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The 30th Legislature
Second Session

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Day 35

The Honourable Nathan M. Cooper, Speaker

Legislative Assembly of Alberta

The 30th Legislature

Second Session

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New Democrat: 24

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Legislative Assembly of Alberta

7:30 p.m.

Monday, June 22, 2020

[The Speaker in the chair]

The Speaker: Good evening. Please be seated.

Government Bills and Orders Second Reading

Bill 24 COVID-19 Pandemic Response Statutes Amendment Act, 2020

The Speaker: The hon. Minister of Health.

Mr. Shandro: Well, thank you, Mr. Speaker. I rise before you to move second reading of Bill 24, the COVID-19 Pandemic Response Statutes Amendment Act, 2020.

The government has proposed legislation as part of our government's ongoing response to the COVID-19 pandemic. In total Bill 24 proposes amendments to 15 pieces of legislation across seven ministries. These amendments will protect public health, support Alberta's reopening, and make life easier for Albertans. We are introducing these amendments now because the state of public health emergency ended on June 15. It gave government two types of increased powers, this declaration of public health emergency. First, it enabled ministers to temporarily amend, suspend, or modify legislation, and, second, it gave government and Alberta Health Services certain powers such as conscription, expropriation, and directing and requiring activities which were required to respond to the pandemic.

The state of public health emergency was the right thing to do to prepare for the risk of COVID-19 based on the risk as we understood it at the time. That risk was hard to scope initially, and in the worst-case scenario the potential impact was very severe, but the risk as we know it today, based on our actual experience, is very different. Emergency powers should only last as long as they're absolutely needed. The state of public health emergency is meant to be a temporary measure and is no longer needed at this time in this province, so those very broad and general emergency powers have ended.

We have carefully reviewed our existing amendments to legislation and orders, and we're extending a few of them because they may still be needed in the future as we continue to deal with COVID-19 here in Alberta. It's important to note that, compared to many other jurisdictions, Alberta has had some of the lightest restrictions related to COVID-19 yet has also had some of the best results in terms of cases, in terms of deaths, and in terms of the burden on the health system. We're also introducing some specific measures to support the safe reopening of our economy.

First, in terms of protecting public health, Bill 24 proposes several amendments to the Public Health Act. Bill 24 will ensure the intent of the ministerial orders put in place to respond to COVID-19 remain for as long as they're needed to keep Albertans safe. The bill also proposes creating a new regulation-making authority to support and empower orders of the chief medical officer of health as required. This would give her the authority to act if and as required without an official state of public health emergency being declared.

The bill includes authorizing public health officials to access any area of the Calgary and Edmonton international airports to ensure there is on-site space for temporary isolation or quarantine of arriving travellers. It also authorizes provincial officers to enter the

space and require travellers to undergo health assessments and complete a self-isolation questionnaire. This will ensure that travellers have an isolation plan, which helps prevent COVID-19 transmission throughout our province. Bill 24 also allows for screening of travellers arriving at land border crossings, including the Coutts provincial checkpoint.

The changes to the Public Health Act would also allow government to implement measures, if necessary, to alleviate the effects of COVID-19 in nursing homes, in supportive living accommodations, and in isolation centres for people who are homeless.

The bill also includes amendments to ensure information is shared efficiently to prevent the spread of COVID-19 among employees of police services, the home-care sector, and health care facilities. Specifically, amendments to the Public Health Act and the Health Information Act will allow the chief medical officer of health to help identify when a police officer has come into contact with the bodily fluids of an individual claiming to have COVID-19 and should self-isolate or self-quarantine; second, identify potential impacts to home-care staffing levels and develop options to address any potential gaps in the home-care workforce; third, identify when restricting movement among health care facilities is required to protect the health of Albertans; and, finally, to help the office of the Chief Medical Examiner meet the legal requirements of the fatality inquiries regulation by providing access to electronic health records for information related to COVID-related fatalities.

Bill 24 also proposes to include in legislation the definition of "close contact" with an individual who has COVID-19. This would allow the chief medical officer of health to address situations where Albertans have been in close contact with people who have or may have COVID-19.

Proposed amendments to the Public Health Act also include the requirement for a comprehensive review of the act to start by August 1. The review would consider if these proposed amendments should remain in place or whether they should be modified or repealed. On June 15 the Legislature approved the appointment of a Select Special Public Health Act Review Committee, which will conduct this review. The committee includes 12 government and opposition MLAs. It will review the act and submit a report to the Legislature within four months.

Bill 24 proposes two other amendments to the Public Health Act. The first would authorize employment absences for those who need to comply with a chief MOH order to self-isolate or quarantine. The second would prohibit the termination of nonemployment contracts in cases where people providing the services need to comply with a chief MOH order to self-isolate or to quarantine.

Bill 24 also proposes changes to three regulations under the Ministry of Labour and Immigration. Under the occupational health and safety code the bill proposes a one-year extension of respiratory protective equipment standards. This will provide additional options for respiratory protective equipment at work sites.

Under the Labour Relations Code and Employment Standards Code we're proposing to extend arrangements which support the chief MOH's order 10, which allows a health care facility to limit employees to working at one site only. This would ensure that staff continue to be limited to working within a single continuing care facility to help prevent the spread of infection between facilities.

Under the Employment Standards Code and regulation we're proposing to extend unpaid job-protected leave related to COVID-19 until August of 2021. This will allow Albertans to take unpaid leave if they have to leave work to care for a child due to school closures or if they have to care for a sick or self-isolating family member. Under the same code Bill 24 proposes to extend the

maximum time for temporary layoffs related to COVID-19 to 180 days. This will ensure an employee stays connected to a job even if operations are temporarily suspended or if the employer can't recall an employee due to physical distancing requirements.

Bill 24 proposes to extend other existing measures to give Albertans the services and supports that they need as the province continues to reopen. Proposed amendments to the Child Care Licensing Act will ensure that child care providers have access to the most up-to-date guidance to operate safely. This includes changing the maximum number of children permitted as required to address future risks of COVID-19 transmission. This will help to reassure parents returning to work that safe child care is available for their children.

As well, we're proposing to continue measures which will help reduce red tape and improve access to services for Albertans. The bill proposes amendments to, for example, the Guarantees Acknowledgment Act, the Personal Directives Act, the Powers of Attorney Act, and the Wills and Succession Act. These amendments will continue to allow for remote signing and witnessing of some legal documents through two-way video conferencing. This will make it easier for Albertans to have legal documents signed without having to visit a lawyer's office.

New measures being introduced under Bill 24 include amendments to three acts under Advanced Education. Amendments to the Private Vocational Training Act and the Student Financial Assistance Act would ensure Albertans retain their right to appeal compliance actions brought against private career colleges or for the government to make claims related to student financial assistance. An amendment to the Apprenticeship and Industry Training Act would extend the grace period of expired board member appointments for the Apprenticeship and Industry Training Board. The term would change from three months to five, which will allow experienced members to continue on the board while recruitment is carried out.

7:40

Another new measure being introduced as part of Bill 24 is an amendment to the Safety Codes Act under Municipal Affairs. This new measure allows the minister to temporarily modify or suspend requirements to the Safety Codes Act during an emergency or within 60 days of that period, which means being able to provide municipalities more flexibility to respond to COVID-19 in future provincial emergencies. For example, it would allow for changes to permit requirements to establish or convert temporary facilities such as drive-through COVID-19 testing sites.

Finally, we are proposing an amendment to the Fiscal Planning and Transparency Act which would extend the deadline for the public release of Alberta's annual report and financial statements to August 31. Because the onset of COVID-19 coincided with the time when the 171 government departments and agencies would be providing reporting for consolidated financial statements, we chose to prioritize the use of public resources to provide critical public services during that time and continue as the province begins to reopen. Amending the deadline this year allows government and the staff of the 171 entities that make up the government's consolidated financial statements to focus on supporting the health and safety of Albertans.

In closing, Mr. Speaker, these 15 items make up the substantive changes proposed in Bill 24. Going forward, the proposed amendments will ensure we have the tools we need for the next phase of our relaunch. I'd like to thank the members for their time, and I look forward to debating the bill.

Thank you.

The Speaker: Hon. members, anyone wishing to join in the debate this evening? The hon. Member for Edmonton-City Centre.

Mr. Shepherd: Well, thank you, Mr. Speaker. I appreciate the opportunity to rise and say a few words in respect to Bill 24 now, at second reading. I appreciate the introduction and explanation by the minister. The Official Opposition, of course, appreciates that we are still in some difficult times as a province. There is still a need to make some changes and to keep some things in place to properly respond to and contain COVID-19.

We recognize, of course, that this bill does contain a number of important extensions of some of the existing responses to the COVID pandemic, and we don't object to those measures. But there are some items that we had hoped to perhaps see in this legislation which don't seem to be there. Now, the minister, of course, referred to the new public health review committee that's going to be taking place, but frankly, Mr. Speaker, this bill was a missed – we have here a missed opportunity to right, frankly, what I believe is an historic abuse, overreach of power.

In this bill there is no repeal and no remedy to the massive power grab that we saw in Bill 10 that so many Albertans have raised deep and grave concerns about, even to the point of launching a Charter challenge. Now, I know the government, as the minister said, is planning to explore the Public Health Act at a committee, but frankly we're not in a public health emergency anymore, so there's really no need for the government to continue to hang on to the extreme powers that it granted itself with Bill 10, an affront to democracy in Alberta and an historic travesty of the democratic process in our province.

However, I will say that we were pleased to see that the wage top-up and single-site staffing will continue at many Alberta continuing care facilities. That's something we called for early on. We are pleased to see the government follow suit after several other provinces had taken that step, but we do recognize that in this bill there is no fix for the facilities that are still being denied that protection.

Furthermore, we were definitely hoping to see some actual support for child care operators and some concrete action on that front from the government, but those necessary supports are not in this bill. Now, we know that centres were allowed to open up with up to 30 kids per cohort effective last week, but we also know that as of June 1 only 30 per cent of our child care centres in the province had reopened at all. There's clearly still some serious work that needs to be done by this government to address that portion. Let me also say that this bill is meant to address issues that are related to the pandemic, but it does not make mention of or provide for paid sick leave, which was a specific promise that was made by this government and which they continue to break. While we're certainly glad that the job-protected, unpaid leave has been extended to August 2021 for parents with child care responsibilities, there is clearly still more work to do to support parents with children who wish to get back into the workforce and be part of the reboot of our economy. I'll end my opening remarks.

I'm not going to go too deep into things today, but I do want to just conclude with a few comments on the Alberta budget. Now, this legislation introduces an amendment that allows the government to delay reporting on Budget 2019. It allows them to delay it by two months. So at a time of significant financial upheaval we have the government once again betraying its responsibility to tell Albertans about the state of the province's finances. At the beginning of the pandemic we saw this government rush through their budget in record time, using far-reaching powers to rewrite the standing orders, to drastically decrease the amount of transparency Albertans had and the ability to actually provide

proper scrutiny in our work as the opposition, and now we see them closing out this first wave of the pandemic in the same way, by taking away transparency from Albertans. This is not acceptable, Mr. Speaker.

Just a few days ago we passed budget legislation in this House. It was weak legislation, but at least it compelled the government to act during certain time frames. Now we see that this government is willing to literally rewrite laws in order to circumvent their legal requirement to report timely on the government's finances. It's a shame, Mr. Speaker.

Given all of the above we as the Official Opposition will be looking at bringing forward some amendments to make this legislation better, and we absolutely look forward to the opportunity to have some debate on this bill and perhaps get some answers from the government on some of our concerns with this legislation.

Thank you.

The Speaker: Hon. members, is there anyone else wishing to join in second reading? The hon. Official Opposition House Leader.

Ms Sweet: Thank you, Mr. Speaker. I would like to adjourn debate.

[Motion to adjourn debate carried]

Government Bills and Orders Committee of the Whole

[Mr. Milliken in the chair]

The Deputy Chair: Hon. members, I would like to call the committee to order.

Bill 7 Responsible Energy Development Amendment Act, 2020

The Deputy Chair: We are currently debating amendment A2, so if there are any comments or questions with regard to the amendment, I would ask that that member please rise now. I see that the hon. Member for Calgary-McCall has risen.

Mr. Sabir: Thank you, Mr. Chair. I rise to speak to amendment A2. Since it was introduced last week, for the benefit and interest of everyone I will briefly read it. It was moved on my behalf that Bill 7 be amended in section 5 by adding the following after the proposed section 60(3):

- (4) On or before the date referred to in section (5) the minister must
 - (a) conduct a review of each regulation made under (2) that includes a consultation period of not less than 30 days, during which the public may submit comments to the minister on the regulation,
 - (b) complete a report on the review, and
 - (c) submit the report to the Standing Committee on Resource Stewardship for its review.
- (5) For the purpose of (4) the date is
 - (a) in the case of a review conducted after the coming into force of this section, January 31, 2021, and
 - (b) in the case of each subsequent review the date that is five years following the date by which the immediately previous review was to be conducted.

