

[Chairman: Mr. Bogle]

[9:08 a.m.]

MR. CHAIRMAN: I officially call the meeting to order. Does everyone have a copy of the agenda? There's one addition I'd like to propose. Harley Phillips . . .

MR. HYLAND: The police chief of Taber. That's where you're getting it mixed up.

MR. CHAIRMAN: Harley Johnson. I had the right profession, the past profession and former profession.

Harley Johnson has a briefing he'd like to give us on a proposed amendment to the Act. As this was not a scheduled agenda item, we can deal with it today in a briefing sense only. Then I'll come back to it at our next meeting, when it is formally stated and all members are aware, and deal with it at that time. But I thought it appropriate for Harley to come in and brief us today.

That's the only addition to the agenda I'd like to propose. Are there any other alterations members would like to propose?

MR. SIGURDSON: Where do you propose to add it, Mr. Chairman?

MR. CHAIRMAN: Right at the beginning so that Harley . . .

Any other changes? Could we have a motion, then, to accept the agenda as amended? Any further questions? Ready for the question? The question is called. All in favour? Carried unanimously.

So we'll move right to Harley then, please, if you'd like to lead us through. Michael Clegg is with you, because Michael, of course, would be working on any legislative amendment that's necessary.

MR. JOHNSON: Thank you, Mr. Chairman and members of the committee. What I'm proposing has already been suggested in the annual report. I have discussed this with the chairman of the committee in the past, and it was felt that it would be most appropriate to bring it forward in an informational session to start with at this point and to affirm that this is really an amendment and is fine-tuning an already very solid Act. It's done specifically to fill one of the very, very few gaps within the legislation that could in fact see some people fall through the cracks in terms of their ability to complain about actions or perceived bureaucratic maladministration, if you want to use that term. I understand that the letter has already been circulated, has it not?

MRS. KAMUCHIK: No.

MR. CHAIRMAN: We just received it yesterday. No, I haven't circulated it, but let's do that.

MR. JOHNSON: I sent a letter to the chairman, and while it's being photocopied, maybe I can just go briefly through it and you can pick it up, I'm sure, very quickly. I start out:

As we discussed, I have been engaged in research around the issue of protection from retribution for people who submit their complaints to the Office of the Ombudsman. Although the perception appears quite wide-spread . . .

And I'm prepared to discuss some of the research we've done. . . . I have failed to prove beyond a reasonable doubt that [in fact this] retribution has occurred.

A number of the complainants that have come in and told us they won't complain or that they have had retribution against

them - we just cannot prove it at this particular point. Now, that doesn't say it's not happening. It's just that it's unprovable at this point, at least in the Alberta scene. I'll get on to the other jurisdictions in a minute.

However, the perception alone has caused a number of people to withhold complaints because they believe some form of retribution will [or may] occur.

This usually happens in the welfare areas and in workers' compensation itself, where they feel there's potential for a caseworker to pull back support for their position should they want to bring a complaint forward. This has been documented within the office itself.

In addition, current research being conducted by the University of Alberta into physical, psychological and sexual abuse of people with disabilities indicates that the abusers are frequently government funded care givers. In these cases, up to forty percent of abused clients and non-abusive staff are afraid to report the abuse for the fear of services being withheld or that they may become targets for administrative retribution.

In reviewing the legislation in Canada, there is no Ombudsman Act currently that has a protection clause. Saskatchewan, Ontario, New Brunswick, Newfoundland, and Nova Scotia all believe that should a complaint of this come in and appear on the surface to be valid, they would start an own-motion investigation into it. British Columbia is the farthest ahead in terms of research across the provinces. They have a significant number of complaints, in excess of 200, of people who have refused to go to the Ombudsman's office in that province on a specific issue. It's dealing with a current investigation that's under way right now, so I don't want to go into it any further at this point. Manitoba is in the preparatory stage to put it forward. Quebec is also going to be advocating and asking for a change to their legislation, specifically dealing with senior citizens and immigrants who feel that they are not secure in coming forward with a complaint to the Protecteur du citoyen in Quebec.

We've done a very quick survey across the world. Having attended an IOI, International Ombudsman Institute, Conference, in Vancouver, Alaska, New Zealand, and Victoria, Australia, have all got in place now a complainant protection clause. All human rights legislation in Canada currently has a complainant protection clause, but there is no Ombudsman act that has it in place. Kind of sitting back now and realizing that we are the front-runner in terms of making a formal presentation through select committees to the Legislature to ask for this fine-tuning of the legislation, the wording I'm requesting is that no person shall attempt to take any reprisal against a person, a group of persons or an organization who or which has, in good faith, submitted a complaint to the Ombudsman or has cooperated with an Ombudsman investigation.

Secondly, and to make sure all the different sections fall into place, I'm asking under section 30(d) of the Act itself:

without lawful excuse, allows, causes or acts in a manner to subject a complainant to retribution of any kind,

and to include the word "or" following section 30(c). This is the penalty clause of the Act, where a person can in fact be penalized should they go and perform retribution against a person who has been blamed.

