



Legislative Assembly of Alberta

The 30th Legislature
First Session

Standing Committee
on
Legislative Offices

Wednesday, February 5, 2020
1 p.m.

Transcript No. 30-1-5

**Legislative Assembly of Alberta
The 30th Legislature
First Session**

Standing Committee on Legislative Offices

Ellis, Mike, Calgary-West (UCP), Chair
Schow, Joseph R., Cardston-Siksika (UCP), Deputy Chair

Goodridge, Laila, Fort McMurray-Lac La Biche (UCP)
Gray, Christina, Edmonton-Mill Woods (NDP)
Hoffman, Sarah, Edmonton-Glenora (NDP)*
Lovely, Jacqueline, Camrose (UCP)
Nixon, Jeremy P., Calgary-Klein (UCP)
Pancholi, Rakhi, Edmonton-Whitemud (NDP)**
Rowswell, Garth, Vermilion-Lloydminster-Wainwright (UCP)***
Rutherford, Brad, Leduc-Beaumont (UCP)
Schmidt, Marlin, Edmonton-Gold Bar (NDP)
Shepherd, David, Edmonton-City Centre (NDP)
Sigurdson, R.J., Highwood (UCP)
Sweet, Heather, Edmonton-Manning (NDP)

* substitution for David Shepherd

** substitution for Marlin Schmidt

*** substitution for R.J. Sigurdson

Legislative Officers

Jill Clayton	Information and Privacy Commissioner
Del Graff	Child and Youth Advocate
Glen Resler	Chief Electoral Officer, Election Commissioner
Marianne Ryan	Ombudsman, Public Interest Commissioner
Marguerite Trussler, QC	Ethics Commissioner
W. Doug Wylie	Auditor General

Support Staff

Shannon Dean	Clerk
Stephanie LeBlanc	Clerk Assistant and Senior Parliamentary Counsel
Teri Cherkewich	Law Clerk
Trafton Koenig	Parliamentary Counsel
Philip Massolin	Clerk of Committees and Research Services
Sarah Amato	Research Officer
Nancy Robert	Research Officer
Michael Kulicki	Committee Clerk
Jody Rempel	Committee Clerk
Aaron Roth	Committee Clerk
Rhonda Sorensen	Manager of Corporate Communications
Jeanette Dotimas	Communications Consultant
Tracey Sales	Communications Consultant
Lindsay Tischer	Director of Human Resources
Janet Schwegel	Director of Parliamentary Programs
Amanda LeBlanc	Deputy Editor of <i>Alberta Hansard</i>

1 p.m.

Wednesday, February 5, 2020

[Mr. Ellis in the chair]

The Chair: I'd like to call to order this meeting of the Standing Committee on Legislative Offices and welcome members, staff, and guests.

My name is Mike Ellis, MLA for Calgary-West and chair of this committee. I'd ask that members and those joining the committee at the table introduce themselves for the record, and then we'll hear from those on the phone. We'll start to my right.

Mr. Schow: Joseph Schow, Cardston-Siksika.

Ms Goodridge: Laila Goodridge, Fort McMurray-Lac La Biche.

Mr. Rutherford: Brad Rutherford, Leduc-Beaumont.

Ms Robert: Good afternoon. Nancy Robert, research officer with the Legislative Assembly Office.

Ms Tischer: Lyndsay Tischer, human resource services, Legislative Assembly Office.

Ms Cherkewich: Teri Cherkewich, Law Clerk, office of Parliamentary Counsel.

Dr. Massolin: Good afternoon. Philip Massolin, clerk of committees and research services.

Ms Rempel: Good afternoon. Jody Rempel, committee clerk.

The Chair: Okay. And those joining us by phone? Maybe we can start with you, Ms Lovely.

Ms Lovely: Jackie Lovely. I'm on my way and will be joining you shortly.

The Chair: Okay. What's your constituency?

Ms Lovely: Camrose.

The Chair: Camrose. All right.

Mr. Rowswell: Garth Rowswell, Vermilion-Lloydminster-Wainwright.

The Chair: Okay. Was there anybody else joining us by teleconference?

Mr. Jeremy Nixon: Jeremy Nixon, Calgary-Klein.

The Chair: Thank you very much.

For the record I'd like to note the following substitutions officially: Mr. Rowswell for Mr. Sigurdson, Ms Pancholi for Mr. Schmidt, and Ms Hoffman for Mr. Shepherd.

Before we turn to the business at hand, a few operational items. Please note that the microphones are operated by *Hansard*. Committee proceedings are being live streamed on the Internet and broadcast on Alberta Assembly TV. Please set your cellphones and other devices to silent for the duration of the meeting.

We'll do a few more introductions in a moment here once everybody gets settled, but we'll just talk about the agenda. A draft agenda has been made available to committee members. Would anyone like to propose any amendments?

Ms Sweet: I would, Mr. Chair.

The Chair: Yes. Go ahead.

Ms Sweet: I would like to do an amendment to the agenda, please, under section 4, review of the office of the Child and Youth Advocate annual report 2018-2019, looking at (a) deliberations and recommendations as well as (b) directions for the draft report. At this time I would like to move that those items not be discussed today. In fact, I move that the Standing Committee on Legislative Offices direct research services to, for the purpose of assisting the committee in its deliberations and review of the office of the Child and Youth Advocate 2018-2019 annual report, prepare a focus issues document that is based on the presentations received and materials before the committee and that the committee not undertake deliberation until this document is received.

The reason for that, Mr. Chair, is that past precedent has always been that there is a discussion guide provided to all members of the committee prior to making recommendations and deliberations. Due to the way that the last committee went, we didn't have an opportunity to really get into that discussion and to give any direction to Parliamentary Counsel around research materials or past precedents, so at this time I would ask that this be removed from the agenda.

The Chair: Okay. We're going to go to introductions in a moment here, but, Member Sweet, it sounds to me like you're making more than just a change to the agenda. That sounds like something that you might want to bring up when we actually get into the deliberations. No? You'd like to make a motion?

Ms Sweet: Yes, because I believe, Mr. Chair, that it's under agenda items (a) deliberations and recommendations and (b) directions for drafting. They should be removed from this agenda today and moved to the next meeting's agenda once we provide recommendations to Parliamentary Counsel.

The Chair: Okay.

Ms Sweet: It's only sections (a) and (b). I think that under (c), next steps, we can still give direction to Parliamentary Counsel.

The Chair: Okay. I'll tell you what. Dr. Massolin, can we just hear from Parliamentary Counsel on this particular possible change to the agenda? The process: do we have to move the agenda, or is Ms Sweet's asking for a possible motion in order?

Dr. Massolin: Well, I think what you're entertaining at this point is an amendment to the agenda as it stands. I think I've heard Ms Sweet just indicate that she would like items (a) and (b) under item 4 essentially to be removed, if that's correct. I think that would be an appropriate amendment to this agenda motion.

Ms Sweet: Just to clarify, Mr. Chair, it's just removing (a) and (b). I believe we can still keep 4(c), next steps, because then we can actually make recommendations to Parliamentary Counsel. But the deliberations and the drafting of the report need to be moved to the next committee so that we can actually give time for Parliamentary Counsel to do what they need to do.

The Chair: Okay. Thank you for that, Ms Sweet.

Just so I'm clear – and I apologize for not having, obviously, your notes in front of me – what I'm hearing is that you're asking to move that agenda items 4(a) and (b) be kind of paused and removed at this time to be discussed at a later date. Is that correct, you know, in a sense?

Ms Sweet: Yes, Mr. Chair. Normally the committee would have requested an issues document that summarized the discussion that we had at the last committee, and we would be provided that. Now the request is that the committee start making recommendations on information that we received whenever our last meeting was, and to remember all that information without having the summary in front of us I think is a detriment to the work that we're going to be able to do.

The Chair: Okay. Is there any further discussion on this?

Ms Gray: The only comment I have is that the suggestion that this move to the next meeting and that Parliamentary Counsel be directed to prepare a report was in the draft motions so that all members could consider this in advance. We had submitted that motion so as not to catch anyone by surprise.

Thank you.

The Chair: Yes. Thank you.

Right. Thank you to the clerk for clarifying. This motion here, just so I'm clear, is not about stuff that's in, you know, we'll call it the future for now, but this is really to at this time strike out 4(a) and 4(b) in the agenda. Right? Is that where we're at with this?

Ms Sweet: Correct.

The Chair: Okay. Great.

Is there any further discussion on this issue?

Okay. Ms Sweet, would you mind just once again reading what you are going to move on today's date at this time, just for the clerk to put up there what you're asking for? Then we can vote on it.

Ms Sweet: Yes, Mr. Chair. I move that the Standing Committee on Legislative Offices direct research services to . . .

The Chair: No.

Ms Sweet: Which one? Sorry.

Ms Hoffman: Where you refer to items (a) and (b).

Ms Rempel: Striking 4(a) and 4(b) from the agenda.

Ms Sweet: Mr. Chair, I, MLA Sweet, request that we strike out 4(a) and (b) from the agenda, to be referred to the next meeting as called at the direction of the chair.

The Chair: Okay. We're just going to allow the clerk to put this up on the screen if you don't mind.

You know what? While we're waiting for the clerk to put that up, why don't we do the introductions since we're missing a few folks. Maybe we can start with – let's see; it goes around the table – Member Hoffman. We can start with you.

Ms Hoffman: Yeah. Thank you very much. Sarah Hoffman, Edmonton-Glenora, subbing for MLA Shepherd.

Ms Sweet: Heather Sweet, MLA, Edmonton-Manning.

Ms Gray: Christina Gray, MLA for Edmonton Mill Woods.

Ms Pancholi: I'm Rakhi Pancholi, MLA for Edmonton-Whitemud, subbing in for Marlin Schmidt, MLA for Edmonton-Gold Bar.

The Chair: Thank you and welcome.

All right. We'll just wait for the clerk to put this up.

Okay. It would read: moved by Ms Sweet on February 5, 2020, that

the Standing Committee on Legislative Offices amend the February 5, 2020, agenda by striking items 4(a) and 4(b).

All those in favour, say aye. All those opposed, say no. On the phone? Okay. It appears that the noes have it.

That motion is defeated.

1:10

We still have to do the agenda. Would somebody like to move the agenda? Okay. Ms Goodridge. Ms Goodridge would be moving that the February 5, 2020, meeting agenda of the Standing Committee on Legislative Offices be approved as circulated. All those in favour, say aye. On the phone? Any opposed? It appears that the ayes have it.

Next we move on to the approval of the meeting minutes. The minutes of our last meeting were also distributed for consideration. Are there any errors or omissions to note?

If not, would a member move approval of the January 20, 2020, minutes as distributed? Okay. Ms Goodridge. Ms Goodridge would be moving that the minutes of the January 20, 2020, meeting of the Standing Committee on Legislative Offices be approved as distributed. All those in favour, say aye. Anyone on the phone? Any opposed? Hearing none, that motion is carried.

Item 4, review of the OCYA annual report 2018-19, deliberations and recommendations. Turning now to the committee's deliberations and recommendations regarding the office of the Child and Youth Advocate annual report 2018-2019, I'd like to begin by reminding everyone that at our previous meeting we approved four focus issues for our review specifically.

1. The direct advocacy work of the office of the Child and Youth Advocate with respect to indigenous youth, individuals who have aged out of care, and LGBTQ2S-plus children and youth.
2. The advisory role of the office of the Child and Youth Advocate with respect to youth opioid use and the effectiveness of its outreach and education work.
3. The investigative capacity of the office of the Child and Youth Advocate and, in particular, the impact of recent legislative changes to the advocate's mandate. Does the advocate have adequate resources to fulfill his mandate?
4. The ways in which government ministries and the office of the Child and Youth Advocate collaborate and co-ordinate to address and implement the advocate's recommendations.