7:50

We do understand and agree that it's important for everyone's benefit that we have certainty, that we have some certain timelines when it comes to resource development and when it comes to decision-making with respect to resource development. At the same

time we do know that these are important decisions. They involve assessments, they involve consultations, and there are many stakeholders involved in these assessments and in these consultations. There are also many rights, many interests at stake with respect to these consultations. These are important processes, and to provide greater certainty, it's also important that we get these assessments and get these consultations right.

With this bill the government is intending to create reg-making authority for themselves so that they can influence the decisions of the AER, so that they can set some timelines on the decisions of the AER with respect to resource development. Certainly, that's something that stakeholders and everyone would want to see. At the same time as resource owners Albertans also have a vested interest in making sure that all resource development is done in a way that addresses a wide range of concerns that are at stake, which are usually dealt with through regulations, dealt with through AER consultations, government consultations.

With this amendment what we're trying to do here, knowing that these are important regulations and that these regulations will have implications for the resource development regime in our province – these resources are owned by all Albertans, so all Albertans have a vested interest in the development of these resources. What we are suggesting here is that government should be doing a review of this process, whatever powers they're using or giving themselves through this piece of legislation. They should do a periodic review of that and make that review available to the public because they are the owners of these resources, and they have every right to know how their resources are managed.

The second thing, as I mentioned, is that there are certain powers that the government is giving itself. What they have done is that they have taken out AER rules from many provisions and substituted them with regulations. Whatever time limits they will prescribe will be the time that the AER will be using to make decisions.

Again, these regulations will impact how we develop our resources, and these regulations will have implications on how we do assessments. These regulations will have implications on how we engage with the public. What we are suggesting here is that when government is making these regulations, the government should find ways to engage with the public and give them an opportunity to review the regulations, give them an opportunity after the review to provide government with their suggestions. That's, I guess, a process that is embedded in many regulation-making authorities. As I remember, when we were consulting on municipal affairs legislation back in 2017-2018, we would have draft regulations. We would post them to the government website and leave them open for a certain duration of time, where municipalities and Albertans can review those regulations and give input back to the government, back to the minister, which can be incorporated with a view to making it more inclusive, a more well-thought-out piece of regulation, piece of legislation.

Essentially, what we are proposing with this amendment is that whatever regulations the government makes, at some point when they're reviewed, there is some way that the public has an opportunity and the ability to participate in that process. I hope that it will be something amenable to all members of this House regardless of what side of the House we sit. We represent Albertans, and they are the owners of these resources. They have a vested interest in how their resources are managed.

On their behalf the best we can do is that whenever we are passing legislation here, making regulations, providing government with regulation-making authority, we can also create opportunities for them to see how their resources are managed, create opportunities for them to be able to participate in the decision-

making, because at the end of the day it's their resources, and create opportunities for them to provide feedback to the government because government is charged with the responsibility of managing it on their behalf. The best we can do to manage those resources on their behalf is create opportunities for them to be able to participate in the decision-making authority.

That's essentially what this amendment is doing. It's not changing anything from what government is doing in terms of regulation-making powers. Like, they are all there. All we are asking here is: let's create a process that is more transparent, that is more participatory, that creates room for people to participate and actually influence those decisions that affect their common resource, oil and gas, and other resources.

However, the government was giving themselves this authority at the same time – I know that bill is not before the House right now, but they are also giving the approval authority to the AER, and essentially this change needs to be reviewed in conjunction with the changes that they are bringing forward in Bill 22. Even in this bill there are substantial powers. There are broad powers that the government is reserving for itself, and they're all regulation-making powers. At this point, yes, we agree with the intent of the legislation. That intent is to provide certainty to investors, to provide certainty for development project proponents. We have seen in many, many cases, whether it's Keystone XL, whether it's Trans Mountain, whether it's Energy East, that these projects have taken a very long time in the approval process.

8:00

It is in the interest of all Albertans, it's in the interest of industry investors that there are processes in place, that there are some mechanisms in place that ensure that there will be some set timelines, that there will be reasonable timelines where they will be able to know whether their project can go ahead or not.

At the same time when we do that, we have to make sure that we are also not skipping or creating shortcuts in a way that will open these decisions for court challenges. We do have many projects, from Trans Mountain to Keystone XL to Energy East, that were subject to court challenges. For instance, in Energy East the federal Progressive Conservative government didn't consult properly on indigenous issues, and it was in 2013, I believe, or 2014 that the decision on Energy East clearly points out that the federal government while consulting with indigenous communities didn't do the job that would meet the constitutional standard that would meet the obligations of the federal Crown to consult with indigenous communities. That was the reason that project failed.

Similarly, with the Kinder Morgan Trans Mountain pipeline we saw the federal government approve that project. Then that project was challenged based on deficiencies in consultation, and the court agreed with the indigenous communities that no, the federal government needs to consult in detail, needs to consult properly. They sent them back to the table, and then they did consultations again, and now that project is moving ahead.

As much as we want to have certainty and we want to have some timeliness, I think that it's equally important that we are paying close attention to the process, we're paying close attention to all the assessments that are involved with the approval process, to the consultations that need to be done. I think that the amendments we are proposing will strengthen that process. It will make that process more participatory so that the likelihood of legal challenges will be less because the government can argue that in the decision-making they have created a process where the public at large can participate.

I think that having that process is important for many other reasons as well. When you set up a process or make a regulation

which is open to the public for input, for suggestions, and when they participate in that process, when they provide input in that process, they're more likely to take ownership of the outcome of that process, and that will help government to achieve its intended outcome of providing more certainty for resource development.

It's my hope that my colleagues in this House on both sides will consider this amendment with open minds and with a view that this amendment will make this piece of legislation better, will make this process more inclusive, will make this process of regulation-making, decision-making more participatory, and it will create certainty in the long run.

The processes we are talking about are important ones. Like, for instance, in section 5 government is giving cabinet the power to set time limits on any process, hearing, or decision that the AER can make. Those things used to be governed by AER internal rules. There were rules that were in place. Those rules will stay there, but government is also saying within this legislation that these regulations will supersede any other rules the AER makes. I think that's just a rule of statutory interpretation. Regulation will be superior to AER rules, but they are putting it in the legislation for clarity's sake. These are quite significant, quite substantial powers.

Since government didn't consult on this particular piece of legislation, that's also reflected in the structure of this legislation. It just doesn't say how certainty will be achieved. It doesn't say how government will set the timelines. It doesn't say any process. It's just giving government powers that they can do that through regulation. Insofar as we are concerned, we have no way of knowing how government intends to achieve these goals. All we have been asked is: give us these powers, and somehow we will work the magic and we will provide certainty for these projects.

But, as I said, there are many stakeholders that are entrusted in this legislation, there are many companies that are entrusted in this legislation, and Albertans as resource owners are entrusted and have vested interest in the outcomes of these processes. It's for that reason we are suggesting that, since government has not consulted widely on this piece of legislation and they're giving themselves power to make decisions that are important for all Albertans, this amendment will make sure that Albertans have opportunity to weigh in when government makes regulation under this piece of legislation, under the powers that they are giving themselves under this piece of regulation.

With that, I will urge all my colleagues: let's vote in favour of this amendment.

The Deputy Chair: Thank you, hon. member.

Are there any other hon. members wishing to join debate on amendment A2? Seeing none.

[Motion on amendment A2 lost]

The Deputy Chair: Moving back to the bill proper, Bill 7, Responsible Energy Development Amendment Act, 2020, are there any hon. members wishing to join debate?

If not, I am prepared to ask the question.

[The remaining clauses of Bill 7 agreed to]

[Title and preamble agreed to]

The Deputy Chair: Shall the bill be reported? Are you agreed?

8:10

Hon. Members: Agreed.

The Deputy Chair: Any opposed? That is carried.

Bill 15
Choice in Education Act, 2020

The Deputy Chair: We are on amendment A3. Are there any comments or questions with regard to this amendment? I see the hon. Member for Edmonton-Whitemud has risen.

Ms Pancholi: Thank you, Mr. Chair. I'm pleased to rise today to speak in Committee of the Whole on Bill 15, the Choice in Education Act. Actually, this is my first opportunity to speak to Bill 15, which I have been very eagerly awaiting, so I'm glad that I have that chance tonight. Specifically, the amendment that's under consideration for the committee right now is amendment A3. Just to refresh the memories of those who perhaps were not here when the amendment was introduced, this is a proposed amendment to section 8 of Bill 15, and it proposes that section 8 be amended in the proposed section 25(1)(a) by striking out subclause (ii) and substituting the following:

(ii) in the case of a charter school that offers grades 7 to 12 only, vocation-based education,

For context, Mr. Chair . . .

The Deputy Chair: Thank you, hon. member. I hesitate to interrupt you. I do appreciate you reading it into the record again. However, I would remind all members not to refer to whether or not any members were or were not wherever they are . . .

Ms Pancholi: Even myself?

The Deputy Chair: . . . in regard to the business of making this beautiful House continue to work effectively.

If the hon. member could please continue.

Ms Pancholi: Thank you, Mr. Chair. All right. Further to my comments, I was stating that this proposed amendment looks at section 25(1) of the Education Act. That's a section that sets out charter schools and the programs that a charter school may offer in order to be approved by the Minister of Education to operate as a charter school.

I'd like to begin my comments with respect to these changes to the charter school provisions and what's in Bill 15 by stating – I feel compelled, Mr. Chair, to speak to comments that I heard in previous debate around this bill from the government members, who are, I understand, very proud to bring forward this bill and indicated that, you know, it was part of their platform. I recall reading that in the UCP platform as well.

However, what I will say is that given the significant amount of chest-thumping that went around about this bill, it's quite remarkable to me that, really, everything – I mean, the Choice in Education Act, the bill we're seeing before us now, doesn't actually change the choices that we have in education that have existed in this province for decades. Of course, as you know, Mr. Chair, within our education system we have public, we have separate schools, we have francophone schools, we have private, we have charter, we have home education. We have blended programs as well. Those have been part of our education system for decades. They continue to be part of the system. They were part of the system when the NDP government was in place. None of those aspects of choice within education have changed, and I see there are no additional necessarily choices added here. What we do see is that there are changes to home education and charter schools.

Now, specifically this amendment, of course, deals with the charter schools provisions. I've mentioned a number of times in this House that I used to work for Alberta Education, and part of my role when I was within the department was that I actually sat on a

committee within the government made up of public servants within the ministry who actually reviewed charter school applications. I got to know the charter schools that were in place at the time. This is a few years ago now, but, remarkably enough, in fact, I think it's of note that the same charter schools that existed when I worked within government, at this point probably 10 years ago, are still the same charter schools that we have in place right now. I actually got to review a lot of the information that came up whenever their charters were up for renewal. We would look at their programming. We looked at their parents' comments. We'd look at all of those things to assess how the program was going.

What I can tell you, Mr. Chair, is that of course charter schools have been a very interesting and important part of our educational landscape for many years. In fact, the members across might be shocked to hear that I actually don't disagree with the concept of charter schools as they were originally intended to be. That's the distinction that I think is important to note, that what charter schools were intended to be, when they were brought in in the mid-1990s, is not actually what they've been for some time, and it is certainly not what this government is proposing to do with charter schools now.

In fact, the origin of charter schools was the idea that groups of parents or communities could come together and come up with a concept for a program for a school that would be innovative and research based. The idea is that a charter school would be sort of a test lab for the education system as a whole. Perhaps there'd be a group of parents, some maybe who had some backgrounds in specific areas, who would say: "You know what? Here's an interesting program." The local school board was not providing it. Usually it was because they didn't feel there would be a demand for it at the time, or they were not sure about the program, or they weren't able to support it at that time.

So these groups of parents and researchers would come together and say: "This is a program that we think is important. We're going to form a charter school." The ministry would of course review their program. Then they would have a five-year term, of which the purpose was to essentially experiment and research, try a program in a school setting with some dedicated parents and students who believed that this was something they wanted their children to experience. Then, if it was effective, they would go back to the school board, and the school board would say: "You know what? You've proven or you've shown that, yeah, this is an interesting program. There is a demand for it. There are some good outcomes based on looking at the students' learning outcomes, and we think that perhaps we want to integrate this into our broader school board system." That's where the idea originally came from, and it was meant to be sources of innovation and research.

Of course, that was actually also the reason why charter schools were originally temporary. They weren't meant to be a separate school that would function on its own for decades to come, but the learnings and the teachings from that charter school would be shared with the system as a whole so that the system would be improved. That was the original objective behind charter schools, and that's not, unfortunately, Mr. Chair, what happened.

There are lots of reasons for it, complicated reasons and sometimes political reasons. This was back in the Progressive Conservative days – right? – where we saw that part of the problem was that, you know, you would get parents who had invested a great deal of their time and their energy and their children into a charter school program, and they weren't willing to then say, "Okay, school board; now you take it over," because there were sometimes some bad relationships that had developed in that way, so complicated reasons.

