

Legislative Assembly of Alberta

Title: **Wednesday, April 28, 2004** **8:00 p.m.**
 Date: 2004/04/28
 head: **Committee of Supply**

[Mr. Tannas in the chair]

The Chair: Good evening. I'd like to call the Committee of Supply to order. Before we begin this evening, may we receive consent from the committee to briefly revert to Introduction of Guests?

[Unanimous consent granted]

head: **Introduction of Guests**

The Chair: The hon. Member for Edmonton-Meadowlark.

Mr. Maskell: Thank you very much, Mr. Chairman. It's my pleasure to rise this evening and introduce to you the 159th Brownies pack from the La Perle community – in fact, they also attend La Perle school – their two leaders, Ms Tiffany Conrad and Ms Rachael Raffray; helper Mr. Chris Hewitt; and nine lovely grade 2 young ladies: Erin Onufrichuk, Sarah Jessop, Carrie Jessop, Shy-Lynn Serafinchan, Samantha Bartlett, Cassidy Stilling, Debbie Kenakin, Deanna Carrier, and Madison Porter. Would you all please rise and receive the warm traditional welcome of the Legislature.

Mr. Mar: Mr. Chairman, while I was out in the hallways earlier, I saw a group of army cadets who are obviously on a tour of the Legislature Building. I know from my own experience as a young cadet that civics are part of the things that they learn about, and I'm certain that they've learned about levels of government including the provincial government of Alberta. I say this of the cadet program: it's a program that turns girls and boys into young men and young women. I ask that this group of cadets please rise and receive the warm welcome of this Assembly.

head: **Main Estimates 2004-05**

Justice

The Chair: The hon. Minister of Justice.

Mr. Hancock: Well, thank you, Mr. Chairman. I'm really pleased tonight to be here to present Alberta Justice's 2004-2007 business plan. I'm really, really pleased that the Minister of Health and Wellness introduced the cadets in the members' gallery, because some of my colleagues were believing that that was all Department of Justice staff coming to help answer questions. They were worried that they were all lawyers being paid by the hour. I have assured my colleagues that even those who are up there who are Justice staff and who are lawyers aren't paid by the hour. That's a good thing because the value that they would earn in the private sector in terms of an hourly rate and the number of hours that they work on behalf of the people of Alberta would blow the budget that I'm about to ask for permission to spend.

I'd like to introduce these very hard-working and dedicated civil servants, people who act on behalf of Albertans every day. I'd like to ask for the respect of my colleagues as I do that, because as much as it may be fun to free Oscar Lacombe – and I'm happy to get back to that question later on – I would like to be serious for a moment and I'd like the Member for Edmonton-McClung to be serious for a moment, too, as I introduce members of my executive staff and thank

them for the work that they do on behalf of Albertans. Truly, I have the privilege of working with a very dedicated group of people.

Mr. Chairman, I know they won't be offended if I say that they're but the tip of the iceberg, that working with them and for the Department of Justice and for the people of Alberta are many, many other employees who work in each of the divisions that are represented by their executive heads here today. I've had the opportunity to speak at some of our conferences for various divisions and speak with the staff about how we work towards building safe communities for Albertans and with Albertans. I know that the staff in Alberta Justice is dedicated to that, is very hard working. As I say, if we were paying them by the hour at the private-sector rates, we wouldn't be able to afford it.

Representing the department staff here tonight is Terry Matchett, the deputy minister, who is someone I have the opportunity to work with on I won't say a daily basis because often he has to work for two or three or four weeks at a time before we get together to figure out whether I'm going in the right direction. I'd just like Terry Matchett, the deputy minister, to stand so that people can see you as I introduce you.

Nolan Steed is here as acting assistant deputy minister of the legal services division, and he's here acting on behalf of Peggy Hartman, who's the assistant deputy minister. I can tell you that Peggy Hartman does yeoman service, but Nolan is here, so I'm going to talk about Nolan. Last year we went through considerable work on family law and adult interpersonal relationships and a host of other topics that I could raise. Nolan Steed is one of those people who, whenever I got into trouble or whenever there was an issue that needed to be explained, whenever there was work to be done on those, was able to make it clear, to enter into the discussion, to challenge our thinking, to provide the policy options that we could bring to the political table for discussion and decision. I really can't speak highly enough of Nolan Steed and of all the people that he works with in the legal services division.

The legal services division, Mr. Chairman, provides legal advice to all other departments of government. I'm really proud that we've been able to take on a corporate model where we work with every other department as part of their executive teams to help them identify risks and help them to avoid those risks before they become problems, which is really the sign, I think, of true legal services. It's not, as most people think, accepting the brief after the problem is there and fighting it through the courts. That's not the real challenge of law. The real challenge of law is helping to identify risks ahead of time, helping to find ways to achieve results, knowing what the risks are and knowing what risks you're prepared to accept or deal with. Our legal services division does that and does that so well.

Of course, they also take care of those issues that do go to the constitutional law area or to the aboriginal justice area or to some of the many other areas, because government is a large organization, and from time to time we do have to accept statements of claim and defend on behalf of government. Legal services acts well for us in that area.

We also have tonight Ken Tjosvold, the assistant deputy minister of the criminal justice division. It's Ken's fault that Oscar Lacombe needs to be free, but that's only because he's doing his job very, very well. The people of Alberta can be proud of the fact that we have a criminal justice division, the prosecutors who act on behalf of the people of Alberta in prosecuting crime, who act on a professional basis, make decisions without political interference, without political direction as to when to take cases to court, when to prosecute, in what circumstances there's sufficient evidence to prosecute and achieve a conviction and when it's in the public interest to do so.

We can be very proud of the fact that in Alberta, as in I think most

jurisdictions—I don't want to suggest that any other jurisdictions are not like this – the criminal justice system works very, very well, without political interference or direction. Our direction to the criminal justice system is on the policy level. We ask them to send out a policy directive with respect to how to handle matters, but they make professional judgments, professional decisions in the context of the criminal law, in the context of the laws that they're enforcing, and they do it very, very well on behalf of Albertans.

They also, Mr. Chairman, act in our communities. [interjection] You're a day late and a dollar short on that one. It's already been done.

We have prosecutors who are sitting on community committees across this province – domestic violence committees, fetal alcohol spectrum disorder committees – working with others in the community not just to prosecute alleged criminals and to get jail sentences, not just to take people out of the community in cases of serious and violent crime but to work with others in the community to avoid those problems again before they happen. I'm very proud of the work that the criminal justice division does under the direction of Ken Tjosvold and does so well.

8:10

We have with us Barbara Hookenson, the assistant deputy minister of court services. We managed to steal Ms Hookenson away from Saskatchewan. She's joined us this year – I think it was about January 1 – in our court services division. I have to say that she knew what she was coming to, knew what she was getting into. We made sure that she understood that we had ambitious programs going with respect to talking about how we might restructure the courts if that's appropriate after examination but, most importantly, how we make our court services and court services division accessible to the public so that it's understandable, so that people can use it when they have a problem, so that they know how to use the system and where to access it and can do it in a manner which is not too expensive.

Our court services division has to work with the Provincial Court, with the Court of Queen's Bench, and with the Court of Appeal in terms of providing the administration side of it, but they also work in many ways to make sure that people have access to family law information centres, have access to justice in so many other ways. They work with other parts of the department. We're talking about, for example, expanding our mediation programs and moving into other areas so that people only go to court as a last resort, not as a first resort, and so that dispute resolution, which is so important in a civil society, is available to people when they need it and that the tools are available to them.

We also have with us Dan Mercer, assistant deputy minister of the strategic services division. Strategic services is extremely important in the Department of Justice. We still do share – don't we? – with the Solicitor General. Yes. They're nodding. Before the last election the two departments were one. They were split in two, but we share our strategic services division, which means that for the budget process and the business planning process this group of people do yeoman service because they work with two departments to get the work done.

As you know, Mr. Chairman, the budget process takes more than just a month. It's a long-term process. Dan and his staff do excellent work in terms of making sure that we have our business plans and our targets and that we know the direction we're going and that we do the strategic planning we need to do.

With him is Shawkat Sabur, our senior financial officer and executive director of financial services. Shawkat keeps us on budget and makes sure that we know where we're going on the financial

side, works with us. As most people will know, there's never enough money to go around, so you require people who can actually make sure that every dollar that you have is most effectively used. That's Shawkat's job, and he does it very, very well for Albertans.

Then, of course, most of you will know by name, if you don't know his phone number, Manuel da Costa because Manuel heads up as executive director our maintenance enforcement division. Our maintenance enforcement division, sorry to say, generates probably 35 per cent of our mail if not more. It's a division, though, Mr. Chairman, that does yeoman service on behalf of children in Alberta, collecting maintenance on their behalf, both maintenance that's paid on a voluntary basis and, on far too often an occasion, maintenance payments that are not paid voluntarily. Manuel and the staff that work with him have to remind some Albertans of their obligations to their children, their families, and do that, I'm proud to say, very, very well.

Sometimes there have been complaints about how people are treated on the phone, and that's not a surprise because it's a difficult job. When people are being chased for money, they often are not that nice. But I'm happy to say that the maintenance enforcement staff has had excellent training and have responded exceedingly well to our requirement that all Albertans be treated with respect even when we're having to remind them of their obligations to their children.

So I'd like to thank Manuel, particularly, for the good work that's happened. I think it's safe to say that the number of inquiries from MLAs has gone down significantly over the past year or so. Maintenance enforcement is on target with respect to the turnaround time frames. There sometimes have been delays, but we've managed to put more resources into the area to deal with that, and maintenance enforcement is doing very well.

I'd ask all those members – well, I shouldn't yet because we also have Sharon Lepetich. I wouldn't have left you out. Sharon actually has one of the toughest jobs in the department. She works for Terry Matchett and keeps him on track and makes sure that he knows where he's going. I know that there are two or three people in my office that do that for me, and I know how hard they have to work, so I'm sure that Sharon works just as hard in that area. I don't know exactly what Sharon's title is because I'm not really ever good on titles unless they're written down. I'd like all of the members of the Department of Justice staff to please rise, and I would ask you to give them a very, very warm thank you and welcome for the work that they do for Albertans.

Just a reminder, again, that this is but the tip of the iceberg. We have dedicated staff in the department who work day in, day out to make Alberta a safer place for us to raise our families.

I see Betty Ann Hicks is also in the gallery, and I'd be remiss if I didn't ask her to stand. Most of you will know Betty Ann because she's here morning to night, day in, day out. If anybody has a problem, they approach me about it. If I remember to give it to her, she gets it solved. If I don't remember to give it to her, most of my colleagues here know better and go to her directly, and she gets it solved. I just wanted to say publicly how much I appreciate the work that Betty Ann Hicks does in my office to help make my work go very well but more importantly, again, for the people of Alberta because she is the person who channels the Department of Justice work in and through my office. We've had, I think some time ago, well over 10,000 action requests come through our doors and into the department: a phenomenal amount of work that's done.

