

Title: Estimates of Justice and Attorney General, Monday, March 6, 2000

00/03/06

8:07 p.m.

[Mr. Tannas in the chair]

Subcommittee B – Justice and Attorney General

Tannas, Don, Chairman
 Laing, Bonnie, Deputy Chairman
 Blakeman, Laurie
 Calahasen, Pearl
 Doerksen, Victor
 Forsyth, Heather
 Fritz, Yvonne
 Graham, Marlene

Hancock, Dave
 Kryczka, Karen
 Leibovici, Karen
 Massey, Don
 McClellan, Shirley
 Melchin, Greg
 Olsen, Sue

Sloan, Linda
 Soetaert, Colleen
 Stelmach, Ed
 Stevens, Ron
 Tarchuk, Janis
 Woloshyn, Stan
 Zwozdesky, Gene

THE CHAIRMAN: I'd like to call the subcommittee to order. Before we commence this evening's deliberations on the estimates of the Department of Justice, a couple of things. One, it might be suggested that we go 20 minutes and the questioner ask the questions and the minister have responses within the 20 minutes and then move on to the next questioner and so on. Is that item, first of all, agreeable to everyone concerned?

HON. MEMBERS: Agreed.

THE CHAIRMAN: Okay.

The second is that we have had in the past a senior civil servant, a deputy minister or ADM, sit next to the minister so that they can better answer the questions or whatever. Is that agreeable to everyone, or does anyone have any objection to that? Agreeable?

HON. MEMBERS: Agreed.

THE CHAIRMAN: Objections? Okay.

With that, then, I think we're ready for this evening. Mr. Minister, do you want to say anything at the outset and then go to questions?

MR. HANCOCK: Thank you, Mr. Chairman. Yes. I'm pleased to present Alberta Justice's proposed business plan for the period 2000 to 2003. First of all, I'd like to introduce the people with us tonight: first, my deputy minister, Mr. Paul Bourque, who's joined us at the table; in the gallery Mr. Dan Mercer, who's executive director, strategic services; Mr. Shawkat Sabur, director of financial services; and Dr. Randy Petruk, director of corporate support services; as well as Jack Janssen and Betty Ann Hicks from my office.

The 2000-2003 business plan is my first as Minister of Justice, and it's the result of a good deal of hard work by Alberta Justice staff, stakeholders, and the broader community. I'd like to acknowledge at the outset the work that was done by my predecessor in the department, the Member for Calgary-Shaw. This business plan is really derived from the results of the justice summit which was held in January of 1999. You'll see, if you've read through the business plan and pursued it at all, that we very much tried to track the results of that justice summit and the issues and the concerns that were identified by the people of Alberta through that summit process. The summit brought together a broad cross-section of Albertans and representatives from many different sectors of the system to discuss justice issues and concerns. The final report was published in March. In May government formally responded to the summit, and as I said, the business plan is based in large part on those responses.

In preparing the business plan, we attempted to re-examine all

aspects of our core businesses. As a result, we've restated our core businesses more succinctly this year, but I'd like to emphasize that these changes are really a clarification of where our key businesses are rather than a shift in business focus, with one possible exception. We believe that supporting victims of crime should be acknowledged as a core business of the ministry, so this has been emphasized in the plan. Otherwise, we continue to provide police services to Albertans and legal services to government. We continue to provide support for resolving disputes in the courts and other forums, and we continue to protect the public by prosecuting the accused and holding offenders accountable under the law.

We've also restated our goals and re-examined our performance measures. I won't go into detail, because I know that you've had the opportunity to review them, but I do want to mention a few highlights and talk about some significant changes from previous years. I know there'll be questions on this, so I want to hit it straight up. We've eliminated the goal of partnering with outside stakeholders to support the administration of justice from our business plan this year. That does not mean that we intend to stop partnering or stop collaborating. We continue to work in partnerships as we always have, but we've discontinued it as a specific goal, because it's standard practice and should permeate everything we do in the department.

We've removed public satisfaction with the justice system as a performance measure. From our surveys we've learned that over 90 percent of Albertans do not realize that crime in their communities is strongly decreasing. Almost 70 percent are unaware that the province is responsible for administering justice in Alberta, and because of these findings we're recommending a more effective measure of public satisfaction with the justice system. Instead of asking the public how satisfied they are with the job that Alberta Justice is doing, we plan to ask them what we believe are more important questions, and those are: how safe do they feel in their homes, and how safe do they feel in their neighbourhoods? We will also ask how satisfied they are with the level of policing their communities receive. These questions provide a truer picture, we believe, of how satisfied Albertans are with the administration of justice in the province. In other words, we're talking about the outcomes rather than how they feel the job is being done.

The final change is that we've added a performance measure specifying the number of community service hours provided by offenders. One objective of our corrections program is to challenge offenders to give something back to their communities. As a result, we'll measure how many hours of service Alberta offenders provide to nonprofit organizations, community groups, municipalities, and other government ministries. Again, this may not be the most effective way of measuring in this area, but we think it's a better way of measuring than we previously had and are always open to suggestions that you might have as to how we can improve our measurement of that particular area.

I'd like to spend just a moment elaborating on key results we intend to achieve in the coming years. Many of our initiatives, as I said, respond to what we heard in the summit. Others recognize and respond to the ever changing social and economic climate in the province. All of these initiatives are broadly based and will result in a justice system that is more sensitive to the needs of Albertans.

Before I begin, I'd like to review the financial context of our business plan, which recognizes the recent decisions of Treasury Board. Members will note from our spending profile on the last page that our spending targets are approximately \$457 million, \$447 million, and \$452 million over the next three years. This represents an increase of about \$45.5 million for the year 2000-2001. Of this amount, \$30.5 million is committed to nondiscretionary expenditures such as judicial and general employee compensation and contracted services' increases. Approximately \$6.2 million will be cost recovered from either the federal government or through self-funded programming and directed to victims of crime and Youth Criminal Justice Act program implementation. The remaining \$8.8 million represents discretionary funding increases and will be used to implement recommendations of the summit on justice. This includes funding for provincial criminal and family and youth courts, additional Crown counsel, court mediation programs, First Nations policing, and restorative justice programs.

Family law reform was recommended by our MLA review on the maintenance enforcement program and child access, by the federal report of the Special Joint Committee on Child Custody and Access, and by the Justice summit. Family law reform is an ambitious undertaking that will require a great deal of sensitivity to deal with the legal community, the judiciary, and all stakeholders in the system. We intend to improve access to family law by consolidating and streamlining the appropriate legislation and improving how we do business in the courts. One million dollars per year in new funding will be directed towards establishing more family and youth courts to reduce the case backlogs. Family and youth mediation will be addressed with the transfer of the mediation program to Justice from Children's Services and the allocation of 2 million additional dollars for that program.

Youth justice initiatives. Recently the federal government proposed the new Youth Criminal Justice Act to reform Canada's youth justice system. Although our government still has concerns with the legislation, some of its elements offer greater flexibility and better prospects for rehabilitating young offenders. In the next three years we'll spend \$3.1 million, \$2.7 million, and \$2.9 million respectively to deal with youth justice initiatives. We'll partner with children's services authorities and the aboriginal communities to increase options available for diverting less serious young offenders from the formal court process, but for those individuals who are clearly predisposed to antisocial behaviour, we will also have better options and resources for dealing with them.

Some other youth justice initiatives that are planned: funding will be directed to the city of Calgary's existing probation program to assist them in delivering their services, a group home for female young offenders will be established through the reallocation of program funding, and funding to implement the new Youth Criminal Justice Act will occur by cost recovery from federal sources.

Our business plan contemplates spending about \$2.3 million a year for a major initiative to make the justice system less complex and eliminate court delays to provide victims with a more meaningful role in an attempt to resolve cases appropriately at the earliest possible time. We will do that by screening police charges better, using alternative measures more aggressively, and encouraging early guilty pleas.

In support of victims we will establish specialized public assis-

tance units to provide information, referrals, and assistance. We will expand our early alternative dispute resolution programs in the coming year, which will ensure that citizens have access to equitable and efficient reforms for resolving disputes.

The fines collection project for the collection of outstanding Criminal Code fines will be expanded, and moderate increases have also been added which will cover only the security needs in new courtrooms.