The final paragraph in my letter, in attempting to keep it short:

Alberta has always been the leader in the field and practise of Ombudsmanship. The inclusion of a complainant protection clause will once again demonstrate that leadership and will ensure that those who require the services of the Ombudsman are not [or don't feel that they are] precluded.

I must say that we've taken it through Michael Clegg, who, as you know, is legislative counsel, in terms of the wording itself.

All the different human rights Acts we surveyed have different verbiage, different words, and we have gone to and pulled out what seems to be appropriate for our particular Act. The wording itself is actually closest to the Quebec human rights legislation, because it seems to suit the purpose of what we're attempting to do. As I say, there's no substantiation against this in the province at this time definitively, but there is a perception. We're getting a number of people saying to us that they don't want to come forward and complain or, "Would you take this complaint – we won't be a part of it, but it happened to me – because we feel that somebody is going to come back and withdraw our services or government services."

Possibly I could turn it over to Michael now. He has a comment in terms of the way we've actually worded it.

MR. CHAIRMAN: We'll do that, and then we'll go to questions from members. Go ahead, Michael.

MR. M. CLEGG: Mr. Chairman, there are a couple of areas I'd like to comment on. First, as to the way this will make the Ombudsman's work more effective, even at this stage, if it were shown that somebody had actually carried out further maladministration against a client on behalf of the government, if we're talking about a social worker, because the client complained to the Ombudsman, then that could be made a further matter of investigation by the Ombudsman. It could be dealt with under this Act. But it's not a very neat process to do it that way, and it doesn't carry the warning that a provision like this would have in the Act. If the complaint of retribution was against a person that did not work for the government – for example, somebody outside; there might be a third party not actually employed by the Crown who had carried out the retribution – it might be rather difficult under this Act to deal with them unless a provision was put into the Act. By providing a statutory offence, it not only sends out a very clear signal but makes dealing with the matter much easier and much clearer.

So far as the precise wording is concerned, it's always difficult. It takes some time to get down to the ideal wording. This matter only came to my attention yesterday when I came back from a few days off. No doubt in the fine-tuning of the drafting there would be some changes suggested. I have some in mind already, but I won't go into that at this stage of the committee because I understand that today you're only concerned with receiving as notice the principle of the matter, and I think the wording presented by the Ombudsman clearly indicates what is to be done. The changes would be technical in the drafting.

One area which the draftsman would certainly consider would be whether the word "reprisal" itself is too broad, implying a very positive malicious step, and whether we should be protecting people against something a bit more subtle than an actual reprisal or retribution; for example, withholding a benefit or terminating somebody or taking some other action. The word "reprisal" generally implies malice. I'm only raising that to show that the wording that might come out of this if it were approved would be adjusted for the right semantic approach, the right degree of precision. The wording that has been suggested by the Ombudsman in his letter certainly is very close to what we would want to have, and I'm sure this committee would not actually be wishing to draft a final proposal. Because the amendment to this legislation, if it were to go through, would be government legislation, there would be a number of people involved, including the Chief Legislative Counsel.

MR. CHAIRMAN: This committee would deal with the principle.

MR. M. CLEGG: Yes. After that the drafting would be done in co-operation with the Chief Legislative Counsel. But I think it's very clear: the wording proposed is very effective, and it would certainly make a big difference to the ability to deal with this kind of problem as well as sending out a very strong signal. People who feel threatened would feel supported, and those who might be so foolish as to take retribution would realize it.

MR. CHAIRMAN: Thank you.  
I've got Yolande, Jack, Tom.

MRS. GAGNON: Okay. First of all, I would say that even though it's just a perception, it's important to attack this kind of perception with some positive action on the part of governments. I would support the principle of the matter completely. If it would lead to more people coming forward and making justified complaints, then I would support it as well.

Mr. Clegg has addressed some of my concerns, but my concern – and I guess it had to do with wording – was how to make this more than just a warning, how to give the thing some clout. I guess you will look after that in the wording. As it is now, "No person shall attempt to take any reprisal," but what if they do? Because when you go on to, you know, being subject to some penalty, so far it isn't that clear as to exactly how you would give it meat. So that was my concern. I think with discussion and input from a lot of people, it will be addressed.

MR. JOHNSON: And it will also be addressed, if I might add at this point, under section 30(d). There is a proposed amendment on page 2 of the letter which would, in fact, put it under the penalty clauses of the Act itself, thereby giving it more . . . I have to agree with your comments, and of course that's why we have Michael and his people who can put it into semantics and the correct standards.

MR. CHAIRMAN: Okay. Thank you.  
Jack, then Tom.