Mr. Chairman, having said that, I don't know if there's much more to say about the Department of Justice, but I will try to provide a brief overview of the department – and don't anybody yell: too late – because there are so many exciting things to talk about in Justice.

Time won't permit me to provide sufficient detail or to answer all questions, so I'd be more than happy to respond in writing to anything that requires a detailed response or, quite frankly, that I forget the answer to.

Having made that commitment, let me just do a brief overview of the department and where we're going. Mr. Chairman, I'm sure you will wave at me as I move close to the time frame when I'm supposed to quit. Strategic direction, though. The Minister of Environment will really appreciate this because I know how much he appreciates the concept of strategic thinking and strategic direction. Having done the water for life policy, which is one of the finest pieces of policy work in government, I know that he'll appreciate . . .

Dr. Taylor: Justice does an excellent job.

Mr. Hancock: I knew you'd believe that.

Last year the Financial Management Commission, Mr. Chairman, called on the government to clearly articulate a strategic plan for achieving a sustainable economic vision for the province. In February through the Speech from the Throne and the Premier's television address Albertans were provided with a big-picture view, a long-term view of the government's renewed vision and 20-year plan. On March 19 that plan was released to the public, and it was included in the business plans of government that were released.

The 20-year plan lays the groundwork for growth and prosperity for our province in the future, focusing on the four pillars of unleashing innovation, leading in learning, competing in a global marketplace, and making Alberta the best place to live, work, and visit. Mr. Chairman, it will come as no surprise to colleagues that Alberta Justice and Alberta Solicitor General along with their partners focus primarily on that last pillar: making Alberta the best place to live, work, and visit.

One key way that we help to ensure that we work toward making this province the best place to live, work, and visit is through a solid and focused business planning process. You'll notice that along with other government ministries, the format of the Alberta Justice business plan has changed to better reflect strategic priorities and the commission's recommendation of improving the business planning process.

It's with little doubt that governments of today must be more forward looking and policy driven than ever before. As we move into the 2004 to 2007 business cycle, we continue to set our policy-driven course, one that identifies significant opportunities and challenges, one that's guided by best practices and lessons learned, one that helps us to better identify the ministry's strategic priorities while at the same time working to achieve the government's overall strategic plan.

8:20

As I said before, our primary outcome is seeking safe communities. Our strategic business planning and budgeting are all guided and focused by this outcome. Often when speaking to staff in the Department of Justice, I indicate to them that each of us in whatever job we're doing has to be able to answer the question: how does what we do help us to achieve safer communities?

You'll notice that this year our department has an updated mission and vision statement. We believe that these changes better reflect the role the government plays in Alberta and that this will better direct our department to meet Albertans' justice requirements. Our new vision statement, Mr. Chairman: "A fair and safe society supported by a trusted justice system." To support this our new mission statement is:

To protect the rights of all citizens and advance the goals of society by fostering: Safe communities; Access to justice; Respect for the law; Understanding of, and confidence in, the justice system; and the legal foundation for social cohesion and economic prosperity.

This year we've also aligned our core businesses more closely with six goals. Goal 1, "promote safe communities in Alberta," and goal 2, "work with Solicitor General to ensure victims have a more meaningful role in the criminal justice system," are under the core business of prosecutions, \$42.9 million, 15 per cent of our budget.

Mr. Chairman, I could go on and on and on about the goals in our department, and I would like to and I probably will over the course of the evening get into more detail about our goals because we have six goals. We have in those six goals strategic priorities, our strategic priorities being partnerships, families, victims, aboriginal policy initiative, Alberta children and youth initiative, public knowledge, business and policy practices, and organized crime and terrorism.

I am going to be delighted to come back to some of those items the next time I have an opportunity to speak because I'm just so very excited by the work that's done by the Department of Justice and the people in the Department of Justice, those some 4,000 people who work every day to make Alberta a safer place to live.

The Chair: The hon. Member for Edmonton-Centre.

Ms Blakeman: Thank you very much, Mr. Chairman, and thank you for the opening remarks from the minister. A special thanks to the staff who come out and join us in the evening. I can certainly see by the minister's remarks his genuine admiration and respect for the staff that support him.

If I might just launch right into the questions, Mr. Minister, I will do that. I will endeavour to give you page numbers that you can refer to, and of course where the detail is beyond instant memory recall, I'm happy to accept the answers in writing.

Generally speaking, what I'm seeing in the Justice budget this year is a minor increase. I think the total spending is up between 8 and 9 per cent overall, and I think that in past years I have called for most of those increases if not all of those increases to support the work that's being done. I think that in this department there are examples of where spending money saves money. We'll come to those later.

Into the detail of it. On page 261 of the estimates book under Ministry Support Services there's a reference under vote 1.0.4 to strategic services, and there's an increase there which is a significant increase.

Some Hon. Members: Free Oscar.

Ms Blakeman: Oh, I really don't like working Wednesday nights. There are all those events that the backbenchers are attending, and the minister is led off by some. It really makes it a special night in here, a very long night.

So directing our attention back. Vote 1.0.4, the strategic services. This budget went from \$6 million to \$7.9 million, a fairly significant increase just given the amount of the budget. Cross-government initiatives I think fall under this vote: freedom of information, information technology. But I'm interested in how the expenses break down under this particular vote. So if I could get a detailed breakdown with numbers attached of what is covered under this particular vote, what programs are covered, and what the allocation of the money is. How does that \$7.9 million break down?

Also on page 261 of the estimates, vote 1.0.6, management information services, there is a decrease. Not a lot of money; I'm

just interested in why. Has something been shifted or dropped or is no longer relevant or moved to a different area? What's happening?

The standing policy committee, which is vote 1.0.8. I'd like to get a detailed breakdown of how that \$98,000 is spent, please. What's salary? The chairperson of that committee gets a salary allocation out of this amount. What's that? Is there a vehicle included with that? What's the allocation for that? How much for the meals that the committee enjoys when they're meeting? How does this all break down, with details, please? I may bring forward an amendment later in the evening around that standing policy committee money.

Moving to page 262. Under Court Services, vote 2.1.1, which is program support services. This is an increase, and I'm looking for details on what the increase is covering.

Also, still on page 262, law libraries have dropped by 11 per cent or so. It's about half a million dollars, and I'm wondering why. Has there been a major change? It was over \$4 million; it's dropping to \$3.5 million. I'm just wondering why there's less money in there. Has something been moved, a program moved or transferred? What's accounting for that drop? I know the minister just launched the A-Link, and it's connected with providing information and researching. So has it been moved out of here and got its own line item, or is that what is accounting for the drop in the money? I'm always concerned when I see money going out of library allocations, so what are the details there?

The Calgary court operations, which is vote 2.2 and the subvotes therein, are up about 5 per cent, and Edmonton Court of Queen's Bench is up significantly more. Provincial Court is down a bit. Can you give me some explanation of what's happening with those increases? The 5.6 per cent could easily be cost of living or something, but it's almost a million dollars for the Edmonton Court of Queen's Bench, so I'm looking for what's happening there. Then the Edmonton Provincial Court is down by it looks like \$368,000. So what's happening there? Then when we get into the regional court operations, they're also up by 11.5 per cent. So if I could get the breakdown of the Edmonton, the Calgary, and the regional court operations and why they are respectively going up or down.

When we look at maintenance enforcement, appearing on page 264 as vote 3.0.5, the equipment and inventory purchases are going down. This may well be my standard question to the minister. He was asking if I'd have it on the record this year. Yes, I will. Where are we at with the implementation of the new computer systems? What's the \$1.4 million covering there under the equipment and inventory purchases? When I look up, I'm seeing a slight increase in the budgeted amount for maintenance, so I'm looking for what's happening there. Are we getting more staff in place?

8:30

While we're on maintenance enforcement, all of the standard questions that I usually have. What is the staff complement there now? How does it break down between the different areas? What is the breakdown of the collection rates? I'm still looking for a collection number that tells me the total amount of court-ordered support in Alberta. What is the total amount that the government is collecting? You can even do that by a monthly breakdown, but at the very least what are we looking at over the year?

So percentage collected against the total ordered, number of active files. Amount of arrears that are to be collected, because that's a figure that doesn't show up because it's not so much an active number. It's not rolling out every single month as a new number into the pot. Those arrears numbers often disappear. So where are we with arrears? How much of the arrears is subrogated to the government, and how much is not subrogated?

Where are we with the computer system, staff, and the office space? There was a problem – now, I'll admit that this was back when I first started about this, so we're probably five or six years back; it could be seven or eight years – where the office space was very cramped, and they'd been in the same place for some time. There was a desire to move them, and I think that did happen. But I'll just cross-check that. [interjections] Oh, yeah, that's right. Okay. That's why I was confused.

So we've actually decreased in the equipment purchases for maintenance enforcement. It was \$1.75 million last year; this year it's \$1.4 million. Is this the final instalment, then, for the upgrading of the equipment and the computer purchases? Where are we at with that? I'm looking for why the decrease and what the \$1.4 million actually represents.

On page 271 we've got the FTEs, and it looks like there are 53 new FTEs. Could I know where these FTEs have been allocated into the different programs that fall under the minister?

Now, I'm going to switch over to the business plan. Looking at page 321, under Crime Trends there's a discussion there of the "rising frequency of criminal activity on the Internet" presenting a threat to public safety. Could I get the minister to expand on that? It does go on later to talk about child exploitation including child pornography and Internet luring. [interjection] I'm sorry. Page 321 of the business plan under Crime Trends. I'd like some detail on what the department feels that they're dealing with here. What exactly are we talking about, and what kind of resources are going to be committed there? Is that where some of the 53 new FTEs are going? Is that where some of the increased funding is going? How does this start to roll out? If it's perceived as something that's affecting what the department is doing, then how? What is the department going to do about it?

On the same page, 321, of the business plan, a little further down under Crime Trends, it's talking about, "Substance abuse and related criminal activities, such as the presence of methamphetamine labs in Alberta, is also cause for concern." What I'm interested in here is: what piece of this is the Department of Justice taking?

Increasingly what I see are cross-ministry initiatives or the same issue turning up in more than one place. In this instance, just yesterday I was debating on the Solicitor General's budget, and a lot of these issues were coming up there, and it's sort of a cross-ministry initiative. But later when I go back and say, "Okay; where are we with this? Update it," or I try and track this down: "Well, it's not this department. Somebody has the lead on it. Well, talk to Health and Wellness. They're really, you know, doing something." Nobody seems to be where the buck stops. Who's the chairperson at the committee? Who's actually responsible for making sure that something is happening.

So specific to this concern about substance abuse and related criminal activities and the presence of these meth labs, what's the piece that the Department of Justice is taking? What's their responsibility? What are they responsible for? If I come back to you in six months and say, "Okay; you said you were doing this piece. Where are we with it?" I want to know what that piece is and, of course, what you're doing with it.