Our purpose now is to consider the recommendations pertaining to these issues, and we would like to include within our report to the Assembly pursuant to Standing Order 52.041 that committee members wishing to propose substantive motions in this regard were encouraged to consult with Parliamentary Counsel and then have motions filed with the committee clerk by noon on Monday, with any proposed amendments filed by noon the next day. As required, all proposed motions received by the committee clerk have been distributed to all committee members. They can be viewed under Motions, SO 52.041 on the internal site.

With this in mind, I will begin a speakers list for our deliberations today. Does anybody have any comments starting off the discussion? Member Pancholi.

Ms Pancholi: Thank you, Mr. Chair. I just wanted to comment quickly. You raised that Standing Order 52.041 was invoked with respect to this committee meeting and that all motions were to be provided ahead of time, and I note that my opposition colleagues filed, actually, quite a few motions, presented quite a few motions, nine of which, I believe, are to be considered today. You know, we took very seriously the responsibility that this committee has been tasked with, which is to review the annual report of the office of the Child and Youth Advocate and which was a result, of course, of

recommendations coming from an all-party panel which saw the work of the advocate as critically important to ensuring the safety of children in this province.

I believe that all party members at the time and certainly some of the government members now were very much in support of the idea of a transparent and accountable process for reviewing that annual report by the advocate. So I have to say that I was quite disappointed to find that the government members of this committee did not see fit to bring forward any suggested motions with respect to the deliberations and review of this annual report.

I believe that the government has indicated, at least has said, that they take very seriously and value the important role of the advocate, and the annual report is an incredibly important part of that. That is why it was a recommendation coming from the panel. I would think that a government that is taking seriously the role of the advocate and the work it does would see fit to bring forward some proposed motions to be considered by this committee with respect to that report. Instead, I don't know what the government is intending to do, the members of this committee, if they simply think that they are here to rubber-stamp that annual report, which I think undermines the whole reason that we have this process in place.

I just wanted to state my disappointment that the government did not see fit to bring forward any motions with respect to the review of this annual report today.

The Chair: Thank you for your comments, Member Pancholi.

Any others? Member Hoffman.

Ms Hoffman: Thank you very much, Mr. Chair. One of the reasons why I supported the earlier motion to refer items (a) and (b) was because on some of the questions that you're asking, I believe that the children's advocate would indeed be in the best position to give us information to make those decisions. For example, resourcing of the advocate's office: I find it really not becoming of good decision-making for us to be making this decision in isolation from the folks that are actually in the office doing this work. I'm not wanting to revisit a motion that we've already made a decision on, but I do have to say that brings into question whether or not we'll be making our best decision given that we're doing this in complete isolation from the actual folks who are doing this work and bringing forward recommendations.

I also feel like it would be becoming of us, if there's another method to take, to consider having the advocate in attendance, or designates from the advocate's office should he not be available, to have these kinds of meaningful discussions around the report, drawing the conclusions that you on behalf of the committee are calling us to do. Obviously, we will do our best in isolation of the expert advice that we could be receiving, but I think it definitely is not setting us up for success.

The Chair: Thank you, Member.

Mr. Schow, you're next on the list here.

Mr. Schow: Thank you, Mr. Chair. I certainly appreciate the members' comments, specifically Member Pancholi's, with regard to our decision to not put forth motions. I also have a bit of a level of disappointment that I do see nine motions here, potentially, from the opposition, and none of them really have anything to do with the OCYA report.

You know, I do believe that we have had three meetings now on this, and the advocate himself has said that they have adequate resources. This is a well-written and thorough report, and I thank everybody for their involvement in that.

Those are my comments on that in response to the opposition just using this opportunity to grandstand.

The Chair: Thank you, Member.

Ms Sweet, go ahead, please.

Ms Sweet: Thank you, Mr. Chair. Moving on to the agenda and to the first amendment that we submitted to the committee, which all members, I believe, have had an opportunity to review – again, going back to what I was initially saying when the meeting started, I will now do it under the right agenda item.

The Chair: Just to be clear, Member, you're going to move your first motion. Is that correct?

Ms Sweet: I will. Yeah. Would you like me to move it first and then give a rationale, or rationale first?

The Chair: Actually, that's up to you. I'm fine either way.

Ms Sweet: Okay. I just want to first speak to the fact that typically past precedents have been, as my hon. colleague said, that usually when we have these discussions, we do have the advocate here. In part the reason for that is that if we're making recommendations, we have to make recommendations that are realistic, that are something that actually can be achieved by the advocate, so there is some opportunity for guidance in that. In addition to that, like I had said earlier, we also typically will look at giving some direction to Parliamentary Counsel around creating a discussion guide with some crossjurisdictional analysis, looking at what other jurisdictions are doing, when it comes to the work that we have in front of us.

In addition to that, I do want to remind the committee, as I have previously, that this recommendation and the reason we are sitting here today is because of the recommendations that came out of the child death review panel, which was a multiparty committee, which said that this would be a way for us to ensure that children are supported and are kept safe while in the care of the director or Children's Services.

1:20

Because of that, I would like to put a motion forward. I'll just read it. I move that

the Standing Committee on Legislative Offices direct research services to, for the purpose of assisting the committee in its deliberations and review of the office of the Child and Youth Advocate's 2018-19 annual report, prepare a focus issues document that is based on the presentations received by and materials before the committee and that the committee not undertake deliberations until this document is received.

That is my amendment.

The Chair: Your motion.

Ms Sweet: Sorry. My motion.

The Chair: That's right.

Ms Sweet: In addition to that, just for a little bit more background, I would also just like to emphasize as well, because it was a recommendation that came out of the death review panel, that I believe I would benefit as a committee member from having some direction from Parliamentary Counsel around those recommendations and why we are here today. I believe that over the last two meetings we have had, today and in the previous meeting, the recommendation from that committee and why we are actually doing this work today hasn't really been clarified. So it would be

beneficial maybe to all members of the committee to understand the history of why we're here today.

The Chair: Okay. Thank you.

Are there any other comments in regard to this motion?

Okay. Hearing and seeing none, I'm just going to read this one more time, and we'll vote. Moved by Ms Sweet that the Standing Committee on Legislative Offices direct research services to, for the purpose of assisting the committee in its deliberations and review of the office of the Child and Youth Advocate's 2018-2019 annual report, prepare a focus issues document that is based on the presentations received by and materials before the committee and that the committee not undertake deliberations until this document is received.

All those in favour, say aye. All those opposed, say no. On the phone? Okay. Thank you very much. The noes have it.

That motion is defeated.

Ms Sweet.

Ms Sweet: Well, thank you, Mr. Chair. Given that that was defeated, we have a number of recommendations here that are outstanding and on which the advocate reports progress on his website, which is a publicly accountable measure, again, a recommendation that came out of the death review panel. There's no accountability if there's no means to discuss why recommendations are still outstanding. The goal of the review of the annual report was to increase accountability and to provide an opportunity for these discussions to occur if they were included in the report.

A number of these outstanding recommendations were out of the scope of this review because they were not specifically mentioned within the advocate's report. In particular, the outstanding recommendations from the October 2017 report, 15-year-old Jimmy, numbers 1 to 4 are still outstanding. The 2017 report titled 15-year-old Levi, one recommendation is still outstanding. The March 2017 report, 18-year-old Peter, one recommendation is outstanding. The January 2017 report, 19-year-old Ernie, one recommendation is outstanding. The November 2016 report, four-year-old Marie, one recommendation is outstanding. The April 2016 report, Toward a Better Tomorrow, two recommendations are outstanding relating specifically to aboriginal youth.

I believe the solution is to have all outstanding recommendations listed in the annual report as well as any outstanding recommendations where no progress has been made for six months or more specifically identified. This will allow the committee responsible for the next review of this annual report to have all the information available and may assist in part in providing direction for the work of the committee.

I submitted a motion that was intended to capture this; however, one part was missing. I did submit both the original and an amendment to the motion, as requested by the chair, which all members should have been able to see. I would like to move a motion, but I'm asking for direction from the chair or Parliamentary Counsel as to whether or not you would like me to read the original motion or whether or not we should just move the amended motion.

The Chair: I've discussed this with the clerk. Just to create more efficiency within the system, if we could include your amendment, I think that would be great.

Ms Sweet: So just read the final motion as amended?

The Chair: The final motion, yeah.

Just while I have the floor for a moment, Ms Sweet, I think that in order to expedite the process of motions, maybe if you do the

next one or if you do have another one, we'll read the motion first. That gives the clerk an opportunity to get it on the screen for us. Go ahead.

Ms Sweet: Absolutely, Mr. Chair. I move that the Standing Committee on Legislative Offices recommend that the Child and Youth Advocate report on all outstanding recommendations in its annual report and identify each recommendation on which they are of the view that no progress has been made within a period of at least six months.

The Chair: Okay. Mr. Rutherford, I had you on the list next to speak.

Mr. Rutherford: Just give me a few minutes, Chair.

The Chair: Sure.

Does anybody else have any comments at this moment? Ms Gray, go ahead.

Ms Gray: I just would be pleased to take a moment to support Ms Sweet's motion. Essentially what this motion is doing is saying that the office of the Child and Youth Advocate is always looking at the outstanding recommendations, what's happening. Having that included in the annual report – it's already publicly reported information – and making sure that that becomes part of the scope of this committee, to me, makes so much sense. Given that so many of the outstanding recommendations were brought up verbally by the commissioner during his presentations, it's obviously a key part of the work that they're doing and a key part of the oversight that this committee through the annual report should be having, so I think this is very reasonable. Let's just make sure we're tracking that. I'm certainly curious to hear what all colleagues have to say, but I think flagging items where maybe progress has been stymied for a period of at least six months will give us an opportunity to really focus in on anything that might be problematic.

I want to thank MLA Sweet for the motion and just express my support because I think it brings into clear scope issues that the committee is already talking about and that we are all aware of.

The Chair: Thank you for those comments.

Mr. Rutherford, go ahead.

Mr. Rutherford: Thank you, Mr. Chair. I find that this motion is going to be redundant. The youth advocate is already posting online every six months the progress of the recommendations. To add to that I don't believe is necessary. We already have this. It's available for the public to view online, so it can be followed. It's open and transparent, and it's updated every six months, like I said. So I don't think that this motion is necessary.

The Chair: Okay. Any further comments?

Ms Sweet: Just as a follow-up to that comment, I think the struggle that has happened in the committee since we started deliberating this is that there is a disagreement around the accountability around the recommendations and what is seen as in scope as per the referral of the standing order versus what we're actually discussing. With the clarity of this recommendation it would allow the Child and Youth Advocate to be able to very clearly in his annual report, which we are accountable to review – it is very specific within that that we can review the annual report – specifically identify anything that is outstanding within the six months so that this committee, as it has a mandate to do, has the ability to follow up and ask questions of the ministry and/or the advocate as to why those recommendations have not been followed.

Again, the whole intention of this meeting and the reason we are here is based on the recommendation from the death review panel to ensure that the needs of children in care are being met. This is our responsibility, and this ensures that we can see whether or not this is continuing to be identified and the work is being done within the ministry.

The Chair: Mr. Rutherford.