MR. ADY: I guess Yolande has addressed some of the concern I had, and it had to do with penalties. I see the scenario today, prior to any kind of amendment, where the Act should be effective. If the Ombudsman finds someone taking retribution in a bureaucracy, certainly if the people they report to would be made aware of that, the system should work from that perspective. Whether it has to go clear to the deputy minister or minister, it should work. I guess this is an attempt to ensure that the Ombudsman can see that it works, that retribution would not be tolerated, and I certainly support the concept. But I do have a concern as to the fact that the penalties will be effective and can actually be activated. So those are really the things I wanted to address.

MR. JOHNSON: Well, sir, there's one addition. I might say it's a perception as much as a reality. I think since we cannot substantiate an actual complaint *right now*, the perception that it's in the Act itself will effect what we're attempting to achieve at this point.

MR. SIGURDSON: I certainly support the principle of the amendment. I'm just wondering: if we're going to be dealing with some form of perception out in the general public that

there's not any provision for a penalty clause, certainly the proposed clause would look after that.

But I want to get back to the actual penalty. The penalty currently reads that they'll be "liable to a fine of not more than \$1000 and in default of payment to imprisonment for a term not exceeding 3 months." I'm wondering if while we're contemplating clause (d) that deals with retribution, we might not also consider increasing the amount of the fine. For a lot of people that would be of the opinion that there might be some reprisal taken against them if they were to raise the matter with the Ombudsman, a \$1,000 fine isn't going to allay that kind of fear. If they really believe there is a conspiracy or if there is indeed some form of reprisal that's going on, \$1,000 is not an awful lot of money in 1990. So I just wonder if you've given any thought to also increasing the amount of fine.

MR. JOHNSON: Yes, sir, we have, but at this particular point, we haven't supported it. We don't charge people under the Ombudsman Act as a normal course. In fact, I can't recall an actual charge, in my memory anyway, where it's come under the Ombudsman Act. The power of the Ombudsman is the power to make public and the power to recommend change. That has been to this point very, very effective. So while the comment is very valid in terms that people might see \$1,000 as being a minor thing, that's not where the power of the Ombudsman really is, in the charge, and I wouldn't want the Ombudsman be seen as a charging agency. It's there as a perception, I think, as much as anything else.

We are an independent investigation of government bureaucratic actions, and that's basically the end of it. From my perception, I'm not sure I need any more fine, although that could be taken into account more with Michael's people, who feel that it may be increased. There is some human rights legislation across Canada where there is a *ex gratia* payment capable of being made back to the complainant itself should retribution occur. I'm not sure that I totally agree with that concept within my Act. It's fine in the human rights legislation because they have a slightly different mandate, even though they still are an investigative agency.

MR. SIGURDSON: Thank you.

MR. CHAIRMAN: Anyone else?

MR. ADY: Could I get back in?

MR. CHAIRMAN: Go ahead, Jack.

MR. ADY: I think that for a bureaucrat to take retribution on someone because they feel threatened by a person's complaints is a very serious thing, and I think it approaches poor performance on the part of the employee. I just wonder if there isn't something that can be put in at some level that that person can be threatened with dismissal. I mean, he should not have his job if he uses his power and influence in a manner that's not acceptable. That's just a bad thing to be doing.

Now, I don't know at what level that could be put in, but it would seem to me there should be provision there. The minute you do that, I realize you'd have to have some appeal process to protect him. So it could get out of hand, but I really don't have much tolerance for people who will use their power and influence to protect themselves.

MR. M. CLEGG: Could I respond to that, Mr. Ady? I certainly agree, of course. I think it's almost a counterpart to bribery to use your power to squash somebody. However, I believe that the discipline powers against public servants are contained in the Public Service Act. I have no doubt that anybody whose performance has been investigated and criticized by the Ombudsman will find himself having to defend that in his performance appraisal, and if it's found that he hasn't been performing his job correctly, whether it's merely a matter of maladministration, and particularly if he's been involved in an attempt for retribution, there are existing powers under the Public Service Act for a person to be dismissed for poor performance. So I think that's where it would come. I think the system is there.

MR. ADY: I see. I just wanted to be sure there was something in the system to give that kind of action.

MR. CHAIRMAN: Yolande, and then Don.

MRS. GAGNON: Thank you. Harley, I just wanted to ask you to expand a bit on the U of A research. What stage is it at? How broad was it and so on, and how does it add to your argument, for instance, that we need this?

MR. JOHNSON: The focus there is basically on sexual abuse of people who cannot defend themselves: paraplegics, those who get care and are in the facilities that government funds but are outside the jurisdiction of investigation. That's their focus. They're at the present time preparing their final draft. This is research basically funded by the federal government through the University of Alberta. Again, if it's a government care giver, then it's definitely within jurisdiction, but if staff are afraid to bring forward the name of abusive staff or complainants are afraid to come forward for fear of some action on the behalf of a supposed care giver, then there is valid concern.

MRS. GAGNON: Okay.