8:17

Restorative justice will be a key issue for us this year. It's a key message from the justice summit that the system must be flexible enough to deal with the different circumstances of different offenders. We clearly heard that restorative justice must be employed to rehabilitate offenders, involve victims and communities, and respond to diversity. We believe that healing for both victims and offenders and restoring the balance of society in a humane and fair way should be important priorities for the justice system.

In introducing restorative justice approaches, it's important to note that we're not going soft on crime. Serious and violent offenders will remain a key focus of the ministry through vigorous prosecution of crime. However, we are committed to using whatever approaches are best for the individuals and communities involved while keeping in mind our mandate to ensure public safety. So over the next three years we will be spending money to fund selected community-based restorative justice programs on a pilot basis and support selected aboriginal restorative justice programs in order to leverage further resources from the federal aboriginal justice strategy, should that program be renewed. Not all deserving community programs can be supported from our budget, so we will be seeking private-sector funding and partnerships to assist those programs so that we can lever our investment.

Alberta Justice is also committed to enabling First Nations police services to provide law and order in their communities. The First Nations should have the opportunity to provide services to their citizens in the same way other communities do in the province. This business plan proposes the use of native liaison prosecutors to provide culturally sensitive prosecutions for First Nations people. Alberta Justice also intends to improve staff training to increase awareness of aboriginal people and culture. These initiatives will cost \$1.2 million, \$1.3 million, and \$1.4 million per year over the next three years.

The business plan emphasizes that police officers should be recruited and trained so that they reflect the social and cultural diversity of the communities they serve. There will be more community involvement in reviewing complaints against police and in disciplinary decisions concerning police behaviour. We are also examining the feasibility of developing a single-source training curriculum for police recruits.

In addition, our ministry will remain focused on crime prevention. We'll support the federal DNA Identification Act, which will allow the use of DNA to help police link offenders to serious crimes. Funding for this will not be required next year, but we'll plan to assume the costs of \$1.1 million for the last two years of the plan.

Under the Public Trustee it should be noted that there are currently 6,300 private trustees appointed under the Dependent Adults Act. This act requires the Public Trustee to be served when a private trustee is appointed. It also requires private trustees to return to court to have their appointments reviewed. Approximately 2,500 persons out of those 6,300 private trustees have failed to do so. The ministry proposes to establish a system of informing private trustees that they must return to court to have their orders validated to follow up on that particular issue and also to include notification of next of kin to attempt to address that problem.

One of the key messages from the summit was that victims need more opportunities to become involved in all stages of resolving a criminal act. I talked about the number of ways in which victims will be more involved. In addition, we will be reviewing current legislation and evaluating the services provided under the Victims of Crime Act. A new funding model for grants to victims programs will be implemented, and guidelines for making offenders pay restitution will be developed. Over the next three years we will spend \$2.9 million, \$3.1 million, and \$3.2 million, all of which will come from the victims of crime fund and not the general revenue fund.

As well as the objectives that have already been outlined that are directly linked to the summit, there are a number of other initiatives that we'll undertake to improve support for our programs. Because of the demographics of the public service it's imperative that we focus on developing leaders to replace those managers who will be leaving our employ over the next three to five years. It's a high priority for us to ensure that we have people in place to run our programs effectively. This will not require additional funding, but it does place a focus on education and training within the department, and we're putting a high priority on that area. We'll also work, of course, with the shared services model and examine innovative approaches to partnering with the private sector through common-purpose procurement agreements to support our information technology needs.

Finally, we'll develop an improved communications strategy to ensure that Albertans understand how their justice system works. Public education is the key to giving Albertans a better understanding of their protection under the law and helping them sort out the various roles and responsibilities of justice partners. We'll be working on a variety of ways to educate the public about justice in Alberta. A total of \$615,000 per year will be allocated for communications initiatives. We will also be launching a new Justice web site this spring to help us better communicate with Albertans.

In addition to the spending items listed above, there are a number of funding allocations that will be directed to nonsummit spending pressures that the ministry must deal with. This amounts to about \$30.5 million in the year 2000-2001. The allocations include funding to deal with various lawsuits facing government, increases we had previously agreed to for corrections services contract providers, judicial compensation and pension increases, and general employees' salary increases.

I'd like to conclude my comments by pointing out that the administration of justice is so basic to our Alberta way of life that we sometimes run the risk of taking it for granted. Like any other asset of value it requires us to employ the effort and investment necessary to keep it working the way it was intended. This business plan, which springs directly from our dialogue with Albertans through the justice summit, is an approach that I believe is ambitious yet appropriate. So I'd urge you to support the business plan and the course it sets for us, and I'd be delighted to answer any questions you might have.

THE CHAIRMAN: Thank you. The first person on our list is the hon. Member for Edmonton-Norwood.

MS OLSEN: Thank you, Mr. Chairman. I think we probably will have lots, so just tell me when the minister wants to stop and answer a few questions along the way. Just let us know.

MR. HANCOCK: Anytime you wish. If you want to stop partway through, I'd be delighted. If you want to go for your 20 minutes, I'd be more delighted.

MS OLSEN: All right. Don't worry. Mr. Minister, don't go to sleep on us here.

I think what we'll start with are just some of the administrative things, and then we'll get into the meat of some of the subjects here. A 649 percent increase in the communications budget. You know, Bob Scott may be good, but can you maybe help us out as to why your budget has increased that dramatically? Where do you anticipate spending that dramatic increase over the next year? I'm just looking at all the areas of Justice needing funding, and here you have this huge increase. So to me that needs some explanation.

Management information services. You're going from \$50,000 to \$2.2 million. That would be under ministry support services. I'm wondering why another such huge increase in that particular area. What kind of new systems are you bringing on line that would require those kinds of changes? Is it in relation to any of the changes that are happening with the federal system? The Canadian police information centre is making some changes federally. Are you tying into that at all, or do you have a role in supporting that particular program?

If you move down to court services, again we see another dramatic increase in program support services, line 2.1.1, a change of about 473 percent. Again, what are you offering? Obviously it's not salary because it's program support services. So I need to know where that money is going.

Also, Fort Saskatchewan. Is this where some of the transition is going to occur with opening more courtrooms? You alluded to opening more family court and young offender courtrooms. We see a 66 percent increase in the regional court operations budget in Fort Saskatchewan, 2.4 of the program, and I'm just wondering if you can explain that increase, what that is for.

I guess what I could do while we're into court operations is talk about the issue of court reporters. I'm concerned. I've received a tremendous amount of material over the past little while, and none of it supports this radical move to remove court reporters from the courtroom. It seems to be a cost-saving project, and sometimes that's not exactly the aim of removing court reporters.

8:27

There's the issue of what happens. Hopefully the minister can help us out here, but to my knowledge there isn't any technology available to date that would allow for the digital recording to pick up accents, heavy accents, maybe those folks who stutter, who have speech impediments, speech problems, issues in relation to those people having even things as simple as colds so that those recordings aren't clear. What about simple things like people not speaking into the mike? How would you know that's not going to be a problem? Also, some very grave concerns I have about missing court testimony and readbacks in court. Who's going to do the readbacks if in fact that needs to be done? Unless you're going to go to real-time recording in the courtroom. So I'm concerned that we're going to miss the boat here.

I recognize that the government has done some study with Halifax, and I'm wondering what the long-term impact has been with that particular process. What has been measured in terms of the ability of that system to do the job? Is it just digital voice? Is there some consideration of going to real-time recording in the courtroom? If that's the case, you're still going to need somebody who's able to do the court reporting.

What's the process on the outside? Are you just going to hire transcribers to transcribe off a tape machine? I think that's an issue as well. There is a real role for court reporters in a courtroom. I think we see other governments moving back to bringing court reporters in because of some of these issues and concerns.

What technology are you using? Has it been put out to tender? Do we know what's the best? Does somebody have to configure this technology for the government, or has it been configured? What tests have been done on it, and what are the outcomes as a result of that? I think that before we jump and risk having some serious issues come up in the courtroom – and I would suggest that mistrials as a result of this issue are important.

How much is this transition going to cost beyond what's in the supplementary estimates, beyond what's been outlined already? What's the cost of upgrading the data technology, and what's the cost of keeping people up to date? As we know, right now court reporters supply their own equipment, and that equipment is supplied to the tune of \$11,000 to \$15,000 per court reporter, and then when it's upgraded, it's about \$8,000. That's not an output that you have to worry about right now. So I'm wondering how that's all going to be managed. Quite frankly, I wouldn't want to be the first cases in court with this new technology rolling and be the accused in the box or the victim, for that matter, who may have to come back if there's a mistrial declared because of the technology in the courtroom.