Mr. Rutherford: Thank you, Mr. Chair. Just to follow up on that, I mean we are trying to do the work that we are mandated to do and to keep it within the scope that we have. The accountability is still there. To have the reporting done every six months online is still transparent and accountable. The youth advocate was here last meeting and could have been asked these questions in order to get that information. To continue to layer different responsibilities on top of this I don't think is going to clarify the issue where the ministries are at. All members have an opportunity to question the ministries as to where they're at on recommendations, to put forward questions and to get progress reports. It doesn't necessarily have to be done within this committee, but of course in reviewing the annual report, we have had that opportunity with Children's Services here and the youth advocate here to get clarification already. It's been done. The opportunity has been presented already.

1:30

The Chair: Okay. Member Pancholi.

Ms Pancholi: Thank you, Mr. Chair. I just want to follow up on those comments from Mr. Rutherford because I think the question about holding the ministries accountable was precisely why we believed it was important for this committee to hear from other ministries about the progress they're making or not making on implementing the recommendations from the advocate. That was the intention, that we did believe it was very important that there is some accountability to ministries, which is why we felt that that was an important part of this committee review.

While I understand Mr. Rutherford's position that the advocate's recommendations are put online, it is actually that additional accountability measure where this committee has been tasked with that. It was the intention, going back again to the comments from my colleague MLA Sweet, that this is not solely about rubber-stamping the annual report. The intention behind why the changes were made so that this annual report could come to this committee was to have a fulsome discussion about the work of the advocate, which includes making those recommendations to other ministries. We believe that that's a critical part. It is not simply enough to say that the advocate makes recommendations and the ministry makes progress or not but to ask those questions of those ministries as to why or what the barriers are to implementing the recommendations – why is the progress perhaps going as slow or maybe as fast as it is? – and to learn best practices. For example, if a particular ministry is making great progress on implementing those recommendations and has found some great tools, this is an opportunity in this committee to also share that information.

Again, the intention behind this is to improve the outcomes for children in care. That is the intention behind this. It's not meant to do anything other than to have a fulsome discussion about ways that the advocate's work, the recommendations that come from the advocate, goes to ministries and to follow up on that in a process that is available for the public to see and to have those discussions and to engage on those issues so that there is that transparency. Simply posting it online is not sufficient.

I think, again, this is just simply about saying: let's clarify what we're doing in this committee. If we go back to the intention of the committee, it was to have a fulsome discussion about the work of the advocate's office, which includes recommendations to ministries. To me, there's no downside to having this discussion within this committee. A committee is a fantastic forum to have this engaging back and forth about the work that's being done on behalf of children in care. I think there should be no objection. Even if you believe it's a redundancy, isn't that still a worthwhile discussion to have in this setting, where there can be some back and forth with committee members and ministries? It's a valuable process, I believe.

The Chair: Okay. Does anybody have anything new to add to the debate? I see two hands going up.

Ms Gray: Sorry. Mine was really just a clarification because I'm not sure I fully understood the reasoning made by the government members. If you don't mind me testing my understanding: you would be potentially voting against this motion because you do not believe that outstanding recommendations should be in scope of the annual review and this committee.

The Chair: Mr. Rutherford, do you want to respond? I heard something to do with redundancy, if I recall what you were saying.

Mr. Rutherford: Basically, what I was commenting on, from the comments previously from both members, is that this is the job of the youth advocate, and the youth advocate is doing this job properly. We've had an opportunity to question the youth advocate and Children's Services. We have done that. If there's a problem with the work of the youth advocate, then I'd like to hear where he is falling behind from the opposition members, because if he's not, then the annual report is a fulsome document. It follows the recommendations. It follows the progress. If we add that layer on to the committee – it now has to do the work of the youth advocate – it's no longer arm's length anymore. My impression is that they're trying to take this over.

The Chair: Okay. Ms Hoffman, any other point you'd like to make?

Ms Hoffman: Thank you very much, Mr. Chair. I certainly appreciate the fact that you're here for this discussion and leading it because I think this is something that you've advocated for in the past, too. Just to clarify, this is in no way questioning the validity of the recommendations and the work of the children's advocate. This is around: once recommendations are made, we as legislators, we as the committee tasked with overseeing that independent officer, the hiring, the review of the annual report – how are we on behalf of Albertans making sure that those recommendations are being implemented? That's the way I read this recommendation. I'm happy to provide that clarity.

Specifically, the question is around: if no progress has been made within six months, not necessarily in Children's Services – it could be the Ministry of Health or the Ministry of Education; there are certainly a number of overlapping areas – we as the committee that oversees that independent officer should be informed in a timely fashion. We should be able to hold the ministries accountable, and if there are legitimate barriers to implementation, we should be made aware of those so recommendations don't sit there without being actionable. I think this is really about us demonstrating that this committee has a role to play in addition to the role of the children's advocate to ensure that follow up, implementation, and progress are being made on the report.

The report itself is fine. The report itself makes many good recommendations, but if the recommendations are not actioned and the only way we find out is by waiting to maybe see if it's mentioned in a future annual report – this is specifically saying that we need to be updated on that and we need to be able to make sure that we're, on behalf of Albertans, following the recommendations, and if they aren't, we need to know why.

The Chair: Okay. Thank you for those comments.

Does anybody else have a last word on this particular motion? Otherwise, I'm going to read it. Ms Gray.

Ms Gray: If I just may, and thank you so much for your response. I guess my comment back would just be: what this motion does is simply clarify that it is in the scope of this committee to talk about the outstanding recommendations. Right now that scope is not clear.

By voting against this motion, I believe you are excluding from the scope of this committee the ability to talk about the recommendations, things that are very important, things that the office of the Child and Youth Advocate brought up during his presentation. In a couple of key spots there are a couple of recommendations mentioned in the annual report, but it's my opinion – and I will be voting in favour of this motion – that all outstanding recommendations should be included in the scope. By including those recommendations in the annual report, we just provide that clarity. That's my argument to the government members and why I believe that this motion should be supported by all.

The Chair: Thank you.

I'm just going to ask: is there anybody on the phone that wants to make a comment before I read out the motion again?

Okay. Hearing none, motion 7, submitted by Member Sweet: moved by Ms Sweet that the Standing Committee on Legislative Offices recommend that the Child and Youth Advocate report on all outstanding recommendations in its annual report and identify each recommendation of which they are of the view that no progress has been made within a period of at least six months. All in favour of this motion, say aye. Any opposed, say no. On the phone?

That motion has been defeated.

Ms Hoffman: I just wanted to request a recorded vote.

The Chair: Oh, absolutely. Sure.

Ms Hoffman: Thank you.

The Chair: We will start to my right with Mr. Schow for a recorded vote.

Mr. Schow: No.

The Chair: Sorry. If you could just say your name and then your vote.

Ms Goodridge: Laila Goodridge. No.

Mr. Rutherford: Brad Rutherford. No.

Ms Hoffman: Sarah Hoffman. Yes.

Ms Sweet: Heather Sweet. Yes.

Ms Gray: Christina Gray. Yes.

Ms Pancholi: Rakhi Pancholi. Yes.

The Chair: And on the phone?

Mr. Rowsell: Garth Rowsell. No.

Ms Lovely: Jackie Lovely. No.

Mr. Jeremy Nixon: Jeremy Nixon. No.

The Chair: Okay. Thank you.

That has been defeated.

We will move on. Are there any other discussions? Member Pancholi.

Ms Pancholi: Thank you, Mr. Chair. Given your advice last time, I'm going to begin – I do want to propose a motion, again, that we did provide ahead of time. Should I read it ahead, and then we'll have the discussion? Would that be your preference?

The Chair: Sure. Yeah, let's read it ahead just for efficiency's sake.

Ms Pancholi: I believe it was number 2 in the motions that we provided ahead of time if that helps the clerk. Moved by myself that the Standing Committee on Legislative Offices endorse the Child and Youth Advocate's recommendation 1 set out in the report entitled 19-year-old Dakota: An Investigative Review, dated October 2018, and reproduced on the second page of appendix A to the office of the Child and Youth Advocate's annual report 2018-2019, that "Child Intervention Services should expand their proposed policy regarding escalation of complex case consultation and decision-making to include the definition of complex needs. Young people with complex needs should have access to experts and intensive resources to meet their needs."

Sorry. It's a mouthful. It's a long motion.

Just going back to the previous discussion, you know, there was discussion about clarity around those recommendations from the Child and Youth Advocate's report that were out of scope. This actually is an example of a recommendation that is within the annual report, that is in scope. It was specifically referenced in the annual report.

1:40

Simply, it is a recognition – again, I've already expressed my disappointment that this committee has decided not to hear from other ministries who are given recommendations from the advocate in order to talk to them about their progress. I believe that's a critical part of the collaboration and co-ordination that the advocate's office alluded to when he gave his presentation last time we were here, but we know that this committee voted, all the government members voted to limit the discussion about involving those ministries other than Children's Services.

This is a recommendation that was clearly within the scope of the annual report, and we believe it's important that the standing committee endorse this recommendation because it is a critical one and it's one that the advocate himself referenced in his presentation. We need to make sure the advocate is aware that the committee is endorsing the recommendation that he has made and let the children and youth of this province also be aware that we take their well-being seriously, particularly when we're talking about youth with complex needs. It's important, I think, for this committee to show that we support the recommendation that specifically came out in the annual report of the Child and Youth Advocate, and this motion is a way of endorsing that recommendation.

The Chair: Thank you for those comments.

Any further discussion on this? Ms Goodridge.

Ms Goodridge: Thank you, Mr. Chair. I believe that this is outside the scope of review of this committee. It's not within the purview of this committee to endorse recommendations from a special report from 2018. Furthermore, when I reviewed the public body progress on the OCYA recommendations after March 31, 2017, document, on page 2 it showed that both of these recommendations in question already had progress being made upon them, so I believe that this is perhaps not something to be discussed at this time.

The Chair: Okay. Thank you.
Any further comment?

Ms Pancholi: I would just note that it is within the time frame. This was a recommendation that was made within the time frame of this annual report. It is referenced in the annual report, as indicated, in appendix A. It's specifically referenced. While there is some progress – this is one of the recommendations that came out from the advocate's report in which there is some progress but not significant progress and not substantially completed. There are different criteria which the advocate has applied to the recommendations that are made, and this actually, although it's a little bit better than no progress, is still just some progress. There's still work that needs to be done, clearly. Otherwise, obviously, the advocate would have categorized this recommendation differently. I believe it is important, given the fact that it has not been significantly completed or substantially completed, that we do as a committee endorse that there is work still needed to be done and the advocate clearly – it is within the scope of the annual report that is under review by this committee, and I think it's important that we address that and support that.

The Chair: Ms Gray.

Ms Gray: Thank you very much. I think my colleague has addressed why she believes this is in scope and which pages it's referenced in the annual report. What I heard from Member Goodridge was a concern around the endorsing of recommendations. Just a question for Parliamentary Counsel for those who may be new to this process: is endorsing of recommendations when it comes to annual reports, things like this – I'm fairly certain this is something I've seen quite frequently in committees in the past. I just wondered if you could clarify if that is action that committees have done in the past.

The Chair: Sure. I guess we can ask Parliamentary Counsel if they have any comment on that.

Dr. Massolin: First thing, Mr. Chair, I'm not Parliamentary Counsel.

The Chair: Oh, sorry. Apologies.

Dr. Massolin: That's okay. I can confirm, though, that other committees have used that particular language.

Ms Gray: Thank you.

The Chair: Thank you.
Ms Gray, you can continue.

Ms Gray: Thank you so much. Yes. Endorsing these recommendations is a responsibility of this committee. An example from other annual reports: the committee's endorsing different items within the Property Rights Advocate annual review. I think MLA Pancholi has addressed why this is in scope and where it is referenced in the annual report. It is the responsibility, in my opinion, of this committee as part of our review, when we see recommendations

that should be endorsed, to emphasize them not only to all parties who are referenced in that recommendation but also to the office of the Child and Youth Advocate so that they know that we have heard from and endorse that recommendation. This is a standard part of the work that a committee should be doing.