On page 322 of the business plan under Aboriginal Albertans – again, this is a repeat of things I've seen in other budget debates – there's a note that "the Aboriginal population is over-represented at all stages in the criminal justice system, both as victims and offenders." True, and we all know that. Again, what is this department's piece of that? What specifically are they doing to address that overrepresentation? What resources are dedicated to it? What kind of staffpower, staffing time, is dedicated to that? Where does it play into the decision-making of what the department is doing? I'll come

back to the piece around restorative justice and aboriginal concerns.

There's also on page 322 the issue of the single trial court. I know that this is a real interest for this minister. I, in fact, did follow through and used the federal freedom of information to get correspondence between the Minister of Justice and the federal Minister of Justice over this issue of a single trial court. Reading through that, there's an indication of some tension, and I would like to hear from the minister where he feels Alberta is on this. How far along the continuum are we to a single trial court? Are we 50 per cent of the way there? Twenty-five per cent? How far along the continuum are we? Is this still a concept that's being discussed, or have there been more concrete steps taken towards that?

And clarification of what the relationship is and it is expected to be between Alberta's justice system and the federal minister and the federal justice system. How are those two things starting to mesh together? Maybe they're not. Maybe what the minister will tell me is, "No. This is another one of the firewall issues, and we're going to go it alone, and we're well on our way there, and the discussions with the feds don't matter because we're going to go it alone," or whatever. But I'd like to know how far we are into implementation of this particular issue. I know that it's one that's very close to this minister's heart.

8:40

Could I also get an update please, on where we are with the unified family court implementation? This is noting that the public consultations were held in 2000, and there's been subsequent government response. We've had legislation passed in the House. Where are we with it? I'm just looking for an update or a status report, in essence: the resources that are dedicated to it, the number of staff, et cetera.

I'm going to stop there and let the minister respond on the ones that I've set out this far. Thank you.

The Chair: The hon. Minister of Justice and Attorney General.

Mr. Hancock: Well, thank you, Mr. Chairman. We have a wide range of questions there. I'll do my best to see if I can hit on each of them to the extent that I can, and as I say, where I don't have an answer or don't give an answer, we'll try and respond later. I can't guarantee that we'll give answers to all of them. In some cases the questions were quite detailed, and I know that we don't necessarily maintain the information in the fashion in which the member has requested, but I think we can probably satisfy most of her concerns.

She started with item 1.0.4, strategic services, concerned about the increase in the budget. I can assure the hon. member that in this case the increase in the budget is primarily one of moving the place in which the resources are dealt with. So in the case of strategic services the increase of \$1,882,000 consists of the transfer of \$700,000 from maintenance enforcement with respect to the MIM system, maintenance information management system, and the transfer of \$762,000 from court services and criminal justice with respect to Justice's on-line information network. That's really just a realignment of resources to have strategic services deal with our information and data resources rather than have maintenance enforcement and court services and criminal justice deal with them. So it's really not an increase in the budget, at least not of any magnitude; it's really just a reorganizing to have them in a better place.

That would also answer the question as to why the maintenance enforcement budget, 1.0.6, went down.

With respect to standing policy committees and the detailed breakdown I have no problem with providing a breakdown of

expenses in that area to the extent that that's available. In a general sense, I believe the stipend for the chairman of the standing policy committee is \$15,000 a year. Maybe one of the chairmen of the standing policy committee could just nod if that was accurate. Yeah. I don't know off the top of my head whether or not they have a car potentially. I don't think they do. Yeah. They don't have a car. That was something, I think, that was changed a long time ago.

With respect to the budget for the standing policy committee, the \$98,000, as I say, about \$15,000 of that would go to the stipend for the chair, some would go to maintaining the office, and the rest, presumably, would go to supporting meetings and, as I mentioned, staffing the office. So that's probably most of the budget actually because there would be a full-time staff member allocated to the chair of that committee.

On the court services budget there was a concern about the drop in the library budget, and again I can assure the member that that's just a reorganization. Really, the \$458,000 decrease, or 11.3 per cent, represents \$152,000 due to the transfer of the responsibility for the Bowker library collection to civil law and the remainder due to indirect costs which are allocated to ticket processing. The member will know that we have a dedicated revenue process with respect to – I think it's 16.667 per cent of the revenue that comes in on traffic tickets or other tickets that is retained by the department for the purposes of enforcement because the volume was rising at such a rapid rate that we couldn't really keep up with it and we weren't getting the revenue necessary to put the people in place necessary to do the work. So we figured out how much the processing of traffic tickets was costing.

An Hon. Member: About a year ago.

Mr. Hancock: Yeah, that was last year. We figured out how much the processing of tickets was costing, and we raised the tickets by 20 per cent and then kept 16.667 per cent of the traffic ticket in order to run the system. Then we looked through our system for those costs which could appropriately be allocated to that side, and that's where you see a change here. So, again, it's not a big deal in the budget; it's just really allocating resources in the most appropriate places.

It is an indication of one of the overall issues – and I mentioned that when I was introducing the members of the department's executive team – in that it does take careful shepherding and looking at each of our resources to allow us to be able to do some of the innovative things that we want to do to provide better access to justice and make sure that we deal with those issues.

There was a comment that the courts went up by 5 per cent. In general, it won't surprise the hon. member that a lot of the increases in virtually any part of the department can be firstly looked at as being increases in services, because we have a very manpower-intensive department, particularly in the court services area. One bit of the court services increase that is new and interesting is that we will be doing some pilot projects.

One of the pilot projects, for example, is the introduction of a mediation process. We're hoping to pilot it in Edmonton and Lethbridge. Possibly, if we had the resources, we would pilot it in other areas, and I hope that we can move to get those resources in place early. To me this is a project that doesn't really need piloting. We know that it's going to be successful. We know that it's going to save people time, energy, and money, and we really ought to get at it, but the overall resources don't go up that fast. So it's hard to squeeze out resources to start a new project that we know is going to be successful and save people money but is not going to actually reduce any of our other costs in the system. It's just going to allow us to serve the system and serve the people of Alberta better.

So some of the increase in the court operations – for example, \$361,000 of that \$572,000 – is for pilot projects. I think that the budget for the mediation project is close to a million, a little over a million dollars. That accounts for a lot of the increase in the court services budget really: a few pilot projects.

We're trying some new things that we want to get up and running, and that increase in compensation, not the least of which is an increase in judicial compensation – in fact, if you look at the pilot projects, I think there's \$361,000 in Edmonton court operations and \$208,000 in regional, and I presume that if we add those together, that's \$569,000, which would be a good chunk of the budget that we expect for that pilot project amortized over the portion of the year that's remaining by the time we get it up and running.

Maintenance enforcement, one of our favourite topics. It's exciting. There are some really good things happening in maintenance enforcement. The hon. member asked about the increase in full-time equivalents, and I can say that I think the number is about 33 more staff in maintenance enforcement. We're doing that because we want to dramatically increase the results, not that the results are bad. The results are very, very good. In '02-03 we collected about \$147 million, which is a 78.4 per cent collection rate; in '03-04 it was up to \$153 million, or a 79.6 per cent collection rate. I think that in 2002-2003 it was \$147 million of \$187.4 million that we collected.

So the rates are good, but that means that there's still 20 per cent that's not collected. Now, some of that is not collectable; we understand that. People can't pay, or, you know, they don't have any assets, or they're impossible to find or whatever, but we still believe that there's a lot that can be done. So we've moved up in the maintenance enforcement from 151 employees with a vacancy of 20, because of budgetary reasons and others, to 184 full-time equivalents, fully staffed.

Moving through the training process with the new staff – I don't know. Have we completed the training program of the new staff yet? Almost completed the training on the new staff. I'm getting the high sign from Mr. da Costa, who's ably assisting me with this tonight.

8:50

That new staff will allow us to do a number of things. First of all, it's important that we keep our turnaround times manageable, that files are registered quickly when they're referred to us, that action starts early on files when they come in so that there's not an opportunity for arrears to build up. When we get information about the location of individuals that we need to start collecting from, we need to be able to act on that. Or where there are assets that we need to find, when we get information on that, we need to be able to act quickly. So it's important to have staff available and able to turn those files around quickly.

That sometimes has been a problem, but I have to say that I think the staff in maintenance enforcement has worked very, very well and very, very hard in this area. Sometimes I'd have to say that they've been overworked. The file load has been growing. It's an incredible task, but it's a very, very important one for Alberta's children. I just wanted to cover some of those items.

I know that the hon. member is always interested in what's happening in maintenance enforcement, and I can say – I mean, 48,400 account files of 95,000 clients, clients being both creditors and debtors. Mr. Chairman, more than 63,600 children are assisted by the work of the maintenance enforcement branch. So to provide that kind of service to that number of clients and that volume of work, it's essential for us always to look for new and more efficient and effective ways of conducting business: the 24-hour Internet, telephone access to account information, providing clients with an

account number and an access so that they can get on the Internet or they can get on the telephone line and find out what their status is.

The Help Us Find web page proved to be a very effective tool. As of February 2004, 70 per cent, 45 of the 64 debtors posted, have been located thanks to tips received through the web site. Mr. Chairman, I think that's a great success. I make no apologies for putting pictures up on the web site and asking the people of Alberta and people, quite frankly, around the world, because the web site is accessible to anybody, to help us find those people so that they can be reminded that they have to maintain their responsibility to their children.

Maintenance enforcement has reciprocal enforcement agreements with all other provinces and territories of Canada as well as 25 other jurisdictions including the United States, Great Britain, Germany, and Australia. We enforce on behalf of those jurisdictions, and we ask those jurisdictions to enforce on our behalf. Again, that works well, and members will know that we passed new reciprocal enforcement legislation not that long ago – last fall I believe it was or last spring – to assist in making that process easier for Albertans.

The MEP accounts on-line and the MEP info line that I've spoken about allow clients to view payments and account balances, change addresses, provide information. A client satisfaction survey, Mr. Chairman, in the spring of 2003 showed that 73 per cent of respondents were satisfied with the quality of service that they'd received from MEP employees, an increase from the 56 per cent satisfaction rate recorded in 1999. I think that's phenomenal. When you're talking primarily about people who either are not getting their payments on a timely basis or are being asked to make their payments on a timely basis – those are our clients – and we have 73 per cent of respondents who are satisfied, I think that speaks to the quality of the people who are working in maintenance enforcement for Albertans.

The maintenance enforcement program funding increased by \$2.9 million over the 2004-2005 year. This funding will enable us to recruit new collection officers, pursue field investigations to locate debtors, accept payments at Alberta registry offices, pursue other initiatives that improve services for program clients. It will allow us to hire additional staff, as I mentioned, and improve services that promote compliance with court-ordered maintenance and ensure that more support actually reaches Alberta families.

The hon. member asks annually about the progress on the MIM system, the maintenance enforcement computer system that's been redesigned over the course of the last four years, and she's absolutely correct in her surmise that the \$1.4 million that's in the budget this year is the last portion of that project. That project will be in place, up and running this fall. In September all MEP staff will be trained in preparation for MIMS to launch on-line, which is scheduled for October 2004. Hopefully, if I'm so fortunate as to be able to present estimates again next year, the hon. member will not need to ask. She'll know because the information that we're getting from that system will be so valuable to us.

