've been on at least eight or nine inquiries in front of the information commissioner. On each occasion there's a different counsel from a different part of your civil law section arguing the interests of the government of Alberta. While you may have people like Donna Molzan that appear more often than other counsel, it seems to me there'd be a significant cost saving because of the uniqueness of the legislation, the rapidly growing body of jurisprudence across the country. When I say jurisprudence, I mean other commissioners' orders. It would make sense to me to consolidate that to have two or three counsel in the civil law section doing exclusively that kind of work. I'd be interested in why that hasn't happened, Mr. Minister.

The other thing I'd ask would be this: I'd like to know what the cost is to Alberta taxpayers of the judicial review application that was undertaken in front of Justice Lutz. I don't remember which one of the commissioner's orders resulted in this, but this had to do with the correctional officer who was trying to get access to an internal report. The information commissioner overruled your predecessor, and the Department of Justice took out a judicial review application in front of Justice Lutz. Given the result and the comments of Justice Lutz, I'm most interested in knowing what the cost to Alberta taxpayers was of that particular initiative.

It also brings up something I've asked before. Have we yet implemented any kind of a time management system with the civil law section? You may be the only more than 100-lawyer law firm in the entire country that doesn't carefully track the time of lawyers. In the past your predecessors have indicated they don't do that. I'd ask you, Mr. Minister: without doing that, how can you accurately determine that you've got the right number of lawyers in the civil law section, that each is pulling their weight? I'm interested in your response to that.

I've got some specific questions in terms of legal aid, program 4. Legal aid funding is down \$419,000 from 1995-1996, and although legal aid is run, at least ostensibly, by the Legal Aid Society, clearly it's driven to a large extent by the policies and practices of the Department of Justice. So I'd like to know firstly: what's the status of the young offender defence project being headed up by Professor Robb that was to be a three-year pilot? I think we must be at the end of that. I've heard sort of interim reviews. Has there been a final report done on that particular project?

Then I'd like to hear, Mr. Minister, what your plans are in terms of expanding that program, if in fact it's going to be expanded, to deal with adult criminal cases as well. I mean, that had often been the expectation, that this was going to be the first step and the next step would be developing a public defender system. So I'd like to know what your current thinking on that is, Mr. Minister, with respect to program 4.

MR. HAVELOCK: Can I answer some of these as they pile up?

MR. DICKSON: Sure.

MR. HAVELOCK: Okay. With respect to the FOI, if I recall it correctly, you did state that we have two or three individuals working in that area now. That is confirmed. We have specialists in that area, but quite frankly I don't see any need to create a specific department if the work's being done under the existing structure. I'm quite satisfied with what's happening on that.

The Justice Lutz issue. I will have to get back to you on that

one. I don't have the answer at this stage other than that most of the legal advice and services provided, if not all, were through our own internal people. So I don't believe we would have costed it out or broken it out specifically with respect to that issue.

Civil law. I'm happy to tell you that for about two and a half to three years all individuals involved in that area have been on time management. They're on a full docket system, and we do keep track of what's going on because we are interested in seeing who's doing what, just as you are.

Legal aid. Much like the criminal justice system, it took a 15 percent cut. That was simply driven by a budget necessity. Although we are quite happy with the way legal aid is functioning right now, I understand there are some other jurisdictions which are wrestling with their legal aid programs and, dare I say, some of them are a little bit out of control. So we think we have a good relationship, and it's going reasonably positively at this stage.

The public defender with respect to young offenders: very successful. It has been determined that that program will continue permanently. The evaluation came back, and it was very positive. As concerns expanding that, I haven't had any discussions with, for example, the Law Society or with department officials to any great extent, so I can't give you a handle on what direction we're going yet, but I do want to go through some consultation on that first.

MR. DICKSON: Thanks very much, Mr. Minister, for the clarification. Just going back to the freedom-of-information counsel issue. I don't care whether it's called a formal division or section, but if you've got three people that you allow to develop some specialized knowledge in an area, why not exploit that? My point was that I've been on so many of these where there have been lawyers recently introduced to the Act doing their best in an inquiry in front of the commissioner when I know that there are other counsel in your employ who have specialized knowledge. In fact, from discussions with many of your departmental counsel - I mean, there are a lot of people that we're paying to sort of educate on a case-by-case basis and orient to the Act. If you tell me that you're moving to have only basically two or three specialists do those inquiries, I'd be very happy. I'd just make the observation from my experience that we're not nearly there yet, Mr. Minister.

Getting back to legal aid, you talk about good feedback. I can tell you that there are a great number of practitioners doing adult legal aid work who don't share that general positive sense. There's a lot of frustration. There's a general sense that we are one of the poorest funded legal aid programs in the country. I guess I'd like to know what your plans are in the next 12 months to address the fact that we're seeing, in the view of many Provincial Court judges, Queen's Bench judges, a degradation in the quality of counsel work in legal aid. I hope we're not at a point, Mr. Minister, where it just means that you cannot get experienced counsel for serious cases through our legal aid system. I'd like to know what your plans are to ensure that the quality of legal aid services is acceptable.

9:23

Program 5, the Public Trustee. Vote 5.0.1 has increased \$313,000. What accounts for that increase in the work of the Public Trustee?

In terms of program 6, fatality inquiries, vote 6.0.3, the head medical examiner office is up \$87,000 from '95-96, although the Calgary and Edmonton medical examiners are both down, \$11,000 in the case of Calgary, \$39,000 in Edmonton. I'd like some explanation for the change there.

MR. HAVELOCK: Why don't I interrupt just for a second and try and answer some of this. Getting back to legal aid, as you're probably aware, at one time there was a contingent liability of approximately \$16 million. From what I understand, they're running a surplus in paying that liability down. I understand the problem that some counsel aren't particularly happy with it. They're paid a tariff of \$61 an hour. I can tell you that at this stage it's not being contemplated to increase that tariff. However, as the contingent liability is eliminated, they may be able to look at expanding the eligibility criteria, for example, so that more people can take advantage of legal aid.

Regarding the public trustee, what happened there is that through the deinstitutionalization of some individuals who were moved out of those institutions and placed in the community, they did need some assistance in handling the government benefits that they receive. Therefore, we increased the Public Trustee's budget to take care of that, because he was not able to do that with his existing resources with the new clients he had.

MR. DICKSON: Thanks, Mr. Minister. I might just add that you and your predecessors in your department generally have a reputation of being one of the most responsive departments in terms of responding to requests for documents and requests for information, but in those cases where people have to resort to the freedom of information Act to access documents, perhaps you can advise how many applications you've received for general information as opposed to private information under the freedom of information Act, the number of applications that resulted in documents being produced, and the number of applications that were deemed abandoned in those cases where a fee estimate was provided to the applicant and after a 30-day period no deposit was paid, no fee was paid. That's the best way, Mr. Minister, of tracking the impact of fees on access requests. I'd be interested in that information in due course.