The Chair: Thank you, Member.

Anybody else have a comment? Ms Hoffman.

Ms Hoffman: Thanks. I'll just try maybe an analogy because sometimes that helps me sort of unpack some of the argument. What I think I've heard is that – let's try an education one – if an educator says that this is an area that you need to be working on and a student then works on it a little bit and gets a C and then the report goes home and it says that you got a C – what we're doing here as a committee is saying: is that good enough? The parent, in my opinion, would say, you know: I'm glad you made progress; we're not quite there yet; we need to do more work. You would say that in a way that showed your child that you agreed with that and showed the educator that you also agreed with the recommendation, and then you'd hold each other to account to make sure that that outcome had been achieved.

What I think I heard from Ms Goodridge is that a C is good enough, and what I heard from Ms Pancholi is that it's not. We need to keep working on this, and we need to hold each other accountable, and we need to make sure we're making progress. That is what I feel like I'm voting on now: is a C good enough for our kids? I don't think it is. I think we owe it to the advocate and to all Albertans to make sure that we are continually checking in and holding each other accountable and making progress when it comes to some of our most vulnerable youth.

The Chair: Thank you for those comments.

Anybody else?

Seeing none, I will read the motion once again. Moved by Ms Pancholi that the Standing Committee on Legislative Offices endorse the Child and Youth Advocate's recommendation 1 set out in the report entitled 19-year-old Dakota: An Investigative Review, dated October 2018 and reproduced on the second page of appendix A to the office of the Child and Youth Advocate's annual report 2018-2019, that Child Intervention Services should expand their proposed policy regarding escalation of complex case consultation and decision-making to include the definition of complex needs. Young people with complex needs should have access to experts and intensive resources to meet their needs.

All those in favour, say aye. Any opposed, say no. On the phone? Thank you.

That motion is defeated.

Ms Hoffman: Yes, please. A recorded vote.

The Chair: A recorded vote. Okay. Thank you.

We'll do a recorded vote. Just don't forget, members, to make sure that you say your name and the constituency which you represent. We'll start to my right with Mr. Schow.

Mr. Schow: Joseph Schow, Cardston-Siksika. No.

Ms Goodridge: Laila Goodridge, Fort McMurray-Lac La Biche. No.

Mr. Rutherford: Brad Rutherford, Leduc-Beaumont. No.

Ms Hoffman: Sarah Hoffman. Yes.

Ms Sweet: Heather Sweet. Yes.

Ms Gray: Christina Gray. Yes.

Ms Pancholi: Rakhi Pancholi, Edmonton-Whitemud. Yes.

The Chair: Thank you.

On the phone? We can start with Garth.

Mr. Rowsell: Garth Rowsell. No.

Ms Lovely: Jackie Lovely, Camrose. No.

Mr. Jeremy Nixon: Jeremy Nixon. No.

The Chair: All right. Thank you very much.

That motion is defeated 6 to 4.

Okay. We'll continue on. Are there any comments or proposed motions? Member Hoffman.

Ms Hoffman: Thank you very much, Mr. Chair. I'll move motion 3, that we presubmitted, and maybe rather than us having to vote and then asking for a recorded vote, I'll just move the motion and ask that we have a recorded vote at the end as well. Or is that out of order?

The Chair: Yeah. Sorry. You just want a recorded vote at the end?

Ms Hoffman: Yeah. Rather than us voting and then voting a second time, I'm going to move the motion. I imagine we'll probably want a recorded vote again on this next one. I have on the last two.

The Chair: Yeah. I mean, the only thing I will say is that although you've submitted, I think, nine motions, they're not considered official until they're officially read into the record. So once you read it in and, you know, it's debated and however the vote goes, then, sure, we can do the recorded vote. That's the way the process will work.

Ms Hoffman: Thank you very much.

The Chair: Okay. Thank you.

Ms Hoffman: The motion I'm moving is that

the Standing Committee on Legislative Offices endorse the Child and Youth Advocate's recommendations 1 through 5 set out in the report entitled Into Focus: Calling Attention to Youth Opioid Use in Alberta dated June 2018 and reproduced on the first page of appendix A to the Child and Youth Advocate's annual report 2018-19.

1:50

I mentioned the tie-in to the annual report because I know there have been questions about whether or not things were in scope or not in scope. I believe that this is tied directly to the annual report, but even if not, I think that this is work that merits ongoing, further enthusiastic support of the entire Legislative Assembly, of which we're a subset here today.

Of course, the advisory role of the OCYA with respect to opioid use and its effectiveness, I think, is of key importance with us being able to combat opioid use and addiction and overdose in our province, specifically as it relates to outreach and education. In the last meeting we heard that the advocate can only deal with mental health issues as they relate to children in care, and I think that that is, of course, a worthy subset of the population and a key demographic that we have a special duty to protect. I think that the scope of addiction and, specifically, opioid use in this province warrants greater breadth.

I think that the 2018 report on youth opioid use is deserving of the attention of both this committee and of the entire government

and all members of our Assembly. On the first page – just so I can say what those recommendations are, 1 through 5, which I referred to in the motion – for everyone's awareness, the first one is for Alberta Education and local school authorities [to] increase the level of health promotion and age-appropriate substance use education in curriculum from Elementary through High School [students].

The second is:

Child-serving ministries . . .

so overlapping a number there, of course,

. . . should have appropriate substance use intervention training to increase the capacity and knowledge among direct-service professionals to ensure young people get the right services at the right time. This should be part of the provincial youth strategy.

The third one is:

Alberta Health Services should strengthen their substance use related interventions for young people. Special attention needs to be given to interventions specific to youth opioid use and to services for young people with co-occurring issues of mental health problems and/or cognitive disabilities.

The fourth was:

Alberta Health Services' Youth Addictions and Mental Health programs should have a more inclusive practice of involving families and significant individuals, with specific attention to substance use prevention and treatment for young people.

The fifth was for

the Ministry of Health [to] undertake a review of the Protection of Children Abusing Drugs Act . . .

PCHAD, as it's referred to,

. . . and its policies, so the related services better meet the needs of young people and their families.

Again, I'm articulating this specifically because of the tie-in to the annual report. I think that, again, as was mentioned, there are many times where committees have endorsed specific recommendations. I think this one deserves particular focus of this committee and, of course, of all Members of the Legislative Assembly and the government. I think that, again, the report was during a 23-month period, where it focused on 12 youth between the ages of 15 and 19, and these recommendations have the potential to save lives. This looked at just 12 kids during that period of time for whom these recommendations, I believe, could have prevented their deaths, and I think that there's probably little that we feel is more important than preventing fatalities of children in our province.

This is an area that I'm proud we did a lot of work on, straddling both sides of the aisle, I might mention, in the four years that I had the honour of being the Health minister. I hope that this effort to work collaboratively with the appropriate ministries and ministers as well as with the OCYA – I think it deserves focus and attention, and I would not want to see us move backwards on this progress. That's why I'm proposing we endorse these recommendations.

The Chair: All right. Thank you, Member, for your motion and your comments.

Are there any other comments to the proposed motion? I saw Ms Sweet. Oh, hang on a second, Member Sweet. Mr. Schow, go ahead.

Mr. Schow: Thank you for that, Mr. Chair. I appreciate it. Again, I really do believe that, similar to previous motions that we've heard from the opposition, this is beyond the scope of the review of this committee. We're reviewing the annual report here, not a previous special report from the advocate's office. It's not really the job of this committee to endorse recommendations from special reports in 2018.

Now, with that said, I understand that there is precedent for such activity. However, there's also precedent for not doing it. We see,

like, for example, that PAC doesn't always endorse the AG's recommendations. So what I'm saying here is that while it's been done in the past, it does not necessarily need to be done here, and I really don't feel that we need to be moving beyond the scope of this committee's work. For that reason, I oppose this motion.

The Chair: Thank you, Member.

Member Sweet, go ahead.

Ms Sweet: Well, thank you, Mr. Chair. First, I'm just going to start off with: when the Child and Youth Advocate was here at our last meeting, he actually specifically talked about the opioid crisis. So it is part of our deliberation given the fact that during his presentation and the ministry's presentation the discussion around the increase in opioid use for children and youth is something that is a rising concern.

In addition to that, we know we have an opioid crisis in this province, something that I believe both sides of the aisle are in a mutual understanding on and that we all take very seriously. What I am struggling with, as we sit here and talk about recommendations and adopting these recommendations, is that if the government takes this seriously and really believes that there is an issue that needs to be addressed when it comes to the opioid crisis – I mean, I'm sure the hon. member that just responded to me would recognize this given that he has the Blood reserve in his riding and the issues that are coming out of Lethbridge and some of the concerns that have arisen out of that conversation – this would be something that we would without question adopt as a recommendation.

We also heard from the Child and Youth Advocate when he was here that he also has made previous recommendations and that he struggles with the fact that he only has the ability to look at children that have status within Children's Services or within two years after leaving the support programs within Children's Services. Yet he acknowledged and he did indicate that he would like to have a broader ability to look into the mental health advocacy for children who are not in care, including issues around mental health and addictions. So what I don't understand is how we have a government that stands in public and says that they take addictions and mental health very seriously but will not support this recommendation, which is directly associated with youth with addictions issues.

The Chair: Thank you, Member.

Anybody else have any comments with regard to this motion?

Ms Gray: I would just remind all members that this committee and this meeting agreed to consider certain focus issues. Focus issue 2 was the advisory role of the office of the Child and Youth Advocate with respect to youth opioid use and the effectiveness of its outreach and education work. My colleague MLA Sweet has spoken to the fact that this motion does directly reference the annual report and therefore is in scope. We know that the focus issue that was agreed to by all members of this committee, number 2, certainly connects to the motion that's been put forward. I would simply end with a comment that I'm not sure I fully understand why the government is choosing to not endorse this recommendation and what signal they are attempting to send with that lack of endorsement.

The Chair: Thank you, Member.

Mr. Schow, go ahead, please.

Mr. Schow: Thank you, Mr. Chair. I have to just clearly say that I am appalled that the members of the opposition would insinuate that this government, in particular me, doesn't really care so much

about the opioid crisis. Member Sweet is correct. I have the Blood reserve in my constituency and I also have Siksika, the two largest land mass reserves in this country. I spend a significant amount of time on both. In fact, recently I was there with the Minister of Justice at the transition facility, spoke with people there, and learned about some of the concerns they have. Actions speak louder than words, and this government has been clear in putting resources towards the opioid crisis. So I condemn those remarks made by the opposition suggesting that we don't care and, in fact, that I don't care.

The Chair: Okay. Can we just pause for one second?

Ms Lovely, you've just joined the table. I know you were on the phone. If you wouldn't mind just introducing yourself, your name and your constituency.

Ms Lovely: Sure. Jackie Lovely, the constituency of Camrose.

The Chair: Thank you very much.

Now we'll continue again with our debate.

If we can go to Member Sweet. Go ahead, please.

Ms Sweet: Well, thank you, Mr. Chair. I think that's fair enough from the hon. member that represents the Blood and Siksika reserves. I would suggest, then, if he truly believes that we need to do the best we can do around the opioid crisis, that he just vote in favour of the motion.

2:00

The Chair: All right. Any further discussion? Member Hoffman, go ahead.