Maintenance enforcement. Just to give you an idea, in the current fiscal year to date each month on average maintenance enforcement has received and disbursed approximately 64,200 payments. Maintenance enforcement received approximately 10,900 correspondence items. The client services centre responded to more than 13,500 calls. The MEP info line received more than 112,400 calls. Internet service and MEP accounts on-line were accessed more than 46,300 times. So, Mr. Chairman, I think it's fair to say that the modest budget that's provided to the Department of Justice and particularly maintenance enforcement does good work for Albertans.

The hon. member asked about office space. As far as I know, we did change office space shortly before I became minister. When I

went over there – and it's too long ago that I made my last visit over there; I'll have to go over there again – we'd just moved into and changed a lot of the space. Space is always an issue. I don't know that I can say that we don't have an issue with space, but I haven't heard of that being a high priority recently, so I think we're probably in good shape there.

The specific information that was requested with respect to arrears: I'll have to leave that and see if there's anything further that I can add in that regard.

With respect to crime trends and the rising incidence of Internet crime the hon. member I'm sure is aware that we have a dedicated prosecutor – I believe it's Steve Bilodeau, who's dedicated to Internet crime prosecution. His job is to work with police in the area of Internet crime to help ensure that we know how to put together the files most appropriately so that we can pursue and achieve convictions. He works with other prosecutors across the province in that same regard – train the trainers, so to speak – to make sure that we have the knowledge base that's necessary.

In the area of Internet crime, Mr. Chairman, I think it's really important for us to recognize what an absolute scourge this is.

Mr. Smith: Scourge?

Mr. Hancock: It's a scourge. It is.

The bottom line, Mr. Chairman, is that we have an Internet which is a very, very valuable tool that we get all sorts of good information on. It can be used for many, many positive things. We're putting a SuperNet across the province so that people can have access to high-speed Internet, can download all sorts of material. But one of the problems with it is that there's a whole lot of material on that Internet that ought not to be downloaded, ought not to be uploaded, ought not to be on the Internet at all.

We're talking about child pornography. We're talking about some of the most disgusting things that you might see. In the past, one hopes, they would have been limited to those squalid bookstores that people could find in perhaps seedier areas of town, and those that wanted to go there could go there and get this seedy stuff. But now it's accessible on the Internet. Of course, if it's child pornography, then we have to really be alert to that, and we have to be able to do something about it.

We need to be able to prosecute. We need to be able to put those files together. We need to co-operate with other jurisdictions. We need to work together to get best practices, and we need to work with people in the IT community. So I was really pleased about a month and a half ago, two months ago, when the president of Microsoft Canada, for example, was in Alberta here in the Legislature and met with the standing policy committee to talk about the Be Web Aware campaign, about how Microsoft, as a company that makes a great deal of money off the Internet, understands that there's a social responsibility that it has to work to keep things like child pornography off the Internet and to reduce the access and to really try and deal with this area of Internet crime.

9:00

The Be Web Aware campaign is so important that I asked each of my colleagues, and I don't know whether I asked the members of the Liberal opposition or the ND opposition, but if I didn't, I should have, and I'll send them a copy of it, to send a letter to each of the schools in their area to let them know about the problem of Internet luring – and I'll quit in just a second here when I finish this sentence, Mr. Chairman, because it's just too important to stop in the middle of, and I'm sure the hon. member won't mind if I just finish this – and the Be Web Aware campaign and the need for us to be

aware that every, every day children across this province, children in this city and all cities across the province, are communicating with others, and those others may not be who they say they are.

They're communicating over the computers, and they're agreeing to meet people. I don't have the statistics right at hand now, but it's a very, very big concern. So when we have in our business plan that "criminal activity on the Internet presents an increasing threat to public safety," Mr. Chairman, it does that, and it does that in spades. We have to be ready for it, and we have to work at it.

Dr. Pannu: Mr. Chairman, I'll try to be brief. I notice that there's some advantage to being very interactive with the chair. You get half a minute extra if you really make an appeal for it. I'm very pleased about it, as it's possible to negotiate some time that way.

Mr. Chairman, I am pleased to rise and take part in the estimates debate for the Department of Justice, and the Minister of Justice and Attorney General is always forthcoming with information, with some consultation on various initiatives that he undertakes. All of this is appreciated on this side of the House.

Lots of specific questions about the numbers in the budget have already been raised, but one question that has not been addressed – I haven't heard it addressed, but it certainly is on my mind – is with respect to the legal aid line item there. There's an increase in the budget of about \$3 million. Now, I know from previous years that there used to be a concern about the low payment rates to members of the legal community who provided legal aid services, so it's possible that those rates have been adjusted and part of the costs resulting from that adjustment may be reflected in this increased portion of the budget.

The other possible explanation of this may be the larger number of cases in which legal aid is being requested, so that increase in numbers may explain it. I'm just surmising, so if the minister would have more specific answers to what accounts for that increase, I'd appreciate getting some information on that. It's about a 10, 12 per cent increase; closer to 12 per cent. So I just wondered if the minister would kindly shed some light on that, please.

There is another question that I have. There was \$13 million, I guess, transferred from the federal government in terms of funds. I noticed some were here. Are federal transfers targeted to legal aid, or how does the money come? I'm just wondering about that. If the minister would please give me some idea about that.

A couple of other questions here. Motor vehicle accident claims, under expenses, an item that in previous years I've not paid attention to, I must confess. A considerable amount of money in terms of program expenses, about \$27 million. Some comments on that just to tell me what these expenditures entail. Why those expenditures?

Court services, \$117.4 million, is close to \$7 million more. I wonder if court services includes the salaries of judges and justices or not and whether this increase reflects the government's decision with respect to increases to those salaries. If they are included in here, the minister would, I'm sure, like to comment on that. So these are some of the specific questions.

I have a few others. I may as well, to save time, put those questions now to the minister, and he can choose to answer them either now or later. In the business plan, the minister has done a good job of drawing the attention of this House and Albertans to some sobering facts. I'm referring to statements included on pages 321 and 322, significant opportunities and challenges. Looking at page 322, the references made to aboriginal Albertans and their contact with the justice system, I think the reference is made there that "approximately one-third of admissions to custody in Alberta were of Aboriginal descent." Now, does custody mean people who are in provincial prisons, or does it include people who are in remand centres?

My understanding was that up until a couple of years ago the percentage of aboriginal prisoners in provincial jails who had been sentenced was close to 40 per cent. I wonder if the minister would confirm that. Regardless of whether it's one-third or more, it certainly is quite a disturbing statistic. All of us, I know, have concern. It's a persistent number that appears year after year and is a source of concern, I'm sure, to everyone. The minister's reflections on it would be appreciated.

Also, on the community issues at the bottom of the page, "incidence of impaired driving is increasing compared to the rest of Canada." I suppose it's not just an absolute or gross increase. It's an increase per 100,000 or whatever, so it's comparable with other jurisdictions.

There can be a whole number of reasons, I suppose, for it, but does the minister have some idea about why it might be? Is it the proliferation of our access to liquor because of the proliferation of liquor stores across the province? Certainly, in the cities that's much more easily available now than was the case before. Is it just access? Is it consumption or something else that's leading to it? Is it an infestation of irresponsible drinking here in Alberta? If so, why? I'm just wondering if the minister has some thoughts on it that he'll want to share with us. This news, the increase in numbers, certainly is not welcome news. Clearly, all of us would agree.

9:10

Family violence is another issue that the minister brings up under community issues. It continues to be a serious problem. What kind of co-ordinated efforts are underway or is the minister proposing in order to put a dent into that particular challenge or problem?

These are some of the general sorts of observations that I have here. I do want to commend the minister and his department for putting these matters up front and not being either silent about them or pushing them in some sort of little corner where they're less visible for readers or for us to look at.

Now, some questions. I've got about, I think, four or five. I'll put them before the House and the minister, Mr. Chairman, and then let him address them in whatever order he chooses to. The Calgary court centre certainly is being funded by Infrastructure, so there's no direct reflection here in the budget, I guess, on that, but the sole tenants of this new facility will be the court system. Certainly, the concern has been expressed by the judicial and legal community that as a result of scaling back the project in an attempt to stay within the budget, the court facilities will be inadequate to meet the medium to longer term needs of Calgarians. Does the Minister of Justice share this concern?

Does the Minister of Justice agree with some comments made yesterday by the Premier, who attributed the concern about security and other improvements to the court centre project as rather exaggerations, which he attributed to the judges and the legal community? Does he share the Premier's view here that the problem is being overblown by the judicial community? For security areas there's a real problem. I think it's important that we be assured that security will be good. Are the concerns being addressed?

Another related question: what are the operational implications for the court system in light of the fact that there'll be insufficient space within the downsized Calgary court centre to accommodate the Court of Appeal? I know that at one time the minister was very excited about the possibility that every level of court would be housed in the same structure. It seems that because they're scaling back, that won't be the case. So what are the operational implications of that?

Moving on to the next question, about the unified family court. In the business plan the minister makes reference to single-trial

court. I guess in our meeting where the opposition Justice critics were at the table in the minister's office, he did at that time also share information about his desire to move forward with the unified family court. Now, there are obviously underway consultations with the federal government. A question: has the Minister of Justice determined whether any cost savings will be achieved by these initiatives? Within what time frame would these initiatives be put in place? Is there any resistance to this initiative on the part of the minister from any quarters in face of the firewall initiatives that seem to be, once in a while, cropping up in the government circles or in the caucus?

Next set of issues. The Premier and the government ministers have talked about challenging the federal government across a range of hot-button issues. These issues include legal challenges to the single-desk powers of the Canadian Wheat Board, the proposed federal legislation to allow same-sex marriages, and possible challenges to the universality and accessibility principles of the Canada Health Act. How does the Minister of Justice normally budget for such challenges? How does the minister make sure that any such challenges have a reasonable likelihood of success to ensure that money to cover legal and court expenses isn't simply wasted to pursue a political rather than legal agenda? I must confess that the question is sensitive. I can't guarantee that it's not somewhat political in nature, but certainly the whole controversy over these issues is political, so I can't avoid this. I want to be up front with the minister on this.

In the current budget is there an allowance made? I thought there was some on legal services or legal costs, \$7 million extra there. Would the minister indicate if he has allowed for these possible expenditures in the current year's budget?

My question is with regard to the public confidence in the justice system under the performance measures there on page 330, the two categories of "some confidence" and "a lot of confidence." I suppose there's a difference between these two responses, some confidence and a lot of confidence in the justice system. When the categories are collapsed, I guess the number comes to about 80 per cent, 79 per cent, as indicated under the performance measure. Would the minister have a breakdown on the two sets of numbers that have been put together to get the 79 per cent figure? What percentage of Albertans have only some confidence and what percentage of Albertans have a lot of confidence in the justice system? He would appreciate that certainly the confidence of the people of Alberta in the justice system is a cornerstone to their sort of commitment to the rule of law and their trust in the system as such. So I'd like to get the breakdown, if there is one, in order to assess better the degree to which Albertans have some concerns about whether the system really does the work it's supposed to do.