But the idea behind a charter school as an innovative source of research for the system, for the public school system as a whole, is actually one that I fully support, and I saw a lot of charter schools trying to do that. The problem is that because people became so invested in the actual school itself and there was lots of friction and it was difficult to actually share it with the system, what actually happened was that charter schools never got brought into the broader system. You know, they became more committed just as a stand-alone school.

I appreciate that there are a lot of families who put a lot of time and work into their charter school and are very proud of them – and should be – because there are a number of really remarkable charter schools. However, I think the problem that we see now in the way the current government is going and, in fact, even the Progressive Conservatives prior to 2015 – this government removed the cap on charter schools. The previous Progressive Conservative government allowed charters to continue on for 15 years or more. It really created this idea of a separate kind of school system where children and families who perhaps were able to meet the additional cost requirements and the unique standards, depending on the program, could then have a different kind of system to go to. It became sort of a competition, in some respects, for the public system.

What we actually saw the public system do – and this is one of my concerns with the number of charter schools that we now have, most of whom have been around since the late '90s. The most recent charter school is actually 12 years old. We haven't seen a lot of innovative things coming forward in a charter school way even when charters could be extended to 15 years in the last little while, and that's because school boards have become responsive. Edmonton public, I'm proud to say, is a school board that offers remarkable diversity in terms of programming.

Really, the charter school system has not done what it was intended to do, and that's why I think there are a number of people who have concerns about the drain that the charter school system is now seen to be on the public system because it's not doing that innovative and research-based thing that it was intended to do. Now, many of these schools are still doing great work, but they're not sharing it with the system – it might be because the system is not embracing it, and that's a tension that's worth exploring – and it certainly doesn't mean that we then open up charter schools in the way that Bill 15 proposes to do.

8:20

This is my concern with respect to this bill. The provisions that are in the Education Act, the existing Education Act prior to Bill 15 – and I worked closely with the minister at the time who originally brought forward the Education Act. This was Minister Dave Hancock at the time. When envisioning what charter schools would be, he was very committed to try to bring charter schools back to that idea of being research and innovation based. That's why in the current Education Act, in section 25(1) of the act, which talks about charter school programs, it was very important to the government at that time to emphasize that charter schools have a responsibility in their programming to collaborate with the postsecondary institutions and the local school board, because the idea was that we needed to get back to that idea of charter schools being about research and innovation for the system as a whole.

With that context in mind, it's why I'm deeply concerned about the proposed amendments in Bill 15, because not only does Bill 15 do away with the obligation of a charter school to first go to the local school board to see if the local school board will offer the program, but it also now broadens the kinds of programming that

charter schools can provide. Specifically, it broadens it by allowing charter schools to be vocation based.

Now, I have a couple of concerns with that, Mr. Chair, with respect to the addition of vocation based, the first being under 25(1)(a) of the Education Act. This goes to the heart of what most charter schools are about in terms of their programming and how they're supposed to be distinct, in what's being offered, from the local school board. Section 25(1)(a) of the Education Act currently requires that a charter school, in order to apply for a charter, must focus on "a learning style, a teaching style, approach or philosophy or pedagogy that is not already being offered by the board of the school division in which the charter school will be located."

Again, that highlights what the original intent behind charter schools was. It was to say: charter school, you're bringing something forward to the minister to offer something that's not currently being offered; it's something that is unique, it's something that's different, it's something that is innovative perhaps, and it's something that the local school system can learn from. But Bill 15 now adds that a charter school can be "vocation-based education." And that's it. That's what they've added on in section (a)(ii) of section 25(1). They've added that a charter school can be vocation based.

I begin with the problem, I believe, that in this act vocation based is not defined. I mean, I think we all probably have a working understanding of what that means. We think it probably means preparing students for a particular trade, a particular field of work. That's generally what we understand vocation to mean. Of course, I believe – and I think it's important in legislation that we be more precise than what we generally have an understanding of – that we need to know what's meant by vocation based. You know, there are numerous kinds of jobs and opportunities and training and apprenticeships and careers that students may go into, and I'm not sure – I don't think it's clear at all from what's proposed in Bill 15 – what vocation based means.

But I'm mostly concerned, I have to be honest, Mr. Chair, about the fact that the ability for a charter school to be vocation based means it does not in any way have to be distinct from programs that are already being offered by the local school board in that division. There is no requirement that the vocation-based program be distinct, be unique, be a program that might be offered at a high school nearby or a school nearby. It's actually now opening up the possibility – it's moving, might I add, far away, much further away, from that original concept of charter schools as being innovative and research based. It's about saying that you can offer in a charter school the precise same program that's being offered perhaps by multiple schools within your school division, and you're now operating as a charter school.

Charter schools have additional abilities to charge, well, some fees based on programming although I would note that alternative programs under school boards can also charge additional fees based on the specifics of the program. But we know that charter schools are not operated by publicly elected school boards, and I think that's a concern. For me, that is one of the biggest red flags, that we have really done away with what the original concept of charter schools was. I want to reiterate that I actually am supportive of the idea of charter schools as that original concept was initiated in legislation. That idea of research and innovation: I think that's an important part of our system. I think that the sharing of learnings and having opportunities to have people with unique skills and research, to bring that forward and to develop a program that the system can learn from, is a good thing. I actually think that's a good thing.

Unfortunately, we have not seen in Alberta the fruition of that work because, really, what's happened now is that almost every single existing charter school that we have – and let's be clear: 10

out of 12 of them are offered in two of the major cities, in Edmonton and Calgary – almost all of those charter schools offer programs that are now offered by the public or separate boards in those cities. They're no longer offering programs that are innovation based or research based; they're repeating what's already being done.

Now, you could certainly argue – and I think that's certainly the case in Calgary – that some of the original charter schools in Calgary actually pushed the Calgary board of education, for example, to adopt and offer new alternative programs because of what was being offered by charter schools and seeing the success of the charter school. I actually think that that's exactly what should happen, but the problem is that the charter school continues to operate in competition with the public board, and I don't think that that's appropriate.

My concern, specifically, Mr. Chair, with respect to vocation-based education is that it no longer has any requirement, is abandoning any sort of requirement that a vocation-based education program offered by a charter school be in any way different from what's already being offered within that jurisdiction by a local school board. It's allowing charter schools, who are not publicly elected – and I know they're great people. The people who sit on the boards of charter schools are dedicated. They are hard working. They are parents. They are volunteers. I know these people, and they're wonderful, but it's not the same as our public boards and our separate boards, who have a role and have the significant responsibility under our legislation in our system to deliver education programming. Charter schools are meant to be innovation and research based, and I argue that they have moved far from that, and this bill furthers that in addition to the changes that this government made previously, since being elected, to remove the cap on charter schools.

With respect to vocation-based education, Mr. Chair, one of the proposed amendments that we're bringing forward – I have to say that I've raised my concerns already about the bill provision generally, but I think what we are proposing as an amendment is the only way that I can somewhat try to make some sense of why we would have vocation-based education in charter schools, and that's by limiting, that if a charter school is going to offer a vocation-based education program, it be limited to grades 7 to 12. Honestly, this seems like the least we can do in terms of a common-sense amendment in the sense that if we're talking about vocation based, if we're talking about programs that are geared towards providing the training and support for students to pursue a particular trade or apprenticeship or some kind of career, that would take place in the junior high to senior high years.

I certainly don't think vocation-based education would be appropriate for a kindergarten student or an elementary student. I think any parent of a young child, myself included, would know that it's far too soon to know what our children's skills and aptitudes will necessarily be at that age, and of course there are a lot of basics and fundamentals that should be the focus of their education program at that age level. So this amendment, Mr. Chair, actually, I probably would guess, is what the members across were envisioning themselves, which is that vocation-based education would not happen until the higher grades as it is.

I repeat: vocation-based education we already have. Anybody who has taken the time to look at the Alberta program of studies and looks at the programs being offered not just in urban centres but across the province and in rural centres as well knows about programs like the registered apprenticeship program, knows about the knowledge and employability programs and those streams that happen within high school. We know that there are already significant opportunities within the programming offered at public, separate, and francophone schools that are vocation based, that are

actually focusing on allowing students to do streaming into certain training and apprenticeship programs and trades. I think, actually, our program of studies has done a great job of trying to support those kinds of alternate ways of learning and developing those streams.

I know that every major high school in Edmonton and that the ones that my husband has taught at have had very thriving programs that focus on vocation-based training, that focus on trades.

8:30

I question again: what is the need to have charter schools provide vocation-based education – it's already being delivered within the public and separate school system – other than to now create a separate stream of education? If that's the case, then I do wish that the members opposite would stand up and say that they are trying to and admit that what they're trying to do is dilute and divert funds from the public and separate school board system and own up to what they're doing, because I am deeply concerned that this incremental sort of movement that we're seeing in an area, by the way, might I add – again, I want to highlight that I do know that the charter schools' communities are great people. They do great work, and I know that a number of students have come out and have been wonderful. But what we're doing is that we're diluting and weakening a system that this government has already fundamentally struck hard by their cuts to education and cuts to supports for students with disabilities.

The Deputy Chair: Thank you, hon. member.

Are there any other hon. members wishing to join debate on amendment A3? I see the hon. Member for Edmonton-Highlands-Norwood has risen.

Member Irwin: Thank you, Mr. Chair. It is an honour to speak. As I like to do, I just would like to again acknowledge that we are still in the midst of a pandemic, and I want to give a shout-out to all the health care workers, all the essential workers who are doing so much and risking so much so that we can be here. Since I'm about to speak to Bill 15, I also want to give a special shout-out to all the workers in education right now as they're wrapping up the school year: the teachers, the educational assistants who are still employed, and, of course, the students, who are about to embark on summer at a very odd time in their lives, especially those graduating students.

It's an honour to speak to Bill 15. I will be speaking specifically to amendment A3. Why I say that it's an honour is because – I've spoken on this bill a couple of times. You know, I've shared many times in this House my own background in education, and I really, really want to be able to urge the members opposite to try to get this piece of legislation right. I'm going to speak about a few general comments. I'm going to echo some of the comments that my esteemed colleague from Edmonton-Whitemud shared as well.

Like I said, I'm so proud of our education system. You know, especially now, I think back to my time teaching in rural Alberta. This was a time where we would have been sending the kids off for summer break and wishing them well. The graduating students would be moving along, and I'd be thinking about them as they embarked on whatever their next journey might be, whether it would be postsecondary education, whether it would be heading directly into work, maybe taking a year off. We really would always want to encourage them that their options are limitless.

This is where I'll have an opportunity to speak specifically to why I have concerns about the vocation-based education piece of this bill and hence the need for the amendment that we're putting forth. But first I want to just talk a little bit about some of the concerns that I've raised previously in the House and that others

have as well. I just want to update a few of those comments as well. You know, one of the things that I am so proud of is the fact that Albertans overwhelmingly choose public education. They choose public education – then, of course, public education includes public and separate; 93 per cent of Albertans choose it – because Alberta has been known for its world-class education system. That’s not just about our marks on exams, but it’s a testament to our very well-written programs of study or our curriculum documents. It’s a testament to our highly trained teachers. It’s a testament to our students, who work hard and value education.

One of the things that I talked about at a previous point in the House was the example of Edmonton public schools being a school system that so many Edmontonians choose. They see the diversity of programming that’s offered within Edmonton public schools. You know, the list of options is quite incredible – language options, faith options, sports options – all within the public system. In fact, there’s been a lot of academic scholarship actually written about Edmonton public schools, about their ability to offer such choice within the public system. In fact, in the media discussion of Bill 15 the chair of Edmonton public, Trisha Estabrooks, commented that, you know, she’s concerned about elements of Bill 15 because she knows that charter schools don’t actually have to take every student that applies. She says that although they receive the full funding that a school would receive, they aren’t publicly accessible the way that public schools are. As my colleague from Edmonton-Whitemud noted, nearly all of the charter schools in place right now are in urban areas.

I talked as well at length in previous occasions in this House about my own background. Actually, I did some graduate work. I admitted, I think, in one of the sittings that I was, in fact, a PhD dropout. I completed about half of my PhD, and then I decided to run for office. I was running for office and working full time and teaching at the university, and for some reason I couldn’t do it all, not that I need to make an excuse for why I dropped out of my PhD. But in the lead up to that – you’re learning a lot about me today – actually one of the papers I wrote was about charter schools, so I had the opportunity to take a pretty deep dive into some of the research around charter schools, and it really is quite fascinating. That reminds me: I was supposed to send that paper to the Member for Edmonton-Gold Bar. I will do that afterwards. If anybody else wants it, please let me know. I don’t mind sharing it. It is a little outdated now, but I did actually check some of the references, and they are still quite solid.

My point in raising that is that one of the things that I learned from doing some research on charter schools is that in certain jurisdictions, particularly in a few states in America, there’s a clear pattern of: where there’s an uptake in charter schools, they see funds being diverted from the public system. Again, that’s not just me making it up. There are examples of states where their public system is quite in shambles, and there is a clear socioeconomic divide of those who are able to access anything but the public system. What happens is that the public system continues to be broken down. Teachers leave the public system, those who can, to go to charter or private schools. Students, those who can, leave the public system to go to charter or private schools. There are clear patterns.