MR. HAVELOCK: We think we can provide that information.

MR. DICKSON: I'd hope so, Mr. Minister. Thanks very much.

Mr. Minister, moving back to program 3, legal services, just a question in terms of maintenance enforcement. In the past the government has insisted that the program is successful in any case where any money is recovered. That may be \$10; it may be \$100. Regardless of the fact that the arrears may be \$20,000, if \$100 is recovered, your department and the government treat that as a success.

I'm asking: what can be done in terms of tracking maintenance enforcement so we have a more accurate sense of the areas where it's working and those areas where it is not? I think most Albertans would not regard \$100 collected on a \$10,000 arrear file to be the least bit successful. Most people would regard that as being an abysmal failure. Surely some thought has gone into this between Family and Social Services and the Department of Justice and thoughts gone into producing . . .

THE CHAIRMAN: Mr. Dickson, it's 20 minutes there. We'll wrap up at this point.

MR. DICKSON: Thanks very much, Madam Chairman.

THE CHAIRMAN: Mr. Minister, if you wanted to respond for a few minutes. Otherwise, we'll go to Mr. Sapers.

MR. HAVELOCK: That's certainly a good point that you raised with respect to maintenance enforcement. We are, for example,

as you noticed in the business plan, devising a means to measure client satisfaction. I could probably take a wild guess as to what sort of response we're going to get. One side doesn't like paying, and the other side usually doesn't think they're being paid enough, so I'd be shocked and amazed if it came anywhere close to being 50 percent. Nevertheless, it is an area that I have some sensitivity to. It's an area which our office, I think, receives more calls on than any other issue. I've had some discussions with department officials on a number of occasions, basically saying: what can we do to improve the system?

I will say this, though, that comparatively speaking with the rest of the country, the system is working quite well. I will also say that it's not working as well as I would like it to, and I think there is some room for improvement. If part of that improvement can be achieved by measuring some of the things that you've outlined in creating some of the statistics, then I'll certainly take a look at that.

MR. DICKSON: Thanks.

MR. HAVELOCK: Uh oh.

MR. SAPERS: Good morning, Mr. Minister and staff. I don't know why you would react like that, Mr. Minister.

You know, Mr. Minister, you've got a very exciting department, and you are minister at a pretty important time and in an area that often attracts nothing but bad public attention. It's a real challenge to you and your departmental people to overcome that, particularly on the criminal side. I want you to know that we in the opposition are always anxious to help you overcome that and any other deficits you may have.

My first question is about maintenance enforcement as well, since we were there. There was an internal management report done, and we could all save the expense of that FOI request if you'd table it. I understand that it had some good recommendations and that those recommendations may even require some legislative initiatives. It would be good to begin the discussion on that if we could.

Under program 4, legal aid, several questions have been asked and several comments have been made. One irony, Mr. Minister, that you may want to take into account when you're looking at legal aid tariffs: it's the experience that's been related to me even just recently that a police constable on overtime call-out will often be paid more than the legal aid lawyer who's offering the defence of the accused. It seems that it's this kind of imbalance which has caught the attention of practitioners in the field. I think that needs to be addressed. While I'm pleased that you're looking at eligibility requirements or eligibility guidelines, I will note that those haven't changed since 1992, and at least since 1992 there've been statements made that they're going to be reviewed, and we're looking at that. So it's about time.

Before I leave legal aid, two other quick things. How do you see victim/offender mediation fitting in at all, and how are you working with your prosecutors to ensure that mediation is considered as an option in every case where it could remotely be applicable? Do you in fact have a policy on that? If not, why not?

Also, have you now made a permanent commitment to funding the youth legal aid office? Can we stop calling that a pilot project? I know that it's been evaluated. The evaluation came back with positive marks. It does have good reviews from all the stakeholders. It's a success, Mr. Minister, and you could be a little more vociferous in talking about it as a success. Of course, it does have a budget implication, and it'd be nice to know if

that's the only thing that's stopping you from championing that. Perhaps we could discuss that.

9:33

Under program 6, dealing with fatality inquiries, I have a general question. I'm not sure whether it's a matter of policy or whether this has just happened, by the way, but as I understand the legislation that controls or regulates fatality inquiries, the minister can direct that a jury be impaneled for an inquiry. I can't recall that happening in recent memory. We have had some significant inquiries, particularly inquiries resulting from sudden and unexpected deaths of people who were involved at the time of their death with the health system in the province of Alberta. There have been calls for more thorough public discussions of the circumstances regarding those deaths. One way that you may demonstrate the government's commitment to a full and impartial hearing of those circumstances is through the impaneling of a jury when a fatality inquiry is called.

Now, I've corresponded with other Justice ministers about this, and you should read the correspondence, Mr. Minister, if you're interested in examples of creative language. But the questions are never really answered as to why those juries haven't been impaneled. So if it's a policy, tell us. If it's not a policy, maybe you can tell us why this doesn't happen.

MR. HAVELOCK: Well, let me answer some of your questions, if I could.

THE CHAIRMAN: Just for the record, this is on the estimates, not necessarily on government policy. So I leave it to the minister's discretion with that cautionary note.

MR. HAVELOCK: Okay. With respect to the report that was done regarding maintenance enforcement, while I appreciate your request to table it, we can't do that simply because there are a lot of third-party interests at stake. The staff were interviewed, and it's a sensitive document. What I can tell you is that all the recommendations were implemented. We have seen some improvement with maintenance enforcement. In fact, I've talked to the deputy minister about it on a number of occasions, and I'll be going through the report myself just to see what if anything we haven't done.

Legal aid tariffs. That's fine; we've commented on that.

Victim/offender mediation. I understand that the chief prosecutor in Edmonton is working with the prosecutors, and it's been very successful thus far. I like the concept. Personally I'd like to see it expand also, but let's make sure all of our ducks are in a row in Edmonton first. Then I'd like to see that grow.

Young offenders, the pilot project. As I indicated earlier, that's been made permanent.

The fatality inquiries. I'm not going to dance around. I haven't seen the letters, of course, that you've received. It is very costly to do what you're suggesting, no question, but as minister I do have the discretion to call one. What I can tell you is that if the circumstances are appropriate, I will do so. So there is no policy that we don't do it, but we feel that the system is working quite well at this stage. Only in rare circumstances would we probably consider bringing a jury into it. I assure you that there's no policy that we don't do them.