Last question is judicial compensation. Several weeks ago the minister announced that he was not accepting the recommendations of the Judicial Compensation Commission when it comes to salary adjustments of Provincial Court judges. It does raise the question of the whole rationale behind the appointment of the Judicial Compensation Commission if its recommendations are not to be followed. Isn't the minister concerned that any savings in terms of salaries to judges would be temporary should this decision be challenged in the courts?

I'll stop, Mr. Chairman, with those questions and let the minister respond.

The Chair: The hon. Minister of Justice.

Mr. Hancock: Thank you. I think the hon. member does deserve a response to many of those questions. I'll try to move quickly

through them. Legal aid budget was his first question. If I remember correctly, there's about \$3.1 million additional to that budget, and that, as I recall, is a flow-through from a federal contribution. We have a three-year agreement, I think it is, with the federal government with respect to a contribution for legal aid, and I think, subject to somebody nodding at me, that it's about \$3.1 million that the federal government is supposed to contribute this year, which will flow through to the legal aid budget as an investment fund. However, that doesn't speak to the fact that we have increased the legal aid budget over the last number of years in accordance with an agreement which we had with the Law Society and the Legal Aid foundation, and we have increased rates, not as high as some would like but certainly, I think, high enough to ensure that there are quality legal services available.

9:20

There are other exciting things that have been happening on the legal aid side; for example, the family law clinics in Edmonton and Calgary, where I think we're working very, very well at providing family law advice to people who need it from a clinic basis rather than on a certificate basis. I think we're coming close to the end of that original pilot, but my understanding is that it has been well received, it works very well, and it's something that we would want to continue. Quite frankly, I think it provides a model, although it may cause more problems than I'm solving by saying so, if we were able to move forward and look at providing that type of legal aid service in that manner in other areas of the law as well.

Motor vehicle accident claims. The hon. member didn't really ask a question on it other than just to ask for a comment. Yes, we budget about \$27 million. That's a statutory amount, as I recall it, that's put in, not a program amount. We, I think, typically in each year spend about \$23 to \$24 million. It's basically uninsured motorists.

People pay a registration fee – the Minister of Government Services can correct me if I'm wrong – of about \$65 a vehicle, I believe. About \$10 of that is nominally allocated towards the motor vehicle accident claims fund, I believe. I could be wrong on that, but we build the fund. Up until last year the nominal allocation from the motor vehicle fund covered only about \$13 million of the expenditure every year. We did increase the motor vehicle registration last year, and some of that increase is allocated, again nominally because it all really goes through general revenue – we don't have a separate fund any more – towards the concept of paying that motor vehicle accident claims fund. As I said, the motor vehicle accident claim process essentially affords an opportunity for people who are injured in a motor vehicle accident to make a claim against the fund if the person that caused the damage is either unknown or uninsured.

It's an important service to provide. I think there is a limit to compensation in a motor vehicle accident claim of about \$200,000, so it's not a bottomless pit, but it's some compensation for people who can't find who hurt them or if the person who hurt them is not able to pay. Of course, we have then some subrogated claims. In other words, we pay the claim, but then we go and collect from the people who caused the damage if we can find them and if they're in a position to pay. So we do follow up on that.

Court services' \$7 million increase: does that include judges' salaries? Yes, of course it includes judges' salaries for the Provincial Court. Salaries for Queen's Bench and for Court of Appeal are paid by the federal government because they're section 96 judges. Judges of the Provincial Court are paid from this budget, and of course the whole administration of the courts at all three levels is paid from this budget.

We did have the Judicial Compensation Commission for judicial

salaries for the Provincial Court effective April 1, 2003. In the past we've done them on a three-year basis. We've made some changes, and we hope to do them on a four-year basis in the future once we can get the cycles aligned. It's an important process, the whole question of paying judges and how much they should be paid. We have a very, I think, difficult paradigm here that we need to deal with. That is that government has to be accountable to the public for the public's resources. The government has to be able to respond and set priorities in terms of where those resources are allocated. Yet in this one area we have the concept developed through cases to the Supreme Court of Canada of a judicial compensation commission in order to ensure the independence of the judiciary.

It's my personal view only that independence of the judiciary is well maintained at the salary levels that we have now achieved, both at Provincial Court and at Queen's Bench and Court of Appeal. That's not a significant concern any longer, so the main concern now is not, in my humble opinion, the independence of the judiciary but rather whether the judiciary is paid appropriately for the work that they're doing and how we account to the public for the priority in terms of increased resources that are put in that direction as opposed to where else those resources might serve the public. That's the balance that we have to try and achieve.

In this year the Judicial Compensation Commission was appointed and reported in December and then, with some amendments, reported again in January. We had 90 days to respond to that. We looked very thoroughly at the Judicial Compensation Commission's report. They made many determinations, or recommendations, based on their analysis and comparisons with judicial salaries across the country, where they thought federal salaries might go, and the comparisons to salaries in the private sector. But we had to look at that and say with respect: we don't agree. We agreed that there needs to be an increase. The position that we had put on the table, which we thought was a fair position, would have allowed for 3 per cent increases in each year, which would have been similar to what other people in the Alberta economy are achieving and what other people working for the public in Alberta, government staff, are achieving. We thought that was an appropriate determination.

The compensation commission obviously didn't agree with that and came forward with rather more significant increases, and we couldn't in all honesty justify those kinds of increases when you look at the priorities that are available for Albertans and the expenditure of resources of Albertans and the accountability that we have to Albertans for those resources.

However, we did take some direction from the commission in looking at what they determined, what they looked at. So we modified our position in looking at that information and the information that had been received after we had put our position in relative to what the Judicial Compensation and Benefits Commission in Ontario came down with and the positions being put forward by both the judicial side and the government of Canada with respect to the quadrennial commission, and we said: "Well, the last time increases were made was, I believe, 2000. So if you take the 3 per cent concept, that could be 9 per cent in the first year and 3 per cent or so for the second and third year."

That would get provincial court judges into the \$200,000 range, which by any measure is a very decent salary, very comparable to what people might expect in the private sector, and recognizes the fact that when you look at salaries and when you look at how much you need to pay in order to attract competent people, there is no shortage of very competent people who are applying to serve on the Provincial Court or Court of Queen's Bench, for that matter. There's no shortage of people who would like to move to that sort of a challenge and like to make that kind of a contribution in our

society. The salaries are certainly not driving people away. There's nobody quitting because they're not being paid enough. In fact, the evidence at the hearing was such that most people didn't put forward salary as the reason they were going to the bench. They were interested in the challenge. They were interested in providing that type of service. They were interested in a change from what they were doing now.

Also, I guess the other thing which I think is well enunciated in the reasons that we provided with the order in council would suggest that sometimes in looking at the salary ranges and comparing to what lawyers make in the private sector, it may not be appropriate to look at the 75th percentile of all lawyers between 45 and 55 who earn more than \$50,000 and narrow that pool of people that you're comparing to down to that and then say that that's the level at which you should be paying judges, because it ignores the fact that those people, first of all, don't have pensions. They have to contribute to their own pension plan, and there's an analysis in the reasons that we gave to deal with that. It ignores the fact that those people are at the peak of their earning power and likely are going to decline in later years. Of course, once you're appointed to the bench, your salary doesn't decline in later years. It ignores the fact that there are billing and collection and economic implications with respect to private-sector salaries such that while Alberta is in a great position now and people are doing well, that's not always the case. It ignores the fact that some of those people that you're comparing to are actually in mergers and acquisitions in Calgary and are being paid at a very, very high level and are not the regular lawyer.

So there are all sorts of things that we looked at and said: while this process was set up in order to ensure an independent process for determining judicial salaries, this process has achieved that. Salaries are not a problem across this country with respect to judicial compensation. You do have to look and say: how much is enough? You do have to as a government, I think, from time to time stand up and say: "There has to be accountability for the public's resources back to the public. The buck actually stops here. It doesn't stop at the Judicial Compensation Commission."

For those and the other reasons enunciated, the judicial salaries were dealt with in the way that they were. We'll have to accommodate the increase in salary within our budget, and if that doesn't prove doable, we'll have to ask for some money to cover it. Particularly because we're in this year, we'll have to pay for last year as well as this year, so we'll have to deal with that double-up. That's about a \$6 million touch that we'll need to deal with. Of course, we won't want to back away from any of the important and progressive changes that we're making in access to justice in order to accommodate that.

9:30

The hon. member raised a question about aboriginal Albertans and the prevalence of aboriginal Albertans in our jail system. I have to say that while the custody in jails and those areas fall within the Solicitor General's area, certainly we've been doing a lot of things in the Justice area. This may answer some of the questions the hon. Member for Edmonton-Centre raised earlier about cultural awareness for prosecutors. Many if not most of our prosecutors have now gone through awareness training.

We have a number of different models of aboriginal courts, not the least of which, of course, is the Tsuu T'ina court and peacemaker system, which will be under review this year because it's been up and running for a few years, but other models as well and initiatives taken by the Provincial Court, by individual judges of the Provincial Court in some areas dealing with First Nations that they either sit on or near in working with people in those communities to deal with some of these issues. This is a very important area.

I went through my first year of university in 1972. One of the first papers I wrote – I think it was the first paper I wrote – was in a sociology class. [interjection] Yes, in 1972. Your hair was probably already grey by then.

In any event, it's a very serious topic. The first paper I wrote was on the overrepresentation of aboriginal people in the justice system, and the numbers were about the same. I believe it was about 36 per cent. It hasn't changed much. We have to do more in that area.

We are co-chairs with the minister of aboriginal affairs in the cross-government initiative on the aboriginal policy framework and aboriginal policy initiatives. I'm very pleased, actually delighted that the aboriginal policy framework came forward, because we initiated that when I was in the ministry of aboriginal affairs. It was one of the things that I felt was very important. One of our cross-government goals was that aboriginal people should have the same socioeconomic status as all other Albertans. We've got a lot of work to do in that area, and Justice is playing its part in that area.

The Member for Edmonton-Centre was asking questions about what specifically is Justice's role and that sort of thing. Fortunately or unfortunately, it doesn't really parcel out that way. I think these are things that we have to work together at in terms of capacity building, in terms of education, in terms of helping people to have the opportunity and the ability to meet the opportunities to have better economic status. Those are all factors in the equation.

But for Justice's part, dealing with people who come into contact with the law and come into contact with trouble in the many ways that we are dealing with it, whether it's the Tsuu T'ina court or whether it's the work that His Honour Judge Bradley was doing in Alexander and other areas in the north, there are many different ways in which we've brought the aboriginal equation into the context.

We have the Justice Policy Advisory Committee, which is the old steering committee from the justice summit. First Nations and Métis people are represented on that committee and provide us with input there. At one point we had started a First Nations advisory committee and a Métis advisory committee. Those didn't take off, but there's now some interest in re-establishing those and getting more directly involved with First Nations and Métis settlements in finding better ways to deal with issues and problems in those communities.