A couple of other concerns that I think are fairly important. In fact, the Member for Edmonton-Whitemud chatted about this, the fact that charter schools are afforded a greater level of autonomy, but that’s partially because of the fact that they don’t have publicly elected school boards. There have been some examples – again, this paper I wrote was about 10 years ago or so – even here in Alberta, where there was mismanagement in some charter schools because they were not held to the same standards. In fact, Alberta Education

even wrote a paper in 2009 that concluded that there was a need for a more robust and improved governance model that would address the concerns around charter school accountability. I think it’s important that we raise these flags.

Again I want to say the same thing because, like the Member for Edmonton-Whitemud, I am not being critical of some of the charter schools that we have here in Alberta. We’ve got some fantastic charter schools that are doing fantastic work, that are reaching populations that are certainly benefitting. I know the Mother Earth charter school in Wabamun is one that has focused on abolishing some of the isolation that indigenous children have experienced. We know that there’s a school, Almadina, I believe, in Calgary that serves Muslim students. Edmonton is a great example: the Boyle Street co-op, actually, where, you know, clearly they are working directly with marginalized youth here in Edmonton, the Boyle Street Education Centre.

8:40

However – however – we’re concerned. We’re concerned or I’m concerned – I shouldn’t put words in other people’s mouths – about the possibility for an extensive proliferation of charter schools given that now, as written in this piece of legislation, folks will be able to go directly to the minister. This leads me to worry that we could see – we could see – a mirroring of some of the patterns that we’ve seen in jurisdictions where they’ve allowed for a proliferation of charter schools.

I’ll tell you that there are countless American examples that show, you know, that children from certain ethnicities are unlikely to have the ability or the means to attend charter schools. In fact, there are statistics, as of 2010, anyways – I can try to find some newer ones – that show that in Alberta, charter school students do come from higher socioeconomic backgrounds. Again, that’s not every single charter school, you know, acknowledging that there are at least two I know where that’s not the case. But generally the data does show that, and they also enrol a smaller number of English as a second language students as well.

Now, I want to also point out, you know, that we had heard in previous comments on this bill the Member for Peace River kind of compare the education to the privatization of liquor stores, and he since somewhat clarified his comments. I note that – I can share this with you, *Hansard* – to *My Grande Prairie Now* that member has said: no, no, we’re not trying to privatize schools in Alberta. But he did say that he believes that there are a large number of progressives and radicals that play insider baseball on this. But the vast majority of Albertans I speak to say that choice is a good thing. [interjection] Of course. None of us on our side, at least from when I’ve been in the House, have disagreed. I mean, choice is a good thing. [interjection] Absolutely. Absolutely. To say that there are a number of progressives and radicals – again, his words; I’ll share that with you *Hansard* – that hold this view: well, 93 per cent of Alberta’s parents choose the public system. Are those 93 per cent progressives and radicals? I’m not sure. I’m not sure. Hopefully, that member will get up and speak a little bit more to his quote to *My Grande Prairie Now*.

We’re concerned when a member makes those sorts of comparisons because, again, we’re all supportive of choice in education. I’ll come back to the example of Edmonton public schools, that shows how robust public systems can be at offering choice and how, in the case of Edmonton public, they’ve been so nimble in responding as well. I can point to a number of Christian schools – Edmonton Christian, for example – great schools, not a lot in my riding but a few in members’ on our side of the House, a few in their ridings, for sure. Those were previously private schools and were absorbed, like I said, quite nimbly into Edmonton public

schools, and they do great work, actually. One of my friends teaches at Edmonton Christian on the north side, and he's a fantastic guy, fantastic ally, too, by the way. Again, I'd love for that member to perhaps clarify.

But I better speak a little bit more to the amendment. Now, this is where I get a little bit passionate. I was a high school teacher. I started my career teaching high school, social studies primarily, but I also got to be the academic counsellor in that role at the mighty Bawlf school. One of my jobs as an academic counsellor was to really push kids to graduate. I can't tell you how many kids would not have graduated if it weren't for careers-based education. You know, I had kids who I'd taught in English 30-2, social studies 30-2, which are the nonacademic courses, who were brilliant students, just – academics weren't for them. You know, these kids were incredibly talented when it came to it might have been RAP, the registered apprenticeship program, taking a number of career and technology studies, CTS, modules, doing work experience.

So many of those kids would not have gotten a high school diploma if it weren't for the very extensive careers education that our province offers. As my colleague from Edmonton-Whitemud noted, part of that is due to the great variety in course offerings and really strong programs of study as well. Of course, I'm biased because I did work in curriculum for a number of years. In my last role with Alberta Education I was the executive director of high school curriculum, so I got to oversee careers education. I saw first-hand, you know – and even when I was in that role, we could see that course offerings were just expanding, okay?

I frame all this to say that I am not opposed to vocation-based education, but I have some questions. I have some questions. Absolutely. I'm hoping members will be able to speak, and perhaps the Minister of Education might be able to speak as well because what I don't know is what the definition of vocation-based education is. I just would like some clarification. Is the bill speaking to careers education, or – and here's where our concern comes in – is it speaking to potential streaming? Is it speaking to at even earlier ages, let's say, starting in kindergarten, having kids have to choose vocational paths?

Again, you can look at some jurisdictions around the world where they have very much sort of path-rich children, and I mean that truly. Children have to choose at a very young age which path they want to take. Do they want to take an academic path, or do they want to take, you know, perhaps in some cases it's called a vocational path or a careers path, right? There are a lot of concerns about that. There are a lot of concerns. We know the research in education shows that at young ages kids need to be immersed in literacy and numeracy, in play-based education. What are we setting them up for if at a very young age we're putting a lot of academic stress on them or we're putting a lot of emotional stress on them to choose which path they want to take? Hence the reason for this amendment.

We know that we don't have the numbers to defeat this bill. However, we have the opportunity to introduce an amendment that would shift this to add grades 7 to 12.

Mr. Sabir: We can rewrite it in 2023.

Member Irwin: That's true. That's true. We can rewrite it in 2023. But until then we want to make this better. I laugh, but this is a serious concern.

I would really like to urge the members opposite to truly consider this motion. I want to believe that they're not going to reject the evidence, you know, that they are up to date, perhaps, on some of the research in this area as well. I worry, as the Member for Edmonton-Whitemud pointed out as well, that this is moving very

much away from the original intent of charter schools. As she much more eloquently put it than I will – she pointed out that, look, we know what the original intent of charter schools was. It was, as outlined here, to focus on “a learning style, a teaching style, approach or philosophy or pedagogy that is not already being offered by a board.” It wasn't about adding on this piece around vocation-based. As she pointed out, this could now mean that there's a proliferation of charter schools that offer the same programming that's already offered in the public system.

Particularly in the large urban centres we see that there is a wide range of programming that students can choose from. I would agree that in some areas in rural Alberta there are not those same course offerings. Again, I can think back to Bawlf school where, you know, we had kids who would've loved to have gone out to a welding shop. But we didn't have that there, right? They could go down the road to Camrose – we didn't want to lose those kids – and often they stayed there. What we tried to do is that we tried to get them a work experience placement so that that kid who really wanted to be a welder: sorry, we don't have a welding shop, so you might not get the same welding experience that a student in Camrose might, but you can get that hands-on experience through the work experience; you can get credits and experience that way.

8:50

Unless the government is adding this piece to specifically, perhaps, expand course offerings in vocation-based education in rural Alberta, I can't see a reason for it when, again, both, you know, Edmonton Catholic and Edmonton public – I know I'm using a lot of Edmonton examples, but it's what I know best – offer such a wide range of that sort of programming.

Again, I'd love for the minister or anybody who is able to speak to it to just maybe walk us through why there's a need to add the vocation-based education piece in section 8(a)(ii). Again, I come back to other jurisdictions where we've seen that expansion, that proliferation of charter schools, and I think the concern is from not just us but from other, you know, stakeholders in the field, who are very much concerned that this is going to lead to a whole lot more charter schools and pressure put on public schools.

The Deputy Chair: Thank you, hon. member.

The hon. Member for Edmonton-City Centre has caught my eye.

Mr. Shepherd: Well, thank you, Mr. Chair. I appreciate the opportunity to rise and speak to amendment A3 on Bill 15. Of course, we are debating tonight the Choice in Education Act and this particular amendment, which, as my colleagues have noted, is looking at the question of vocational schools, charter schools that would offer a vocational-based program. As my colleagues have noted, we are still seeking some clarity on precisely what that means, but we have a sense. The amendment is looking to ensure that that is restricted, then, to grades 7 and up.

Now, I think that's a reasonable consideration, Mr. Chair. As some of my colleagues have ably noted, in grades kindergarten through 6 there would be, I think, some real concerns with implementing a vocationally based program. I think back to when I was in grade 1. My parents, I believe, still have the little grade 1 book in which I drew a picture of myself screwing in a light bulb because I aspired, like my father, to be an electrician. I did not become an electrician, and certainly it would not have been a great idea for me to start in an electrical program in grade 1. I went in a much different direction. I became a musician, and then I became a communications professional, and now I've become a politician.

I think we know that when kids are in elementary school, that is still a very, very flexible time of their lives. Their minds are

incredibly plastic. They may have a number of different pursuits. There are real concerns about introducing a vocational program at that stage when, indeed, we should be focused, I think, on a more general education, on those students learning the basics. I think that unless we receive some other clarity from the government explaining that, you know, for some reason these programs already handle this or that there is something else here, from what we understand so far, it seems to make sense to me that this amendment be put in place.

In particular, Mr. Chair, as my colleagues have noted, there are concerns about the streaming of students, and we know this already occurs within schools. We know that we already have situations where students are assessed and, say, perhaps on a bias of a teacher or another individual may be encouraged or pushed towards or nudged towards a program based on their assessment of that student's abilities when in fact that is an incorrect judgment, and it is not, in fact, based on what is best for the student or even necessarily what the student wants but on what someone else has decided.

We know in particular, Mr. Chair, that this is particularly prevalent for black, brown, indigenous students or students of colour. As we are in a time in our society now as we are giving more careful thought and scrutiny to issues of systemic racism, I think it's important that we apply that lens here in this situation because we know that this is an issue in Canada, and indeed this is an issue in Alberta.

In a recent article in *The Walrus*, Canadian Education Is Steeped in Anti-Black Racism, published on June 10, by Robyn Maynard, a writer, activist, and educator, she notes, "Black youth continue to be disproportionately streamed into lower education tracks as a result of both individual prejudice and systemic factors." Indeed, we recognize that there are racial stereotypes that are held by some teachers, consciously or unconsciously, that can play a significant role in the streaming of black students. Indeed, she talks specifically about black students in Alberta and how black students in Alberta have expressed that they encountered

instructors [who] give African-descended students [what they call] the "silent treatment" or try to dissuade these students from higher education by expressing their uncertainty, for example, that "a Black could study to become a doctor."

She says:

This treatment, widespread in many Canadian cities, has an important role in the experiences and development of Black students and their education.

That's not just her view, Mr. Chair. A new report from York University noted that black children in the Greater Toronto Area may start kindergarten feeling confident and excited to learn, but indeed over time many feel gradually worn down by schools that stream them into applied courses and suspend them at much higher rates than other students. In fact, that report found that while academic streaming was supposed to have ended in 1999, black students remain twice as likely to be enrolled in applied instead of academic courses compared to their counterparts from other racial backgrounds. So streaming, which places students in academic or university-bound courses instead of the more hands-on, applied courses based on perceived ability, is a concern.

The practice had been found to hit lower income kids and racial groups like black students the hardest. Between 2006 and 2011, the latest period for which they had their data available, only 53 per cent of black students were in an academic streaming program versus 81 per cent of white students and 80 per cent of other racial groups. Sixty-nine per cent of black students graduated between 2006 and 2011 versus 87 per cent of other non-white students and 84 per cent of white students. Twenty per cent, twice as many as

other groups, dropped out, and 58 per cent of black kids did not apply to postsecondary school versus 41 per cent in the other groups.

Now, there are high schools in Toronto which have already launched pilot programs to help end streaming in some grade 9 and 10 courses, but according to a survey of black students and their needs, Mr. Chair, teacher expectations were found to play a significant role in their academic engagement. Indeed, black youth in major cities across the country have consistently named their teachers' low expectations as a major factor when it comes to their overall engagement. They report that they are pressured into vocational training or into adult education, that they're not encouraged to finish on the regular academic track, and they're steered away from challenging courses.

Now, I'm happy to say, Mr. Chair, that with the growing attention to systemic racism, despite the fact that there are some who would prefer this just stay a brief conversation and that we move on and that we don't consider this as something that we can actually make concrete change on, we are seeing more conversation. I'm very happy to say that here in Alberta we have two organizations which have already stepped up, the Black Teachers Association of Alberta and educators for antiracism, who are beginning to raise these concerns and address these and bring black teachers and their allies together.