I think there's still a need to have people in a courtroom, and I think that for all the reasons the minister has seen outlined by many people, including the judiciary, including the Canadian Bar Association, including the Criminal Trial Lawyers Association, all of those folks – why are we dismissing their concerns? I hope there's a really good reason for that.

So leaving there, I'd like to move on to legal aid. We haven't seen an increase in the legal aid budget, I don't think, since I've been elected, and this is my third year coming up. I'm a little concerned. You know, last year there was the issue of tariffs and an increase in tariffs that the Law Society was looking at. What resolution has your ministry come to with the Law Society in relation to an increase in the tariffs? Are we certain that they won't withdraw their services from the legal aid program as a result of the ongoing problem?

I might make a note to the minister that about 1996, I think it was, or '95 I had arrested an individual for sexual assault, and that trial took place in Westlock. I happened to make more money on that trial than the legal aid lawyer who was defending the accused. That was something that shocked me dramatically. It didn't hurt my pocket, but when you recognize the role of a defence counsel and the important role they play for an accused, I think the whole issue of tariffs and the appropriate remuneration is something that needs to be discussed.

I'm wondering why, if we have an increase in the population across this province, we're not planning ahead for the potential increase in the number of users. Also, what has the minister done in relation to increasing the number of lawyers who will take on legal aid family law? I've had many lawyers say to me, "No, I won't touch it. I'll do one pro bono case a year, and that's it." But there are many, many people out there who in fact don't get the services of family legal aid because the services aren't there. So I'm concerned about that. What kind of undertaking has the minister made to increase that particular ratio of lawyers who will take on those cases?

I'd like to move through to the medical examiner's office and just ask about the capital investments. Now, we see a 69.2 percent increase here, and I'm wondering what that particular increase is required for. Are they going to increase the building space required by the medical examiner's office? Are you going to be bringing in new technology for the ME? What sorts of things are going to happen there with that increase? It is for capital, not operations, so I'm just wondering if you can clarify that.

I'm happy to see that over my time here the crime prevention

budget has increased from \$25,000 to \$1.5 million. I'm rather happy to see that. It was a little bit of a bug for me, but we now have an increase this year of 73.5 percent.

Now, the minister talked about some victim services programs. Are those programs going to come out of that crime prevention funding, or are those going to be funded through the 15 percent surcharge that was allocated, I believe it was last year, for fines? That is program 7.2.1. I'm just curious as to what would actually be construed as crime prevention programs under this government's mandate.

8:37

I'm wondering also, Mr. Minister, if you view projects such as Success by Six and some of the other early intervention programs as crime prevention programs, as I do. I think that if you're talking about just target-hardening programs, then I think we're missing the boat. If we're including some of those social elements that need to be included, then I think that's a move in the right direction. I'm a little concerned about \$1.5 million going into just target-hardening programs throughout the province. That would concern me.

I also see very little increase – and this is a bit of a problem, I think – only a 1.5 percent increase, in the provincial policing programs element. I have to say that after what we've seen in this province over the last year, I'm wondering if this is going to adequately cover the issues and concerns we have. We have policemen around this province who are working virtually for nothing, Mr. Minister. They're putting in volunteer time to get their reports done. These are the guys and women who, regardless of how many hours they work, are making it out to the schools to deliver the DARE program that has been so widely received in this province yet not funded. I'm just wondering at what point you think all of that volunteer policing service just might come to an end, the workload of, among other things, answering calls on a night-to-night basis. Especially when you look at the RCMP and the numbers out in the community, the population-to-police ratio is very high in some of those communities. I think in Strathmore it is 1 in 1,400. It's certainly much different out in the rural areas than it is in the cities and the large municipalities.

I think the testimony that's coming out of the current case before the courts – and I'm not asking the minister at all to comment on that, but I will make this statement. Last year when I found out that money was diverted through the south Peace crime prevention agency and I confronted the Minister of Justice of the day and I confronted the RCMP assistant commissioner, I was told flat out that only public money was going for public policing. This is a great way of laundering money. Have we learned from the organized crime syndicate in this province how to launder money? I'm very concerned about this particular undertaking. This is not public money going to public policing.

I recognize that there are times when corporations will donate money. If they want to donate money for crime prevention programs such as Block Parent or Neighbourhood Watch – and they have done that for years – or for programs such as the rural service, Crime Watch, that the oil and gas companies were all a part of over a number of years, that's fine, but when it comes to funding police officers, that is not fine. I'm wondering why this is happening in this province, and if it's happening here, what other actions are we going to find out about in the near future?

I'll be honest with you, Mr. Minister. I cannot blame Alberta Energy in this particular instance for wanting to put money forward for policing, given the shortage.

MR. HANCOCK: Mr. Chairman, just on a point of order, if I may.

I think it's entirely inappropriate to go on at length on something which is clearly a reference to something which is before the courts, not just in a general sense for decision but in terms of hearing evidence. The hon. member knows that I can't comment on that, that I can't respond in any way to the comments that she's making at this point in time, and it's inappropriate for those comments to be going on the record. I'd be more than happy to deal with this issue. It's unfortunate that it coincides with the hearing of our estimates tonight, but it really is inappropriate to deal with that when it's so blatantly before the courts.

THE CHAIRMAN: I think you've had your answer.

MS OLSEN: I'll take my guidance from the minister. Certainly when all things are done and past, I would like to hear from him on the issue.

I'm going to ask this question: are there any other Crime Prevention Society schemes to funnel third-party money into our police forces in this province? That is something that I think Albertans need to know about. How many new police officers, Mr. Minister, have in fact been hired in this province over the last year? I'm very concerned about that population ratio outside of the large urban centres, although there it causes me some concern as well. When will you increase funding to cover some of these more serious deficits that occur within policing organizations?

We also know that there was a problem in Fairview. Fairview is a small community. Again, Mr. Chairman, this matter is before the courts, so I won't prolong this as well, but there was an issue in terms of a small community having access to the appropriate police resources to conduct an investigation. Those issues have been brought forward as well, and I'm wondering what the government is going to do to help out communities like that in the future. Again, I see that as a result of municipal downloading.

With that, we'll come back.

THE CHAIRMAN: Well, as hon. members can see, we haven't had within the 20 minutes the questions and the answers being given.

Hon. minister, in response.

MR. HANCOCK: Sure. I'd be happy to revert to that process at any time that members of the committee wish to.

Let me just deal with some of the questions that were raised. First of all, the increase in the communications budget. The member indicated, I think, a 649 percent increase. The bottom line was there was no communication budget in Justice previously. We had, I think, perhaps one person who was paid out of the Public Affairs Bureau, but essentially there was not a communications role in the Justice department of any magnitude. The justice summit identified very clearly concerns from the public in understanding the role of Justice, understanding what was happening in the court processes, so it's necessary to devote resources in that area just to have a better communication and understanding of what Justice does. If we're going to promote the concept of safe communities and promote the concept of partnerships and deal in areas with more involvement generally with the public through restorative justice processes, which involve very heavily and depend very heavily on the involvement of the public, there has to be a much better communication role.

There are also a number of initiatives that are being undertaken, including a review of the Police Act, which hasn't been reviewed since 1988. We're doing a review of family law, as I spoke to, and consolidation of family law. We're doing a review of the single-family law forum concept.

8:47

There are a lot of areas where we need to be in consultation with the public and have a good understanding and discussion of these areas, and a strong communications portion in the department is absolutely essential. I've talked publicly about justice as an acute care system and talked about the wellness side and how we go out into the community. That requires an ability for both communication of what we're talking about and hearing back from the public and involvement of them, a very essential part of the department in my perspective and one which was not adequately covered before. So that is the need for the relatively large increase.

Into the management information systems: \$2.2 million. The bottom line there is that we had asked, I think, for some considerable amount more. The technology systems in Justice are not where they need to be. We don't have appropriate technology to allow for an easy transfer of information between all stakeholders or all participants in the justice system. We need to upgrade our technology rather considerably. This is a modest start on that upgrade. It'll probably provide for some case management technology at the Court of Appeal and the Court of Queen's Bench levels and other technology upgrades of that nature, but you can look, hopefully, if I have anything to say about it, to continuing increases in this area until we get appropriate technology and appropriate ability to deal with information-sharing.