MR. SAPERS: Thanks. All evidence is to the contrary, but thanks.

I'm going to leave the questions about public security and policing to my colleagues. I will say on that point that your

department has made a year-after-year commitment to crime prevention programming, but that commitment has really been shrinking. It's constant this year over last, but if you go back, it's really been shrinking. If you look at the history over the last half dozen years of the relationship with municipal police departments and the law enforcement division and RCMP services, there's been an overall decrease in government support. I'm concerned about that not just because of my belief in the importance of spending preventative dollars but also because I think your department has a real obligation to be involved in making the justice system understandable to the public and demystifying it. I think that knowledge in this regard certainly is power. It's a powerful way of helping to maintain peace and security in a community when people understand the system, so they don't become fearful about things that perhaps they shouldn't be. So I would encourage you to see how you can squeeze perhaps some more dollars into those kinds of programs.

This is not unrelated to legal aid. As you know, 25 percent of the pooled legal aid trust fund now goes back to paying for legal aid tariffs. It used to be that a hundred percent of that money went to the Alberta Law Foundation, and the Alberta Law Foundation was once considered to be at least an agent of government in terms of providing support to community groups to be involved in public legal education. That's another loss on that side, and it hasn't been made up.

You spoke in your introductory comments, Mr. Minister, about community stakeholders and the dialogue that you want to have with community stakeholders. Well, community stakeholders want funding, not necessarily a dialogue. You know, it's great to come to the table, but they're stakeholders and you're steak eaters. They would like to join you at the buffet, if you will. I want to say this with all sincerity – and you're aware of my own particular background in that part of the business – there has been a very long-standing, productive relationship between community groups involved in criminal justice and the province of Alberta, much to the chagrin of certain former solicitors general. That has been a healthy relationship, and I would encourage you to do what you can to foster that.

In the time that I have left, I want to turn first to . . .

MR. HAVELOCK: Can I just comment briefly?

MR. SAPERS: Sure.

MR. HAVELOCK: I can't dispute anything you were saying with respect to the crime prevention programs. Unfortunately, when you're going through budget cuts, it's one of the first areas that is hit. That's just reality. We are putting some dollars, which don't show up in here, into the native communities through corrections. For example, we're also working with youth justice committees. Now, as I've indicated in the House in the past, it's actually, I think, contrary to the Young Offenders Act for those volunteers to receive any remuneration. We do provide some support locally with photocopying, et cetera. But it's a good comment. We recognize that we aren't putting enough in. We'd like to put more in, and we'll certainly pursue that. It's just a budget reality that if you're putting it in here, where are you going to take it from?

MR. SAPERS: Special prosecutions.

MR. HAVELOCK: Just one point on that. I would assume that's in reference to what occurred yesterday. I can assure you that there are no additional dollars being spent with respect to the

assigning of the director of special prosecutions to Bre-X. That individual already is on salary; we've just increased his workload.

MR. SAPERS: You clearly anticipated my question, Mr. Minister.

On program 8, correctional services, we're seeing yet again this year significant reductions in funding, particularly in the Edmonton Remand Centre. There are some reductions in other places as well. We know that the majority of dollars spent in correctional centres are related to staffing costs. Staff that I talk to tell me that they're already pushed to the limit. We see all kinds of difficulties in maintaining an adequate staffing pattern. We've got on-call people. We've got many shifts where the most senior person is the person who has had the most on-call time as opposed to a senior correctional officer who is in a permanent, continuing position. You know how volatile remand centres are, Mr. Minister. How in heaven's name are you going to take over one and a half million dollars out of its budget and expect the Edmonton Remand Centre to continue operating?

I will remind you of the significant problems in the Calgary Remand Centre in the past, not to mention some of the critical incidents that have happened in the Edmonton Remand Centre in very recent memory. My understanding of the reviews of all of these incidents is that they have been related to overcrowding and understaffing and also to some staff training issues. So I'm very concerned when I see such a sizable reduction in the budget of a remand centre. It's not as though these centres have a luxurious funding level in the first place.

I'll point out to you or remind you of your own performance indicator which brags about Alberta having the lowest per diem cost per offender in adult custody. Well, my question to the parsimonious Minister of Justice is this. How exactly could you be proud . . . [interjection] Parsimonious is not an argumentative word, not for this government, hon. member.

9:43

THE CHAIRMAN: Through the chair, please. No back and forth across the table.

MR. SAPERS: I'm sorry.

How could you be proud of that as a performance indicator when, again, we're talking about not just the inmates but also the staff: safety concerns for the staff, adequate levels of training and support for the staff, administering of support to the service? Then we can talk about the impact on offenders: the meal services, the cost of food, the nutritional value. Then we can talk about program availability: the long waiting lists to get into programs, the shortage of qualified staff in some of the more remote correctional centres. We can talk about the absence of certain rehabilitative programs.

It's one thing to run the system with efficiency, but you know, when you cut it right down to the bottom line and you're spending clearly less than anybody else, it could be that everybody else isn't wrong. It could be that because of a certain gusto for budget cutting in previous regimes, you're now holding the bag for a correctional system that is significantly underfunded and in danger of creating some significant problems.

MR. HAVELOCK: Can I respond?

MR. SAPERS: Sure.

MR. HAVELOCK: Let's go back to the Edmonton Remand Centre briefly. From what I understand, throughout the system

our body count is at about two-thirds. So what we're finding is that we're able to move some of the people in custody into other institutions, and that's why you'll see some fluctuation in what's being spent where. Actually I'm quite proud of the number. I think it's about \$66, \$67 compared to an average of about \$107 with respect to what we spend per day.

One of the big reasons, actually, is that we have very good facilities. The correctional centres' assistant deputy minister has indicated to me that compared to the rest of the country, we're probably at the top. These were built, thankfully, at a time when we had some dollars. They're very efficient; they're less manpower intensive. That really is one of the reasons that we're able to save a good chunk of dollars. So I don't want anyone to be left with the impression that these facilities aren't safe for the people working in them. Rather it's just a question of us having built some very good facilities, they being much more modern than what's available in the rest of the country. What I'd suggest is that if the rest of the country did have some dollars, they should spend them on improving their facilities, and then they'll see their averages go down to where ours are.

MR. SAPERS: Let's go for a walk through the Peace River Correctional Centre and have this discussion. But a fair comment. We've got some great facilities, perhaps even too many great facilities.

MR. HAVELOCK: Well, we've eliminated a few over the last couple of years too. Now, you just told me we shouldn't be doing that.

MR. SAPERS: No, I didn't. I just said that I'm not sure we should be spending the lowest amount of dollars per capita.