In the context of this amendment, Mr. Chair, where we have the proposal to create charter schools which are vocation-based – again, we lack a clear definition on what that is, but perhaps it will be clarified by members of government at some point. But if that is the focus and the intention, there remains a concern, then, that some students may be streamed, that they be under pressure in their communities, their parents may feel pressured, others may feel pressured to push them into those opportunities as opposed to standard education, and that is of even greater concern if we are talking about vocation-based programs through charter schools starting at the elementary age, when perhaps parents and families who themselves are struggling – as I stated earlier today in my member's statement, black families in Alberta, black individuals in Alberta, still earn a significant amount less than their white counterparts, so black families are more likely to be in a position of poverty. That being the case, if those parents themselves have not had opportunity, they may feel under pressure to assume that their kids are similarly going to be limited and to move towards a vocational education. If that were to happen at the elementary level, Mr. Chair, that is deeply impactful on those students and what they may be able to imagine for themselves in the future, the possibilities that they might have ahead of them.

9:00

As I noted, that is already a challenge for black students. They already have that limited scope placed on them. They're already told not to hope for better. So if indeed they find themselves in elementary school in a vocational stream, that could simply further and perpetuate that bias, that prejudice, that stereotype that holds so many back.

I think it's very important, Mr. Chair, as we talk about choice in education, that we think very carefully about: choice for whom? Are these choices equally available to all parents, all families, all students? Indeed, as we know, as my colleagues have discussed and as I've pointed out, charter schools are not required to accept all students, as a public school is. If we have charter schools that are introduced in jurisdictions, they may offer an elementary vocational program, as we're discussing in this amendment. If that is the case, and they are in competition with the local public school, then if that charter school does not wish to take on students who may have

challenges, whether they be economic, academic, a physical or developmental disability, that charter school can pick and choose which students it takes. Then that means resources are being taken from the public school as they lose students. The public schools are being left with the students who have the greatest need with fewer resources to serve them.

That is why, Mr. Chair, as we discuss this amendment, looking at whether or not we should have the vocational option available for students in an elementary school, we have to give careful thought to this government's decision to remove some of these checks and balances that have been there to help preserve the equilibrium of an ecosystem where the public option is able to remain funded and strong for all who need it.

Like my colleagues have said, Mr. Chair, we are not against choice, but we are in favour of considering all the impacts of the choices that are made. We don't believe that freedom of choice should be greater for some and, as a result, make it far more limited for others. We need to seek the better balance for all students, which is the intent of a public, separate, or a francophone education.

Is there room within the ecosystem for the charter school? Absolutely. Even for a charter school that is vocationally based? Absolutely. I have many vocational programs that are available here in my constituency, currently all through public schools or separate schools. St. Joseph's, here in my constituency: a number of excellent vocational programs, including a program where students can actually train and come out with a certificate to work as a health care aide.

An Hon. Member: Dual credit.

Mr. Shepherd: A dual-credit program. Fantastic program. Automotive, welding, culinary skills: all available there.

We have Centre High right here downtown, which offers excellent programs that allow students to train in emergency services. Now, of course, that's a bit different. That's for students who have graduated and are sort of doing some pre early-adult learning, but, still, these are choices that exist, and I support those options. But I am concerned that in this case and the reason that we're bringing this amendment forward is that that vocational sort of training being offered at an elementary level, I think, is not appropriate – that's too soon, Mr. Chair – and then, again, that such programs could undermine the programs that already exist and are providing those opportunities in the community. I don't think it's unreasonable that there be those requirements to check and work with the existing school structure to see if a program can be made available there first. Removing that and putting that simply in the hands of the minister is concerning to me.

That said, what we are talking about right now is this particular amendment. As I have said, we need to think carefully about the disproportionate impact these decisions can have on already marginalized communities, particularly when we're talking about programs like this, which can encourage streaming and place undue pressure on some students and prevent them from having the opportunity to fully achieve their full potential due to prejudice or bias, unconscious or conscious, and to recognize the reality, as all members of this House have recognized, of systemic racism. For that reason I will be supporting this amendment.

Thank you, Mr. Chair.

The Deputy Chair: Thank you, hon. member.

I see the hon. Member for Peace River has risen to debate on amendment A3.

Mr. Williams: Thank you, Mr. Chair. I'm happy to speak to the amendment, but first I want to thank the Member for Edmonton-

Highlands-Norwood for searching out all of my public communications and listening to Grande Prairie radio. It's an honour to know that I play such a prominent role in her and the NDP caucus' communications. You know what? It could have been personal and by no means professional that she was listening to Grande Prairie radio. In fact, if it was, the Minister of Finance and I have a few individuals we'd like to introduce you to to talk about education in his and my constituency. I know that the Member for Edmonton-Highlands-Norwood would likely benefit from speaking to more Albertans, as I would as well.

I want to thank the Member for Edmonton-Highlands-Norwood for her speech and the Member for Edmonton-Whitemud, who spoke passionately. I know they both have a history in education, public education particularly, as a school teacher and a bureaucrat-administrator. I myself am also a product of the public education system, though I haven't personally had a professional relationship with it. I graduated through public school, and my parents were teachers in the public system. My wife is actually a teacher in the public system. My brother is a public educator. It runs deep in my family, Mr. Chair.

Despite that 93 per cent of Albertans, as the Member for Edmonton-Highlands-Norwood pointed out, solicit the services of the public or separate systems, nonetheless there's a huge number of them – this is going to blow the opposition's mind – that support choice in education and support this bill. It's crazy to think, Mr. Chair, but it is the truth that there are so many of them. In fact, I'd say that in all likelihood the reason that the opposition cannot, as the Member for Edmonton-Highlands-Norwood rightfully pointed out, vote down this legislation is because many of those individuals whose children solicit the services of the public education and Catholic system and separate francophone system voted for the United Conservative Party, in part, I'd say, due to this legislation and our very, very clear articulation of it.

I first need to do a shout-out, before I get to the content of the amendment, to the francophone system within my constituency. L'école francophone à Rivière-la-Paix est une école qui est vivante, qui a gradué les premiers deux élèves cette année. They're very proud of the graduation of the first two students this year, Mr. Chair. It's a real celebration of a manifestation of choice within the education system.

I'll also say that in the area where I live, in La Crête, and the surrounding communities, there's in the neighbourhood of 50 per cent of the children – and this is something that I get from speaking to local municipal-elected leaders. They believe that about 50 per cent of the children do not attend the separate or the public or the francophone system or a charter school. They attend home education or an independent school, roughly 50 per cent, so this is a big deal for those folks up there. The idea that we're going to support choice in education both in principle and in practice within this legislation makes a big difference, Mr. Chair.

The Catholic system, Holy Family school division, is within my constituency. In fact, that was the division that my mother first taught for when she graduated from U of A, I'm happy to inform the house. She was very proud to do so. Some of the members opposite went through the history of the charter schools, where they came from. I want to take a step back, Mr. Chair, a little earlier than that. I want to take a step back to the first choice in education in Canada, and that is really the foundation of Canada, isn't it? It is really the discussion about the public and the common systems and the Catholic education that we inherited as Canada became a federation between Upper and Lower Canada.

9:10

I want to first, to get there, talk about an individual named Thomas D'Arcy McGee, who was a Member of Parliament, but

before that he was a national Irishman, born in Ireland, went to America at age 19, and he was a violent Republican, quite literally; he supported the Fenian Brotherhood, Mr. Chair. He was an individual that was passionate about Irish independence and about Irish identity. He found that when he went to the United States for a short time before he came to Canada, he was really concerned and repulsed with the state of education in the United States.

But before I get to some of his speech that he gave the year after he came to Canada, when he was elected to the Chamber in Lower Canada, I should just first note that a recent book on the topic of his biography by a University of Toronto professor articulates Mr. McGee as the quintessential Canadian moderate in politics. He first joined Parliament as part of the Liberal-Conservative Party, and his articulation of Canada was one where you leave old grievances behind so that we can find an identity here with freedom in Canada.

He's describing what was then the American education system in this quote in a speech he gave in 1858, where he said that the truth is that the common school system – now, for context, that is the American system he's referring to, where it's one system, and they have no choice in their system – is mainly upheld in other states and cities for the more speedy amalgamation of children of "foreigners," as they are called with the native population. A new nationality is always more intolerant than an old one, and the American will not permit if he can help it one trace of the social or national character of the immigrant surviving in his children. An all-devouring uniformity is the passion of a democrat. He insists on one costume, one tone, one accent, one idea of everything American. The common school system is a crushing mill for young foreigners by which he separates the gold from the quartz.

Mr. Chair, that's obviously contextual of 1858 with the discussion that was being had, but it does highlight a particular concern, that when you have a single school system there's not the ability, as the Member for Edmonton-Whitemud said, for research, for development, for innovation, for the ability to serve the interests of those parents.

Now, I visited an independent school in Edmonton in the riding of Edmonton-Gold Bar just, I'd say, two or three weeks ago, Headway school. It is a Sikh cultural school, and that Sikh cultural school is one that serves its students terribly well. It serves all of the parents and the children that attend it terribly well. It gives a very particular kind of education, proudly Canadian, might I say, Mr. Chair; there are maple leaves everywhere you go. Nonetheless, they have their identity as Sikh Canadians. They are fervently out there on Remembrance Day celebrating. In fact, part of the school grounds they lease to the cadets, the navy cadets, for them to do work in the back. They couldn't find anywhere else to do it. They have drills that they run there. They're fiercely Canadian, and they maintain their identity as Sikh Canadians. It's grown massively over the last decade. The principal at Headway, Jagwinder, has done a terribly good job of making sure students feel included and at the same being Canadian and Sikh.

Yeah. That's a success story. That is the story of Canada, Mr. Chair. That's the story of folks coming together through differences and in those differences still finding a sense of identity to our nation and love of the land and the desire to serve it. They come out, and they have very high placements in postsecondary education. They do a very good job.

Now, if it were true what members opposite were saying – no, we don't need this much choice anymore because it's been offered by a few charter schools; those charter schools should now recede and public system should take over – well, Mr. Chair, there would be no one at Headway school or Boyle Street or at the francophone school. They would just be attending the French immersion schools and the Catholic or perhaps even just the public system. The fact is

that the choice is there, and parents are using their own decision-making authority as the proper parents, not sort of responsible for someone else's children but for their own, to decide to attend those schools. I think that's the heart of this.

I'm going to continue on to further that point, that we have in our education system in the west the principle of *in loco parentis*, which is Latin for in place of the parents. That is the role of the education system, and thus this Legislature and our authority in having our public and other separate and francophone and charter schools articulate that education. It's the role of the parent to choose wisely what school they go to, and it ultimately should not be up to the state to decide: not that much choice. We should truly let the parents in their wisdom decide because they know better than we do what is good for their children.

I'm going to continue. In that same speech D'Arcy McGee continues on. He says: "I as a parent am not willing to risk the experiment of exercising only a Sunday revision over the embedded errors and false impressions of the week. You might as well propose that the child should eat on Monday all the salt necessary for the retrospective salting of six days' food. I as a parent believe the lungs of children when inflated are buoyant, but I am not on that account disposed to bring my child to the pier and throw it into Lake Ontario to see whether or not it may rise or float. No, sir. These are desperate experiments, and I cannot try my own flesh and blood with your mortal spirit committed during their helplessness to my care."

Now, that is obviously specific to a particular time during history, but it was the heart of the question had during Canadian Confederation. It was the question of: ultimately, should the state decide, or is it up to the parents to decide? Should we have one unanimous common system, or should we allow a Catholic system? Now, Mr. Chair, today Catholic education is constitutional in the province of Alberta, but Sikh education and other cultures, folks who want to educate because of their lifestyle, where they travel on the road and they want to have home education, parents who want to educate because of their children's special circumstances, needs, or otherwise: those aren't constitutionally protected in the same way.

Now, folks before us fought that fight, and it's good that they did. It was important for us to have that choice in education. Now we have that fight to continue on, the same fight that the famously moderate D'Arcy McGee had, that fight we need to have today, in principle to say: ultimately, it's these parents that we're fighting for, and we should not be trying to replace them. That's why choice is so imperative in that because choice allows parents to decide what's best for themselves and their families.

Mr. Chair, D'Arcy McGee was a politician who was eventually assassinated, the only one in Canadian history that I know of. He was assassinated because he opposed the violent Irish Fenian movement that was found in America and Canada at the time. At the beginning of Canada's creation, just a few years after the birth of our nation, he was assassinated because he opposed sectarianism. That, I think, is the definition of a Canadian: allow choice, allow diversity, allow the ability for parents to thrive, and oppose radical ideologues in the process. The definition of a moderate.

[Mrs. Allard in the chair]

I think that this is a terribly important piece of legislation for all the reasons that were true 158 years ago. It's true today, and I believe that now more than ever we need to oppose this particular amendment and support the legislation of Bill 15 as it stands because this is an important piece of legislation that doesn't try to decide for parents what's right. We ultimately as governors of the

law need to decide that parents know better than we do for their particular situation.

With that, Madam Chair, I'll continue on listening to the debate and hoping that we have some fulsome discussion about the principle of parental authority, about the idea of choice in education, and, ultimately, not trying to decide for parents what's best for them but letting them decide for themselves.