On the court services side of the budget there's a bit of an anomaly for this year only, and that's because we're in the process of trying to resolve outstanding issues relating to the Provincial Court and compensation in the Provincial Court. You may have read recently that we will be establishing a Judicial Compensation Commission soon for the period commencing April 1. We will be making a recommendation to that Judicial Compensation Commission for increased pay, but we will also as a corollary to that be making some changes which the judges have long sought on the pension side, and we'll be funding that out of excess moneys currently in the judges' pension program. Those surplus moneys in the judges' pension fund are in the approximate area of \$19 million to \$20 million. That's a onetime in, although it doesn't show in our revenue. It's brought in from the pension fund as a surplus, and it will be paid back out to deal with some of the outstanding pension issues and hopefully resolve some of the outstanding lawsuits and allow us to really get on with the real work that needs to be done in reforming the court processes. So that's a bit of an anomaly.

The increase with respect to the Fort Saskatchewan court. Basically, there's been a new judge appointed out there, and that's the costs surrounding the appointment of a new judge and filling that position.

You dealt with court reporters, and there's not anything specific really in this budget which deals with court reporters. They are in the supplementary estimates, as you're well aware. As I mentioned in discussion on the supplementary estimates, there's approximately \$3 million in those supplementary estimates for replacing the analog recording equipment that we now have with digital recording technology. This provides an opportunity for us, because we have to upgrade the recording technology that we have now in any event, and in looking at replacing that technology and going to the new digital technology, we made a determination that we would go to the higher level of recording systems.

I think, as I mentioned in the supplementary estimates, Justice personnel have gone to various locations including Halifax and, I believe, New Jersey and Tampa, Florida, to observe the digital court recording processes in action. They've attended conferences. This is not something where we woke up one day and said: you know, we

want to make a change here. This is something that has been considered. The technology is there. I'm assured from the research that the Justice officials have done and from their on-site observation of it that it works and works well.

We have, as might be expected, feedback from members of the bar and members of the bench. As is always the case when you take in new staff, there will be people who say: no, don't go there. They'll be concerned about whether it's going to work. People will say: well, I don't want to be the first one. But, quite frankly, somebody always has to be the first one. We are in fact the last jurisdiction to go to recording technology in place of court reporters. I'm constantly given the feedback from people who say that in other jurisdictions it hasn't worked, but I'm satisfied that the recording technology we're going to be implementing is state of the art, is ahead of what other jurisdictions have. The feedback we've got is that it has worked much to the satisfaction of the bar and the bench in those areas where it's been utilized.

I have spoken with a number of members of the bar just on a random basis to ask for their reaction. Quite frankly, I'm not getting the reaction from my random calls that I'm getting from the people who are writing letters from either the bench or the bar, so I think there's a bit of a mixed message there.

We had been moving toward real-time recording. In fact, I think in the court reporters' job descriptions there had been questions or it had been a requirement that they move towards the real-time recording. The reality is that most lawsuits don't require that level of service. Most lawsuits don't require a same-day transcript or even a next-day transcript, so we're providing a really fantastic service which is used at a rather modest level. We think we can provide the same level of service with the recording. Yes, those recordings will have to be transcribed by typists when they're needed, as opposed to on a real-time basis in every courtroom where there's a court reporter.

We're keeping 16 court reporters to ease the transition and to make sure that in those cases where there's anticipated to be significant problems, that type of service can be available. The one example that I can think of might be where you have a testimony from someone who is deaf, and you might want some real-time transcribing so they can see the words across the screen. That's I think anticipated to be transitional, and we believe that once people see the recording processes in action, a lot of their fears will be allayed.

It has gone out to a request for quotation. At this stage we're looking at purchasing equipment I believe on or before the end of March for start-up at the beginning of July.

As I expressed during the examination of supplementary estimates, the main concern I have is how we deal with the people who have provided exemplary service in this particular area. That's why we have \$2.7 million in the supplementary estimates. We want to make sure that they have the opportunity, if they so desire, either to continue on in the public service, albeit in another capacity, or to move to the private sector if they so desire. There was appropriate money available for retraining, for counseling, for severance, and those sorts of issues. We're very sensitive to the issue.

This isn't a downsizing question. This is a question of how we best utilize the resources that are available to us. We needed to upgrade the equipment, so we're going to upgrade it to the best equipment we can get, and then we're going to utilize the savings which come out of that. The payback period should be about two and a half years, and we'll have available to us then resources to do much more community-oriented justice projects.

The increase in legal aid. The last time it was increased was '96-97, I believe. We're dealing with issues relating to governance.

We're in mediation on the tariffs, and we're encouraging different plans for the provision of services; for example, a staff project on family law. Family law is an area where there's difficulty providing the number of services that are necessary. Funding on the same model as we've funded in the past might prove to be incredibly expensive, so we'd like to see the Legal Aid Society look at alternative service models and perhaps do a staff project in the family law area as an example.

8:57

Their budget does have built into it sufficient moneys to provide for certificate completion fees. Last year, as I recall, we released an additional \$3 million that they had for payments on completion. While this remains an issue of concern to the bar, there are contingencies for issues like a major organized crime case. There's a built-in fund. This is an area that definitely needs some work, and we're in the process of talking with the Law Society and the Legal Aid Society about how this can be better operated.

Medical examiner. I think you may have missed a number or something because we're talking about relatively modest sums there: a \$90,000 expenditure on a medic program, which is software technology for the medical examiner's office, and \$150,000 will cover the increase in fees that are being paid to medical examiners across the province. A lot of our medical examiners are not full-time employees of the government. In fact, most of them offer themselves in their community, and they were being paid – well, if you thought the police officers were volunteering. They were being paid quite an insufficient sum. We've increased that sum by \$150,000, a modest amount to cover that increase.

I might have missed the next one in terms of the direct questions that were there, but I think you were talking about victims of crime and crime prevention, perhaps more on the crime prevention side. I would certainly agree with you. In fact, I was hoping that somebody would ask the question in estimates as to why we hadn't increased the Justice budget for crime prevention more and I would be able to say that we have, because we've increased Health and Learning substantially. To me, those are crime prevention programs. If we have an educated population, if we have our kids well cared for – particularly you mentioned the Success by Six program. Programs like that do more for crime prevention than many other programs which we might have. I certainly am spending an awful lot of time talking about how we can improve our crime rate by dealing with kids early and dealing with the root causes of the problems in society that lead to the issue rather than, as I say, dealing with Justice as an acute care model and providing the equivalent of acute care hospital services once the problem is there.

A 1.5 percent increase in provincial policing programs. I think what's necessary to look at in that area is the fact that the federal government has not been meeting their commitment to provincial policing programs over the years. I'm hopeful; I haven't seen the final analysis, but in this year's federal budget it looks like they're finally stepping forward to top up their portion of the program to the extent it needs to be topped up. That will assist us I believe very substantially, together with the fact that they've now reopened their training centre in Regina and there will be more RCMP officers available.

That's of course the main area where we pay directly for policing, our provincial policing contract with the RCMP, and I'm delighted to see that it would appear, subject to further analysis, that the federal budget may have finally provided some of the funds that are necessary to meet their obligations with the provincial policing contract. That should go a long way to providing those extra police resources that are needed. We in turn, though, will be looking more

substantively at the First Nations policing and some of the contracts we have there and looking at how that could be done more effectively.

The question about volunteer time is always a difficult one, because those of us who are very interested and active in what we do tend to go above and beyond the call of duty. I certainly appreciate the amount of time and effort that our police officers and other members of the community put in on a volunteer basis with respect to various programs and things they can do in the community to just make the community a safer place. So I don't want in my comments to diminish at all that volunteer service that's provided, but I'd also point out that community policing and crime prevention is a fundamental core business of police.

The job of police is not just to catch criminals after the fact. In fact, one of our main goals is safe communities. I've often said that I don't consider us to have a safe community if the object is to catch the people who break into our houses. The object of having safe communities is to have communities where people don't break into our houses. You do that by crime prevention. You do that by having better partnerships with the community, more people taking more of an interest in what's going on in their community.