MR. HAVELOCK: Well, I don't think it's a badge of honour to spend the most.

MR. SAPERS: Okay. Maybe some other time you can ask me the questions.

MR. HAVELOCK: Oh, sorry.

THE CHAIRMAN: You've got two minutes left.

MR. SAPERS: I've got two minutes; okay.

I want to ask you about young offenders, particularly the ratio of young offenders to staff in secure-custody facilities and how that compares this year over the last three and how it compares in other jurisdictions, particularly broken down by security and program staff.

Your department used to provide on a fairly regular basis information pertaining to the number of young offenders sentenced to open custody who were serving time in secure custody. There was recently a court challenge mounted about a particular young offender who was doing time in, I believe, the Edmonton Young Offender Centre in a secure unit who was sentenced to open. I think the court held that you and your director of the young offenders' program can pretty much designate a shoe-box open custody if you so choose.

MR. HAVELOCK: Would you want one?

MR. SAPERS: Yeah, well, that's a matter of interpretation, but certainly you were given the prerogative to designate whatever the heck you wanted as open custody. I'd like to know how you're

going to limit your own discretion and what kinds of policies and guidelines you're going to develop in that regard.

THE CHAIRMAN: Mr. Minister, did you want to respond? Our next speaker after you will be Dr. Pannu.

MR. HAVELOCK: With respect to the last set of questions, young offenders secure custody, open custody, we can get you some numbers on that, plus we will get you in writing what the policy is regarding those shoe boxes.

THE CHAIRMAN: Dr. Pannu, would you like to begin your 12-minute block. You have 12 minutes.

DR. PANNU: Thank you, Madam Chairman. Good morning, Mr. Minister, members and staff, colleagues. My comments will necessarily be of a general nature. I will start by noting, of course, that the minister has drawn our attention to the emphasis of the department on program effectiveness and achieving low-cost program delivery.

In the performance indicators, if I may start with those, I have a few questions there that I guess pertain to program delivery and whatnot. Four performance indicators sort of tickle my curiosity. The first one has to do with court delays. This is on page 270. This is the '97-98 government estimates. I notice that the projected waiting period to have access to the courts increases as the years go by from 11 weeks to 13 weeks. I'm not sure if it indicates an improvement in the department's performance, so you might want to shed some light on that.

Then I move on to the performance indicator for client satisfaction with the Public Trustee's office. Again I notice, unless I'm reading it incorrectly, a lowering of the expectations with respect to performance. That requires some explanation. Again, legal aid volume: it clearly could be read as performance improvement provided we are sure that the number of people needing legal aid is dropping in relation to the numbers here. Clearly, in the numbers indicated here, 95,181 cases in 1992-93 to 80,514 in 1995-96, one can read several things into it, either that the overall number of people needing legal aid has shrunk for some reason – fewer people need it; therefore, the numbers are dropping – or that the drop in the numbers is a consequence of changed criteria of eligibility. I wonder if indeed the drop in numbers is a result of changes in eligibility criteria. If that is the case, I would worry about whether or not the change in the criteria has in fact disabled some people from seeking redress or a hearing within the justice system, which in a society like ours we expect that all, whether they're the accused or others, need in terms of access to the system.

So maybe I can stop here and ask you to enlighten me on the nature of the performance measures.

9:53

MR. HAVELOCK: With respect to the court delays certainly we don't like to create the impression that we're satisfied with increasing the measurement from the 12.2 percent to 13 percent. We're just trying to be realistic. What I can tell you, though, is that comparatively speaking with the rest of the country, our system is quite efficient in getting trials finished up and before the judges. There's no magic in that. We were just looking at a slight increase. Of course, litigation is increasing. That does slow down the system a little bit, but we're doing all we can to make sure that we do maintain the system where it's at. It is really quite efficient when you compare it to some other jurisdictions.

The same argument I'd make with respect to the Public Trustee's office. I'm not trying to lower expectations by having a lower performance measure; we're simply trying to be realistic. Now, with respect to the Public Trustee's office, there have been some staff reductions. Quite frankly, with staff reductions there will be an impact on service, so I wouldn't be surprised to see a slight decrease in the level of satisfaction there. That doesn't mean we want to strive to keep it at 82 percent, 86 percent, or whatever, but I'm trying again to be realistic based on what's happened.

With respect to legal aid, a couple of reasons why the volume is going down. There is actually a decrease in crime in the province, there's a decrease in the number of people on social welfare, and therefore there are fewer people who are actually applying and/or can receive legal aid. We have not done anything to change the eligibility requirements. The Legal Aid Society may have done so, but we certainly haven't indicated to them that they need to do so.

As I indicated earlier, there was a contingent liability of approximately \$16 million that legal aid was carrying. They've reduced that. Once that is eliminated, they will have some surplus funds, although that doesn't mean we're giving them more money, but they'll have some flexibility. It may well be and I'd prefer to see that they expand their eligibility requirements so long as they manage those dollars appropriately, but not to the extent where again they start running deficits.

Hopefully that answered your questions.

DR. PANNU: Thank you, Madam Chairman, and Mr. Minister. The answers to my queries about court delays and the Public Trustee's office seem to me to suggest that contrary to this government's position that everyone should be doing more with less, you are conceding the point that you are doing less with less, which is something that's interesting.

Let me move on to a few other observations here. In the highlights for '97-98, looking at some of the statements on page 269, reference is made to adding more Crown prosecutors. This, I think, refers to program 3, to the item 3.4.3, general prosecutions. There is some increase, I notice, in that allocation there. As we all know, public prosecutors in this province have been unhappy. They have been expressing their unhappiness collectively in various ways to the former Minister of Justice and to the department. I wonder if the scale of increase that's indicated here is seen as adequate by the department and by the minister to address the complaints and the expressed difficulties of the prosecution staff in the province over the years. The rationale given here for adding some prosecutors is the increasing complexities of criminal litigation. I suppose that might include unbearable workloads for the prosecutors. I'm not sure if this term does in fact acknowledge the fact that one of the problems that the public prosecutors have been drawing attention to is the workload. Complexity is always there, of course, but I wonder if the minister acknowledges that there's a problem with workloads there as well and that the increased allocations are at least in part intended to relieve that pressure on the prosecution staff.

Another item there has to do with the funding for victims of crime programs. I think it's perhaps my own unfamiliarity with the budget figures here; I'm unable to find any numbers in the budget on the total allocation. You mention it here as \$6 million. Is it a new program? Is there no history of it? Is there any way in which we can compare this almost \$6 million to whatever the amount was, say, last year, a couple of years ago? I would need some direction on it. Where is it that I can find that?