Ms Hoffman: Thank you very much, Mr. Chair. I tried to address in my opening remarks what ended up being some of the counterpoints because they're the same counterpoints that were made to the two prior motions. I just want to clarify for all members and particularly for the member who said that this wasn't in scope. As my motion refers to, this is referred to in appendix A of the annual report that we are here considering. This is, as my colleague Ms Gray said, directly tied to issue 2, that was set by this committee as its priority areas. These are five very clear, specific recommendations that the children's advocate says can help save lives. I know that the same arguments have been given, that our table officers here today have said that, you know, there is past precedent. I understand, members, as well that past precedent doesn't equate to tacit endorsement. That's fine. Today I'm asking people to make active endorsement of these five recommendations, which we know, through this report, as noted in the appendix, have the ability to save lives.

Saying that this is a priority and that we're going to work crossministerially through Education, Children's Services, Health, and the service providers within each of those I think is something that warrants full, enthusiastic endorsement by this committee. The arguments that were given by the one speaker, I think, have proven to not meet the head – not on this. If there are other reasons why folks might be opposing this, I'm certainly happy to be enlightened with those. But, clearly, the rationale that was given previously with regard to other motions doesn't apply to this one, so continuing to give that rationale, I think, doesn't suit this discussion.

The Chair: Okay. Thank you, Member.

Member Rutherford, you wanted to make a comment.

Mr. Rutherford: I'll be brief, Mr. Chair. I just want to reiterate what MLA Schow had said, that this government does take mental health and addictions seriously. But I wanted to make sure on the

record that, for recommendations 1 through 5, this was reviewed in September 2019, and the majority of these recommendations do have significant progress made on them already. They are not being ignored. Whether this motion is passed or not passed, progress is being made on them, and that job is being done. I just wanted to make sure that that was highlighted.

The Chair: Okay. Thank you, sir.

I'll ask one more time. Anybody else?

All right. I'll read the motion. Moved by Ms Hoffman that the Standing Committee on Legislative Offices endorse the Child and Youth Advocate's recommendations 1 through 5 set out in the report entitled Into Focus: Calling Attention to Youth Opioid Use in Alberta, dated June 2018 and reproduced on the first page of appendix A to the office of the Child and Youth Advocate's annual report 2018-2019.

All those in favour, say aye. All opposed, say no. On the phone? Okay. Thank you.

A recorded vote is asked for by Member Hoffman. Again, your name and your constituency, starting to my right.

Mr. Schow: Joseph Schow, Cardston-Siksika. No.

Ms Goodridge: Laila Goodridge, Fort McMurray-Lac La Biche. No.

Ms Lovely: Jackie Lovely, Camrose. No.

Mr. Rutherford: Brad Rutherford, Leduc-Beaumont. No.

Ms Hoffman: Sarah Hoffman, Edmonton-Glenora. Yes.

Ms Sweet: Heather Sweet, Edmonton-Manning. Yes.

Ms Gray: Christina Gray, Edmonton-Mill Woods. Yes.

Ms Pancholi: Rakhi Pancholi, Edmonton-Whitemud. Yes.

The Chair: On the phone?

Mr. Rowswell: Garth Rowswell, Vermilion-Lloydminster-Wainwright. No.

Mr. Jeremy Nixon: Jeremy Nixon. No.

The Chair: Okay. Thank you very much.

That has been defeated 6 to 4.

We will now continue on. I see a hand going up by Member Hoffman. Go ahead, please.

Ms Hoffman: Thank you very much. This is with regard to the motion we submitted previously, number 9. I think that it flows well from this point in the discussion, and it's that

the Standing Committee on Legislative Offices recommend that

- (a) the Child and Youth Advocate monitor and report on the status of the recommendations set out in the report entitled Into Focus: Calling Attention to Youth Opioid Use in Alberta, dated June 2018 and referenced at page 30 of the office of the Child and Youth Advocate's 2018-2019 annual report, and that
- (b) the government be invited to make a presentation on the status of the recommendations during future committee reviews of the office of the Child and Youth Advocate's annual reports if those recommendations are shown as not fully implemented in the relevant report.

My rationale for this is – and I imagine government members have probably experienced this themselves. When I first became Health minister, one of the first things we did was commission a

mental health review. One of the things I heard from the community was: "Okay. We'll participate again, but what guarantees do we have that these items are going to be actioned? Committing to participate in these types of reviews and reports is a lot of work."

One of the things we did was that we said: "Don't worry. We'll report our next steps. We'll have accountability measures. We'll report back to the public because we really want to move the dial on these issues. We really want to make sure that we're enhancing mental health." I think that when it comes to, specifically, youth opioid use in Alberta, this report deserves the same. I don't think we have a children's advocate to write reports; I think we have a children's advocate to advocate for and increase protections for children.

This motion is an opportunity for us as a committee to say: "Yes, we appreciate that there was a report, but we are going to do what the report calls on us to do. As an Assembly we are going to make sure that government moves forward with these recommendations and that we have appropriate information to have every confidence that everyone who works in government on behalf of youth is doing what they are tasked to do when they take on the important duty of running for office and being elected or serving in the public service." This is an opportunity for us to do that.

If the arguments, again, in opposition are that this is beyond the scope, I find that very frustrating and dismissive to the actual work of the independent officers that we are here to oversee. We aren't here to just read reports; we're here to make sure that they're actioned. So if there are other arguments in opposition to this, I look forward to hearing them, but recycling arguments that this is beyond scope simply doesn't ring true, Mr. Chair.

With that, I request that we consider this motion.

The Chair: Thank you, Member.

Any further comments?

Ms Lovely: I do disagree. I do believe that this is out of the scope of review. As was previously stated, the advocate's office already tracks progress on these recommendations every six months and makes them available on their website.

The other point I'd like to make is that we don't need to bind future committees to decisions about who they need to invite. That can be decided when necessary by a future committee.

The Chair: Okay. Thank you.

Any other further comments?

Ms Sweet: Again, I just don't understand why these motions are a struggle to deal with, partly because, again, we have an opioid crisis. This is about making sure that children are safe. Within the mandate of the Child and Youth Advocate we all agreed at the last committee that we would actually talk about the recommendations around the opiate report by the Child and Youth Advocate. I'm not sure now why all of a sudden we're not necessarily following the agenda and the recommendations we all agreed to.

In addition to that, in response to mandating the committee as to who will come and present, as we learned last week, to have the Children's Services ministry here in partnership with the Child and Youth Advocate when these reviews are happening is practice. We didn't have to ask them to attend in the context of the committee having to endorse that; that is part of the standing order and part of having us do this review. So to say that we would be handcuffing a future committee into having them come forward I think is disingenuous at best. Really, what we're saying is that we want to see that these recommendations if not fully implemented be held to account at this committee. We're talking about opioid use with children and youth. It's not a partisan thing. The serious question is

that if there is a will to do significant work on this issue in this province, there shouldn't be a reason why the government would not want that to be public.

We're just asking that we support the recommendations and that we ensure that this is actually being completed and followed up on on behalf of the ministry.

The Chair: Thank you, Member.

Any further comments?

Okay. I will read the motion by Ms Hoffman. Moved by Ms Hoffman that the Standing Committee on Legislative Offices recommend that (a) the Child and Youth Advocate monitor and report on the status of the recommendations set out in the report entitled Into Focus: Calling Attention to Youth Opioid Use in Alberta, dated June 2018 and referenced at page 30 of the office of the Child and Youth Advocate's 2018-2019 annual report, and that (b) the government be invited to make a presentation on the status of the recommendations during future committee reviews of the office of the Child and Youth Advocate's annual reports if those recommendations are shown as not fully implemented in the relevant report.

All those in favour, say aye. All those opposed, say no. On the phone? Okay. Thank you.

A recorded vote is requested by Member Hoffman. We'll start to my right with Mr. Schow.

2:10

Mr. Schow: Joseph Schow, Cardston-Siksika. No.

Ms Goodridge: Laila Goodridge, Fort McMurray-Lac La Biche. No.

Ms Lovely: Jackie Lovely, Camrose. No.

Mr. Rutherford: Brad Rutherford, Leduc-Beaumont. No.

Ms Hoffman: Sarah Hoffman, Edmonton-Glenora. Yes.

Ms Sweet: Heather Sweet, Edmonton-Manning. Yes.

Ms Gray: Christina Gray, Edmonton-Mill Woods. Yes.

Ms Pancholi: Rakhi Pancholi, Edmonton-Whitemud. Yes.

The Chair: On the phone?

Mr. Rowswell: Garth Rowswell, Vermilion-Lloydminster-Wainwright. No.

Mr. Jeremy Nixon: Jeremy Nixon, Calgary-Klein. No.

The Chair: Okay. Thank you very much.

That has been defeated 6 to 4.

We'll now move on. Are there any further comments? Member Gray.

Ms Gray: Thank you very much, Mr. Chair, and thank you to all the colleagues. Our focus on issues as moved at the last meeting was, one, the direct advocacy work of the office of the Child and Youth Advocate with respect to indigenous youth, individuals who've aged out of care, and LGBTQ2S children and youth. Under that umbrella I would like to move number 4 of the submitted motions, and I will read it into the record. I move that

the Standing Committee on Legislative Offices recommend that the office of the Child and Youth Advocate continue the work highlighted in its 2018-2019 annual report to advocate in respect of the issues identified in the report entitled Speaking Out: A Special Report on LGBTQ2S+ Young People in the Child Welfare and Youth Justice Systems, dated November 2018 and

referenced in the 2018-19 annual report at page 17, specifically recommendation 2 of that report, that the Ministry of Children's Services and the Ministry of Justice and Solicitor General create LGBTQ2S-plus specific living options for young people.

The Chair: Okay. Thank you very much.

Any further comments? Do you have more?

Ms Gray: The only additional rationale: I think this motion speaks for itself in how we are connecting it to the focus that this committee specifically referenced. I will mention that it is in the annual report on page 17, for any questions around scope, which we have heard a few times in this committee meeting. I hope that all members of the committee will support this motion, which simply seeks to recommend that the office of the Child and Youth Advocate continue work that, it was my understanding, at the last meeting all members of this committee chose to vote in favour of as a focus and of importance. It's certainly critically important to our LGBTQ2S-plus youth and children, and I hope it's a focus and of import to all members here at this committee.

The Chair: Thank you, Member.

Any other comments? Member Goodridge, go ahead.

Ms Goodridge: Thank you, Mr. Chair. Again, while I understand the intent of this, I believe that this, like the other motions, is out of scope of the review of this committee, and I do not believe that this committee wishes to endorse specific recommendations from this report.

The Chair: Okay. Any further comments?

Ms Gray: If I may respond?

The Chair: Yeah. Absolutely.

Ms Gray: It's my understanding that the scope of this review is clearly the office of the Child and Youth Advocate annual report. My motion is in reference to something that is on page 17 of that report. So I really am just probing a little bit. I don't understand why the members believe this to be out of scope when we've specifically gone back to the annual report to connect that and to make sure that it is clear. I'm struggling to understand the government's position at this time.

The Chair: Thank you.

Any further comments?

Ms Hoffman: I will just add, for a moment of, you know, humour perhaps: "Don't worry. We did submit motions that were out of scope, and we were told that they were out of scope." These ones have gone through a review, and they have been – yeah. Don't worry. We had more than twice this many motions. We have worked to try to focus our due diligence and find areas, specifically, that are clearly in scope, that relate to the priorities determined by this committee and by all members of our Legislative Assembly.

The Chair: Thank you for those comments.

All right. Thank you. Anything else?