Just to get my legal parameters of this straight, how far-reaching is this goal? Would you consider that a teacher employed by a school board which is funded by the government but, I know, administered locally – is that person considered in a sense a government employee, and would that person be covered?

MR. JOHNSON: Not under the jurisdiction of this Act. The only area where the School Act and the recent changes in the amendment to the School Act gives this office any jurisdiction at all is under the absentee areas, and that's the absentee board.

MRS. GAGNON: Right. Okay. Thank you.

MR. CHAIRMAN: Don.

MR. TANNAS: Thank you, Mr. Chairman. I'm just wondering whether or not any consideration had been given to putting this in plain language. It does look fairly straightforward, but where it's absolutely clear that action will be taken, two things: one word clears up the misperception so people are no longer afraid to come forward or it can be directed to them that something will happen; then secondly, that it's very clear that action will be taken if there's been some vindictive act following a complaint, that kind of thing. One only has to think of the Winter report, which came out this week and maybe reflect back on your

reading of *One Flew over the Cuckoo's Nest* to know that institutions and organizations with most laudable goals can have individuals within them who corrupt the worthy goals of that institution.

MR. JOHNSON: Consideration has been given, we believe, from our office. This meets ours; we put it in as plain language as we can come up with, if you will. Michael's people now hopefully will be able to put it into legalese that's still very understandable. I think if we are questioned on whether or not there is protection for complainants, let me say that there is protection now, because I still would go back on own-motion investigation of a complaint. I think it's there, but the perception that it's there is very definitely lacking. So this is really a fine-tuning of an already good piece of legislation, if you will.

MR. M. CLEGG: Mr. Chairman, might I comment also on that? When the final wording comes down to being proposed, it is already the practice of the Chief Legislative Counsel, which is a branch of the Attorney General's department, and myself as Parliamentary Counsel when I'm involved, to use as straightforward and clear a language as we can. There are problems with the plain language movement if it's not conceived as being precise. We always try our best to make it clear, but this being an amendment of an existing Act, it has to be consistent with the wording in the existing Act; otherwise, we have problems. But I'm sure we can produce something which is very blunt and straightforward.

MR. CHAIRMAN: Okay. Further questions?

MR. HYLAND: If he does that, it will be the first time lawyers have done it.

MR. M. CLEGG: Well, let me say that we're always trying.

MR. CHAIRMAN: Okay. Thanks very much, Harley.

MR. JOHNSON: Thank you, Mr. Chairman, committee members.

MR. CHAIRMAN: I'm assuming we'll deal with this matter either in September or October. There will be ample lead time, in any event, if we were looking at the next session. We wouldn't be looking at this fall sitting but next session.

MR. JOHNSON: As you and I have discussed before?

MR. CHAIRMAN: Yes.

MR. JOHNSON: That would be fine.

MR. CHAIRMAN: Okay? Thank you.

Could we now turn our attention to approval of the April 4 minutes? Item 3, pages 1 and 2. Can we have a motion to approve the minutes? Tom moves. Further questions? Are you ready for the question? All in favour? Opposed? Carried.

The next agenda item is the only business arising out of the minutes. We can't really deal with the matter without Derek being with us, but it had to do with the question of some discretionary authority for the chairman for minimum transfers between the various votes within the three offices. As indicated before, I'm reluctant to see that. I don't think we should deal

with the matter today, but I just would like again to put my own feelings on the table.

I must go back to the way the cabinet operates. The Premier on his own or a minister cannot approve the transfer of funds from one area to another. In the case of a larger sum, it takes a cabinet order. In the case of a minister it still takes the Provincial Treasurer as a colleague or as a second party. The principle troubles me. I know we're talking about small amounts of money, but I think that the way we're operating with the three offices and the lead time that we give the offices – and they know our *modus operandi* – there should be no need for an emergency transfer. We know these normally occur towards the end of a fiscal year. Most of us are available at that time. I'll just leave it at that.

MR. ADY: So it's not your proposal to deal with it in total today? You want to table it until Derek is here?

MR. CHAIRMAN: Well, I was hoping we could, but in fairness it was Derek Fox who brought the matter forward. Derek's not here today, so I'm not sure we should deal with it in his absence.

MR. SIGURDSON: I would move that we table item 4 until Derek is present.

MR. CHAIRMAN: All right. All in favour? Agreed. Thank you.

Okay. Item 5(a), Report on Attendance at Public Accounts Conference. It's both Jack and I. Jack, would you like to lead off?

MR. ADY: Okay. Thank you, Mr. Chairman. I thought perhaps I could just give a verbal briefing on our attendance there. I don't have the report compiled in a written form, but I'll submit it to committee as soon as I can get it put together.

Our chairman and myself attended the conference in St. John's on the 8th, 9th, 10th of this month. The conference was held in conjunction with the Auditor General of Canada; however, their sessions were held separate from the Public Accounts Committee with the exception of one joint meeting on the last day.