THE CHAIRMAN: I hesitate to interrupt, Dr. Pannu, but your time has elapsed.

MR. HAVELOCK: Can I answer?

THE CHAIRMAN: Yes, Mr. Minister.

MR. HAVELOCK: With respect to the prosecutors – and I'll deal with the resource side first – we feel quite comfortable that the budget that's been allocated will enable us to hire 18 new prosecutors. Five support staff come along with that, so we feel we're addressing the resource side. I think if you were to look at the workload that our prosecutors have once we get those new prosecutors in place, it's certainly comparable to the rest of the country.

Now, there have been some issues raised before about these being entry-level prosecutors. For some time – and please correct me if I'm wrong – we have been quite interested in injecting some new blood into the system. We have some very experienced prosecutors, and we would like to get some new people in at the entry level so they can grow with the system and learn and basically move forward. Is that . . .

MR. McCRANK: That's correct, sir.

MR. HAVELOCK: The salary side. As I've indicated before, we're waiting for the Price Waterhouse report. We made a commitment to the Crown prosecutors that we would take a look at the salary side, and we expect that report to come out in May or June. Now, that report's been expanded to also include the civil side. Really, I can't say a lot more on it until we see where we're at on that.

With respect to the victims of crime, if you go to page 262 under 7.5, that's what we're spending right now on the program. What we've done is reorganized it, and under the victims of crime we will now have a surcharge. What is it? Fifteen percent?

MR. McCRANK: It hasn't been set yet, but it's anticipated to be.

MR. HAVELOCK: Oh, sorry. Did I say something I shouldn't have? Okay; take that out. It might be 15 percent, but it hasn't been set yet, as indicated by the deputy minister, and those funds will be used to support individuals who have been victims of crime. It will basically replace these two programs. I believe there's also a federal component to that. Do we receive some federal moneys?

10:03

MR. McCRANK: We do. It's not identified separately. It comes in as part of the revenue from the federal government.

MR. HAVELOCK: Okay.

MR. HOPE: If you look at page 274 of the estimates, you'll see the victims of crime fund income statement, which gives information on much of this. The surcharges are shown there, page 274. The number for '95-96, '96-97, for example, represents the surcharge on federal.

THE CHAIRMAN: Mr. Minister, I hesitate to interrupt here, but at this point you're responsible for answering these questions. If we were in the Assembly, these gentlemen would be sitting upstairs and not participating. I'd like to keep it that way, please. Sorry. If you have anything further to say . . .

MR. HAVELOCK: Consider us chastised; okay?

THE CHAIRMAN: We're in a different room, but the procedure's basically the same.

AN HON. MEMBER: Bad.

MR. HAVELOCK: Bad. We're bad.

THE CHAIRMAN: Are you finished your comments at this point, Mr. Minister?

MR. HAVELOCK: After that, yes. I move we adjourn.

THE CHAIRMAN: I'm sorry; we can't do that. Nice try though.

MS OLSEN: I'll just speak for another 20 minutes, and then you'll be done.

Before I go into public security, I want to ask a couple of questions, one regarding victim/offender mediation. I know, having worked on the program through the Police Service, at one point we tracked the number of cases that had been referred to the program and whether it was prosecution or defence referring and the successful outcomes of those cases. I'm just wondering if we're still doing that so we can move the program forward if it's going to be viable. I know the criteria for that program has been identified, at least through the service, and I'm wondering if that criteria is working, you know, for victim/offender mediation.

My other question would be regarding the prosecutors and the Price Waterhouse report. I know the report's not in. But has the minister budgeted for the possible increases? If not, then where will the money come from if there is going to be an increase in the salaries of the prosecutors?

I'll just move on to public security, which is program 7, and my question around policing. The highlights for the '97-98 section of the business plan summary on page 268 indicate that the cost of carrying out policing is \$96.2 million. The estimates are for only \$81.7 million being spent on all the policing programs and only \$92.6 million on the entire public security program. So what does the minister define as policing or policing programs? Why the variance, or the difference?

My next question. If you look at 7.2.1, crime prevention – the government talks about crime prevention and support of the police and the community leagues' initiatives. Now, this has the same vote number as the old section called innovative policing subsidies. Only \$25,000 has been budgeted for this, so I'm just wondering what sort of projects will be receiving any of this \$25,000 under crime prevention. Crime prevention is not just Block Parent, Rural Crime Watch, Neighbourhood Watch, those programs. It also includes the larger, bigger picture of crime prevention through social design and crime prevention, through environmental design. That addresses a much larger preventative aspect than the traditional programs. So I'm wondering if consideration has been given to these aspects of crime prevention.

Also, 7.2.2, provincial policing. The RCMP are going to receive an increase of \$616,000 over what was actually spent in '95-96. Is there any indication of how this increase is to be used and where the allocation will be throughout the province?

Municipal policing. The municipal police forces in the province are not adequately funded and do not have the resources to implement new programs, and I'm wondering if there's been consideration given to reinstating the municipal police assistance grant and removing policing from the unconditional municipal assistance grant. There's a huge difference in that under the old

municipal policing grant there was \$33 million budgeted; in the combined unconditional municipal assistance grant there's only a total of \$57 million. So that causes me some concern in terms of the actual policing aspect of it. What percentage of the municipal assistance grant has the minister suggested municipalities should be directing towards policing initiatives?

When you go down to 7.2.3, which is the First Nations policing, that's down \$82,000 from what was spent in '95-96. I have a couple of questions around this. First of all, what steps are being taken to ensure that the terms of the agreements of the First Nations policing are being complied with and that the funds are used in the appropriate manner? Has the minister received in the past the audited accounts as required through the tripartite agreement? Has that been done every year? There are now some problems with some of the First Nations policing, and it is totally reflected around funding.

MR. HAVELOCK: Can I interrupt? You've given me a whole bunch of questions. Let me answer some of them. Is that okay?

MS OLSEN: Sure.

MR. HAVELOCK: The victim/offender mediation. We do still track the cases. We can certainly get you that information, so we'll try and answer that specifically. We feel the criteria are working at this stage, although we're evaluating the funding. It's like a lot of the other things we do. But I'll get you more info on that.

Increased salaries for the prosecutors. It's not budgeted at this time.

The fatality inquiries. You were raising the question about the \$96.2 million on page 268. To get to that number, it also includes the fatality inquiries number.

The crime prevention, the \$25,000. We'll get you some detail on that.

With respect to the RCMP budget increasing, we're going to have to take a look at the '95-96 annual report and compare and try and get you some further detail.