Ms Pancholi: I was trying to decide sort of when to kind of make this comment or ask this question. I wanted to see how things progressed, but I think we have an idea, to be honest, about where things are progressing a little bit with respect to these motions. But I think, you know, I've heard my colleague ask government members to express what they mean when they say that something is out of scope. I guess the question I'm coming to in my mind as

we move through motions that deal with the substance of the annual report submitted by the advocate is that, really, I'd like to hear from the government what they believe the purpose of this committee is with respect to reviewing this annual report because any of the issues that we are – as we've indicated, each of the motions that have been brought forward so far relate to issues that are directly referenced either specifically within the annual report or within the presentation that the advocate gave to this committee, and the government seems to think that is all out of scope. I'm starting to really struggle to understand what they view is their role with respect to the review of this annual report because right now it seems that none of the actual substance of the report . . .

Mr. Schow: Point of order.

The Chair: A point of order has been called. Under what section, Mr. Schow?

Mr. Schow: Relevancy to the topic. While I understand that we are talking about the motion, I don't see the . . .

Ms Hoffman: Sorry. What section of the standing orders?

Mr. Schow: Section 23, I believe (h).

The Chair: We'll pause for a moment.

Mr. Schow: Yeah. Section 23(b), "speaks to matters other than the question under discussion." We are discussing the motion. We're not discussing what the role of the committee is at the moment. So I ask that the member keep her comments relevant to the motion that has been proposed.

The Chair: All right. Thank you.

From the Official Opposition, any comment on that? Yeah. Go ahead, Member Sweet.

Ms Sweet: Well, thank you, Mr. Chair, and for referencing the section. Actually, 23(b), "speaks to matters other than the question under discussion" or "a motion or amendment the Member intends to move." Currently we are speaking to a motion in regard to the child and youth report. The government has repeatedly said that they believe it is out of scope and have put on the record under each motion that they believe that each of these motions so far have been out of scope. The hon. member was just clarifying with the government side what they mean by out of scope and was actually just trying to clarify what the government deemed was in scope. So I believe that it is in order to continue this debate.

The Chair: Thank you very much.

Are there any further comments?

Okay. I'm prepared to rule on this. Obviously, what we have before us right now is a motion as presented by Member Gray. That is what the committee is tasked with debating at this particular time. I think a lot of leniency has been provided on both sides, and I will say that, you know, I certainly understand and appreciate the frustration. I know that many of you have heard me say this in the past in other committee meetings. Sometimes questions are asked and you may not like the answer which you are given; however, we need to stay focused as we have a lot on our agenda at this particular time. So I'm going to rule that there was a point of order here. I'm going to ask that the member stay focused on the statement that we have in front of us as presented by Member Gray and that we continue on with dealing with the motions that we have before us.

Member Pancholi, I will allow you to continue. Thank you.

Ms Pancholi: Thank you, Mr. Chair. Then I will narrow my question to ask how this motion as proposed by my colleague MLA Gray, which specifically references page 17 of the advocate's annual report and is within the scope set out by the subcommittee, which sets out the review of the committee – I would invite any government member to provide clarification as to why they believe it is out of scope, this particular motion.

2:20

The Chair: Thank you. Thank you very much, Member.

Does anybody have any further questions, comments?

Hearing none, I will, then, read the motion here. Moved by Ms Gray that the Standing Committee on Legislative Offices recommend that the office of the Child and Youth Advocate continue the work highlighted in its 2018-19 annual report to advocate in respect of the issues identified in the report entitled *Speaking Out: A Special Report on LGBTQ2S+ Young People in the Child Welfare and Youth Justice Systems*, dated November 2017 and referenced in the 2018-2019 annual report at page 17, specifically recommendation 2 of the report, that the Ministry of Children's Services and the Ministry of Justice and Solicitor General create LGBTQ2S-plus specific living options for young people.

All those in favour, say aye. Any opposed, say no. On the phone?

Member Hoffman wants a recorded vote. Thank you very much. To my right, we'll start with Mr. Schow.

Mr. Schow: Joseph Schow, Cardston-Siksika. No.

Ms Goodridge: Laila Goodridge, Fort McMurray-Lac La Biche. No.

Ms Lovely: Jackie Lovely, Camrose. No.

Mr. Rutherford: Brad Rutherford, Leduc-Beaumont. No.

Ms Hoffman: Sarah Hoffman, Edmonton-Glenora. Yes.

Ms Sweet: Heather Sweet, Edmonton-Manning. Yes.

Ms Gray: Christina Gray, Edmonton-Mill Woods. Yes.

Ms Pancholi: Rakhi Pancholi, Edmonton-Whitemud. Yes.

The Chair: Thank you.

On the phone?

Mr. Rowswell: Garth Rowswell, Vermilion-Lloydminster-Wainwright. No.

Mr. Jeremy Nixon: Jeremy Nixon, Calgary-Klein. No.

The Chair: Thank you very much.

That motion is defeated 6 to 4.

We will now continue on. Any further questions for discussion? Member Gray, go ahead.

Ms Gray: Thank you very much. Still regarding the topics on page 17 of the annual report, which talks about the role of government, and some of what we heard about training from Children's Services at the January 20 meeting and still within that focus 1 that was agreed to by the committee to be the focus of issues during this review, I would like to move number 8. I will read that into the record. Moved by MLA Gray that

the Standing Committee on Legislative Offices recommend that the Child and Youth Advocate continue to work with the Ministry of Children's Services and the Ministry of Justice and Solicitor

General and that the Child and Youth Advocate request updates on the content, implementation, and frequency of programs and training available to front-line staff and support workers regarding LGBTQ2S-plus youth.

I will speak briefly to my rationale. We've heard directly from the Child and Youth Advocate about the impact of having training for front-line workers, the important impact on the children and youth themselves when this training has been provided, and it influences and enhances the support that these youth are getting. Having spoken to the scope, it being referenced on page 17 as well as being focus issue 1, I would recommend that all members support this motion and do not vote against asking these ministries to implement and track the programs and training available to front-line staff and support workers.

I've heard from colleagues on both sides of the House how important it is to have metrics and to measure those when you look to make an important enhancement into an area. That language I've heard quite frequently from members on the government side. We're simply asking to follow the report, which is in scope for our review, and to continue to support our LGBTQ2S-plus youth by ensuring that we are following up with the ministries that are delivering the programs and services through their front-line staff and support workers. I hope that all members see the reasonableness of this motion and will support it.

Thank you, Mr. Chair.

The Chair: Thank you, Member, for your motion and your comments.

Member Lovely, go ahead.

Ms Lovely: Thank you, Mr. Chair. The advocate already works with these ministries on a multitude of issues as they relate to each ministry. It's not the job of this committee to put further reporting requirements on the advocate's office or the ministry.

The Chair: Okay. Any further comments?

Ms Sweet: Just real quickly, Mr. Chair, I believe that this is actually a very important motion. The reason I say that is that although I appreciate that work is done in regard to training for front-line staff and support workers, this is an ongoing issue that is continuously being addressed within Children's Services.

When I was a social worker and when I worked in Children's Services, working with the LGBTQ2S-plus community was something that I hadn't experienced, and I wasn't provided any training. They did not give us training back in the day – back, back in the day. What was happening is that we were actually seeing many youth who were coming out to their parents, who were being kicked out of their houses, and they were ending up having to access Children's Services supports. I was having to learn how to talk about healthy relationships and all the topics that we talk about with youth in care.

Although I appreciate that this may not be something that the government side feels is important, the reality of it is that workers can always do better when it comes to relationships with kids and youth on their training. Ongoing training is important, always is. I believe that we have a responsibility to support our LGBTQ2S-plus youth in ensuring that they feel like they have the safest environment possible. That includes their relationship with their caseworkers and support workers. It also includes when they are dealing with Justice.

I highly recommend that we vote in favour of this motion. I support the ongoing work of the Child and Youth Advocate. I support the work of the ministry and the staff that are within the ministries because I have personal experience and understand the

complexities of these different relationships. That is why this motion is so important.

The Chair: Thank you.

Mr. Rutherford, go ahead.

Mr. Rutherford: Thank you, Mr. Chair. I just want to make a couple of points. First off, I see within this motion that it's directing the youth advocate what to do. Again, as I said earlier, the youth advocate is arm's length from us and is independent. We shouldn't be directing that office or, currently, Mr. Graff on what to do.

Second, all the members on this committee had a chance to question the youth advocate last meeting and to acquire additional information. That opportunity was available to all of us.

Third, this is advocating, really, I think, for policy changes, which can be advocated for in different ways, and it does not need to be put onto a youth advocate who is independent from us to forward those policy initiatives. That can be done in a different way.

Thank you.

The Chair: Thank you, sir.

Any other further comments?

All right. I will read the motion as provided by Member Gray. Moved by Ms Gray that the Standing Committee on Legislative Offices recommend that the Child and Youth Advocate continue to work with the Ministry of Children's Services and the Ministry of Justice and Solicitor General and that the Child and Youth Advocate request updates on the content, implementation, and frequency of programs and training available to front-line staff and support workers regarding LGBTQ2S-plus youth.

All those in favour, say aye. All those opposed, say no. On the phone? Thank you.

Member Hoffman, you want a recorded vote?

Ms Hoffman: Yes. Thank you so much, Mr. Chair.

The Chair: All right. We'll put it in the record.

Ms Hoffman: I appreciate it. Yes, I would like a recorded vote.

The Chair: All right. To my right, we'll start with Mr. Schow.

Mr. Schow: Joseph Schow, MLA Cardston-Siksika. No.

Ms Goodridge: Laila Goodridge, Fort McMurray-Lac La Biche. No.

Ms Lovely: Jackie Lovely, Camrose. No.

Mr. Rutherford: Brad Rutherford, Leduc-Beaumont. No.

Ms Hoffman: Sarah Hoffman, Edmonton-Glenora. Yes.

Ms Sweet: Heather Sweet, MLA Edmonton-Manning. Yes.

Ms Gray: Christina Gray, MLA Edmonton-Mill Woods. Yes.

Ms Pancholi: Rakhi Pancholi, Edmonton-Whitemud. Yes.

The Chair: Thank you. Members on the phone?

Mr. Rowswell: Garth Rowswell, Vermilion-Lloydminster-Wainwright. No.

Mr. Jeremy Nixon: Jeremy Nixon. No.

The Chair: Thank you very much.

That has been defeated 6 to 4.

We'll now move on. Any further questions or comments? Okay. Member Pancholi.

Ms Pancholi: Okay. Thank you, Mr. Chair. I would just like to – I'll put the motion up if we'd like, number 5. Shall I read it out?

The Chair: Yes. Go ahead, please.

2:30

Ms Pancholi: Thank you. I move that the Standing Committee on Legislative Offices recommend that the government and relevant ministries work with indigenous communities and the office of the Child and Youth Advocate to ensure that current and future policies of the government and relevant ministries address the concerns that resulted in the Child and Youth Advocate's recommendations set out in the report entitled *Voices for Change: Aboriginal Child Welfare in Alberta*, dated July 2016 and referenced at page 18 of the office of the Child and Youth Advocate's annual report 2018-2019.

Again, Mr. Chair, this is a motion that relates directly to something that is referenced within the annual report of the office of the Child and Youth Advocate on page 18. It talks there, in that section, about engaging and advocating to support indigenous children and youth. Further, it's in the report within the context of direct advocacy work done by the advocate's office. Again, this falls within the scope that this committee has decided is for the review. Under number 1 the committee agreed that it would look at the direct advocacy work of the advocate's office with respect to indigenous youth.