Much of the time in the Public Accounts Committee was spent discussing the report that was done and submitted about a year ago to the Canadian Council of Public Accounts Committees. The report was commissioned in 1987 and was completed, and the mandate of that report was to develop guidelines for a model public accounts committee in Canada. It was compiled by a subcommittee made up, for the most part, of some chairmen of the public accounts committees from various provinces; namely, Newfoundland, British Columbia, the government of Canada, and Ontario. They submitted a very comprehensive report, and it's been controversial ever since it was tabled. The report, of course, set out to define what the committee felt the mandate of a public accounts committee should be, and recommended a considerable expansion of the mandate of a provincial public accounts committee. Also, it moved in to deal with the Auditor General's mandate to some extent.

At this meeting the chairman from each province, after having had time to peruse the report and assess it, was given an opportunity to present a brief to the combined committee of their assessment of it and recommendations for it. As you may guess, with 10 reports plus the federal, we had opinions at great variance: some were very much in favour, others were a little bit in favour, and still others were not in favour at all. It was

debated very extensively, and then eventually the original panel was called back to sort of chair a meeting. Finally, the decision was made that the report, to use their words, would be put to bed because there was not consensus for acceptance of it, with a recommendation that each province take from the guideline report and adopt what they felt met the needs of their province and that they in turn could reach a consensus on within their committee. That was the final decision that was made on the report. So everyone has access to it – by "everyone" I mean each province – they can study it at length, adopt those things they feel they need to make their public accounts effective, and that's where it was left.

As far as the Auditor General portion of the meeting was concerned, they had a closed meeting with just auditors general attending, until it came to the joint meeting where discussion ensued between them and the Public Accounts Committee people to more or less work out more common ground of what public accounts would like to see coming from the Auditor General and vice versa. It was a good brainstorming session that probably ironed out some things that will make all of that work a little more smoothly.

By and large, I believe it was a fairly constructive conference. Some good things came forward, and probably some consensus was reached. Perhaps I'll just leave the rest to our chairman to report, and I'll be submitting a written report.

MR. CHAIRMAN: Thanks, Jack.

MR. HYLAND: Can I ask him a question?

MR. CHAIRMAN: Go ahead.

MR. HYLAND: Even in spite of the four people that were involved in doing that report, there was no common thread that would allow any part of this thing to be accepted? It was just . . .

MR. ADY: Well, it seemed to be the view of the committee that the report could not be taken apart. Either the joint committee would adopt the total report or else it had to be referred to each province to take what they wanted from it. They didn't want to entertain motions for amendment and start that, or we would still have been there. It would have been a very long-debated process.

MR. CHAIRMAN: I think it's important to remember that with the exception of the province of Quebec, the chairman of the Public Accounts Committee is an opposition member – in Quebec it's a government member – but the majority of members on public accounts committees are made up of government members. We see as an example Winston Baker, the Member of the House of Assembly from Newfoundland, who was one of the four authors. Since his involvement in the report the Liberal Party has become the government. He's now the provincial treasurer, and we sensed a different point of view from Liberal members of the Assembly. So while we saw, for instance, the member for British Columbia speaking very strongly in support and a member from Ontario speaking strongly in support of the document . . .

MRS. GAGNON: That's unusual; we don't usually agree with each other across the country.

MR. CHAIRMAN: . . . that wasn't the consensus from the delegates from those provinces though.  
Anything else, Alan?

MR. HYLAND: No, I don't think so.

MR. CHAIRMAN: Any other questions of Jack while we're on the report itself?

MR. SIGURDSON: Are copies of the report available, or will they will be made available?

MR. ADY: I brought one back.

MR. CHAIRMAN: Certainly we can circulate it. I think Barry has one.

MRS. GAGNON: Just a question, please, to Jack. Was there anything that you think could apply here? Your chairman of the committee here – could you glean anything from it that would be useful here?

MR. ADY: Oh, I'm sure that there would be some things in there that our committee might want to consider at least discussing to adopt. It's a pretty comprehensive, all-involving report. Certainly many of the things that are in there our committee is already doing, so it's not a total departure from what we're doing. I understand that our committee did take the opportunity to table the report and study it and that there was a discussion in either one or two of our Public Accounts Committee meetings during this session just finished. So they've sort of been through that process. I can't answer the question whether there was a motion passed that they've completed their assessment. I would have to check with our Public Accounts Committee to answer that.

MR. HYLAND: We would have had a debate on it if Barry hadn't talked so long on the merits of not smoking.

MR. CHAIRMAN: Any other questions of Jack?