With respect to impaired drivers and the increase in impaired driving, Mr. Chairman, I think it would be folly to say that that's a result of the increased access to liquor. I'm not an expert in the area of what's causing it. I think it's fair to say that our economy is growing at a rapid rate. We have more and more young people coming in. We have a lot more access to dollars. We have a lot more cars on the road. There are all sorts of factors that go into this. The thing that we have to do is to continue the efforts that have been engaged in by many people. We have a cross-ministry initiative with the Solicitor General's department and the Department of Transportation, the three departments working together, to find better ways to deal with impaired driving.

One of the things that we're going to be doing – I mentioned this in December – is that we're looking very strongly at the whole question of how we deal with people who seem to have no respect whatsoever for the law, who break it on an ongoing basis, and how we could perhaps deal with them as dangerous offenders. I made no secret of the fact that I don't believe that conditional sentences should be accorded to impaired drivers who cause death or serious injury for that matter.

I think enforcement is important, being able to make sure that people on our streets know that there's no tolerance for impaired driving, that endangers the lives of people in our community, that makes our community less safe. So we're going to be dealing with that, and we're working very hard on that, as I say, with three ministries focusing in that area.

Family violence is a very, very important subject, so important that the Minister of Children's Services and I chaired a round-table on family violence at the Progressive Conservative convention this weekend. Of course, there have been round-tables hosted across the province which will culminate in a round-table in Calgary, a province-wide one, on I think it's May 7, whatever the Friday is there. That's a very, very important initiative which is being headed up by the Minister of Children's Services, who's got the office on family violence in her portfolio, an area, again, of a cross-ministry initiative where there are nine or 10 ministries participating because it is so important.

We have got to bring out of the closet and into public discussion the damage that's being done by domestic violence in our homes and in our communities. If our goal at Alberta Justice is to have safe communities – and one of those things is that people have to feel safe in their homes – we have to be talking about domestic violence, and then we have to be doing something about it. So I'm glad the hon. member raised that.

We have a partnership in Calgary with the HomeFront project. We have allocated resources to that, and we've encouraged other departments to do that. I'm really pleased that Health and Wellness has put forward money through the mental health budget. Some people don't like the fact that it comes from the mental health budget. I don't care where it comes from as long as we have the resources to provide treatment services to people, to both offenders and victims in the domestic violence program in Calgary, the HomeFront project.

We've got dedicated domestic violence courts in Edmonton and Lethbridge. We're moving ahead, and we're going to be making some exciting announcements in that area in the next week or so with respect to new initiatives that we're taking with respect to the whole violence area.

Calgary courts. I don't know how much time I have left. One minute? I'll come back to that very important topic the next opportunity that I have, as I will to the questions that were raised by yourself and by Edmonton-Centre with respect to the unified family court and the single-trial court process and those all-important topics of court challenges in areas that are important to Albertans such as health care reform, same-sex marriage, universality of health care, and single desk.

The Chair: The hon. Member for Edmonton-Gold Bar.

Mr. MacDonald: Thank you very much, Mr. Chairman. It's a pleasure to get this chance to participate in the budget estimates debate for the Department of Justice this evening. Certainly, the hon. minister talked earlier regarding I believe it was put this way: the restructuring of the Alberta courts. I am wondering if this is going to be his legacy as Justice minister and how all this restructuring is going to work. I have a number of questions, and I would appreciate answers.

What studies have been completed on behalf of Alberta Justice regarding this notion not of a unified family court but of a unified criminal court? What exactly is the proposal by the hon. minister to unify the courts of this province? Is this, as I said earlier, his own legacy project? How do the Chief Justice of Alberta, the Chief Justice of the Alberta Court of Queen's Bench, and the Chief Justice of the Provincial Court feel about this proposed restructuring that you mentioned earlier? Following that, what position would the federal Justice minister have on this issue? Again, how does the Canadian Bar Association feel about the restructuring of the court system in this province? This is specifically on the unified criminal

courts or one-stream court system, whatever is being proposed over there; I'm not so sure.

9:40

The minister was talking about his first study in 1972. What studies has the Canadian Bar Association prepared, if any, in regard to the streamlined court systems, and can that information be provided to us if they do have any studies or any other studies that may exist on this matter? I would love to read them, and I would.

Now, if the criminal courts were united – the hon. minister talked about section 96 judges, and I find that quite odd. Is it correct that if this were to happen, the federal government would be responsible for judicial appointments? If that is correct, why does this government whine and snivel so often about federal interference in their affairs when there's the potential that they would give up the right to appoint some members of the judiciary in this province? I think it's a good idea that various governments appoint members of the judiciary.

Now, in the private/public partnership that is the courthouse in Calgary, is this initiative an indication of this hon. minister's and this government's commitment to this single criminal court or the restructuring of Alberta courts? Is this one of the reasons why we're so gung-ho about these private/public partnerships?

Yesterday the Premier was talking about not only the private/public partnerships and the cost overruns in the courthouse in Calgary but also about the revised plans, Mr. Chairman, of this court in Calgary. Apparently, there was going to be a reduction in some of the security measures, the building integrity was going to be changed, and there was to be an elimination of an 800-seat amphitheatre. The Premier was of the impression that this was for judges when they're sworn in and for their families and for interested members of the public. The Premier stated: there's no need for this. He stated, quote: they can use Government House. This was the Premier of the province yesterday, April 27, with a statement.

That worries me, and it concerns me – and I think it should concern the hon. minister as well – in regard to judicial independence. Public confidence is the foundation of judicial independence, and all judges must remain independent and free of any extraneous influences. For the Premier to make that comment that we could use Government House – it astonished me. I have to question if the Premier understands this principle of judicial independence to make that remark. I would like the minister's thoughts on this.

Now, what steps is this minister taking to ensure that the public remains confident in all levels of our court system and to ensure that they are remaining independent? It was after 1972 that the hon. minister went to law school, but the concept of judicial independence is a very important one, and I'm not going to say anything more on that. Specifically, what steps is this minister taking to ensure that the public remains confident in all levels of our court system?

Also, the faint hope clause. This comes up, and I would like to know if the minister is working with other jurisdictions to initiate some changes to the Criminal Code. Are you having discussions with other jurisdictions? I think the faint hope clause should not be used by some convicted criminals when their time is just about up for those crimes. I'm speaking of charges of sexual exploitation or contact with children. Perhaps murder could be incorporated into this. Are we looking at changing anything? [interjection] Of course, some hon. members over there may want to commit that act of murder on this hon. member. I certainly hope not. I certainly hope that's not what I heard.

Now, Mr. Chairman, that takes care of that series of questions, but another question is: who paid for the high-tech, secure courtroom that was built for the gang trial here in Edmonton last year? What

was the total bill, and which jurisdictions shared portions of that bill?

In his remarks earlier I was pleased to hear that the minister is very concerned about porn and its distribution. The porn industry – many people in this Assembly may not realize this – is larger in the state of California than some of the high-tech enterprises. It's an industry that's worth billions of dollars in North America. People in my community and across the province wanted leadership from this provincial government when there was a discussion about limiting where porn stores could set up.

It was my view that this government tried to pass the buck: it's a municipal issue, or it's this guy's issue, or it's that guy's issue. I was disappointed in that. I heard you tonight talk about porn and its distribution. Well, I want more action from this government on this matter and so do the constituents of Edmonton-Gold Bar and so do the people across the province. We just can't say that, oh, it belongs in a seedy area or try to dismiss it in that way. In the next year I would appreciate more leadership from this minister in regard to that.

Mr. Chairman, I appreciate getting those questions on the record, and I await the minister's response. Thank you.

The Chair: The hon. Member for Calgary-Fort wanted to ask a question.

Mr. Cao: Yes. Mr. Chairman, now we are in the process of business planning and the budget for the Justice department. The Justice department has done a great job for this province, and the staff of the department has administered the justice and the administration services very well.

The only thing that I have from my constituents is something to do with the pay for the Alberta courts interpreter and translator service. I believe that to administer justice is one thing but also to educate people about the laws of our land. Given that languages are needed to help the message be understood by those involved with the law, the service of interpreters and translators in Alberta courts becomes very important. It's not just a provision of fair, equal access to a trial, but more importantly it's a deterrent, a prevention factor through understanding.

As far as I know, the rate of pay is very low in comparison with the fee rates of other provinces and jurisdictions, such as the RCMP and WCB, who use translators and interpreters. So my constituents asked me to relay a message to the minister and the department to work on this issue, and I hope that in the detailed implementation of the business plan and the detailed budget items your department can look into such an increase in the rate of pay which is fair and equitable.

Thank you.

9:50

The Chair: The hon. Member for Edmonton-Centre.

Ms Blakeman: Thank you, and thanks to the minister for allowing me to get a couple of other issues on the record and then turning the rest of the time over to him. I want to talk about two issues just in closing here. One is the funding of sexual assault centres in the province. I'm glad to see that I've got the Minister of Children's Services, the Minister of Justice, the Solicitor General, and the Minister of Health and Wellness all in one place at one time. This is another one of these sort of cross-ministry initiatives that requires everybody's co-operation, yet when I actually try and nail this one down, it's like trying to nail pudding. Nobody actually takes the piece of it that I need them to take.

What I've been looking into recently is that nobody takes responsibility for the operational funding for sexual assault centres in the province, which is a surprise. We all assume that that's done, you know, that the rent and the phone and the staff salary is all paid for, but that's not what's happening. What is happening is that there are a few little bits that are funded, but they're very restrictive pieces.

Yes, the upcoming May 7 round-table on violence is important, and I'm glad I get the opportunity to talk about this in advance of that meeting, but even in watching the run-up to that, sexual assault, the issue of sexual assault, the funding of sexual assault, treatment, and prevention, if that were possible, in Alberta is not a major component. If you read through the books and the workbooks that go along with it, there's a big emphasis on bullying, but occasionally you get "and sexual assault" thrown in after the fact. It's not being regarded as an integral component here.

The Solicitor General is paying for counselling around court appearances, and that's the piece that she's taking, but that doesn't cover a whole series of people that need counselling. For example, adult survivors of child sexual abuse are not in the court system. They're not about to be in the court system, and they can't get counselling paid for through that funding that's being provided by the Solicitor General.

The minister is referring to the report of the victims of crime consultation in his document on page 326, working with the Solicitor General on reviewing it, but I'm also looking for one of the four of you to take the lead on this issue.

Mrs. McClellan: I'll do it.

Ms Blakeman: The Minister of Agriculture, Food and Rural Development is offering to do it, and if she would, I would be very happy because then I know it would get done.

There needs to be a look at this and a clear commitment to funding, and whether each department wants to throw the money into a pot and have the minister of agriculture administer it or whether each of you is going to make sure you take enough of a piece that all things are paid for, fine. But there is such a hodge-podge quilting together of funding, and there's a huge hole in the middle of the quilt which is not paid for at all. So that's an issue I wanted on the record, and I'll look to further consultation from those four ministers to come, five including the lead that's being taken by the minister of agriculture.