Thank you.

The Acting Chair: Thank you to the member.

Hon. members, we are on amendment A3 for Bill 15. Is there anyone else that would like to speak to the amendment?

Seeing none, are we prepared to call the question? Okay.

[Motion on amendment A3 lost]

The Acting Chair: We're back on the main bill, Bill 15, the Choice in Education Act, and I see the hon. Member for Edmonton-Whitemud.

9:20

Ms Pancholi: Thank you, Madam Chair. It's nice to see you in the chair, madam. I'm pleased to rise once again in Committee of the Whole to speak to Bill 15. I found the comments from the Member for Peace River just absolutely fascinating, particularly since I know how much he prizes his role as a parliamentarian yet didn't seem to manage to speak to the amendment that was before the committee once, actually, while he spoke. I would think he would normally chastise himself for that kind of conduct in this House, but I'm sure he'll take this as a learning opportunity and take it away for the next time he chooses to rise to speak to an amendment in Committee of the Whole.

Of course, I did appreciate the history lesson that we got there from the Member for Peace River. Of course, we're talking the education system of today, and we're talking about the education system that we have in place, which has long respected choice. As the member indicated, it goes back quite a long ways, and in fact we have a very fulsome and healthy education system based on the principles of choice, which we have all indicated that we support.

So let's get back to the bill that's at hand, Madam Chair, if I may. I actually believe that it's important, when we're talking about education and we're talking about choice in education – the context so far has seemed to focus predominantly on parents' choice in education. But I think we're forgetting – and I'm not hearing a lot from the members opposite with respect to actually who the education system is primarily focused on, and that's the students, and that is the children. That's actually why we care, why we're all passionate in this House to talk about our education system and making sure it's as fulsome and strong as we all want it to be. Whether we are parents ourselves or whether we are not parents but we are members of a society that relies upon having compassionate, intelligent, skilled citizens of our community, who will bring forward and, of course, go out and work in all of our businesses and our health care system and take care of us when we're old, we all have a vested interest in the students who are actually being served and are the focus and should be the focus of our education system. It's why we are here today.

It's why I actually also, Madam Chair, want to introduce an amendment today, and I will provide it as well here for you. Would you like me to read it into the record?

The Acting Chair: I'm just going to wait and see the amendment at the table. This amendment will be known as A4, but I just need to see the original first. Just one second, hon. member, and I'll be

with you shortly. Copies will be distributed to those who indicate their interest with a raised hand, and the rest will be on the tables.

Okay. You can go ahead and proceed and read it into the record.

Ms Pancholi: Thank you, Madam Chair. The amendment I brought forward today is that I move that Bill 15, Choice in Education Act, 2020, be amended in section 2 by adding the following immediately after clause (a):

(a.1) by adding the following after the 9th recital:

So this is in the preamble of the Education Act, and it would read:

Whereas the government of Alberta is committed to the principles set out in articles 28 and 29 of the United Nations convention on the rights of the child.

Madam Chair, I bring forward this amendment today because we note that of course Bill 15 adds a preamble clause to the Education Act specifically, which states, "Whereas parents have a prior right to choose the kind of education that may be provided to their children." I think we've heard a lot from the members across about parents' choice and how that is obviously a major driver behind this bill and the amendments that are proposed to the Education Act.

Of course, I note, Madam Chair, that anybody who has been in the education world for some time is probably familiar with the language of what's in Bill 15 because it has appeared in previous versions of the Education Act, for example, and there was certainly some legislation in the early 2010s-ish where a similar preamble clause was proposed as an amendment to the School Act, talking about the parents' prior right to education. That comes from, of course, as you would know – that language of the prior right of the parent to choose their education comes from article 26 of the universal declaration of human rights. It's long been held up as the basis for prioritizing and stating clearly that parents have the right to choose the kind of education their child receives.

What's notable, however, with the proposed amendment that's brought forward in Bill 15 is that while it does capture part of article 26 of the universal declaration of human rights, it doesn't capture all of it. It actually only captures the third point in article 26. What it's missing is actually article 26(2) which states:

Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

It's curious, of course, that the government has brought forward an amendment which clearly draws from the universal declaration of human rights because subsection (3) of that says, "Parents have a prior right to choose the kind of education that shall be given to their children," but they did not include that subsection (2). I think that where that is important is because we have to acknowledge that education is not just about parents' choice. Of course, parents play a pivotal role, particularly when their children are young, in making the choices for their children. That is our primary responsibility as parents, to parent them and make choices for them based on what we believe to be right and ethical and moral and fits in with our view of the world.

But we also have an obligation, and any parent who's had a child knows this. As they get older, those children develop their own autonomy, their own beliefs. Children are not moldable, that we can decide who they're going to be. They develop their own, of course, free will, and that needs to be done in safe spaces, and we as parents need to make sure that they're safe when they do that. They become their own people. Children are not simply possessions of parents. They have their own rights, and we recognize that in numerous ways throughout the law. We recognize that even within our education system, where as children get older, they have greater

participatory rights in making decisions about education, particularly in disciplinary provisions or making appeals to the school board level. We recognize this absolutely fundamentally in child welfare law.

We recognize that as children get older, they have more autonomy and more ability to make decisions for themselves. We recognize that they have a stand-alone right to privacy once they reach a certain age. We recognize that parents are not always going to make the right choices for their children because we have child welfare laws, because we have – as the state recognizes, we as a society have an interest in making sure that children are safe and protected and cared for, and we will intervene if that's not happening properly. In dire circumstances the state will intervene. We all acknowledge that that is sad, but it is true, and it is necessary because children are not simply the possessions of their parents.

While I as a parent absolutely want to have choice over my children's education, I also realize that as they get older they may want to express their own desires and wishes as to what they'd like to do. I'm already seeing that very well. I have a five-year-old and a seven-year-old, and they're already expressing their wishes far more often than I'd like. But I understand that I still have an obligation to make those decisions. [interjection] The Member for Edmonton-Gold Bar has different parenting ideals than I do, I think.

But anyways I want to emphasize that I acknowledge that there are responsibilities of parents but also of children and students. In fact, I've mentioned many times in this House, Madam Chair, that I was part of the work to develop the original Education Act back in 2010 to 2013. One of the things that we introduced within the Education Act that was different from the School Act before it was that we actually outlined responsibilities for all actors and participants in the education system.

While there previously were provisions talking about student responsibilities and there were, obviously, provisions that talked about teachers' responsibilities or principals' responsibilities, we looked holistically at the Education Act at the time and said that all of those actors – students, teachers, school boards, and parents – have responsibilities, not just rights but responsibilities within the education system. For the first time in education-based legislation in Alberta we introduced provisions around parent responsibilities – you can see those; those are in section 32 of the existing Education Act – because with rights come responsibilities. I believe it's important that if we are recognizing the prior right of parents to choose education within a preamble, which is really the guiding foundational principles of our education system – that's what you do in a preamble – we also outline the fundamental rights of children because they do have rights. They absolutely do. They're not always going to come into conflict with their parents. They're not going to always come into conflict with their teachers over their school system. We live in a complicated, balanced society where we have all these competing rights and interests with corresponding responsibilities, and we have an obligation to protect all of them.

9:30

So this amendment, Madam Chair, is intended to speak to the rights of the child, and those are set out in the United Nations convention on the rights of the child. In particular, the proposed amendment refers to articles 28 and 29. I actually want to highlight, in particular, some of the principles set out in article 29 that I think are important when we're talking about the rights of the child. It says that

States Parties . . .

That includes Canada.

. . . agree that the education of the child shall be directed to:

- (a) The development of the child's personality, talents and mental and physical abilities to their fullest potential;

That's a right of a child.

- (b) The development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations;
- (c) The development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own;
- (d) The preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin; [and]
- (e) The development of respect for the natural environment.

We're talking about the principles of protecting children's rights as well. Of course, this is in the preamble. As the members opposite will know, preambles are really just that. They're statements of principle. They're statements of value. They're not enforceable rights, but I believe it's important that if we're going to recognize the rights of the parents to choose – again, I highlight once again for this House that we've long had a system of choice in this province within education, which we should be very proud of, and nothing that has happened has put that choice for parents under threat. But if we're going to establish in our preamble the prior right of parents, we should also similarly recognize that children have rights as well.

I have to tell you, Madam Chair, that one of the reasons that I am deeply concerned about Bill 15 – one change, I believe, to a choice that we have long protected in our system is the right of parents to home educate, and that is actually a fundamental legal protection right that parents have had for some time. It goes back in Alberta, actually in Canada, to a Jones decision, *R. v. Jones*, which was in the 1980s, after the introduction of the Charter, which clearly stated that parents have the right to home-educate their child and to remove their child from the public education system and provide home education. Of course, that decision also stated that the school system and government have a corresponding right and ability to establish some limitations and regulations on that home education, and that is a recognition of exactly what I'm talking about.

Parents have significant authority over their children, absolutely, but we all as a society have an interest in making sure that children are properly educated and are able to participate fully in our society and to be contributing citizens. We all have an interest in that. I have just as much of an interest in the children in other parts of this province as I do in my own children because they're all going to be part of this province. They're all going to be coming forward and participating and working and contributing and voting and doing all those important things that are part of being a citizen. We all have that interest, so we have to make sure that's protected.

I'm deeply concerned, I have to say, Madam Chair. Probably the part of Bill 15 that I'm most concerned about is the introduction of unsupervised home education programs because I think that goes fundamentally against what the Supreme Court has already said about the society and the state's interest in ensuring that all children are educated properly. I'm also deeply concerned because we know that when children go off the radar, our ability as a society to make sure that they are safe and protected becomes challenged. We know that now better than at any other time in our history because we have just gone through and might still be going through a similar circumstance, where children are now at home almost all the time.

I recall the Minister of Education in the early days of the pandemic, around March 26, and the Minister of Children's Services issuing a plea to teachers across the province. As the province and schools and daycares shut down because of COVID-19, they issued a plea to teachers to say: we know that teachers are probably the front line of trusted adults to watch out for children who may be at risk and may be in unsafe situations in their homes. And while I wish it wasn't the case, Madam Chair, that there are children at risk, we absolutely know that to be true. And we know that through the stress and financial strain and anxiety that went along with lockdown during the pandemic, more and more of those children were at risk.

[Mr. Milliken in the chair]

So when we have the Minister of Education and the Minister of Children's Services recognizing what a key role teachers play in being that trusted adult, being the eyes and ears when children might be at risk and then to say at the same time that we're okay with children going completely off the radar, I think we are putting children at risk. I do encourage and I do hope that the Minister of Children's Services will, if she hasn't already – I don't know – speak to this bill and speak to this issue. I know that she's passionate about making sure that children are protected and safe as well. That means that there needs to be sometimes, in the minority of situations and, of course, in extreme circumstances, and it's absolutely not the norm all the time – we need to make sure that children have access to trusted adults. And when we're talking about unsupervised home education programs, we're removing that additional support system that exists for kids who might be at risk. I'm concerned about that. I'm deeply concerned about that, and I think all members should be concerned about that.

Let me be clear. I actually have a number of fantastic home education parents that I've met with and talked to just previous to my elected role but certainly in my role now, and I know what wonderful programming a lot of parents do through home education. I know they do great programming. They would have no problem – in fact, they often seek the support of school boards. They have a private school supervising their program. The parents who do not want a supervised home program: I'm concerned about no additional eyes and ears being on those children. I know that the Minister of Education and the Minister of Children's Services are also concerned when teachers are not involved in any way to supervise the safety of children when they're completely off the radar.

So I hope that by accepting this amendment and putting forward at least a recognition in the preamble that children have rights as well, while they may not be the same – and of course they're not the same because they're children – as parents' rights, and those are very different, it does not mean that they are lesser than. It does not mean that they are not entitled to some autonomy. We should all be interested in making sure that they are able to fulfill and develop their full potential in our education system no matter what choice their parents make. I think that's an interest of all members in this Assembly.

Mr. Chair, I'm hopeful that the members across the way will agree with the statement of commitment to the principles of protecting the rights that are set out in the convention on the rights of the child. It's simply a statement of principle, and I think it is a signal to our children that they are the primary focus of our education system, as they should be.

Thank you, Mr. Chair.

The Deputy Chair: Thank you, hon. member.

We are on amendment A4 should anybody be looking to – I see that the hon. Minister of Justice has risen.

Mr. Schweitzer: Mr. Chair, I move that we adjourn debate.

[Motion to adjourn debate carried]

Bill 16
Victims of Crime (Strengthening Public Safety)
Amendment Act, 2020

The Deputy Chair: We are on amendment A1. Are there any questions or comments with regard to this amendment? I see the hon. Member for Edmonton-Highlands-Norwood has risen.