You've talked about some of the early intervention programs, some of the diversion programs where one of the interesting things is that we have people, as I understand it, who come into our provincial correction services for an average of 46 days. Well, in those 46 days I'm not sure we're able to deal with some of the root causes of crime. The addictions questions, the alcoholism questions, we have to deal with those more.

To get back to your question on community policing, crime prevention is a fundamental core business of police. Should they have to do it on a volunteer basis? No, that shouldn't be the way it's provided all the time. Do I understand that the people who are committed to what they do and would consider themselves to be professionals work more than an eight-hour day usually and volunteer their time? Absolutely they do, and the community is always the better for it.

I'm not going to comment further on your comments about laundering money, only to say in the strongest possible terms that those comments in my view were totally inappropriate. We're not part of a money laundering scheme, never would be part of a money laundering scheme. And you, as a former member of the justice process, should know better than anyone that raising issues of that nature during a sensitive trial that's going on now would be inappropriate.

In terms of new police officers, I think I've dealt with the provincial side, where hopefully there will be new police officers available now that Regina is open for training and the federal government has committed their dollars back into the process. You alluded to what happened in Fairview, saying that there was a lack of resources, and I would have to correct that. There was no problem with access to police resources. They had all the resources they could use from a policing perspective there. The problem was that under our provincial Police Act the funding for overtime is paid for by the community. The basic policing is done under the basic policing contract. The problem that Fairview had and that some other communities like Cold Lake have had is that funding for overtime services is expected to be paid out of the community.

I expect that's an issue we will be addressing on a substantive basis under the review of the Police Act that's being undertaken right now, and we'll have to look at levels of service. We're looking at police training and police standards as part of it, and the whole question of how we pay for those overtime services, how we pay for policing and at what level in what communities will be, I presume,

one of the things that's responded to in the Police Act review. There's also an AUMA task force which is dealing with that whole question. We'll be looking forward to it with interest.

I think that deals with all the questions I've had so far.

THE CHAIRMAN: Okay.

Next person, the hon. Member for Calgary-Buffalo.

MR. DICKSON: Thanks, Mr. Chairman. Good evening, Mr. Minister. Alberta children right now don't have equal claims to support from their parents when they separate. As you will appreciate, under the Divorce Act parental obligations in terms of support will continue till 18, but if the child is unable to be self-supporting because of illness or for any other reason, that support obligation may continue. Under the Domestic Relations Act support ends at 16 years under part 4 but at age 18 under part 7. Under the Maintenance Enforcement Act support ends at 16. Under the Parentage and Maintenance Act support ends at 18. So my question, Mr. Minister, is: why have you not acted on the recommendations of the Alberta Law Reform Institute? There are at least two reports that have addressed this. It is not, with respect, a difficult matter to resolve. If you are as interested as I am in making our legislation Charter-proof, can I ask why that matter is still outstanding?

MR. HANCOCK: We're reviewing in total the family law legislation, doing a comprehensive review of it, with the anticipation of bringing in one or two comprehensive acts hopefully next year. We believe it is more appropriate to do a comprehensive review and reform rather than to deal with things on a piecemeal basis.

MR. DICKSON: Excellent. I invite you to look at a private member's bill that had come into the Assembly three years ago, the Family Law Reform Act, that was a modest amateur effort to consolidate a number of statutes, and I appreciated the advice I got from the Member for Calgary-Fish Creek as I was drafting and putting that bill forward. That was very helpful to me.

Mr. Minister, will they also be actively considering then the unified family court, which is something else that the Liberal opposition has urged your department to address over the last five or six years?

9:07

MR. HANCOCK: The task force on the unified family court is in process. The Member for Calgary-Lougheed will be chairing it, and it will be formally announced in the next few days.

MR. DICKSON: Very encouraging.

Another recommendation I had made to your predecessor was to take advantage of the technology, afford the Alberta Court of Appeal a video record. You know, Mr. Minister, as somebody who's experienced with the way our civil system works, think of the amount of time that an appellate panel sits wrestling with books and books of transcripts trying to assess evidence and being stuck really with the trial judge's assessment, which is often skeletal and not all that helpful. The suggestion is: why wouldn't we look at providing a video record of viva voce evidence so that the Court of Appeal in appropriate cases would not be restricted to a transcript, whether an electronic format or hard copy, but be able to make full use of that kind of video technology? It's been suggested before. I won't characterize the responses I've received, but I'm still shopping for a minister who's interested. Could I have your response?

MR. HANCOCK: Well, I'm very interested in improving technol-

ogy in the justice system. I think we're way behind where we should be. Of course, as you've noted from my comments tonight, we're pleased to take the next step and get into digital recording at the highest level possible. We sense resistance to that, so I'm not sure what resistance there would be to taking it a step further to video recording. The only comment I could make is that the Court of Appeal, in all of the technology requests they have before us, hasn't included that one.

We are, though, very interested in using video technology in other ways with respect to the courts in terms of allowing video conferencing processes, which will be both more convenient for the public in terms of their access to the courts and more convenient for Justice in terms of eliminating or reducing the amount of resources that are needed to move incarcerated persons around and that sort of thing.

I guess the short answer is that we're moving as fast as we can to upgrade technology. We've got a lot of priority areas. We could spend a lot of money on technology. Our important priority areas are in getting proper information systems together first. Certainly your suggestion of videoconferencing is one which should be on the table for future consideration, but it can't be up there at a priority level in terms of the need we have for technology improvement.

MR. DICKSON: Thank you, and I'll keep asking.

Mr. Minister, I compliment you. On page 218 of the business plan we've seen for the first time in my recollection an acknowledgment that public legal education is part of the responsibility of the provincial Department of Justice. I'm disappointed that it took the justice summit to highlight the need there, but I put to you one of the great ironies. In this province PLENA, the Public Legal Education Network of Alberta, probably provides the finest job of supporting, co-ordinating, and developing public legal education of any jurisdiction in Canada. I look at the kind of leadership provided with Alberta Law Foundation support. We're doing a terrific job, but I've always been struck - and this is the irony - that it's happened, frankly, in spite of our Department of Justice and despite what I regard as an abysmal lack of leadership on the part of your predecessor. So compliments to you and your deputy for identifying it on page 218.

Now, my question is: can you give me some concrete particulars? I mean other than simply studying it. This is not a new issue, Mr. Minister. I'd like to raise the threshold. Tell me: what concrete kinds of ways can you and your department provide some support and leadership to enhance, support, and leverage that very, very excellent public legal education program that already exists in the province?

MR. HANCOCK: Probably two key areas there in terms of initial action. The first will be the new Justice web site, which we hope will be comprehensive, interactive, and a valuable tool for public legal education, a valuable resource for teachers, for schools, and for everybody involved in the community in getting information on a timely and accurate basis. So the web site will be an important first step.

Secondly, as part of the increase in the communications budget we anticipate having a public education officer in Justice whose job will be to co-ordinate with the schools and community colleges to promote public education programs, to help co-ordinate the ways that we can be involved in public education. You might already be aware of the fact that the courts, particularly the Provincial Court, have engaged in a program of making judges more available to the schools to talk about the role of judges in the court system. We hope to dovetail with that, co-ordinate with that, so that programs can include understanding the role of Justice and the government.

The other thing which might be interesting to you is that the steering committee from the justice summit has agreed to stay on as a Justice Policy Advisory Committee. So with that group we have representatives from most, if not all, of the stakeholders in Justice and in the area of justice. We don't consider it the job solely of the Department of Justice to implement the recommendations from the justice summit. Quite frankly, neither do the stakeholders, and their advice to me is that this is something where we need to involve a broader cross section, a broader group of people, and each of the stakeholders has a role to play.

So that Justice Policy Advisory Committee will be playing an important role in identifying needed areas of public education, needed areas where we can partner with the community in providing a role for education. We and the dean of law serves on that committee have discussed at that committee, I believe - I'll have to check just to make sure, but I'll put this out anyway. We have checked on the question of having members of the education system other than the dean of the faculty of law involved in that Justice Policy Advisory Committee so we have better access to appropriate ways to do public education in the justice system.

MR. DICKSON: Thank you, Mr. Minister.

Can you give me some assurance that public legal education is going to be framed more broadly than it's described on page 218 of the business plan? To me I read that as trying to give people information about how the system works, but you know, you're talking to an old '60s activist who was involved when student legal services started at U of A and who was involved in starting Calgary legal guidance. I'm interested in people being able to get substantive information on how to access remedies too. It's not simply a question of giving them a better understanding of how, for example, the court system works and sentencing works and conditional release works.

