



**Legislative Assembly of Alberta**

**Standing Committee**

**on**

**Private Bills**

**Wednesday, May 23, 1984**

**8:35 a.m.**

**TRANSCRIPT NO. 84-7**

LEGISLATIVE ASSEMBLY OF ALBERTA

THE 20th LEGISLATURE

Standing Committee on Private Bills

Chairman: STILES, MR. STEPHEN, Olds-Disbury (PC)

Members: ALGER, MR. HARRY E., Highwood (PC)  
APPLEBY, MR. FRANK P., Athabasca (PC)  
BATIUK, MR. JOHN S., Vegreville (PC)  
BRADLEY, HON. FREDERICK D., Pincher Creek-Crowsnest (PC)  
BUCK, DR. WALTER A., Clover Bar (Ind.)  
CLARK, MR. LEWIS (Mickey), Drumheller (PC)  
ELLIOTT, DR. C. ROBERT, Grande Prairie (PC)  
HARLE, MR. GRAHAM L., Stettler (PC)  
HYLAND, MR. ALAN W., Cypress (PC)  
KOPER, MRS. JANET, Calgary Foothills (PC)  
LYSONS, MR. THOMAS F., Vermilion-Viking (PC)  
MARTIN, MR. RAY, Edmonton Norwood (NDP)  
MUSGREAVE, MR. ERIC C., Calgary McKnight (PC)  
NELSON, MR. STAN K., Calgary McCall (PC)  
OMAN, MR. ED, Calgary North Hill (PC)  
PAPROSKI, MR. CARL M., Edmonton Kingsway (PC)  
PAYNE, HON. WILLIAM (Bill), Calgary Fish Creek (PC)  
PENGELLY, MR. NIGEL, Innisfail (PC)  
SHRAKE, MR. GORDON, Calgary Millican (PC)  
SPEAKER, MR. RAYMOND A., Little Bow (Ind.)  
STROMBERG, MR. GORDON, Camrose (PC)  
SZWENDER, MR. WALTER RICHARD, Edmonton Belmont (PC)  
THOMPSON, MR. JOHN M. Cardston (PC)  
TOPOLNISKY, MR. GEORGE, Redwater-Andrew (PC)  
WEISS, MR. NORMAN A., Lac La Biche-McMurray (PC)  
ZIP, MR. BOHDAN (Bud), Calgary Mountain View (PC)

[Chairman: Mr. Stiles]

[8:35 a.m.]

**MR. CHAIRMAN:** If we could call the committee to order, please. The Bill we have under consideration this morning is Pr. [8], the George Harold Sibbeston Adoption Act. We have Mr. Advani here as solicitor for the applicants, together with Mr. and Mrs. Abel and Mr. Sibbeston. Mr. Clegg, would you please swear the witnesses?

[Mr. and Mrs. Abel and Mr. Sibbeston were sworn in]

**MR. CHAIRMAN:** Mr. Advani, if you'd like to proceed to explain the purpose of the Bill.

**MR. ADVANI:** Thank you, Mr. Chairman. This is a petition by Mr. and Mrs. Stewart Abel to adopt George Harold Sibbeston, who was born at Fort Simpson, Northwest Territories, on May 28, 1949.

All the conditions precedent in connection with the petition and the private Bill have been met. The necessary advertising has been done, and proof of publication has been filed with the Parliamentary Counsel.

As we all know, there is no provision in the Child Welfare Act of this province for an adult to be adopted. Very briefly, the background is that Mr. Sibbeston was abandoned in 1949 by his natural mother, who appeared on the scene and thereafter refused to let Mr. and Mrs. Abel adopt this child. Of course they couldn't do this as long as he was underage. As a consequence, Mr. and Mrs. Abel have raised this child from infancy. They are able to explain to the committee the reason for the delay in making the application, which I understand was probably part of the concern which may be expressed by the committee in terms of the delay in making an application after that many years.

In terms of introduction, Mr. Chairman, that's all I have to say, unless the committee has any questions for me. I believe Mr. and Mrs. Abel and Mr. Sibbeston will be pleased to answer whatever questions the committee may have.

**MR. CHAIRMAN:** Very well. If there are any questions from committee members, then go ahead at this time.

**MR. LYSONS:** I'd like to ask Mr. Abel when the first time was that you applied for adoption. How old was George?

**MR. ABEL:** George would have been about two years of age — between two and three — when we first applied for adoption. We had received George by that time, and we negotiated with his mother. His mother flatly refused to consider adoption, stating that she had already adopted one of her children and she would never adopt another.

**MR. LYSONS:** A supplementary, if I might. Have you tried the private Bills route before, or is this the first time?

**MR. ABEL:** This is the first time.

**MR. CHAIRMAN:** Are there any other questions from committee members? Perhaps, Mr. Abel, you

would like to explain why you are now applying to adopt George Sibbeston.