Member Irwin: Thank you, Mr. Chair. I rise today to speak to Bill 16 and speak specifically to amendment A1, which I've not had the opportunity to speak to yet in this House. I have had the opportunity to speak to the bill more broadly. I have to start by saying that, you know, in the short time since this bill has been introduced, I've had, I'll say, the honour of having multiple victims of crime reach out to me and share their stories. You know, I gather that because of my portfolio being the status of women, it's been women who've reached out to me and shared their stories. I won't tonight share those stories in full because I did share a few of them on the record the last time I spoke, but I can tell you that these are stories of women being horrifically assaulted, violated, and for them to share with me, bravely, their stories means a whole lot.

9:40

Why I want to preface my remarks on this amendment by sharing that is that I really want to believe that this government has survivors' wishes front and centre. You know, this is a government that has highlighted in their platform the need to address sexual violence, gender-based violence, domestic violence, violence in all its forms. Now, this is why it's so hard to accept that in Bill 16 you'd be willing to take money from – and I'm going to try to not call them victims although, of course, it's called the victims of crime fund. I know there are some folks watching because I told them that we would likely be discussing this bill tonight, so I just want to say that if I say "victims," it's because of the victims of crime fund but acknowledging fully that we're talking about survivors. We're talking about survivors.

You know, I give those examples because it's not just the NDP again being – what's the word I'm looking for?

An Hon. Member: Awesome.

Member Irwin: Being awesome, yeah. That's not the word I was looking for, but you're right.

... oppositional. We have an opportunity right now to really, if we can, improve this piece of legislation through this amendment. When we hear from survivors, when we hear from folks who are working on the front lines in sexual violence – and I'll give an example of that in a moment – and when we hear from multiple stakeholders who are concerned about this piece of legislation, I really think we need to listen. I mean, I know I've stood in this House so many times – and I can see most of the members aren't listening to me, and that's okay – and said that I want you to strongly consider our amendment, but in this case it's really, really important. I think that if I am hearing from survivors already who are concerned, you're going to hear from some, too, and my fear is that you're going to hear from them when, potentially, it's too late.

So for those who are not sure exactly what I'm referring to, let me talk about why this amendment is needed and the nature of this amendment. As it stands, as is written in Bill 16, the victims of

crime amendment act, essentially it's been framed as a raiding of supports for victims. As it stands right now, those funds that were historically allocated for victims could go, in theory, a hundred per cent to policing. Again, that's a tough pill to swallow any day but, I think, particularly today in the context we find ourselves in, in a time when conversations are about defunding the police. [interjections] And before people lose their minds around me, I'm not wanting to weigh in on a debate on that topic, but what's really interesting is that if you do read about what is meant by these conversations around defunding the police, it's not just about abolition. It's about: where are we putting our resources, right? It's about investments in housing. It's about investments in mental health and education.

Again, I'm not here to have that conversation right now, but I raise it because we're at a time in society when these conversations are happening. Most definitely, this bill was written and drafted prior to these conversations being elevated. I get that when the Minister of Justice moved this bill forward, he was not moving it with this piece in mind, but this is the time right now that we find ourselves in, that black people, indigenous folks, people of colour are sharing concerns about systemic racism and how we can best address those issues.

What we're asking in this amendment is that we're asking for funds to be provided to victims. I don't have a paper copy of the amendment, so if you'll allow me just to refer to the amendment digitally. Basically, what we're saying is that the total amount – I'm going to point to one piece in this amendment that the hon. Member for Calgary-Mountain View moved. I'm going to just point to section (2), which states that “the total amount that is paid from the Fund in a fiscal year from April 1 to the following March 31 under subsection 1(a), (b), (c), (f) and (g) must not be less than 75 percent of the total amount paid from the Fund for that fiscal year.” What does that mean? I had my lawyer colleagues explain that to me. Basically, what we're talking about is that 75 per cent must go to victims. Again, to be clear, it must go to survivors.

What we're asking is that that money be earmarked so that when someone reaches out to me and shares with me their horrific story of a random physical assault and she shares with me how incredibly traumatized she's been from that experience, how that without funds from victims of crime she's not sure how she would have been able to move forward – she talked about how, you know, if her assailant hadn't killed her, she was sure that her own PTSD would have. She took six months off of work to access an outpatient program that helped her physical injuries as well as her psychological injuries. That's just one example.

From another person – and I'm not sharing their names yet because, you know, while they gave me the opportunity to share their stories, they asked not to be named yet. Another person who was the victim of a sexual assault shared with me that she knows first-hand how valuable the victims of crime fund has been to her own life. I've got more stories, but I want to allow some of my colleagues to speak as well.

If the stories of victims themselves who have accessed those funds aren't enough to move you to accept this amendment, let's talk about people on the front lines. Let's talk about Deb Tomlinson, who is the well-respected CEO of the Association of Alberta Sexual Assault Services. In a letter to the *Calgary Herald* she shared very much her concern about Bill 16. She says, you know, that the victims of crime fund is supposed “to support victims of crime,” and as someone who's worked on the front lines with survivors of sexual assault, sexual violence she knows how critical that money is. She points out that “if survivors . . . are going to make the difficult decision [of entering] the criminal justice system” – I've pointed out and others in the House as well that even just

accessing the justice system, even just choosing to navigate the justice system is a challenge for so many. She points out that if they're going to make that decision, “they deserve support [that is] provided through the . . . Victims of Crime Fund.” She points out – and this is powerful – that “many won't choose to do it alone and they shouldn't have to.” They shouldn't have to.

Last year alone that program helped 2,693 survivors of sexual assault. “In the words of one survivor”, she quotes, ““This service has been invaluable to me. If it wasn't for the support offered, I don't think I would have made it this far.”” She ends – this is by no means a partisan appeal at all. She's just saying, “Write your MLA.” Reach out to them. Tell them that what's outlined in Bill 16, the attack on the victims of crime fund, will be extremely damaging to those survivors.

9:50

With that, I will conclude my remarks, but, again, I want to appeal to the members opposite to really think about accepting this amendment. I know you don't accept a lot of them, but this is an opportunity to truly do the right thing. Follow through on your commitments in your platform to be leaders in addressing domestic and sexual violence. Support survivors.

Thank you, Mr. Chair.

The Deputy Chair: Thank you, hon. member.

Are there any hon. members looking to join debate on amendment A1? I see the hon. Member for Edmonton-Meadows has risen.

Mr. Deol: Thank you, Mr. Chair. I'm happy to rise in the House to add my brief views to the amendment A1 on Bill 16, Victims of Crime (Strengthening Public Safety) Amendment Act, 2020. The reason I read the title of this Bill 16 once again – you know, it looks good. It seems like somebody very thoughtfully, very carefully, or very cleverly has titled this the way it is. It says “victims of crime” and then “strengthening public safety” act, so it's in the title. You can see the concept, the ideology.

The context we are debating here in the House is basically that it's so cleverly put together that we can stop the crime that is – also, we are just proposing. This is not something that can be really achieved. We are proposing that if we want to achieve a way to stop crime, the support for victims of crime will automatically be eliminated or will go down. This is a very dangerous move, I will say. That is burdening me a lot, not because of the principle that this is being, you know, built on, the direction it's going in but the pattern of changes I could go into that it proposes how this will affect the current victims of crime and so-called strengthening of public safety going forward.

Also, with some of the personal experiences working within the communities, the kinds of situations that people are going through, and the ability of this fund coming in place for those people, the people in much need at the time – if some of these programs were not there, I could tell you that the situations for those families and those friends would have been unimaginable. What you could imagine, it would have been worse. I've been, you know, involved in issues like family violence and the people suffering from heinous crimes, violent crimes, and if the associations and shelters like the Edmonton Women's Shelter or the Association of Alberta Sexual Assault Services, if those programs were not there, some of the individuals I'm talking about would probably not be with us in this society, in this community. Not only this but the way those associations work in this field with those victims, the way they have been working and their performance and their help to people suffering and people in pain – fiscally responsible: that's

what I wanted to see. That is probably really something bothering the current government maybe. That is something, really – I will say that, looking at the way these organizations have handled these programs, there are some handling responsibilities reasonably. They are not running in debt.

The government seems like they had some election promises to provide policing to the municipalities, to the rural communities to reduce crime. Obviously, we know that. We have debated that in this House. They are not in a position – they could not deliver their promise, and now they thought that they can go after these very organizations that have been successfully working in the communities and in this province and helping those people. They can read in this bill that if we pass this bill, it will have a huge negative impact on the ability of the organizations to keep doing the job they have been doing in the past.

There have been a lot of changes. I just wanted to give the opportunity to my other colleagues to be on the record. The pattern of changes – changes to the victims of crime fund, eligibility criteria, changes to the mandatory surcharges – basically is focusing to raid the funds that are accessible to those very organizations. They have been helping those vulnerable communities.

More of this, to my critic portfolio – I would like to be on the record about the number of experiences I was just hinting at. I was speaking with reference to those who belong to very vulnerable communities like minority communities, my first-hand experience. They will be, you know, left hanging without help. That is the reason I am against the bill.

I know this is a game of numbers, a majority vote, and that's why I and my colleagues in this House, when we see it, try to bring evidence-based arguments and proposals. We see that this bill is going to be based on the numbers in this House, the majority of votes. We cannot stop this based on the education awareness and arguments, so we at least at a minimum try to strengthen it by proposing the amendments. That's what we are doing with this amendment.

I ask the House members on both sides. The organizations working, like three organizations I know of, are incredibly critical to this area. They have been speaking against this move, and we need to listen to them. If we move forward as it is, as proposed in this bill, the marginalized communities and those vulnerable people will be suffering. That's why I will ask the members of the House to, if you're not voting against the bill, at least please support this amendment.

Thank you, Mr. Chair.

10:00

The Deputy Chair: Thank you, hon. member.

I see the hon. Member for Edmonton-City Centre has risen to join the debate on amendment A1.

Mr. Shepherd: Thank you, Mr. Chair. Indeed, I appreciate the opportunity to speak to Bill 16, the Victims of Crime (Strengthening Public Safety) Amendment Act, 2020, on amendment A1. Now, previously in debate the Member for Grande Prairie, who I understand is heading a task force, a panel, a group which will be working and talking with organizations across the province about the implications of this bill and how funds will in fact be distributed, pointed to the increased funds that will be going into the victims of crime fund, and she talked about how that would prevent future victims. She asked why anyone would think that any of the organizations receiving funds currently to serve victims of crime would lose that funding. Well, Mr. Chair, I would posit that if there was no intention to change that funding, there would be no need to bring forward this bill.

What we have here is an amendment to simply hold the government honest to what they've already said that they intend to do. The minister has said that he intends to grow the pie. He intends to put more funding in so that more things can be helped. The Member for Grande Prairie seems quite sure that no organization will lose funding. So here's the opportunity for the government to put that in writing. According to the calculations by my colleague the MLA for Calgary-Mountain View a commitment of 75 per cent of funding would essentially keep things stable at where they are now. The additional funding could go to the additional places that the minister wants to put it – that additional 5 per cent they've added to the victims' surcharge: he can put that towards policing or whatever he wants to – but that 75 per cent that is currently going to victims of crime organizations and the current services and programs would remain.

I'll tell you that we're not the only ones who are concerned. Mr. Alf Rudd, a former police chief in two different Alberta jurisdictions, president of the Alberta police-based victim services board, says of this bill: we really feel that someone has peeked over the fence and saw it – "it," by which he means the funds which are there in the victims of crime fund – and thought, "Well, I could use that." That's the view of Mr. Rudd. They represent 70 support programs for survivors across the province of Alberta.

Indeed, I seem to recall the Minister of Justice saying: we're not done yet; there's more to come. Well, frankly, I would love to see this amendment pass and this guarantee because I really don't know how much more this government can ask – not, indeed, ask; force – other people to pay on their behalf. How much more can they rob Peter to pay Paul? We need this guarantee, Mr. Chair, because we have seen how this government operates. We have seen what their word is worth, that any promise that comes from them: you'd better read the fine print. We need the guarantee of this 75 per cent in this amendment.

Think about how they've approached municipalities, how this minister has worked on policing in this province. He talked about a historic investment in a partnership with municipalities. He said: this is the single largest overall investment in rural policing since the March West. Well, in fact, the UCP is not putting a single dollar into that investment. Instead, they're downloading \$200 million onto the municipalities of the province of Alberta. Indeed, Reeve Terry Van de Kraats of the county of Wetaskiwin wrote in a letter to the Justice minister that under the proposed model costs of anywhere from \$390,000 to \$1.8 million will be effectively downloaded onto the county of Wetaskiwin to pay for our current level of service from the Royal Canadian Mounted Police.

That's why we need this amendment, Mr. Chair, guaranteeing that 75 per cent of the funds will go to the current organizations and programs serving survivors, victims of crime, because this government has so often made a promise and then paid for that promise on the backs of others. Indeed, the reeve that I just quoted also criticized the consultation process, saying that it was extremely limited, with a very narrow time for feedback, and that the only formal engagement between municipal and provincial officials on the subject was a webinar that was hosted by the Ministry of Justice and Ministry of Municipal Affairs, quite similar to the utter lack of consultation that has taken place on this particular bill, which, again, is why we need this amendment to guarantee that 75 per cent of these funds will go to programs supporting victims of crime.