A big part of that, whether somebody wants to be able to do their own divorce, whether somebody wants to be able to incorporate their own corporation - you know, I think it's important that we empower citizens to be able to find their own remedies in simple cases. So that, you'll appreciate, goes further than just sort of giving them a sense of how the system works. It's designing legislation so it's easy to read and understand. It's making forms accessible, either electronically or in hard copy. It's constantly looking at challenges involved in terms of accessing remedies in the system. So, Mr. Minister, can I ask you to address that somewhat broader view of public legal education and your department's role in it.

[Mrs. Laing in the chair]

MR. HANCOCK: Well, we only have a 649 percent increase in the communications budget this year for that area, so I think it would be a bit of a stretch to expect us to go into almost the delivery or training for the delivery of legal services. I'm not suggesting that's not something that should be out there to be reached for, but I think it would be a stretch to suggest we'll get there this year or even in the next couple of years. I think what we really want to try and accomplish - and we see it, for example, through maintenance enforcement. It's very interactive in terms of assisting people with advice on where to go with the next steps.

9:17

We're going to be doing a lot more to simplify the court processes. We're hoping to be in a position where we can increase the limits, for example, on provincial small claims court so the average person can have access to those courts and use it themselves. I

guess the corollary of all that is that every time you do that, it's necessary to make sure that there's good information available to the public as to how to access those courts or how to access those programs. So we will be spending more time, effort, and money on appropriate manuals, for example, and access to that process.

Again, I go back to the web site. I think electronic technology will be a boon to us. It is a work in progress. I can't promise that it's going to be delivering forms in all areas, but I would anticipate that that's a direction we would be going.

So I think we're going in that direction, and it's a question of how far, how fast, how much can you do, and what, really, should you be doing. Obviously we can't be providing legal advice, but we should be providing more and better access and the necessary information so that the public can make good use of that access.

MR. DICKSON: Mr. Minister, just moving on to page 223 of the business plan. The testament to my lack of persuasiveness is the fact that we still don't monitor the length of time it takes from the time a certificate of readiness is filed until the time a trial commences. We continue to track elapsed time from first to last appearance, but the biggest delays, where you don't have the advantage of Charter constraints to move things along, are on the civil side, and every year that I've come to query your predecessors, I've suggested that we should be monitoring delays and so on in terms of civil trials. I'm interested in your explanation in terms of why we don't do that.

Because I'm close to running out of time, I just wanted to get into another area quickly. You're obviously interested in technology. Mr. Minister, I've been watching with some interest in Ontario the integrated justice project which has e-filing capability. This is the thing with the SHL/Systemhouse consortium. This was in response to the 1996 CBA report of the System of Civil Justice Task Force. It's interesting. In Alberta we've had arguably the most technologically sophisticated Court of Appeal in the country for a long time. There have been lots of advances in different areas. You're interested in dealing with court reporting, but I'm interested in terms of why we haven't looked at something more comprehensive, as is evidenced in the Ontario jurisdiction, because there may well be some advantages that accrue to doing things in that fashion.

The other question, Mr. Minister, will be no surprise to you. We've seen the Ontario government deal with legislation dealing with same-sex partnerships. The federal government has now introduced legislation to deal with that. I always encourage the provincial government to make our legislation Charter-proof. My question is: when may we expect that the province is either going to accept what we'll call the Liberal model of domestic partnerships or come up with a Conservative government variation? The end is to make our legislation Charter-proof, be able to reduce those stiff fees we're paying out to the firms that we dispatch to the Supreme Court of Canada on a regular basis to do battle on behalf of the provincial government.

For those questions maybe I could look for a response from the minister, Madam Chairman, if I still have some time left.

MR. HANCOCK: With respect to the question of measuring the time to trial from certificate of readiness, I think you're probably as aware as I am, although I haven't practised in the civil litigation area for the last number of years in my practice, that that is not really a measure of the effectiveness of the system inasmuch as that's still very much in the control or partially in the control of the parties to the action as much as anything else.

What we are interested in doing, though, is providing for the freeing up of court resources by encouraging more pretrial processes of mediation, mediation earlier on files, looking at some of the

things that are happening, for example, in B.C. and Ontario with respect to whether there should be a compulsory aspect to the provision of mediation or whether there should be at least a procedure whereby one of the parties could trigger mediation prior to trial. Those are, I think, more effective ways of dealing with the issue of utilization of our court resources than perhaps measuring the time between certificate readiness and trial.

The median time used in goal 5 that you cited is the only national measure there is. Sometimes that's one of the problems you have when you're trying to find measures which can be appropriately utilized in this sort of a context, where you're trying to find something, where you don't have to invent a whole new method of collecting data and you have something to measure it against. Personally, I guess I would like to see us move over time to inclusion of some more qualitative analysis of results and those sorts of things. I'm always open to suggestions as to what better measures we can have and where you would find the benchmarks to measure them against.

In terms of technology, the integrated justice project in Ontario that you mentioned I understand has been some four years and \$200 million in the making and is still not up and running. We don't have those kinds of resources to put into that type of a long-term project. We are doing our own integrated justice review, and we are looking to get some information on that in the relatively near future as to what we might utilize. As I mentioned earlier, we are doing a technology plan for the department in terms of all of the issues, information sharing, a project which will bring together the information resources and the planning resources at all levels of the department and, in addition to the department, including the courts. So we're not sure that the Ontario model is a good one given the time and money that's gone to trying to develop it, but we are working in that area and are very interested in improving our own integrated information system.

THE DEPUTY CHAIRMAN: Okay. Thank you. It's 20 minutes.

The next member up is Drumheller-Chinook.

MRS. McCLELLAN: I just have a couple of rather quick questions. One I'm interested in is the youth justice committees and the process for those, if the Minister would like to give just a wee bit of information on that. Also, just an update on the transfer of the community corrections program to aboriginal communities. I'm interested in the amount of interest that the minister is finding here.

MR. HANCOCK: Sorry; I missed that.

MRS. McCLELLAN: The community corrections program that's available to aboriginal communities. I'm wondering what the take-up on that is.

The public perception of safety in the neighbourhood was of interest to me, and I wondered if you might have some information on that by region. I sense in my community that the policing is working out quite well. There was a period of time where we had a number of concerns on rural policing, but that seems to have leveled out, and if you had some regional information, it would give me an indication. I don't expect that now but when you would have an opportunity.

I'm interested in any progress that's being made or initiatives that are being taken to address some of the concerns with the Young Offenders Act, which seem to be ongoing.

9:27

A question was posed to me on Friday, and I don't know whether

you have the answer, but maybe you could just indicate by nodding your head if you're responsible for the highway traffic police. Is that the Minister of Infrastructure? The question was posed to me, just for the member's use, as to what role special constables have in policing on secondary roads and if there's going to be a duplication or an overlap. I'm sure I'll get an opportunity to pose that to the Minister of Infrastructure if and when his estimates come up. Certainly we don't need duplication, and I think it is important that we define what responsibility or jurisdiction special constables have. Many municipalities have put these in place. It's working very well. Obviously it's a big province, and we don't really want you to send out a bunch more people into an area where it is working. We might need them more in more heavily populated areas.

Those were really my questions. I didn't want to take a lot of the committee's time, Mr. Minister. Oh, I had one more. I apologize.

There were pilot projects in place working with young people in young offenders' institutions in Calgary and Edmonton. I believe in Calgary it was linked to sports, and in Edmonton it was linked to the arts. They were given some exposure and training, I suppose you might say, while in the institution and then linked to community people when they left the institution. The first indications I recall were that it was positive and that the principle of it, of not allowing the case where young offenders simply go back to the situation that sort of got them in there in the first place – I'd like to know if those projects are still going and, if they are, what indications there are as to their success.

Those are my questions, Mr. Minister.

MR. HANCOCK: Well, I'll try and answer them quickly. We have youth justice committees covering about 75 percent of the province now. There are 80 committees in place. They're formed under the auspices of federal legislation; that sets up the criteria. They basically are volunteer organizations coming forward from the community, and then we appoint them. We have some resources in our budget this year to provide some support for them. I feared in the past that we didn't have the resources to provide the support they needed, but we're moving in that direction because they do good work.