Regarding local policing, I will have to dispute what you say. We do feel we adequately fund them at this time. Now, I recognize that the municipal police assistance grant was cut by 50 percent. We did allocate and do allocate the remaining amount. It went over to Municipal Affairs, and they direct that money to the municipalities. It's up to those local jurisdictions to determine how they spend that money.

Regarding the native policing, we have in the past received the audited financial statements for all of them, if I'm not mistaken, in accordance with the terms of the agreement. We have not received them for this past year for Siksika. Have we received all the others? [interjection] We've received them all other than for Siksika. As you know, Siksika's been the subject of some queries in the media. What I can tell you is that as a result of what has happened recently, I've had some discussions with the department, and we are going to hold further expansion of the policing projects at this time while we do an in-depth evaluation of how these initiatives are going. We are working with the federal government to re-establish the bilateral agreement. We're going to be re-examining our own current guidelines and our auditing procedures, and we will likely look at conducting an independent financial audit of selected projects. Now, this is not to say that we don't support native policing. We would like to support them in any way we can to see the programs expand. On the other hand, we also have a responsibility to account for the dollars that are being provided and to see that they're properly expended.

10:13

MS OLSEN: Okay. I'll move back, then, to municipal policing. I guess the question of revenue generation through photo radar and the notion of red light cameras won't be an issue for this government then, considering that the by-product of those tools, or instruments, is certainly funding that comes back to policing services as a result of the enforcement component of it.

Going back to the band policing, I'd just like to make a recommendation that this government look at the possibility of accreditation in band policing, which would really give some guidelines, and then accredit each small band. That way, I think, there are then some standards that have to be followed, and we might not get into some of the problems that exist right now.

Another question on that is: how many agreements do we have on band policing? What are the actual training requirements? I have some concerns about the safety of the police members with the bands and actually the citizens they're policing, given some of the issues that have been brought forward. I think that looking at an accreditation program as exists for policing may help resolve many of those issues.

I'm just going to briefly touch on gun control. Because I'm new in this portfolio, I just need some answers. The revenue section of the budget indicates that we can expect to receive \$8 million less in transfers from the federal government under the category of "other." So which transfers from the federal government are being reduced, and how much are you expecting to receive from the federal/provincial firearms agreement?

If we go to 7.3.1, the administration of federal gun control has increased by \$131,000 from what was actually spent in '95-96. Why are you expecting such a large increase, given that this government has opted out of administering the new gun laws? How can the cost of administering the program be increased so substantially if you're opting out?

Something I don't know – and maybe this answer can be provided to me – is how much has already been spent to date on the court challenge. Where is that money coming from specifically out of these estimates? It doesn't appear in here that the government is any longer making payment to municipalities to administer the gun control program, so I'm just wondering why there's no longer a payment to the municipalities for that.

I want to move to the performance measures in terms of the key performance measure for goal 1, public satisfaction with the justice system. I'm just wanting to know what the questions are that were asked. What's the methodology used to measure this goal?

Public safety is defined as "the percentage of Albertans who have reported being a victim of crime in the past year." Now, recent research over the last two or three years, at least from '95 I know, indicates that the reporting of crime has gone down. In order to have a true victimization rate, I'm wondering how we get to this, given that we know the reporting of crime has gone down. It's gone down for a variety of reasons. One, people didn't take the time to report it. They don't think it's serious. They can't make claims against their insurance because their premiums are so high. That data has been collected by policing agencies. You know, this isn't a true picture of where we stand. This is on known cases, and there really is a higher rate of people who have not reported crimes. The fear of crime is up, and victimization rates, according to this poll, are down. They're certainly not complementing each other, which would indicate that there's some sort of a problem out there. I know that the Edmonton police do a yearly report and survey. So I think we need to have a look at that.

In terms of court delays, we're looking at a target rate of 13 weeks. Well, in fact my own court notices – and I went back after I looked at this – show me to be waiting anywhere between, right now, 20 weeks and 25 weeks. Are we measuring this from the first court appearance, or are we measuring this from a second or a preliminary hearing point? At what point does this come in? This is based on a future trial date, and of course there's variation. It will be from whether those offenders were issued appearance notices or went directly to a justice of the peace and a date set from jail.

Escapes from secure custody. This province has an excellent record. I think the target rate of zero is excellent. It does have a tremendous temporary absence program. Most of the charges for unlawfully at large don't result from an escape from a secure institution. Those are as a result of people not returning to halfway houses and those types of incidents, so maybe a measurement of sentenced offenders. How many people have had their parole revoked as a result of being unlawfully at large? How many new charges of unlawfully at large, not from secure facilities but from those institutions where there's some freedom to come and go?

I only have two minutes left here. I'll just go to goal 5, client satisfaction with maintenance enforcement. I'd like to see something based on the satisfaction of those who have or have not had their initial file dealt with. Those clients who get their money returned I'm sure should be 100 percent satisfied, at least in getting something back, but what about those folks when there's been no success with locating the offender in relation to this? And is the 5 percent interest actually being collected on the moneys that maintenance enforcement is collecting?

So that should about do my time.

THE CHAIRMAN: Thank you very much.

10:23

MR. HAVELOCK: Can I answer?

THE CHAIRMAN: Yes, please do.

MR. HAVELOCK: Thank you. Let's go way back to the photoradar that you raised. From what I understand, if you want to use photoradar in the red light cameras, that will require changes to the Evidence Act. I'm not certain at this time whether we'd be particularly supportive of that. As you know, photoradar is a very sensitive issue. Our position is that it should not be used for revenue generation. It should be used to ensure the safety of the public and that people adhere to traffic laws.

You've raised some good points regarding the native policing. You did ask, if I'm not mistaken, what we have out there right now by way of number of programs. We right now have in place – is it 12? – 12 agreements which have been signed. If I'm not mistaken, two of those are stand-alone. Okay; four that are stand-alone. One of the issues you were raising is establishing standards, and again that's a very good point. We need to look at that. I'd also suggest – and I think you were making the point – that we need to look at accreditation programs for not only native policing but small police forces throughout the province. That's something that we should be considering and certainly working on.

You talked about the court delays, the maintenance enforcement measures, and the escapes from custody. We are working on our performance measures, and you've raised again some good points, which we can take from *Hansard* and try and incorporate. I'm not entirely satisfied with some of our measurement standards.

The court delays that you're looking at, that's for Provincial Court. The way it's set up is that it's time set for trial, until trial. Of course, we don't want to be measuring the effectiveness of the court system when, for example, defendants are releasing counsel. That's not something we can control. When we do look at some of our figures nationally with respect to court access though, I think we're performing quite well. Again, we nevertheless want to work on the performance measures. We'll expand those, and we'll certainly take what you've raised into account.