Finally, I wanted to spend more time than I have talking about the role of mediation and restorative justice in the province. The minister in some cases is way ahead of everybody else, and I encourage him in that. We're using mediation in small claims, which is now called civil mediation. We're looking at it in a restorative justice concept, landlord and tenant disputes, and family mediation at this point.

I have a concern about the funding for the restorative justice centre in Edmonton. Their funding seems to have dried up. There was a commitment in '86 from the then Minister of Justice to take over the funding of that centre. It never quite got allocated and it's never happened. They've been living on seed funding repeatedly from a number of philanthropic foundations and organizations like the Rotary and the Muttart Foundation, and they're just not able and there was no intention and their funding programs are not set up to sustain over the long term that kind of funding. They had to shut down their victim offender mediation program this year. They ran that program from '94 to this year, 2004, and now they've shut it down. So they really are struggling for funding. We know it works, so where is the responsibility to take over and make sure that this can continue to be offered?

The second piece that I want to talk about there is around the funding, the payment allocation for mediators that are involved in this system. As this minister takes the lead on this and we end up with more mediators involved in the justice system—in other words, empowering people to work their own way out of their legal disputes, and that's a good thing. But what's happening is that the amount of money that the minister started out with is really poor. I think it said \$50 allocated for two hours.

There are two problems there. One, the \$50 is way too low for developing and maintaining a profession of mediators, not people that, you know, kind of do this as a sideline but people that are committed to this and are committed to professional upgrading and a profession and all that that entails.

The second part of that is the expectation that somehow this will be resolved in two hours. That is violating one of the basic principles of mediation, which is to stay at it. To look at some sort of closure rate as a success rate, a settlement rate as a measurement, is not a good way to measure because sometimes just getting the parties to understand or come to a point where they agree what the problem is is a huge step forward and will save the legal system a great deal of money.

When we look at what's being offered by mediation, restorative justice services, it can save the justice system so much, especially as we move forward. More people are coming to the courts to resolve. If we can move them off to the side, great. We can save a lot of money, but you need to invest some money here, and the rate that you're offering people is way too low. I'm sorry; I just had to get those two points in.

Thank you to the minister.

The Chair: The hon. Minister of Justice in the three or four minutes left.

Mr. Hancock: Yes, Mr. Chairman. Sadly, only three to four minutes and so many good things to talk about, so much to pick and choose from in terms of the things that are exciting as we go forward into another year with Justice in Alberta and working with all of the stakeholders in our community and all of our community partners and forming partnerships and working with others so that we can promote, as the hon. member was just saying, ways of resolving disputes in our province in a way which is not adjudicated, which determines things at a point of time but is collaborative and empowers people with the tools that they need to solve their own problems and have lasting dispute resolution processes.

The collaborative law processes that are taking place across this province as we speak with family law lawyers making an agreement with their clients up front that they won't go to court, that they'll find an interest-based mediated solution: what a wonderful process. The dispute resolution officers in Calgary and the DROs in Edmonton. Family law lawyers who are donating their time to sit down with families in crisis really to help them come together, come to a resolution, and then if they can't come to a resolution, write up a consent order and take it into the court and get the endorsement of the court so that the solution will continue to hold long term, and helping children across this province in a very substantive way, donating their time. I think we ought to say a thank you to the family law lawyers for donating their time, both in Edmonton and Calgary, to those projects.

So many other ways that members of the community are getting involved in mediation processes or restorative justice processes that are so important, and I think we have to say thank you to the members of the community that are working together with Alberta Justice and other partners in the system to make the communities a safer place.

I would like to launch into a discussion of the Calgary court strategy, but all I'll have time to say is this. We've had 24 years of discussing the needs of the court system in Calgary. I don't think anybody should get excited about the fact that in this last month, when we're trying to get it to a close and get a shovel in the ground, there are some last-minute issues that have come up and that need to be dealt with. Twenty-four years is a long time. We've done yeoman work even in the last five years that I've had the portfolio. We've come to a solution. It's a good solution. We'll build a courthouse that people will be proud of, that the courts will be able to operate in. It will be functional. It will be effective. It will have enough space. The concerns of the court that we're not going to have enough space are not a problem.

10:00

The fact of the matter is that we will build a court facility in Calgary. We will do it right. It will be a good facility, it will be accessible to the public, which is the most important part of it, and it will house the Justice staff who administer the courts in an appropriate way. And, really, if there's one thing I could say about the Calgary court strategy that's more important than any of the others, it's that the people who work in the Department of Justice—the court clerks and the people who provide services across the counter, the people who service the public—will finally have a decent place to work when we get this building built.

Those are the things we should be focusing on. We don't need to be focusing on the question of whether we need to take the Court of Appeal out or leave the Court of Appeal in. That's not quite all that relevant. The Court of Appeal has a great place to sit now and will have a great place to sit for the next eight years. It's a great deal that they've got there. Quite frankly, we're the only province in the whole country where the Court of Appeal has two places to sit. So that's not the issue.

The issue is to get our trial courts together into an appropriate building so that people know where to find them, they have access to the court service staff who help them deal with their problems—the Family Law Information Centre, the associated Justice resources—it's made available to the public, they know where it is, it's an appropriate facility.

We'll do it the right way. We'll be very careful with the public's money when we build it. We'll be very, very concerned about getting the best bang for our buck. We'll look at it, whether it's a P3 or whether it's government built. Quite frankly, we've looked. We'll do it the best way we can. We'll make sure it's effective, and all those other things that people are talking about are not relevant. The most relevant thing is that court staff will be well housed, the public will be well served, they'll know where to find it, and it'll be done in an appropriate manner.

Mr. Chairman, I think that to focus on some of the questions—I mean, the hon. Member for Edmonton-Strathcona asked about security. Security is a very important issue, and we will not compromise the security of the court facility. We'll deal with security in an appropriate manner not just in the Calgary court strategy but across the province in the other courthouses. So it's an extremely important subject.

I could go on at length. I know that you don't want me to because the time is up, but I sure wish I had more time to tell the hon. members across who've asked about the Calgary court strategy what an important strategy it is and how well we're going to serve the people of Alberta.

Thank you, Mr. Chairman.

The Chair: I regret that we have to interrupt the hon. Minister of Justice and Attorney General. Pursuant to Standing Order 58(4), which provides for not less than two hours of consideration for a

department's proposed estimates, I must now put the question after consideration of the business plan and the proposed estimates for the Department of Justice and Attorney General for the fiscal year ending March 31, 2005.

Agreed to:

Operating Expense and Equipment/Inventory Purchases	\$256,645,000
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The Chair: Shall the estimates be reported? Are you agreed?

Hon. Members: Agreed.

The Chair: Opposed? Carried.

The hon. Government House Leader.

Mr. Hancock: Thank you, Mr. Chairman. I'm glad you recognized me. I have a few more things to say about the Calgary court strategy, but I gather you want me to move that the committee rise and report the estimates of the Department of Justice and Attorney General and beg leave to sit again.

[Motion carried]

[The Deputy Speaker in the chair]

Ms Graham: Mr. Speaker, the Committee of Supply has had under consideration certain resolutions, reports as follows, and requests leave to sit again.

Resolved that a sum not exceeding the following be granted to Her Majesty for the fiscal year ending March 31, 2005, for the following department.

Justice and Attorney General: operating expense and equipment/inventory purchases, \$256,645,000.

The Deputy Speaker: Does the Assembly concur in this report?

Hon. Members: Agreed.

The Deputy Speaker: Opposed? Carried.

head: **Government Bills and Orders**
Third Reading

Bill 30
Metis Settlements Amendment Act, 2004

The Deputy Speaker: The hon. Member for Bonnyville-Cold Lake.

Mr. Ducharme: Thank you, Mr. Speaker. Before I go into third reading of Bill 30, I'd like at this moment, if I could, to introduce a good friend that is here this evening to witness third reading. He is Mr. Floyd Thompson, chairperson of the Kikino Métis settlement. He's seated in the public gallery, and I'd like all of my colleagues to join me in giving him a great warm welcome.

Mr. Speaker, it is with great pleasure that I rise this evening to move third reading of Bill 30, the Metis Settlements Amendment Act, 2004.

I have the privilege of representing two of the eight Métis settlements in Alberta. The Elizabeth and Fishing Lake settlements reside within the Bonnyville-Cold Lake constituency. Over the past seven years as an MLA I've had the opportunity of getting to know the Métis leadership and its membership, and I wish to thank them for their patience, hospitality, learning, and friendship.

Mr. Speaker, I also wish to recognize the present Minister of

Aboriginal Affairs and Northern Development and the two previous ministers of intergovernmental affairs responsible for aboriginal affairs, today's Minister of Agriculture, Food and Rural Development, and today's Minister of Justice and Attorney General for having allowed me to work on their behalf on numerous committees relating to Métis governance. This has been a great experience that I will forever cherish. I hope that together with the Métis we have been able to make a positive difference as they move forward in their governance and prosperity on their respective settlements.

Many of the amendments in Bill 30 pertain to the structure and role of the Métis Settlements Appeal Tribunal. In 1999 I had the pleasure of co-chairing with Mr. Fred Martin a committee which reviewed the MSAT structure and duties. Over the past year I have been involved in the consultation process on the remainder of the amendments. Mr. Speaker, I must be honest. At times it was a very challenging task. However, at the end of the day my heart tells me that the amendments will be for the betterment of individual Métis residing on settlements.

I wish to thank department staff Mr. Thomas Droege and Mr. Cameron Henry for their assistance, knowledge, and wisdom as we moved forward with this legislation.

Mr. Speaker, I urge all members of the Assembly to support third reading of the Metis Settlements Amendment Act, 2004.

The Deputy Speaker: The hon. Member for Edmonton-Strathcona.

Dr. Pannu: Thank you, Mr. Speaker. I'll be brief in my comments on Bill 30 in third reading. Thank you for this opportunity to participate in the debate at this stage of the Metis Settlements Amendment Act, 2004.

The Métis people have fought for generations, going back to the time of Louis Riel, for recognition of their collective rights to a land base and to govern themselves within that land base. The November 1990 legislation that led to the establishment of eight Métis settlements with powers similar to those of municipal governments was a significant achievement of the government led by former Premier Don Getty. While the government's motives in meeting the Métis settlements accord were not entirely altruistic given that the Métis in exchange put on hold some legal challenges for a share of resource revenues in northern Alberta, the establishment of the Métis settlements was in fact a significant step forward for the Métis people of this province.

10:10

I have also carefully reviewed the remarks of the hon. Member for Bonnyville-Cold Lake at second reading and at the committee stage. It's apparent to me that some changes to the governance structure of the Métis settlements are warranted. For example, I understand that the requirement for unanimity of all eight settlements prior to any policy changes at the Métis Settlements Council would be an impediment to effective and timely decision-making.

The Member for Bonnyville-Cold Lake indicated in his remarks in committee that consultations with the Métis settlements and the Métis Settlements General Council on Bill 30 have been taking place for a number of years. If this is so, Mr. Speaker, I can only express disappointment that a greater degree of consensus was not achieved with the Métis community prior to these legislative changes being brought forward.