MRS. McCLELLAN: Any questions that you don't have the immediate answer for I'd be happy to have you just drop me a note.

MR. HANCOCK: Okay.

Community correctional services currently has some \$6 million in contracted aboriginal services, including the operation of camps and a correctional centre by and for aboriginal people. I'll get you additional information on that.

I don't have stats for you at hand about the safety by region. I think one of the things that's very clear is that – for example, I was down in Calgary recently assisting with the kickoff of the new Block Watch program – those types of programs where the community takes some responsibility for seeing what's going on in the neighbourhood are very important in the urban areas. Rural Crime Watch fits into that area, as well, for rural areas. But in terms of statistics by region, I'll have to get you those details later.

The Young Offenders Act. As you know, the federal government has introduced again its Youth Criminal Justice Act. We've had commentary on that. We've had concerns about how far it goes. The justice ministers met in B.C. in early December and again raised some concerns. Ontario has basically taken the position that the Youth Criminal Justice Act should be scrapped. Quebec has taken that position as well. They've taken it from opposite ends of the spectrum. We've taken a position that we should play a positive

role. We've encouraged the federal government to make changes to that act to deal with some of the issues and concerns we have, but we're also moving forward to implement some of the provisions of that act and some of the alternative-measures programs and those sorts of things which we think are effective for those young offenders who can be rehabilitated or otherwise dealt with outside the system.

We think there should be access, for example, for younger children, not because we want to throw kids under 12 in jail but because there needs to be some way of bringing them into the process so that they can be dealt with in the alternative processes. We think there should be an easier access for kids over 16, for example, to move them into the adult court system. By and large, we're saying that we want to work with it and do what we can to implement some of the positive things that are in it as well.

The role of special constables particularly on secondary highways. We're negotiating, working with Infrastructure as we speak and with other stakeholders to determine what the role will be, who will do the policing on secondary highways, and how that will be integrated with the overall system. One of the things I would want to mention is that we do not expect that special constables should do policing. Policing is something that should be done by persons who are trained in policing. Special constables have their place for bylaw enforcement processes, for other things, but they shouldn't be acting as police on our highways. That's an area of concern. If there's going to be a secondary level of policing, then there needs to be appropriate training and appropriate resourcing for that.

In terms of projects for young offenders, I don't have the data at hand specifically relating to the program. I remember the program you're talking about. I'll have to get you that information. We are working more in terms of those types of programs. For example, there's a transition program with the city of Edmonton whereby the city has agreed to provide work experience for young offenders so that they can build up their résumé, so to speak, and have a positive work program in place, because we want to make sure that young offenders coming out of a correctional facility or coming out of our system have an opportunity to stay out of the system.

The city of Edmonton, for example, has taken the initiative on a program which may well do that, where they'll hire a young offender. They don't have to be people that are in the correction system, but they'll hire a youth, give them work experience, and give them something on their résumé so they have something to take forward. I think those programs are very positive.

We've got to appreciate that everybody that comes into our system, into a provincial correction centre, whether they're seniors or youth or non youth, is going to come back out into the community. Unless we have a positive experience for them and we've somehow added to their ability to deal with their particular issues in the community, we haven't done anything for the safety of the community. So we need to deal with those.

MRS. McCLELLAN: Thank you.

[Mr. Tannas in the chair]

THE CHAIRMAN: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you, Mr. Chairman. I have a number of questions this evening, and my colleague for Edmonton-Norwood is anxious to get another chance to ask more questions. I see there is a substantial change in the budget of the medical examiner's office. I've been advocating for some time, and I'm wondering if it is not a plan of the government to conduct now – my question would be:

are you planning a fatality inquiry whenever there is the unfortunate circumstance of an Albertan losing his or her life on a work site? Is this something that your government is planning: a fatality inquiry every time there is someone fatally injured on a work site?

Now, I have a few questions also regarding the courts. What are the current backlog statistics for the province? What is the major hindrance? Are the prosecutors finally being paid enough, and are there enough of them?

9:37

MR. HANCOCK: Sorry. What was the first part of that question?

MR. MacDONALD: What is the major hindrance? Are the prosecutors finally being paid enough, and are there enough of them?

I'm quite agreeable if the hon. minister would like to respond at a later date by letter, as well, if he does not have the time or the resources, perhaps, to answer some of these questions this evening, Mr. Chairman.

Regarding the new supercourtroom that has been announced for Edmonton to be completed by September 1 of this year, out of what budget will this funding come?

What are the government's plans, also for the hon. minister, with respect to court reporters, and how are those plans reflected in this budget? Is there going to be a digital court recording system installed in every courthouse throughout the province, or is it going to be a system that's probably going to fit in the trunk of someone's car as they go from courthouse to courthouse in rural Alberta?

I have a number of questions concerning organized crime. Everyone of us around this table, I believe, would be concerned and would certainly be offering words of encouragement to the hon. minister if he can fight organized crime in this province. What is the extent of organized crime in the province now, and what is this government doing about it? The laundering of money in casinos has been an issue that has certainly been brought to my attention by worried constituents who have visited the constituency office on more than one occasion. How much money is laundered through casinos and other government gambling businesses?

Can the hon. minister say who controls the importation and distribution of illegal drugs in the province? I am sure there's monitoring going on regarding these activities and the gangs or organizations who control heroin, cocaine, marijuana, ecstasy. If he can divulge any information to me, I would be very curious and grateful as well.

Also for the minister: what is the global budget provincially to combat any further expansion of organized crimes? Given that new Canadians and new Albertans are often victimized by organized crime in their community, it is often important that there are community police officers able to communicate with and gain the trust of those citizens. Further, to move into gangs of a specific ethnicity, it is important that the composition of police forces reflects the ethnic composition of the communities they serve. To that end, will the minister advise the committee on the number of police officers of, for instance, Vietnamese ethnicity in the province, the number of police officers of Chinese ethnicity, of native Canadian ethnicity, of Sikh ethnicity? Is there any direction or incentive for municipal police services to ensure that their police forces are a reflection of the community that they serve?

I have another question for the hon. minister. We worry about language services for health authorities to ensure that non English speakers are able to communicate for their health services. What funding or programs are in place to ensure that police services in larger centres have the linguistic skills necessary to serve all citizens properly? Can the hon. minister indicate the number and in which

languages the RCMP, the Calgary Police Service, and the Edmonton Police Service offer services?

I also have a question for the hon. minister. Are there any more initiatives for creative sentencing in the provincial courts?

The issue of pine shakes of course. Many constituencies have been victimized by this scandal but some constituencies more than others. There are some constituencies in the province where it is stated that up to 3,000 homes are victims. Now, if there are legal opinions that the Department of Justice has received, legal opinions existing that free the government of any involvement in this, I believe it would be in the interests of the province, in the interests of courtroom time, and in the interests certainly of the homeowners if those legal opinions could be released to the public. I wonder when that will be done.

Now, we all know that this is very expensive, and homeowners in some cases have been victimized twice by the government. There's been mismanagement and misinformation, and there's also the issue of the treated pine shakes. Hopefully we're not going to go down the same road as the untreated pine shakes, down the road to the courthouse. This is certainly an issue that we cannot see repeated. If the minister can shed any light on those legal opinions for us, I would be grateful. Also, what is the liability insurance carried by the province? If there is going to be a settlement of this, will that insurance policy cover it, or are the taxpayers going to be on the hook?

Also, I have a question on community volunteer policing. In my constituency – and I'm proud to be associated with these individuals – there is the Ottewell community patrol. It's a volunteer patrol. There are many patrols of this nature, of course, across the city and across the province. What measures does the hon. minister have to support these volunteer patrols in the future? They provide vital information to the police, and I believe they are very effective in allowing for economical policing to occur. They're very necessary. If the hon. minister has any programs that are going to help these organizations in the future, I would be delighted to hear about them.

Also, the Auditor General has been making observations on each department, as we all know. The Auditor General's office has recommended "that the Department of Justice report the results and costs of its fines collection activities," and I would like to know when the hon. minister's department is going to make these necessary reports public.

I have one more question, Mr. Chairman, and that's related to massage centres. I note the hon. Member for Calgary-Fish Creek and her initiative last year, the protection of children in prostitution. Before I came here, I saw on the evening newscast an update on that whole issue. The police were patrolling the neighbourhoods of the city of Edmonton here, and they were remarking that there was a notable decrease in the number of child prostitutes on the streets. That is certainly something that is positive. Now, whether this will be upheld in the courts, this whole idea, is another matter. I certainly hope that these activities simply have not been moved indoors.