I wanted to comment on the attendance at the conference. Public accounts conferences do not require a registration fee from the applicants from the various provinces. The host province picks up the entire bill other than your airfare or your travel arrangements and your actual hotel bill. The host province does pay a lot of the costs, and that was the case here in Alberta a year ago when we hosted a Canadian conference. For the smaller provinces that's quite a burden, and it's one of the areas that was very gingerly discussed near the end of the conference. The Alberta delegates present certainly lent support to the concept that there should be a registration fee. Throughout any of the Commonwealth parliamentary conferences and most of the activities we as a committee are involved in, there's a registration fee, and that's acceptable and understood.

In terms of attendance at the conference, the province of Ontario sent 11 members of their provincial parliament plus two officials, for a total of 13. British Columbia had eight MLAs and two officials, for 10. Newfoundland as the host province had seven members of their House of Assembly and two officials, for nine. Canada had three Members of Parliament and three officials, for a total of six. Alberta had four MLAs and one official, for a total of five. As you know, two of our members were the chairman and the vice-chairman of Public Accounts: we had Barry Pashak and Ron Moore attending; Corinne was there as our official. Quebec had three members

of the National Assembly plus one official, for a total of four. New Brunswick had two MLAs and one official, for three. Manitoba had two MLAs and one official, for three. Nova Scotia was represented by two MLAs and one official. Yukon had two MLAs and one official; Saskatchewan, two MLAs and one official; Northwest Territories, two MLAs and one official; and Prince Edward Island had two MLAs and no officials. So the attendance ranged from a low of two to a high of 13. There were also two elected members from Australia from the state of New South Wales. I believe their first foray into Canada was a year ago when they attended the meetings here in Edmonton, so of course they were promoting a return visit by Canadians to Australia to one of their meetings. They did give a report on activities on public accounts in both their state and generally throughout Australia.

It was encouraging to see the rapport that exists between various auditors general and their public accounts committees. It was also encouraging to see that for the most part the chairmen and the vice-chairmen of the respective committees got along well. The meetings themselves were, as Jack has said, very interesting from our point of view. Jack and I were the only two elected members present who were not part of a public accounts committee, but then again we have a rather unique situation in Alberta with our Legislative Offices Committee. Those of you who were involved in the Ombudsman search are aware, and certainly Tom and I are aware from our work on electoral boundaries, that in most provinces the Chief Electoral Officer reports to the government, not to the Assembly. Our system, we believe, is much preferred, where you've got an all-party committee that works with the officers: the Auditor General, the Ombudsman, and the Chief Electoral Officer. So Jack and I were in a unique position in that sense.

One other side benefit occurred. The Senate hearings on the proposed goods and services tax were scheduled for the meeting room next door on the Wednesday morning, which was our last meeting day. Because we were in kind of a wrap-up and they'd gotten through the meat of the report and the key part of the element, Jack and I slipped into the Senate hearings. If I can just take a moment. If none of you has ever attended a Senate hearing before – and neither Jack nor I had – it was quite a learning experience. The committee was chaired by Senator Sid Buckwold, Liberal member out of Saskatoon, former mayor of the city of Saskatoon. There were five Conservative Senators and six additional Liberal Senators, so a total of seven Liberal Senators and five Conservative. They lined up on party lines, and that's something we never do, I'm pleased to say, when we have hearings, whether it's with workers' compensation or electoral boundaries or – well, look at the makeup today of our committee. We don't line up in that way, because that adds to the confrontation, and it was certainly evident. They barely got through the introductions and you could see the sparks flying between the two lines. The first presenter was the mayor of St. John's, whom I assume was a personal friend of John Crosbie, because although he didn't indicate he was there on behalf of the city, he gave a pro-GST brief. He was immediately praised by the Conservatives and attacked by the Liberals.

We stayed for the next – what? – three presenters and then decided to go next door and suggest to Barry, Ron, and Corinne that they might wish to sit in on it and we would stay in the wrap-up session. The next three or four presenters were all opposed to the goods and services, and then we saw the reversal, the Conservative members attacking and the Liberal members supporting. Much more partisan, and the lines are visibly very deep. I just couldn't help but think of our electoral boundaries

process. I know there are times when someone's giving a brief and it really grates on one of our members, whether opposition or government, but for the most part members of the committee have exercised real restraint, and that's to the credit of the committee. So that was part of the process.

Also, our hat has to go off to the Newfoundlanders for the hospitality they had arranged. They had tours around the city and the immediate area for our spouses. We got down into a little fishing village, managed to see some whales close to shore, saw a herd of caribou, saw how the people live. It's a tough life. Their summer begins the last week of June and ends the first week in August. The last half day, Wednesday afternoon/evening, was kind of a social for everyone, and they had us on a bus tour, as I said, into the little villages. We noticed people out painting fences and men without shirts on, lots of people in shorts. It was about 65 above that day and there was a cool wind blowing off the ocean, but that was a heat wave; that's a hot summer day. Kind of unique. The city itself, because it's such an old city, reminded me of lower Quebec City with the narrow, winding streets and the old buildings.