Indeed, that reeve went on to say that after several municipalities raised concerns with the Justice minister about his policing download, about his dropping those costs on municipalities, they were told by the UCP that consultations are still ongoing, no decisions have been made yet on a new police costing model, and that further conversations would take place later. Indeed, that took

the form of a survey in which, Mr. Blakeman said, the survey questions were “clearly skewed in favour of the [Justice minister and Solicitor General’s] intended direction.” Again, Mr. Chair, that is why we need this amendment guaranteeing that 75 per cent of these funds will continue to go to support victims of crime, because this minister cannot be trusted in his word, because we have seen time and again that this government will rob Peter to pay Paul, that they like to play that shell game and shuffle the money around and take it from places where it’s needed to pay for their promises.

Indeed, why, Mr. Chair, do we not trust this government when it says that it simply just wants to reorganize and consult with these organizations to make sure programs are delivered efficiently? Well, for the same reason that we bring forward this amendment to ensure that 75 per cent of these funds go to victims of crime organizations, existing programs, because we have seen this game with this government before. We look at what happened with Children’s Services, Mr. Chair. Organizations across this province, years of experience, relationships built in providing support to families and kids: the Ministry of Children’s Services did a review to streamline or to look at efficiencies or how these programs could be delivered more effectively, and what did that mean? That meant many organizations who had decades of experience in this province defunded, which is why we believe we need this amendment to guarantee that 75 per cent of these funds continues to go to organizations supporting victims of crime, because unlike Children’s Services – or it could be like Children’s Services, where we saw organizations that were unfunded kicked to the curb.

The North Flats Neighbourhood Association in Medicine Hat: their after school program for at-risk youth, a program that had been in operation since 1996, worked with upwards of 100 kids throughout the year, unfunded, which is why we want to see this amendment passed, so that we can guarantee that 75 per cent of these funds will continue to go to victims of crime programs and those services, because we cannot trust this minister at his word that he will do so. Indeed, if he wants to show that trust, he can vote in favour of this amendment. He can support it and demonstrate that that is, in fact, his intention, that he’s not in fact intending to raid this fund to pay for his policing commitments.

Parent link in the Crownsnest Pass closed its doors after 14 years, Mr. Chair. They say: we had lots of meetings with other agencies, tried to get them to take on some of the activities that we did, but of course they’re all under the crunch of decreased funding as well; I’m not convinced that this government plans to do anything; those services are just gone, and they don’t plan to actually have any services for families in this area. That is a legacy of this government, in precisely the same kinds of circumstances when they did their review of folks and organizations that were offering services through Children’s Services, to parents and families. That is the legacy they have left. They unfunded organizations across this province that have been providing service for years, deeply embedded in their communities.

That is why we bring forward this amendment to guarantee that 75 per cent of the funds in the victims of crime fund that are spent in a given fiscal year are going to victims of crime services, programs, organizations. The minister can use the extra 5 per cent that he’s put into the program, then, for his policing concerns, and he can be true to his word when he says that he is intending to grow the pie, not serve less of it to victims of crime in the province of Alberta, because no one is disputing, Mr. Chair, that indeed we want to see fewer victims of crime – of course, we do; we all do – and it is the job of government to appropriately fund that. They have many mechanisms to do so. They do not have to raid this fund, that is there to support the victims, people who have already

experienced – they do not have to raid these dollars to make that a reality.

10:10

We bring forward this amendment, that would guarantee that 75 per cent of any funds spent out of this fund in a given fiscal year will go to what it was intended to do, not to what the minister wants to rewrite reality to say, not to the minister’s pet projects or whatever he wants to do. And as much as he stands up and throws histrionics and talks about us not supporting drug treatment courts or these other things, the fact is that we do, Mr. Chair. I support those programs, absolutely. I do not support this minister stripping dollars from victims of crime to fund them. That is not responsible leadership, and the fact that he cannot make a coherent argument without making such false accusations demonstrates the weakness of this plan.

We bring forward this amendment, a simple one, very clear, easy for anyone in this room – and indeed any member of the public, many of whom are showing real interest in this, particularly those who were involved with these organizations or who themselves have been, unfortunately, victims of crime, can clearly understand that if this truly is the intention of this government, that they do not intend in any way to diminish the funding that is spent on programs, organizations, services for victims of crime, then they can simply put that in writing and support this amendment to guarantee that the current amount, that 15 per cent surcharge, which they’ve raised to 20 so they can take their additional 5 and spend it on whatever they want, that initial amount, which is about 75 per cent of the funds spent in any fiscal year, will continue to go where it was intended to go, where this fund was created to send that money to go. If that is truly the intent of this minister and this government, then I look forward, Mr. Chair, to seeing them support this amendment.

Thank you.

The Deputy Chair: Thank you, hon. member.

Are there any – I see the hon. Member for Edmonton-Whitemud has risen to debate on amendment A1.

Ms Pancholi: Thank you, Mr. Chair. I’m pleased to rise again in Committee of the Whole on Bill 16, Victims of Crime (Strengthening Public Safety) Amendment Act, 2020. I’m going to be brief because I’ve had the opportunity to express my concerns with respect to this bill a number of times, and I’d like to speak just directly to this proposed amendment, which is to basically ensure that 75 per cent of the victims of crime fund is allocated directly to support victims of crime.

I’m going to thank my colleague for Edmonton-Highlands-Norwood for speaking so passionately and eloquently on behalf of those people who are survivors and victims of crime. I appreciate the comments as well from my colleague the Member for Edmonton-City Centre with respect to this issue.

I don’t want to make light of this by using an analogy, but when we’re talking about the victims of crime fund and how the dollars are being used, I’m once again struck by the same analogy that I raised myself when we were talking about education funding in this House, which is that it appears that this government has never sat around with a group of people and tried to slice up a birthday cake, because it seems like they continue to think that adding more people to get a slice of that cake somehow doesn’t reduce the size of that slice for everybody else who’s there.

I raised that analogy when I was talking about my son’s birthday, actually, earlier this session, Mr. Chair. We were talking about education funding, and the Minister of Education repeatedly stated, over and over again, that education funding had remained the same,

that education funding had not been cut. In fact, we've heard that claim by the minister and various other members of this government a number of times, completely ignoring, of course, the fact that the Alberta education system has increased by 15,000 students every year. As I said then, even my seven-year-old understands that if you have more kids getting a slice of the birthday cake, each kid gets a smaller piece. This is exactly the same analogy that applies here.

The problem is, Mr. Chair, that this government is being less than truthful with Albertans about how they are funding the commitments that they have made. In this case we see exactly the same thing. The pot of money that has been dedicated and allocated specifically to supporting victims of crime and those that support them through extreme trauma, through extreme health and safety issues, who may be seeking treatment and support for years to come, who have already embarked on the very traumatizing experience of being a victim of crime but also accessing the criminal justice system, saying that that fund is now going to serve a lot more purposes, and then saying that they're not cutting it – the truth is if we're talking about a pot of money that was dedicated to serving victims of crime and now it's serving victims of crime and police and prosecutors, everybody knows what that means. It means that those services that were dedicated to victims of crime will get less. Nobody is fooled.

So either I'm left to believe that the government simply has never been to a birthday party and seen a bunch of unexpected guests arrive and carve up that cake more than you thought, and your piece gets smaller and smaller and smaller, or rather, I think, even the members across the way have probably had a birthday party at times, and they know exactly what they're talking about, and they're hoping that Albertans don't know better. And that's the lack of transparency and honesty that doesn't sit well with Albertans. That's what they're going to remember, and that is what they are remembering. They're wondering why every time this government takes an action such as this and people rise up in concern, they blame the opposition for fear and smear when they are solely responsible by breaking the trust of Albertans over and over and over again.

When the Minister of Justice rises in this House and says, "Why don't you support drug treatment courts?" I echo the comments from my colleague the Member for Edmonton-City Centre: of course we support those things, but be honest about how you're funding it because you are taking from a group that's already traumatized, that's already subject to victimization, who need supports. You're taking them from there to fund your drug treatment court, to fund your prosecutors and police that you made those promises for. You have not increased the pot; you've increased the number of people accessing the pot, and that means less for everyone. So, again, if the Minister of Justice and this government want to for once be transparent, for once actually be held accountable for what they said they're going to do, they should have no trouble supporting this amendment and indicating that they will unreservedly make sure that 75 per cent of the victims of crime fund is dedicated solely to victims of crime. That should be an easy thing for this government to do. If they can't, then once again Albertans will know that the transparency and honesty of this government is lacking.

Thank you, Mr. Chair.

The Deputy Chair: Thank you, hon. member.

Are there any other hon. members looking to join debate on amendment A1?

Seeing none.

[Motion on amendment A1 lost]

The Deputy Chair: Are there any hon. members looking to speak to the bill?

Oh, I see the hon. Minister of Justice has risen.

Mr. Schweitzer: Mr. Chair, I move that we adjourn debate.

[Motion to adjourn debate carried]

Mr. Schweitzer: Mr. Chair, I move to rise and report Bill 7 and rise and report progress on bills 15 and 16.

The Deputy Chair: Thank you, hon. minister.

[Motion carried]

[Mr. Milliken in the chair]

10:20

Mr. van Dijken: Mr. Speaker, the Committee of the Whole has had under consideration certain bills. The committee reports the following bill: Bill 7. The committee reports progress on the following bills: Bill 15, Bill 16. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

The Acting Speaker: Thank you, hon. member.

Does the Assembly concur in the report? All those in favour, please say aye.

Hon. Members: Aye.

The Acting Speaker: Any opposed, please say no. That is carried.

Government Bills and Orders Third Reading

Bill 19

Tobacco and Smoking Reduction Amendment Act, 2020

[Adjourned debate June 18: Mr. Jeremy Nixon]

The Acting Speaker: Hon. members, are there any hon. members wishing to join the third reading debate of Bill 19? I see the hon. Member for Edmonton-Manning has risen.

Ms Sweet: Thank you, Mr. Speaker. It's an honour to rise and respond to third reading of Bill 19, the Tobacco and Smoking Reduction Amendment Act, 2020. I mean, first off, I want to be very clear that the Official Opposition does support Bill 19. We recognize, however, that, you know, we would have liked to have seen the bill go a little bit farther, and of course we tried to do that with some of our amendments.

We've seen in other jurisdictions that the amount of nicotine that is found in many of these vaping products is quite low compared to Alberta. In B.C., we know, it is about 20 milligrams, and in Alberta it is 50. Of course, we would have liked to have seen the government look at decreasing that prior to the passing of the bill just to ensure that we were looking at and addressing the actual issue of the bill, which is trying to discourage people from becoming addicted to tobacco products.

[The Speaker in the chair]

We do recognize that, of course, youth vaping is continuing to be an issue, so another piece of this that would have been nice to see is that when it came to flavoured tobacco products, those products would have only been sold in approved adult businesses instead of being able to be purchased at the local stores, where many minors are going to get their snacks and other different products like that.

Of course, we do support the bill. I mean, I won't go too far into it except to be on the record to say that, you know, I think the government could have gone a little bit farther. I would have liked to have seen maybe some conversations as well around looking at playgrounds and restriction of distances around areas where we know kids play. When I was in government prior, I had a private member's bill where I'd looked at some of those factors, and it's always important to make sure that we are trying to restrict areas as much as possible. We know that this bill includes hospitals and schools, but being able to expand those distances I think is always beneficial.

I won't go too far past that. I recognize that it's late in the evening. I just wanted to respond and say that we support Bill 19 and look forward to a continued debate on other pieces of legislation.

The Speaker: Hon. members, is there anyone else wishing to join in the debate this evening on third reading of Bill 19, Tobacco and Smoking Reduction Amendment Act, 2020? The hon. Minister of

Health might like to close debate; however, every member of the Assembly has the opportunity to speak to the bill prior to doing that. Is there anyone else that would like to?

Seeing none, I might invite the hon. Minister of Health to close debate.

Mr. Shandro: Thank you, Mr. Speaker. I move to close debate.

[Motion carried; Bill 19 read a third time]

Mr. Schweitzer: Mr. Speaker, we moved quickly here tonight. We've made a lot of progress on this. We heard a lot of good debate. But I move that the Assembly adjourn until 1:30 p.m., Tuesday, June 23. [interjections] I've got a cheering section.

The Speaker: It's nice that your mom came to the House this evening.

[Motion carried; the Assembly adjourned at 10:25 p.m.]

Table of Contents

Government Bills and Orders

Second Reading

Bill 24	COVID-19 Pandemic Response Statutes Amendment Act, 2020.....	1537
---------	--	------

Committee of the Whole

Bill 7	Responsible Energy Development Amendment Act, 2020.....	1539
--------	---	------

Bill 15	Choice in Education Act, 2020.....	1541
---------	------------------------------------	------

Bill 16	Victims of Crime (Strengthening Public Safety) Amendment Act, 2020.....	1551
---------	---	------

Third Reading

Bill 19	Tobacco and Smoking Reduction Amendment Act, 2020.....	1555
---------	--	------

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