There's a whole bunch of other questions you asked which we'll have to get back to you on.

MS OLSEN: I'll take them in writing.

THE CHAIRMAN: Mr. Dickson.

MR. DICKSON: Thanks, Madam Chairman. Mr. Minister, a few other questions I had for you. Firstly, in Calgary there's an educational consortium made up of I think SAIT, Mount Royal, some other places that provide educational programs in the correctional institutions in the city of Calgary. A lot of concern – it would have been last year – when the department's preoccupation with work programs resulted in a change that said that all educational programs could only be offered in the evening. The upshot of this was that there was a marked reduction in terms of the number of inmates taking educational programs.

The concern is this. I certainly support the notion that inmates should either be involved in some kind of inmate work activity or, alternatively, be involved in some kind of educational upgrading. Given the fact that such a high percentage of offenders have few, if any, marketable job skills, I guess I'm a bit concerned that if we make it more difficult for offenders to be accessing educational programs, we may be creating some harm for the bigger community in the long term. So I would like some clarification in terms of why it is that the correctional policy appears to be that the thing which is valued more highly than anything is work activity and that the past commitment – and I think it's been a fairly strong one throughout Alberta corrections – to promoting inmate education now has been reduced in terms of importance. I guess I'm interested in the reasons for that change, and I'd like some specifics. If this is a provincewide directive and doesn't simply apply to the Calgary correctional programs, I'd like to know what impact that's having in terms of the number of offenders involved in academic upgrading.

Moving on – and my colleague the opposition Justice critic touched on it a moment ago – in terms of maintenance enforcement. We have a Judgment Interest Act that makes it clear what interest accrues post judgment. There was an Alberta Court of Appeal decision in 1994 that talks about the way interest is calculated when we're talking about a judgment for periodic payment rather than lump sum payment. Yet we seem to be in a situation where the maintenance enforcement program in Alberta takes the position that if a judgment creditor wishes to recover interest on her support arrears for spousal support or child support, she has to go back to court to specifically address that and have the judge in effect order what is already conferred by operation of the Judgment Interest Act. I'd like to know, Mr. Minister, why on earth we'd be doing that and why interest isn't tracked in the way it is with every other civil judgment so that you don't have to go back to court to affirm the right that's already conferred on you by a statute.

Photoradar. Mr. Minister, I was interested in your comments there. Albertans will remember that it was your predecessor, I think, who announced with some fanfare that the RCMP would

not even be permitted to use photoradar for purposes of doing a survey of traffic patterns and speed rates on Highway 2. That was a long time back. I'm assuming at this stage that the RCMP have managed to do their survey even without photoradar, and I'd be interested in you sharing with Albertans what the result of that study was. I'd like to know specifically when photoradar will appear on highways where speed is monitored by the RCMP. So if you can give me particulars on that.

Moving to another point altogether. When we talk about legal aid, I'd be interested in the statistics in terms of the percentage of successful appeals to the joint legal aid committee. When somebody applies for legal aid, is initially refused by staff at the intake level, what is the success rate appellants have when they go to the joint legal aid committee? I've got some observations from my own experience, but I'd be interested in knowing systemwide what the success rate is.

Mr. Minister, we were talking about the criminal section of the prosecutors' office. I've raised in the past what is a marked imbalance between the caseloads that Calgary prosecutors have relative to prosecutors in any other part of the province including Edmonton, which maybe is the fairest comparison. We were looking at caseloads a year ago easily 20 and 30 percent higher in Calgary than anywhere else in the province. So I'm interested in specifically what steps have been taken since that was raised in this forum a year ago and what success you have had in ensuring that we've had sufficient prosecutors where the big bulge in demand is. I'd like to know, in terms of the 18 Crown prosecutors you plan on hiring, what the distribution is going to be.

It appears that we haven't quite been successful in getting your ear on the concern that – you have some very capable people in the Crown prosecutor's office, but when you lose people like a Peter Martin or an Earl Wilson, you lose a substantial amount of your senior advocacy capacity. It just strikes me that we haven't done a good enough job of communicating to you what the issue is. I think Albertans want to see that we've got extremely competent senior people to handle high profile cases. The alternative, Mr. Minister, is that you're going to be paying more taxpayer dollars to farm it out to counsel and private practice, and that makes no sense to me. So I'd still like some clarification in terms of what we are doing to attract and retain senior trial counsel. It's not a question of new blood. It's a question of making sure we've got the capacity that we're going to be able to ensure that public interest is adequately protected all the time.

10:33

Mr. Minister, you've been asked a number of questions in terms of aboriginal justice. I want to go back to the Cawsey report. The chief and most important recommendation in the Cawsey report was the creation of an aboriginal justice commission. A year ago I remember telling you that you've got a very good aboriginal justice co-ordinator working in the department. But the thesis of Cawsey was that you needed somebody independent of your ministry able to challenge your ministry to do better. When we look at the embarrassingly high overrepresentation of native Albertans in our correctional system, this must be your number one challenge in terms of Alberta corrections: how we address that imbalance and why we have so many offenders in our correctional system.

I want to ask you whether you're prepared to countenance, support, create an aboriginal justice commission which is independent of your department. It would be a body that would constantly be challenging you, Mr. Minister, because it wouldn't be under your thumb, to do better and continually providing

leadership and just frankly pushing you and your department to do better in terms of addressing the overrepresentation of natives in our correctional system. So I'd like your position on that, Mr. Minister.

MR. HAVELOCK: Would you like me to answer some of these now or keep piling them on?

MR. DICKSON: You bet.

MR. HAVELOCK: Okay. Thank you. If I can remember some of them.

With respect to the move towards having the educational programs provided in the evening, what we're attempting to do is recreate within the confines of the correctional institutions an atmosphere, a situation which better reflects what goes on out in the real world quite frankly. There are many people out there who work all day, and then if they want to upgrade their skills, they attend schooling in the evening. Yes, it has had an impact on the number of people in custody who are attending the programs, but we still feel that it's the right direction to go. We're trying to get them in tune with where they will be and what they will face when they leave the institution. We are looking at putting it in provincewide.

Maintenance enforcement, the interest which accrues. We'll take a look at that. Offhand it doesn't make sense if you do have to go back and apply to courts for the interest. Nevertheless, there might be a legal reason or legal judgment out there which requires us to do that, but we'll certainly take a look at it.

Photoradar. Not trying to duck the issue, but a lot of what's coming out is coming from the transportation department, and I'm going to wait and see what they come forward with. I can tell you that I'm not particularly warm to having photoradar used on our provincial highways by the RCMP, but that's a discussion I'll have to have with my colleagues. That's not simply because I drive back and forth.