MRS. GAGNON: Too bad they tore down their hotel though, their beautiful CP hotel. It was replaced by a brand-new one. That happened quite a while back, eight or nine years ago when we were there. Gorgeous, similar to the Macdonald. Instead of refurbishing, they tore it down.

MR. CHAIRMAN: Okay. Yeah, Jack.

MR. ADY: A question. You did mention that Kenneth Dye was in attendance. Did you include him and his officials in the numbers of the federal people attending?

MR. CHAIRMAN: No, I didn't. I didn't include any of the auditors general or their staff.

MR. ADY: Just as a point of interest, he did attend the whole conference.

MR. CHAIRMAN: That is correct. The numbers I gave were strictly the elected members and the support staff to the elected members. I know our Auditor General was there with his spouse and I think two or three officials, at least two that we met. So there were a number of them.

There was a bit of a furore while we were there. Mr. Baker, the provincial treasurer, hosted a dinner the Monday evening, the first . . . There was a social on the Sunday evening, the day we arrived, and the following a full day of work and then a dinner in the evening. During Mr. Baker's remarks he paid tribute to the three retiring auditors general: Kenneth Dye; the Auditor General from – was it British Columbia? Jack, do you remember the other's province? – and he mentioned Newfoundland. Well, the Auditor General from Newfoundland wasn't aware that he was retiring. You've got to remember that politics in Atlantic Canada is rough. He had been appointed during the past administration's term, and a piece of legislation was introduced and passed this session which limited the term. The Auditor General assumed that that new limitation would begin with the passage of the Act, but the government backed it up to the date of appointment. So there was a bit of a furore in the newspapers and media for the next couple of days over the way the matter had been handled.

MR. SIGURDSON: Some retirement party for the guy, eh? He couldn't even quote Mark Twain.

Just a couple of points if I might, Mr. Chairman. You had mentioned the cost of the conference. Do you know what the cost of our conference was in Alberta last year?

MRS. KAMUCHIK: I could find out, because I was not looking after it at the time. It wasn't excessively expensive. I'll find out for you for the next meeting, if you'd like.

MR. SIGURDSON: And how many delegates attended in Alberta as well. I'm just trying to figure out what the cost per delegate would break down to if there were to be a proposal to . . .

MR. CHAIRMAN: A Newfoundland delegate advised me that the cost to Newfoundland for this conference was just in excess of \$50,000.

MR. SIGURDSON: Okay.

MR. CHAIRMAN: Part of the point is that \$50,000 to Newfoundland is a lot in comparison with Ontario or Alberta. Next year's conference is in Manitoba and the following year is in New Brunswick. Ontario's members were obviously gearing up for a provincial election. They seemed to believe that it was imminent.

MR. SIGURDSON: September 13 is the rumoured date.

MR. CHAIRMAN: Is that the date?

MR. SIGURDSON: Yeah.

MR. HYLAND: December 13?

MR. SIGURDSON: September.

MR. CHAIRMAN: Any other questions?

MR. HYLAND: The call date or the date of?

MR. SIGURDSON: No, the date of. They expect the call on August 6.

MR. CHAIRMAN: Jack, would you like to move acceptance of our report?

MR. ADY: Yes, I will so move.

MR. CHAIRMAN: Jack has moved acceptance of the report. All in favour? Carried unanimously.

The next agenda item is Attendance at Canadian Comprehensive Auditing Foundation Conference in Ottawa. I'd like to propose that Alan attend that, along with Louise. As you know, we've tried to ensure that there's a good mix of our members attending the conferences, and Alan and Louise were not able to attend any of the conferences last year. By doing so this year, that will round out our membership, and we'll carry on in the future.

MRS. GAGNON: I'm going to Halifax.

MR. CHAIRMAN: Oh. Other conferences this year, yes. The Ombudsman Conference Yolande and Tom are attending, and the Council on Governmental Ethics Laws conference in Alaska has Stan and Derek. So that means in this particular year, Don, you and John would not be attending conferences. You were in New Orleans last year, I believe. Is that right?

MR. TANNAS: I wasn't; John was.

MR. CHAIRMAN: John was. You were where last year?

MR. TANNAS: Quebec City. Derek and I went to Quebec City.

MR. CHAIRMAN: Derek and you. Okay. We're keeping a record of it, so we'll try to ensure that we're fair. Do we have a motion, then, to that effect?

MR. SIGURDSON: So moved.

MR. CHAIRMAN: Thank you, Tom. Any further questions? All in favour? Carried unanimously. Thank you.

Okay. Review of Committee Activities for the Next Six Months. Our major activity, of course, will be our budget process. Can you give us a feel, Louise, on when we'll do our first preliminary? Just approximately the month.

MRS. KAMUCHIK: Probably the month of October.

MR. CHAIRMAN: October? Okay. Coupled with that are the visits to the three offices. We did that last year as more of an introductory matter for those of us who were new to the committee, and several of you have mentioned that you think we should repeat the process. I'm assuming we're all in agreement that that's a good idea and that we should make arrangements. We'll try to tie it in so that we spend part of a day at an office when we're meeting rather than trying to do all three in one day or thereabouts. So we'll probably work that into the September, October, November time frame as well.