Just drawing out the context for how it relates to the annual report, in the annual report the advocate references this 2016 report *Voices for Change*, and it's critical because that was a significant report with respect to how the work of the advocate in children in care specifically applies to indigenous youth. The 2016 report was done prior to the introduction of Bill C-92, which is the federal legislation, that has actually been proclaimed, that allows for indigenous self-governance when it comes to child welfare on-reserve. The advocate in his presentation talked about how that *Voices for Change* report might seem outdated now because it was done before the introduction of Bill C-92 but that the content of it is still very much relevant, simply because now we have a slightly different federal framework or a significantly different federal framework. The advocate highlighted in his presentation to this committee that it was still very important that the work of that report and the recommendations continues to be implemented.

This motion is to reflect that despite the change in the legislative framework in this area the advocate's report from 2016, which he referenced in his annual report, is still relevant and that the government must still work to implement those recommendations.

The Chair: Thank you.

Any further comment as it relates to this motion?

Mr. Jeremy Nixon: I would, Mr. Chair.

The Chair: Mr. Nixon, go ahead, sir.

Mr. Jeremy Nixon: For sure, and thank you. I'd like to just say, listening intently here, that if these processes were a priority, I'd like to know why they weren't included when the committee members opposite were in government. The reality is that the system is constantly evolving, but its fundamental structures do ensure monitoring and accountability. To answer the question from the member opposite about scope, that is why adding further process is out of the committee's scope and unnecessary.

Of the eight recommendations in this report as of the September 30 adjudication, which is on their website, the OCYA has assessed

five of the recommendations as substantially completed, so no more updates required, and one with significant progress and two with some progress. Future work on policies and alignment with the intent of these recommendations would seem to be out of the scope of the advocate given that they have essentially deemed them dealt with.

Again, to reiterate, this current motion duplicates systems already in place. These various bodies work together every day. I've experienced it, especially on matters of concern for indigenous communities.

Thank you.

The Chair: All right. Thank you, sir.

Ms Sweet had her hand up first there.

Ms Sweet: Thank you, Mr. Chair. I just quickly want to respond that although I appreciate what the hon. member is saying in regard to some of the recommendations within the report *Voices for Change*, I think the highlighted issue here is that, as the hon. member said, there are shifting issues that are going to be coming out of how overall services to indigenous communities are being supported through the province given Bill C-92. This is going to have a significant impact on how indigenous communities are supported both on- and off-reserve.

Because of that, I do feel that it is in the best interests, given the overrepresentation of indigenous children in care, that we ask that the recommendations set out in the report are reported back and that we ensure that the future policies that are developed are continued within the report moving forward, again only because of the fact that there are many factors that are going to be impacting the services that are being provided to children and youth. You know, I think that there's fairness in acknowledging the fact that this is going to be a very complex file and issue for the minister and the ministries when it comes to C-92, because there are so many unknown factors about how it'll be implemented. Again, this is about the best interests of children, specifically indigenous children given the fact there's an overrepresentation, and I think that it's in the best interest of all Albertans that we ensure that as this moves forward, we're supporting the government in addressing what is going to be a very complex issue moving forward.

The Chair: Member Pancholi, go ahead, please.

Ms Pancholi: Thank you, Mr. Chair. I wanted to highlight that the reason why the advocate included the reference to this report in his most recent annual report is because the work is not done. I mean, the best evidence we have of that is the continuing significant overrepresentation of indigenous children in children in care, close to 70 per cent. So the advocate is demonstrating by his annual report that he's continuing to do work in this area because the recommendations that came out of that 2016 report are not done. I mean, they've been accepted, but the work is still ongoing, and the advocate has indicated that he is continuing to do a significant amount of activity and work in this area because it continues to be something that we need to address as a priority in this province.

This motion is simply intended to address that simply the fact that we now are under a different federal framework and federal legislation does not negate the ongoing need to do this work. Certainly, the advocate emphasized that even in his presentation, that the work needs to continue and that the recommendations are still valid even though at the time that that 2016 report was drafted, there was no Bill C-92 in effect. Simply, the motion is to say: the work is continuing. The advocate is still actively doing work in this area, and we should simply be accepting that even if some of the

language is outdated, the work of that report and those recommendations still needs to continue.

The Chair: Any further questions or comments?

Okay. I will read the motion as submitted by Member Pancholi. Moved by Ms Pancholi that the Standing Committee on Legislative Offices recommend that the government and relevant ministries work with indigenous communities and the office of the Child and Youth Advocate to ensure that current and future policies of the government and relevant ministries address the concerns that resulted in the Child and Youth Advocate's recommendations set out in the report entitled *Voices for Change: Aboriginal Child Welfare in Alberta*, dated July 2016 and referenced at page 18 of the office of the Child and Youth Advocate's annual report 2018-19.

All those in favour, say aye. All those opposed, say no. On the phone?

Ms Hoffman: Recorded vote.

The Chair: Yeah. Okay. A recorded vote, as asked for by Member Hoffman. I will start to my right with Mr. Schow.

Mr. Schow: Joseph Schow, Cardston-Siksika. No.

Ms Goodridge: Laila Goodridge, Fort McMurray-Lac La Biche. No.

Ms Lovely: Jackie Lovely, Camrose. No.

Mr. Rutherford: Brad Rutherford, Leduc-Beaumont. No.

Ms Hoffman: Sarah Hoffman, Edmonton-Glenora. Yes.

Ms Sweet: Heather Sweet, MLA, Edmonton-Manning. Yes.

Ms Gray: Christina Gray, MLA for Edmonton-Mill Woods. Yes.

Ms Pancholi: Rakhi Pancholi, Edmonton-Whitemud. Yes.

The Chair: On the phone?

Mr. Rowswell: Garth Rowswell, Vermilion-Lloydminster-Wainwright. No.

Mr. Jeremy Nixon: Jeremy Nixon, Calgary-Klein. No.

The Chair: Thank you very much.

Defeated 6 to 4.

We will now move on. Member Pancholi, go ahead.

Ms Pancholi: Thank you, Mr. Chair. I'd like to introduce another motion. It's number 6, for the clerks. I'll read it out. Moved by MLA Pancholi that

the Standing Committee on Legislative Offices recommend that in respect of future annual reports by the office of the Child and Youth Advocate, the Child and Youth Advocate report on the impacts of Bill C-92, An Act Respecting First Nations, Inuit and Métis Children, Youth and Families, on the operations of the office of the Child and Youth Advocate and that they make recommendations, if any, that they believe would strengthen the government's compliance with Bill C-92.

The Chair: Thank you very much.

Ms Pancholi: If I may?

The Chair: Yes. Absolutely.

Ms Pancholi: Thank you. This is simply – again, this came up in the presentation by the advocate to the committee, and I think it was

echoed by the comments from Children's Services, which is that there are a great deal of unknowns that Bill C-92 has introduced into the child intervention and child welfare system across Canada but also particularly in Alberta. The comments from the advocate and the ministry were very consistent in saying that there's a lot that we don't know. There's a lot that we don't know with respect to how it's going to work on reserves, how the funding will be implemented, but it could significantly change the landscape for child welfare in this province, and there remain a lot of questions to be heard.

2:40

Again, we are trying to look forward. This is our first time as a committee reviewing this annual report. I think it would be important for us to set some direction, based on what we heard from the advocate at his first presentation, about what might be coming and issues that might be arising in the future and to simply state that, going forward, with his unique perspective as the advocate for children and youth in care, his perspective and his thoughts and his experience, based on his activities with respect to the implementation of Bill C-92 as we move forward, will be very valuable. It will be very valuable for Albertans, it will be very valuable for government, for children to hear that perspective.

This motion is putting forward that, on a go-forward basis, knowing that this is happening and the advocate has expertise, we would as a committee want to hear his thoughts and any recommendations that he may have in his specific role advocating for children with respect to the implementation of Bill C-92. It's simply a forward-looking motion to really gather as much evidence and information from somebody who has significant expertise.

The Chair: Thank you very much.

Mr. Rutherford, go ahead.

Mr. Rutherford: Thank you, Mr. Chair. Just a couple of things. One, I don't think it's appropriate to direct what a future report might hold. This committee is meant to review the current annual report, 2018-19, not to make, I don't believe, recommendations on future reports for '19-20 or the years respectively '19 and '20.

Second, we of course always had an opportunity, all of us had an opportunity to ask the youth advocate about Bill C-92, which I believe came up. Opposition members and the governing side also had opportunities to talk about Bill C-92, but we shouldn't be directing the youth advocate on how to write his annual report. That is up to him. The fourth point: I don't believe that the youth advocate in any way is going to ignore Bill C-92. You know, I trust that he will put his full attention to it, and I look forward to his report, however he chooses to report it next year, given that it's an arm's-length, independent office.

The Chair: Thank you, Member.

Member Sweet, go ahead, please.

Ms Sweet: Thank you, Mr. Chair. Just in follow-up to that, I think it is more than appropriate for this committee to request that the advocate do reports forward-thinking in regard to questions that this committee may have, specifically when it comes to a significant change that will be impacting indigenous children and youth.

Again I just want to highlight the fact that there is an overrepresentation of indigenous youth in care in Alberta. This motion is not intended to try to insinuate that the government is not going to be addressing this issue. If anything, I think this is an opportunity for the ministries and the Minister of Children's Services to use this as a guiding principle to advocate to the federal

government in regard to the changes that are going to be occurring under C-92.

Again, I want to appreciate the fact – and I think we all do; at least, I hope we do – that Children’s Services is extremely complex. The way that services are provided on-reserve and off-reserve is very complex, and there are lots of different factors that indicate and impact that. The change with C-92 from a federal level is going to take some time to be able to address the issues that it plans on addressing, and I think it’s going to create a lot of stress and a lot of uncertainty within the services that are being provided within Children’s Services, again not because the government of Alberta or the minister has wanted to do that but because there has now been a mandate under C-92.

This is a tool and an opportunity, I believe, to support the minister in doing the work that she is trying to do to address the new requirements of C-92. Again, I don’t believe that C-92 should become a point of tension between the two sides, between the government and the opposition, because I do believe that when we speak about indigenous children in care, recognizing the complexities, I think we all believe that if we could have more children reunified with their parents or their kinship families, that is in the best interests of all children.

So I’d just ask that we use this as an opportunity to support the minister and the ministry and to recommend that the Child and Youth Advocate give recommendations from the experience that they’re hearing from the front lines because there is a big difference between policy development in a ministry and by the minister and what the advocate hears when dealing with families that are calling for supports or when listening to their youth panel. They’re just different. I think there’s an opportunity here where we can all work together.

The Chair: Okay. Thank you.

Mr. Rutherford, go ahead.

Mr. Rutherford: Thank you, Mr. Chair. In the last few meetings with the youth advocate here and the discussions that we’ve had, I didn’t get the impression from either side that there was a lack of faith in what he did. I’m not saying that the opposition members are implying that. But the idea that Mr. Graff suddenly needs our direction to do his job: it’s lost on me why. Nobody has suggested to me that he’s failing at his job. If he is, I’d like to hear what that is and where it is so that we can look into it. But to say that he suddenly needs our direction, that he’s not going to look into C-92 or study it without this motion I don’t think is correct. I think he will do that work, and we’ll have an opportunity to ask him about it with the next annual report if it’s absent from there, but I don’t believe that it will be.

Second to that, I don’t know if I have the comment correct, but to support the ministry by directing the youth advocate to direct the ministry just seems like we’re overstepping our bounds. There are lots of ways to support the ministry, and using an independent office is not one way to do that, I don’t believe.

Thank you.

The Chair: Thank you very much.

Member Gray, go ahead.