Legal aid. They are an independent body, as you know, but we can certainly try and get the information you requested regarding the successful appeals.

Caseloads between Calgary prosecutors and the rest of the province. We're well aware of that, and we want to address that when we're allocating the new positions. We also recognize that when we lose Crown prosecutors such as a Peter Martin, we are losing people who have significant experience and have served us well. We recognize that it is an issue, and we are monitoring it. We'll always have a mix of people, as you know. We'll have junior, intermediate, senior. But I'm well aware of that.

The aboriginal justice commission. Personally I like the idea. On the other hand, it's not something we simply implement unilaterally. That's an issue that I'll discuss with my caucus colleagues to see which direction they would like to go, but we are looking at it very seriously.

MR. DICKSON: Thanks, Mr. Minister. That's the most positive response I've received about the aboriginal justice commission since the Cawsey report was issued.

Just a couple of further questions. The Motor Vehicle Accident Claims Act expenditures are \$2.6 million more than they were in '95-96. I don't think you've been asked: can you account for the increase, give us some particulars?

I've asked in the past of your predecessor – we don't seem to do a very good job in terms of prison industry. I've suggested in the past that we could do a better job of making prisons self-

sufficient in terms of laundry, gardens, things like that, and I think I've pointed out Spy Hill, for example, the Calgary Correctional Centre, where we've allowed the shoe repair shop to fall into disuse. There've been some other programs there. I continue to believe that there's a range of things. If offenders don't pose a risk, they can work in the community on community programs. If there's a sense that they pose a risk, then we should be ensuring that there are useful work programs to help make the correctional facility self-sufficient. Why wouldn't we have inmates working in those areas? I've raised it before, and I'm interested in an update in terms of what things we're doing there.

In terms of legal aid, I think that since 1992 the income cutoff has remained self-sufficient, and once again acknowledging that you're only one part of a three-party agreement to manage legal aid, I'm interested in terms of what the current policies and guidelines are with respect to assets possessed by an applicant for legal aid and whether there's anything that you plan on doing with respect to the assets that an applicant has when they seek to qualify for legal aid.

MR. HAVELOCK: Why don't I jump in and just answer some of them very quickly.

MR. DICKSON: Sure.

MR. HAVELOCK: Motor vehicle accident claims. The reason it's gone up is primarily because of personal injuries and the judgments that are being awarded at this time.

Prison industry. We do as much as we can. However, we do not want to compete with the private sector. We look at it as more of a public service. They're out there fixing ball diamonds, for example, on behalf of communities. We do as much as we can within the institutions to be self-sufficient. I believe that at one of our institutions we have a garden, if I'm not mistaken. [interjection] A farm? Okay. A farm.

The current policies regarding legal aid. As you indicated, we're one of three parties, but we will certainly get you what we can with respect to our guidelines regarding assets.

MR. DICKSON: Thanks, Mr. Minister.

Then just in terms of the victims of crime fund, I'm surprised that you've got a budget number of \$4.5 million, yet there's been no public announcement in terms of what the surcharge rate will be.

MR. HAVELOCK: There might have been.

MR. DICKSON: I'd ask this: what adjustments have you made? My concern is that we already have too many people in provincial jails that are there because they haven't paid their fine. So my question would be: what do you plan on doing in terms of expanding the fine option program or other programs to ensure that we're not going to increase the number of people in correctional centres because we're now tacking on a surcharge? You have a fine that people may not be able to pay, and now you add on a surcharge, which may simply mean that you have a whole pile of additional people qualifying for the most expensive kind of correctional treatment we can provide, not, I think, very fiscally responsible. I know, Mr. Minister, that you are a fiscally responsible leader, and I'm confident that you'll be addressing this, but I'd be interested in hearing how you plan on doing that.

MR. HAVELOCK: Well, on the victims of crime fund, the fine

option, as you know, most people do pay. Despite what I said before, you're right; there has been no public announcement on the surcharge. I can't remember what the number was, and I don't believe anyone else can, but we are operating . . .

MR. DICKSON: *Hansard* remembers everything.

MR. HAVELOCK: Yeah. We are operating right now at about two-thirds capacity within our system, so we really must be doing something right in that we aren't putting people in jail needlessly. I don't see any reason at this stage to expand the fine option program. It seems to be working adequately now. When the surcharge comes in, we may have to evaluate that, but we don't anticipate seeing an increase in the number of people we're taking into custody.

10:43

MR. DICKSON: My final question, Mr. Minister: how is it that your department has been able to show in your financial statements for at least the last two years a sum of money that you claim was revenue from the government of Canada for management of the firearms control program, when in fact your predecessor had not even signed the agreement with the federal government until a matter of weeks before the March 1997 provincial election? I always understood that in a financial statement it would be a receivable if the money wasn't in. Here you were claiming it as money in. It wasn't noted as a receivable, and you hadn't even signed the contract.

If there'd been a federal election earlier and a change in the federal government, the federal government may well have repudiated their position. Through your department and your predecessor you would have been representing to Albertans in at least two budget years that you'd received all this money from the federal government, and in fact the contract under which you'd be entitled to it had not even been signed. Mr. Minister, I'd sure be interested in that explanation. I think Albertans would like to know how we managed to do that.

This, interestingly, is at the same time that your predecessor was by implication suggesting that gun control was costing us a pile of money. What in fact appears to be happening when one looks carefully at the records is that we were claiming that we were receiving from the federal government about twice what in fact the department was citing as being their actual cost of running the gun management program. I'd sure be interested in that kind of clarification from you, Mr. Minister.

MR. HAVELOCK: Would you be interested in getting it now?

MR. DICKSON: You bet.

MR. HAVELOCK: Okay. With respect to the \$720,000, you are correct. Had an election been called and someone else had gone into office, we would likely have wound up having to sue for the money, but it was booked as an account receivable based on a pending agreement which we had every indication would be signed. There was no reason to believe that it wouldn't be paid, and that's why that was done.

MR. DICKSON: Well, Mr. Minister, is it fair to ask you to undertake that in future budgets for your department, if in fact you're expecting money to come under an agreement that hasn't even been executed yet so there's no legal right to compel

payment, you will flag that, you will segregate it and identify it so every Albertan looking at the statement can clearly understand that there's a big difference between money in hand and a hope and a prayer that money is coming and that a contract will be signed?

MR. HAVELOCK: In those instances we'll put a note in the financials so it's clear.

MR. DICKSON: Fine. Thank you very much, Mr. Minister.

THE CHAIRMAN: Thank you, all of you. As per our previous agreement which we received unanimous consent to, this meeting is now adjourned.

[The committee adjourned at 10:46 a.m.]