9:47

As I am aware and as I understand – correct me, hon. minister, if I've missed something here – at present there are no provincial regulations regarding the practice of massage therapy in the province of Alberta. I understand that there are many groups with an interest in developing standards on a provincial level. The various cities at the present time within Alberta may set their own bylaws regarding requirements. I understand that in the city of Edmonton – and it may be similar in Calgary – you need a business licence, and you need permission from the police chief or his or her designate. I believe this is inadequate.

There has to be some sort of public consultation process here, I think. These centres seem to spring up overnight. Police resources are limited in patrolling them to see if they are operating within the confines of the bylaws. I was shocked when I looked into this that there were no provincial regulations, and I think there is a need for provincial consultations, particularly consulting the immediate neighbourhood as to the establishment of such a business, particularly since one not too far away here on Jasper Avenue has recently been visited by the vice squad, and I believe charges have been laid. I forget the name of this establishment, but this has been an event that has happened here in the last couple of weeks.

I would be very anxious to hear from the hon. Minister regarding this issue. As I said earlier, if he does not have the answers available now, a letter at some time in the future is fine.

Those are my questions at this time, Mr. Chairman.

THE CHAIRMAN: Okay. Hon. minister, in the seven minutes remaining.

MR. HANCOCK: Thank you, Mr. Chairman. Well, with respect to the first comment relating to the medical examiner's office and the increase in that budget, I think I answered that question fairly definitively earlier on, but I would repeat for your benefit that the increase in that budget is dealing with providing for technology, particularly software, a MEDIC program for the medical examiner's office, and for the increase in the stipends paid to the non-union employee medical examiners who are utilized around the province.

It's not our intention to have an automatic fatality review inquiry with respect to every death on a work site. There is a Fatality Review Board in place. The Fatality Review Board reviews every fatality outside the hospitals, I believe, across the province and makes recommendations as to when that fatality review inquiry is necessary. I believe that's a fairly comprehensive program, one that works very well for Albertans and one that we would anticipate continuing to use. Typically when the Fatality Review Board indicates that they feel there should be an inquiry, an inquiry is held, but that doesn't impact the medical examiner officer's budget in any way that I'm aware of.

In terms of major hindrances there's money in the budget which will allow us, subject to correction, to hire additional prosecutors so that we can move ahead with some of the initiatives that we have, one of which is, for example, early review of files so that we can get to an early resolution of some matters and thus take some of the pressure off the court system. One of the problems we have is a very high collapse rate. In other words, we overbook the courts on a daily basis. It's sort of like an airline. You overbook it because you know that certain ones won't show up or will collapse on the steps of the courthouse, so to speak.

We still are not making efficient use of the judges and the courtrooms that we have available to us now because of that high collapse rate. So it's necessary to hire some prosecutors. We're working on a pilot basis now to see what we can do at the early stages of a file to resolve some of those things so we don't have as many getting to the courthouse and collapsing. That's one of the issues that we really have to deal with, and we're going to devote some resources to doing that.

In terms of the new courtroom there was an announcement made I think last week that a courtroom would be provided in the courthouse in Edmonton. We're renovating some space which is currently being used for other purposes, so there will be an additional court facility available. It's already accessible to the lockups and the other security provisions, so it's an appropriate way to deal with the issue.

I'm pleased to say that it's being paid out of Infrastructure's budget, not our budget, at a relatively modest cost in comparison to what other jurisdictions have done. I think the sum is about \$1.5 million. We'll end up with an appropriate court facility which can be utilized both for this particular set of charges that are coming forward in September as well as for ordinary court utilization. And yes, it will have digital recording equipment available to it.

You raised the question of court reporters, court reporting, and digital recording equipment. Yes, every courtroom in the province will be equipped with appropriate digital recording technology. We will not be having the court clerk or the judicial clerk or the judge carry around the tape recorder in the trunk of his car. We will have state-of-the-art technology, and it'll be available to Albertans in every courtroom in the province.

Organized crime. A very interesting question, and one which I'm sure I'd like to be able to provide the answers to and I'm sure the police would like to provide the answers to in terms of how much organized crime there is in Alberta, quantifying it, how much money is being laundered through casinos and that sort of thing. Those are very interesting questions but I'm not sure are ones which we would do anybody any service attempting to stab at answers for.

The bottom line is that we are working very hard with the police services both in the province and nationally to co-ordinate information sharing and to make best utilization of the resources we have available to us to counteract organized crime. At the ministers of justice and attorneys general conference that I alluded to earlier in B.C. at the beginning of December, we spent the better part of a day on presentations from various police forces, the RCMP and other police forces across the country, to give us a better concept of the magnitude of the problem they're dealing with, where it sits. It's a huge problem. It's one where, with the advent of technology and the Internet, the organized crime situation is moving with the speed of light or at least the speed of fibre optics. Some of the traditional tools which have been used to combat organized crime such as wiretap, for example, don't apply on the Internet. Encryption technology is a problem that police forces are having to deal with in terms of how they combat organized crime.

So suffice it to say that it's a serious problem. It's not limited to any one particular group of people. There are eastern European organized crime syndicates. There are Asian gangs, of course. There are now aboriginal gangs coming into play. There are a number of different sectors, and they don't stick to any one commodity anymore. They'll do anything which they can make money at, so police forces are reorganizing themselves. Instead of being commodity specific, they're now looking at overall global contacts relating to the crime syndicates themselves. Of course, it would be nice to be able to identify who exactly is behind these and get the information so they could be arrested. That's the job the police are conducting on an ongoing basis.

We have committed \$8 million over three years to CISA, Criminal Intelligence Service Alberta, which is basically a program of . . . My 20 minutes aren't up already? My gosh.

MR. WOLOSZYN: Yes, they are. You're some talker.

MR. HANCOCK: I think that was the end of his 20 minutes, Mr. Chairman.

In any event, basically the global budget for combating organized crime – again, that's difficult to put a specific figure on. As I say, provincially we have specifically targeted \$8 million over three years to this information sharing process, but you'd find the organized crime-fighting budgets in each of the police budgets for both the city of Edmonton and the city of Calgary, the RCMP

provincial policing contract, as well as the federal RCMP presence in the province. So it would be difficult to sort of pick one number, isolate that out, and say that that's how much is being spent fighting organized crime.

In fact, one could argue and I often do take the opportunity to point out to people that when their kids are buying drugs in the neighbourhood or in the school, they are contributing to the profits of organized crime. So we can't take lightly – I've heard people say and I know you've heard people say that, you know, it's just marijuana; why make such a big issue of it? But that is the source of funds for organized crime. That's the real attraction. Those are the issues we have to deal with. We have to deal with them right in our community. So fighting organized crime is dealing with the drug dealers, it's dealing with the people who buy drugs, right from that level all the way up to the sophisticated electronic monitoring that we have to do and that the police need to have the technology to do.

9:57

There's a number of other questions that have been asked, some of them very interesting but not necessarily getting to really the root of my business plan.

In terms of the planning issues surrounding the location of massage parlours, we don't deal with planning issues at the provincial government level. That clearly is a civic issue.

I'd like to express appreciation for what I heard was support for the Protection of Children Involved in Prostitution Act and the need to make sure that that act stays in place. I think I heard you say that it's been very effective in keeping young prostitutes off the street or

getting them off the street. I share your concern about, you know, we haven't really solved the problem if we just get them off the street and they move indoors. I would hope that licensing criteria that cities use would prohibit anybody under the age of 18 from being involved in providing massage services, but that clearly is a matter for the municipalities, and it's not one that we contemplate getting into provincially.

With those comments, I'll leave the rest of your questions.

Mr. Chairman, I would move that the committee now report progress.

THE CHAIRMAN: Okay. The hon. Minister of Justice has moved that the subcommittee do now rise and report progress to the committee. All those in support of this, please say aye.

SOME HON. MEMBERS: Aye.

THE CHAIRMAN: Opposed, please say no.

SOME HON. MEMBERS: No.

THE CHAIRMAN: Carried.

The committee therefore will reassemble downstairs.

[The subcommittee adjourned at 9:59 p.m.]