Ms Gray: Thank you very much. I really just wanted to highlight that this motion is incredibly soft. It asks that the office of the Child and Youth Advocate, if they have any recommendations, to be sure to include that in the annual report. In my view, it signals that the MLA who moved this motion and those supporting this motion are interested in following up on this important issue. I’m very concerned about the signal that it sends, for those who may vote against this motion, and how that is interpreted. I’ve been listening

closely to the arguments made by the government members, but I still can honestly say that I don’t understand why you would reject this motion when it’s simply tracking an important issue, signalling interest in this topic. Rejecting the motion signals something else, in my mind.

The Chair: Thank you very much, Member, for those comments.

Does anybody else have any further comments?

All right. I will read the motion as submitted by Member Pancholi. Moved by Ms Pancholi that the Standing Committee on Legislative Offices recommend that in respect of future annual reports by the office of the Child and Youth Advocate, the Child and Youth Advocate report on the impacts of Bill C-92, An Act Respecting First Nations, Inuit and Métis Children, Youth and Families, on the operations of the office of the Child and Youth Advocate and that they make recommendations, if any, that they believe would strengthen the government’s compliance with Bill C-92.

All those in favour, say aye. Any opposed, say no. On the phone? Thank you.

A recorded vote. Thank you, Ms Gray. I acknowledge that. We’ll start to my right. Go ahead, Mr. Schow.

Mr. Schow: Joseph Schow, Cardston-Siksika. No.

Ms Goodridge: Laila Goodridge, Fort McMurray-Lac La Biche. No.

Ms Lovely: Jackie Lovely, Camrose. No.

Mr. Rutherford: Brad Rutherford, Leduc-Beaumont. No.

Ms Hoffman: Sarah Hoffman, Edmonton-Glenora. Yes.

Ms Sweet: Heather Sweet, Edmonton-Manning. Yes.

Ms Gray: Christina Gray, Edmonton-Mill Woods. Yes.

Ms Pancholi: Rakhi Pancholi, Edmonton-Whitemud. Yes.

The Chair: On the phone?

Mr. Rowswell: Garth Rowswell, Vermilion-Lloydminster-Wainwright. No.

Mr. Jeremy Nixon: Jeremy Nixon, Calgary-Klein. No.

The Chair: Thank you.

That motion has been defeated 6 to 4.

Are there any other points of discussion before we move on to section (b)? Member Gray.

Ms Gray: Thank you, Mr. Chair. There have been a lot of topics touched on so far in the conversation. Just based on where the conversation has gone, I felt compelled to put on the record my deep and sincere gratitude to the office of the Child and Youth Advocate, the team, for the work that they’ve done that’s captured in this annual report. I and all my colleagues respect the advocate, have confidence in the advocate and, really, would just like to make that completely clear at this point.

Thank you.

2:50

The Chair: Thank you for those comments.

Any other comments?

Okay. We will continue on with section (b), the directions for a draft report. Having concluded our deliberations, we are at the point where we provide direction to research services to prepare a draft

report. At this time I'd like to ask Dr. Massolin to provide us with a brief overview of this process. Doctor, go ahead, please, sir.

Dr. Massolin: Thank you very much, Mr. Chair. As you've indicated, the committee is at the point where it's ready to instruct research services on preparing a draft report, pending a motion to that effect. Of course, the report is the committee's, so the committee is at liberty to direct us as to what they want in the report.

I've got a couple of suggestions based on previous reports that research services has done. Basically, the report would include an introduction, a summary of committee sort of activities. Then under the main section, which is under recommendations, the committee hasn't made any, so I would suggest that the report indicate that the committee has undergone deliberations but has no recommendations. Thank you.

The Chair: Good. Thank you very much.

Any comments or questions? Go ahead, Member Sweet.

Ms Sweet: Thank you, Mr. Chair. Just for a point of clarity, although the recommendations were defeated, is there an ability to have the recommendations reflected in the report as being defeated?

The Chair: Doctor, go ahead. You can answer.

Dr. Massolin: Thank you, Mr. Chair. Just referencing Standing Order 68, that standing order indicates that reports of the committee should reflect the decisions of the committee or the majority of the committee, and that standing order also provides for the ability to have a minority report.

Ms Sweet: So do we . . .

The Chair: Sorry. I was going to echo what he said because my understanding is that you could submit a minority report. Go ahead, please.

Ms Sweet: So our caucus can submit a minority report without a motion. Like, we can just do that. Can I get walked through that process, please?

The Chair: Actually, it's in my notes to talk about. So if we can just be patient, we'll get through this part of it, and then I will talk about it.

Ms Sweet: Okay, Mr. Chair.

The Chair: Okay. Are there any other comments or questions at this time? Yes. Go ahead, Member.

Ms Hoffman: Thank you very much, Mr. Chair. I just want to clarify that we don't have to vote before we're walked through what the options are around minority reports because it would impact my vote.

The Chair: Well, let's see. The motion which we would be possibly voting on, if moved by somebody, would be that the Standing Committee on Legislative Offices direct research services to prepare a draft report on the committee's review of the office of the Child and Youth Advocate annual report 2018-19 and authorize the chair to approve the report after making it available to committee members to review. That is one motion.

Then we talk about next steps. Next steps would discuss the minority report. If I can just read the notes as provided by the clerk's office there, Member. If any committee members are considering submitting a minority report, I would suggest that you provide it to the committee clerk by noon next Thursday, February 13, so that there is time for it to be amended to the committee's report.

Does that answer your question?

Ms Hoffman: Yeah. I guess what I'm trying to think through myself is that if we vote yes on the report but then issue a minority report, that doesn't exactly make sense. So I'm trying to understand.

The Chair: Maybe, Doctor, you can provide the clarification.

Dr. Massolin: Yeah. Thank you, Mr. Chair. I think I can provide some clarification. The committee, in voting on that proposed motion that you read out, would be directing research services to prepare a draft committee report, which would then be reviewed by the committee and approved, as you've indicated. That's just the report. It has nothing to do with the minority report, which we have nothing to do with except to say that the clerk would simply append that minority report as an appendix to the report.

Ms Hoffman: Thank you. So just to clarify, the motion is that we authorize the writing of a report that reflects the decisions that were made here today.

The Chair: Yes.

Ms Hoffman: Thank you.

The Chair: Yes. I apologize for using the word "amend." It was "append" that I was trying to say.

Are there any further discussion points? Okay. Thank you, Doctor, for your comments on this.

I will also note that the committee may choose to streamline the process by authorizing the chair to approve the draft report after it has been made available for the committee members to review. Does anybody have any discussion points regarding that?

Seeing none, we'll put up this possible motion. If somebody would like to move it, it would be that

the Standing Committee on Legislative Offices direct research services to prepare a draft report on the committee's review of the office of the Child and Youth Advocate annual report 2018-2019 and authorize the chair to approve the report after making it available for the committee members to review.

Would somebody like to move that motion? Mr. Rutherford. Okay. Thank you very much. All those in favour, say aye. Any opposed? On the phone? Thank you very much.

That motion is carried.

We'll go to our next step, which discusses the minority report. Based on where we find ourselves today, it is reasonable to anticipate that we will be able to have a report finalized and tabled as an intersessional deposit in the next few weeks. If any committee members are considering submitting a minority report, I would suggest that you provide it to the committee clerk by noon next Thursday, February 13, so that there is time for it to be appended to the committee's report. Are there any questions regarding that process?

Ms Sweet: Not a question. Just a comment, Mr. Chair, to notify you that we will be providing a minority report.

The Chair: Okay. Thank you very much.

We shall move on to other business. With that being said, I know everybody's been here for two hours, so at the discretion of the chair I think we'll take a five-minute break if anyone would like to grab a glass of water or something like that. We'll return in five minutes, so if I can get the clerk to time five minutes. We still have some important business to discuss.

Thank you.

[The committee adjourned from 2:57 p.m. to 3:02 p.m.]

The Chair: Okay. We've got the record back on. Thank you very much. I hope everybody enjoyed their five-minute break here.

We will now continue with our agenda, and that's going to be under 5(a). That's officer reappointments. I think it's reasonable to anticipate that this next agenda item may involve details of contracts of the officers of the Legislature, so I would suggest that the committee, including the Legislative Assembly Office committee support staff, consider moving in camera. Is there a member willing to move such a motion? All right. Member Goodridge would be moving that the Standing Committee on Legislative Offices, including the Legislative Assembly Office support staff, move in camera. All those in favour, say aye. Any opposed? On the phone? All right. Thank you very much. That motion has been carried. Let's just pause to allow staff, et cetera, to leave the room, and we'll move in camera here.

[The committee met in camera from 3:03 p.m. to 3:44 p.m.]

The Chair: All right. Thanks, everyone. *Hansard* as well as other staff have returned to the committee.

We're now going to go forward with possible motions. The Child and Youth Advocate reappointment: would somebody like to move that? Member Pancholi. Ms Pancholi to move that the Standing Committee on Legislative Offices recommend to the Legislative Assembly that Del Graff be reappointed Child and Youth Advocate from April 1, 2020, to October 31, 2021.

All those in favour, say aye. Any opposed, say no. On the phone? Okay. Thank you.

That motion has been carried.

Next we'll go to the Chief Electoral Officer reappointment. Can I get somebody to move that motion? Okay. Thank you, Ms Goodridge. Ms Goodridge to move that

the Standing Committee on Legislative Offices recommend to the Legislative Assembly that Mr. Resler be reappointed as the Chief Electoral Officer.

All those in favour, say aye. Any opposed? On the phone? Thank you very much.

That motion is carried.

Next we will go to the Chief Electoral Officer reclassification. Would anybody like to move that motion?

Mr. Schow: So moved.

The Chair: Mr. Schow. Mr. Schow to move that the Standing Committee on Legislative Offices set the compensation for the position of Chief Electoral Officer to reflect the 2014-15 salary range for schedule A, senior officials of the public service of Alberta.

All those in favour, say aye. Any opposed? On the phone? Thank you.

That motion is carried.

We will now move . . .

Ms Sweet: Can we have a recorded vote, please?

The Chair: Oh, sure. Member Sweet has asked for a recorded vote. Don't forget, members, to include your name and the constituency which you represent. We will now go to my right with Mr. Schow.

Mr. Schow: Joseph Schow, Cardston-Siksika. Yes.

Ms Goodridge: Laila Goodridge, Fort McMurray-Lac La Biche. Yes.

Ms Lovely: Jackie Lovely, Camrose. Yes.

Mr. Rutherford: Brad Rutherford, Leduc-Beaumont. Yes.

Ms Sweet: Heather Sweet, MLA, Edmonton-Manning. No.

Ms Gray: Christina Gray, Edmonton-Mill Woods. No.

Ms Pancholi: Rakhi Pancholi, Edmonton-Whitemud. No.

The Chair: Thank you.
On the phone?

Mr. Rowswell: Garth Rowswell, Vermilion-Lloydminster-Wainwright. Yes.

Mr. Jeremy Nixon: Jeremy Nixon. Yes.

The Chair: One more. Sorry, Mr. Shepherd. Are you . . .

Mr. Shepherd: Hello? Can you hear me?

The Chair: Yeah, we can hear you, sir.

Mr. Shepherd: Yes. I am voting no.

The Chair: Okay.

Mr. Shepherd: David Shepherd, Edmonton-City Centre. No.

The Chair: Fantastic. Thank you, sir.

That is six to four.

That motion has been carried.

Thank you very much, everybody. Are there any other items for discussion under other business?

If not – okay – the next meeting will be at the call of the chair.

Would somebody like to move that we adjourn? All right. Ms Lovely to move that we adjourn. All those in favour, say aye. Any opposed? On the phone? All right. Thank you very much. That motion is carried.

Thank you very much, everybody. Have a great day.

[The committee adjourned at 3:48 p.m.]