We have a proposed update of *A Report on Alberta Elections 1905-1982*, by our Chief Electoral Officer. Originally, we thought that might be on today's agenda along with the next item, but he's unable to attend because of an out-of-town commitment. So we'll again be working those into this fall: September, October, November.

MRS. KAMUCHIK: Probably item (iii), the proposed update, may appear in his budget estimates again. You'll recall that's where he came into play last year.

MR. CHAIRMAN: That's right, and some members had suggestions on how that particular document could be enhanced so that a little more information is given other than just the straight statistics on the election. We talked about - I can't think of some of the details. We should research the minutes and check, because there were some ideas that members had on how that might be improved.

MR. SIGURDSON: With respect to item (c)(iv), is there any other information on the Royal Commission on Electoral Reform and Party Financing?

MR. CHAIRMAN: That was one that we were hoping Pat Ledgerwood would be able to brief us on. Because he's out of



province, it wasn't possible today. That was originally one of our agenda items.

MR. SIGURDSON: Is he attending this conference? Is that why he's out of province at the moment, to attend this conference?

MR. CHAIRMAN: Conference? Which conference?

MR. SIGURDSON: The commission hearing.

MR. CHAIRMAN: No, he's not. He met with either the chairman or the executive director of the commission.

MRS. KAMUCHIK: He met with the commission a while ago, and then I believe he was meeting with them again.

MR. CHAIRMAN: Yeah. All they want to do is give us an update. They haven't finished their work. I don't know if they're still holding their hearings or if they've finished that part of their task, but he did intend to give us an update on some of the things they've heard and just a feel for where they're going.

MR. SIGURDSON: Okay. Thank you.

MR. CHAIRMAN: Then, of course, we can add to our review of committee activities for the next six months the proposed legislative change for the Ombudsman.

Anything else that you can think of that you'd like to see added to that list?

MR. TANNAS: Not added to the list, but I'd like some idea of when we might be meeting, not just the next meeting but to go into these things, so a person can book them in.

MR. CHAIRMAN: Agreed. That's really the anticipated meeting schedule for the committee, the next item. What I was hoping we could do as members is give to Louise over the next couple of weeks the dates in September, October, and November on which we can't meet. So any commitments we're locked into, if we could do that, and then Louise will try to sort through that list and see what she can come up with.

Now, I know we've got heritage fund meetings, Jack, and that includes what other members in this committee?

MR. ADY: I don't believe we have any conflict with any other members on this committee.

MR. CHAIRMAN: Okay. We have Electoral Boundaries. What else do we have in that period of time? Well, we obviously have the conferences that are coming up, the Ombudsman's and Members' Services. So we'll try to work our schedule, obviously, around those dates, but I think if we can put a claim to some dates early, then there's less chance of conflict.

MRS. GAGNON: If I could just make a comment, not wanting

to be too self-seeking. We usually meet as a caucus on Wednesdays when we're not sitting. I'm wondering if anybody would have any objection if we would try to work around a Tuesday or a Thursday or a Wednesday afternoon. That would kind of tie in. It's cheaper if you only have to come up once.

MR. CHAIRMAN: Sure.

MRS. GAGNON: I'm sure others have similar things going on.

MR. CHAIRMAN: Could you make a note of that, Yolande, on the information you send to Louise? This meeting we tied around a Members' Services meeting of yesterday, and that's a fair point.

Any points like that that any of you wish to draw to Louise's attention, please do, if there's a better time in the week for you.

MR. TANNAS: Do you want us to say that now?

MR. CHAIRMAN: No. I think we'll do it in note form to Louise.

All right. Anything else on scheduling? Okay; Open Discussion. Any matters that members would like to raise under Open Discussion?

MR. SIGURDSON: Eighteen minutes of blank tape?

MR. TANNAS: Shades of Mrs. Lincoln and Nixon, eh?

MR. CHAIRMAN: Again, I think the date of our next meeting will . . . Once we get the suggestions in, we are looking at, you know, the likelihood of a September meeting with probably two meetings in October. I'll have to look at our schedule of last year in terms of our budgeting.

MRS. KAMUCHIK: The budget process last year was done the week before Christmas, if you remember.

MR. CHAIRMAN: You mean we backed up that . . .

MR. TANNAS: Yes.

MR. CHAIRMAN: With the fall sitting this year, we shouldn't bank on that.

MR. HYLAND: Because remember, we were running back and forth from the search committee to here, and that was the week right before December 21, 22. I think the 22nd was the last day we met last year.

MR. CHAIRMAN: Any other business, or are we ready for a motion to adjourn? Jack?

MR. ADY: Okay.

[The committee adjourned at 10:08 a.m.]