Not long after Bill 30 was introduced, our office began receiving a steady stream of phone calls from representatives from both the Métis Settlements General Council and individual Métis settlements expressing concerns about some of the amendments being made. More importantly, however, the concerns are about the adequacy or lack thereof of the consultation process that was undertaken to bring these amendments about.

As a legislator, Mr. Speaker, I would have preferred a greater degree of consensus among those from the Métis community prior to making changes to the legislation that formed the basis for the self-governance. I would have similar concerns if amendments were being made to the governance powers of municipalities, for example, despite the opposition of the Alberta Urban Municipalities Association.

I'm aware that the amendments to Bill 30 approved yesterday evening go some way to addressing some of the identified concerns. Nevertheless, this has not entirely alleviated my concern that by giving third and final reading of Bill 30 in the absence of a greater degree of consensus within the Métis community, we may be opening ourselves to problems down the road.

In conclusion, I can only urge the government to continue working hard to achieve this consensus prior to the changes in Bill 30 being proclaimed. Thank you, Mr. Speaker.

The Deputy Speaker: The hon. Member for Edmonton-Centre.

Ms Blakeman: Thank you, and thanks for the opportunity to speak in third reading on Bill 30, the Metis Settlements Amendment Act, 2004. This is one of these bills that is a real struggle because it's not perfect. It's not addressing the concerns that have been brought forward by differing sides. Certainly, some people have written to the Liberal opposition indicating that they felt that there wasn't enough consultation or that they weren't included in the consultation, and that's a great concern for us. In this party that kind of dialogue is very important, and if we could possibly afford the time to work to a consensus-based agreement, that would be the ultimate.

The struggle for us is that we need to move forward. We need to see some move off of this sort of stasis. So it's one of those questions of half a glass is better than none or half a loaf is better than none, or is it? It's always that struggle. How long before we can get back to this and get what we want or, more to the point, get what the organizations want out of this. But when we look back and we're building on legislation from '89 and '99 and we're now five years later, are we going to make everybody wait another five years? I don't think so.

At this point we are willing to support this bill going forward. We recognize that it is not perfect. It is not what everyone wanted, but we believe that it's best at this point to pass the bill and to get that forward movement happening. We do charge the government to continue to work on this issue, and that's what's really needed here: to go at it with an open heart and an open mind and ears working in proportion to the mouth. At this point that's our position on it, and we're willing to support the bill in third reading.

Thank you.

The Deputy Speaker: The hon. Member for Bonnyville-Cold Lake to close debate at third reading.

Mr. Ducharme: Question.

[Motion carried; Bill 30 read a third time]

head:

**Government Bills and Orders
Second Reading**

Bill 28

Feeder Associations Guarantee Amendment Act, 2004

The Deputy Speaker: The hon. Member for Dunvegan.

Mr. Goudreau: Thank you, Mr. Speaker. It gives me a great deal

of pleasure to rise and move second reading of Bill 28, the Feeder Associations Guarantee Amendment Act, 2004.

This bill expands the mandate of the act by allowing feeder pigs to be included under the act, allowing Alberta's hog producers to take advantage of Alberta's successful feeder association structure.

Mr. Speaker, I'm sure that many of the hon. members are unaware of Alberta's thriving feeder associations. In fact, Alberta's cattle and sheep producers have been availing themselves of this successful program for the past 66 years. Alberta currently has 61 associations with more than 7,500 active members.

Feeder associations work by allowing members of the association to purchase cattle and sheep for growing and finishing. Financial institutions lend money to feeder associations, which then in turn contract the livestock out to local producers, who feed and sell them. All of the loans to feeder associations are partially guaranteed by the province, often giving members a more competitive interest rate on contracts. The program also allows producers the ability to purchase animals at a much lower capital investment and utilize Alberta's abundant forage crops.

Alberta's successful feeder association program works directly with smaller producers who may not have the equity to acquire loans from banks to purchase animals. Mr. Speaker, this program directly benefits Alberta's family farms and small producers.

But why hogs, and why now? Simply put, Mr. Speaker, the hog industry has changed in the past few years. Previously all of the raising of the animals was done on one farm. Now Alberta's hog industry operates much like the cattle industry. Weanlings, or young hogs, are sold to a finishing operation, which raises them until they reach a slaughter weight.

It's appropriate that hog producers are allowed to access the same successful feeder association structure. It will make it easier for them to add value to farm feed grains and increase the competitiveness of Alberta's hog industry. I know that discussions are ongoing with Alberta producers and our present feeder associations to determine how hog producers will fit within the current program and what regulations need to be amended to reflect changes to our dynamic agricultural industry.

Mr. Speaker, allowing hog producers to take advantage of Alberta's successful feeder association structure will help our agricultural producers prosper. The hog industry is the second-largest feeding sector after cattle. Adding feeder hogs to the feeder association program is a positive move and will help to promote their growth and also help to add stability to their sector.

I urge every member to give this amendment their full support. Thank you.

The Deputy Speaker: The hon. Member for Edmonton-Gold Bar.

Mr. MacDonald: Thank you very much, Mr. Speaker. I appreciated those comments from the hon. Member for Dunvegan. Certainly, I have a few questions in regard to Bill 28. I was looking through this year's government and lottery fund estimates to determine the exact cost of the operation of these feeder associations, and that would be my first question: what exactly is this costing us today? I thought I saw the sum of \$52 million in the budget estimates, but surely it cannot be that much.

10:20

However, when we're looking at this bill and we're contemplating adding hog producers to the feeder associations, I would like to know: how will this affect hog producers with regard to the CAIS program, or the Canadian agricultural income stabilization program?

I want further details on why we need this. What is the rationale for doing this? Certainly, fewer people are buying feeder pigs and feeder cattle. Most operations are farrow to finish. So we need more

explanation on this, please, hon. member. What is the expected number of producers who will be affected under these hog feeder associations?

Certainly, if those questions can be answered in detail in a satisfactory manner, hon. members on this side of the Assembly will contemplate full support of Bill 28.

Thank you.

The Deputy Speaker: The hon. Member for Edmonton-Strathcona.

Dr. Pannu: Thank you, Mr. Speaker, for the opportunity to rise to speak to Bill 28 in its second reading. I'm looking at the news release of April 1, 2004, which is about the amendment that this bill is proposing to the Feeder Associations Guarantee Act. The amendment that's being sought by way of this bill proposes to of course expand the definition of cattle to include feeder pigs. Previously the act only covered cattle and sheep.

The question of who will be impacted by the bill – a number of people, a number of hog producers – is a good one. I think we need to know the scope of the effect this amendment will have and how it will increase the opportunity for a substantial number of producers of hogs in this province to add value to their activities when financial institutions are allowed to lend money to them as they presently do to those who raise cattle and sheep.

It's been pointed out at least to me that feeder associations have tracking mechanisms that they use to verify which cattle they've financed. Even with this safeguard in place, a recent story, I think out of Red Deer, described how either alleged fraud or fraud was committed through the financing of phantom cattle. From what we have determined so far, no such tracking mechanism exists for hogs in the province.

So the questions I have are about: what kind of assurances or guarantees are there that this system will not lead to similar problems, particularly in the absence of the fact that there's no tracking system? If my information is correct, then I think that's a legitimate concern that we must address before we pass this bill. I'm raising this as a question. I'm sure the hon. member will have some satisfactory response to the concern that I just expressed.

The other thing is that if there's no tracking system in place, then what's the time frame for the implementation of this amendment to the existing act? We'd need some time within which to put in place the safeguards so that the funds go where they're intended and are properly used.

There also are, of course, some environmental concerns with respect to hog production in the province. Much of the hog production is, as far as I know, dominated by a few large corporations or packing plants. This is unlike the case with beef production, according to my understanding. There is a definite oligopoly in place here in the case of hog production, with Maple Leaf being the largest player, I think, in the game. If that is the case, wouldn't this bill simply strengthen the monopoly position of this one big player to the detriment of a few other smaller producers?

The environmental consequences of this kind of concentrated hog farm are a concern that's well known in this province. Many communities across this province have had serious concerns about the impact on their environments, neighbourhoods, their quality of water, and the land around them where these concentrated operations are presently located. So that, to me, is also an important concern, and I think that although the amendment itself doesn't address that issue, if the amendment is passed by way of this Bill 28, it could lead to increased production of hogs and could exacerbate the environmental problems that many communities across this province are

very much concerned about already. Exacerbation of this difficulty is simply going to heighten those concerns even further.

So while we debate this bill, the environmental side of the equation needs to be addressed, and that's why, Mr. Speaker, I think it's appropriate to raise this matter in this second reading stage of the debate with respect to this bill, which otherwise seems to seek only a minor change. There are some important issues that are begged by the increased pork production which I'm assuming, if this amendment is made, will further result from this change. So the need to address what cautionary measures need to be taken in conjunction with this change in the legislation I think is a legitimate one.

So I raise some of these concerns at this stage, and hopefully these matters will be addressed as we proceed with this debate in this stage of the reading and perhaps later on. Thank you, Mr. Speaker.

10:30

The Deputy Speaker: The hon. Member for Dunvegan to close debate.

Mr. Goudreau: Thank you very much, Mr. Speaker. Members from the opposition are asking some very legitimate questions, certainly those on cost of this addition to the feeder association, the numbers of producers impacted, as well as the tracking mechanism for hogs and the time frame for implementation. If I heard them right, those are the issues that they brought up, as well as some environmental concerns. I would suggest that I would bring those responses at committee. So at this stage I would call for the question.

Thank you.

[Motion carried; Bill 28 read a second time]

Bill 29

Agriculture Financial Services Amendment Act, 2004

Mrs. McClellan: Mr. Speaker, it's a pleasure to stand and move second reading of Bill 29, the Agriculture Financial Services Amendment Act, 2004.

Mr. Speaker, this bill will amend the current act to allow the Agriculture Financial Services Corporation to make loans or execute guarantees in excess of \$2 million to businesses with two or more investors. The current act restricts the dollar amount lent to specific businesses to \$2 million regardless of how many investors are involved in a project. The limit will still stay at \$2 million, but it will allow a \$2 million amount to be loaned to more than one person in the same operation.

This act is being amended to allow Ag Financial Services to facilitate investment in larger value-added projects as well as to lend support to investment vehicles such as new generation co-ops. The act will still mandate that all loans and guarantees continue to satisfy all of the requirements set out in the regulations regarding eligibility and all of the normal lending criteria established by Ag Financial Services. The risk to the lender, Mr. Speaker, will not be increased.

I urge all members of this Legislature to give this bill their full support. Mr. Speaker, I would adjourn debate on Bill 29.

[Motion to adjourn debate carried]

The Deputy Speaker: The hon. Government House Leader.

Mr. Hancock: Thank you, Mr. Speaker. I move that we adjourn until 1:30 p.m. tomorrow.

[Motion carried; at 10:33 p.m. the Assembly adjourned to Thursday at 1:30 p.m.]