**MR. ABEL:** I'm a minister. When we first had George, we were living in Stettler, Alberta. Then we moved to Melfort, Saskatchewan. From there we went to the United States, and of course made arrangements with the Department of Indian Affairs and Northern Development and with George's mother for taking George to the United States. Indian Affairs said, we'll give you this permission provided you take full financial responsibility for him. His mother said, I'll allow you to take George with the condition that if I become able to care for him, you will bring him back to me, which we gave to her in writing.

We spent nearly 20 years in the United States. For approximately 12 of these years, George was with us — it was over 12, was it? — anyway, until he was around 18 years of age. He then chose to go back to the Northwest Territories. We didn't come back from the States until 1977 — December '76, but I normally think of it as '77. So we had been out of contact; that is, George had been living in the north and we had been living in the States. All during this time, communication had been kept up by visits — George came down to visit us — and phone calls and letters. But seeing that we were in the States and he was up here in northern Canada, it was very inconvenient to talk of adoption.

Consequently, in '82, he came out of the north, and we had concluded our pastoring. We went into retirement in 1980 and moved to the Lacombe area. George came down and has been living in the Lacombe area since about 1982. So it made it convenient for us to talk again of adoption, which has brought us to this stage. That's the reason why it was inappropriate to make approaches for adoption during that period of time.

**MR. LYSONS:** I'd like to address a question to George, if I might. George, I'm sure you've thought of having your name changed and these sorts of things. Would you explain to the committee why you'd prefer adoption rather than a name change?

**MR. SIBBESTON:** Mainly because I've been raised by these two as parents. It's pretty hard to explain other than that, isn't it? They've raised me as parents, and I would like to make it a legal adoption instead of a legal name change.

**MR. LYSONS:** Supplementary, if I might. What do you work at now, George?

**MR. SIBBESTON:** I'm a power electrician.

**MR. CHAIRMAN:** Are there any other questions?

**MR. HARLE:** Just an additional piece of information. George, is your mother still alive? Is she living in the Northwest Territories and still having contact with you?

**MR. SIBBESTON:** I haven't heard from her since approximately 1967, so I couldn't tell you.

**MR. CHAIRMAN:** If there are no further questions —

Mr. Clegg, do you have a question?

MR. CLEGG: Mr. Chairman, I'd like to ask a couple more questions, to complete the record. Has it been possible to give George's natural mother notice of this application, Mr. Advani, or has it been impossible to trace her?

MR. ADVANI: Impossible to trace her, Mr. Clegg. I should point out, too, that George has been known as "Abel". He's used the last name Abel throughout his life. This might be important.

MR. CLEGG: He is known amongst his friends and known locally as George Abel? I see.

Mr. Chairman, I'd like to ask Mr. George Abel what his present age is.

MR. SIBBESTON: Thirty-four.

MR. CHAIRMAN: If there are no other questions from committee members, that concludes the hearing of this matter, unless you have something further to add.

MR. ADVANI: I believe that's all that is to be said on behalf of the petitioners.

MR. CHAIRMAN: Thank you, Mr. Advani.

MR. CLEGG: Mr. Chairman, I'd like to add one comment. There is a new Child Welfare Act in preparation, which has no bearing on the main purpose of this Bill. It is still not possible to adopt an adult under the normal law. But it is still not too clear whether it would be advisable to insert in this Bill a definite provision that George's surname is "Abel". Under the old Act, it was not clear, or there was no direct provision, whether there was an automatic change under an adult adoption. Therefore, it may be that this committee will move an amendment in this Bill to make a direct provision to make his name change to Abel. It could always be done by an application for change of name under the Change of Name Act, but if it's not automatic under the present general legislation, this committee will consider whether or not to move an amendment to make the name change in the Bill. I can discuss with Mr. Advani whether this is necessary, and if so, I'll advise the committee and they can consider an amendment. We will look at that. The matter has been a bit difficult to determine because of the new legislation that's currently before the Assembly.

MR. CHAIRMAN: Thank you, Mr. Clegg. The hon. Member for Vermilion-Viking has another question.

MR. LYSONS: Mr. Chairman, I neglected to ask, are there any other children involved in your family? Do you have any other children?

MRS. ABEL: Yes, we do.

MR. LYSONS: They are agreeable to the adoption?

MRS. ABEL: Oh, yes. You mean, they're willing and feel that . . . Yes. They know George only as their brother. They don't think of him as Sibbeston at all. He is their brother.

MR. LYSONS: Thank you.

MR. CHAIRMAN: Thank you, Mr. Advani, Mr. and Mrs. Abel, Mr. Abel.

The committee will now go in camera to consider four of the Bills we have previously heard evidence on, if we can have a motion to go in camera.

MR. HARLE: I so move.

MR. CHAIRMAN: Are we agreed?

HON. MEMBERS: Agreed

MR. CHAIRMAN: The motion is carried.

[The committee moved in camera at 8:48 a.m.]