

1:04 p.m.

Monday, January 28, 1991

[Chairman: Mr. Bogle]

MR. CHAIRMAN: We'll officially call the meeting to order and at the outset welcome Harley Johnson and Dixie Watson to our meeting. We'll be dealing with the budget estimates for the office of the Ombudsman shortly.

I would now like to turn our attention to approval of the agenda as presented. As you'll recall, we have a two-day agenda set out. We're meeting today primarily to go through the budget estimates for the office of the Ombudsman, and then under New Business we've got a request for participation in the Canadian Ombudsman Conference, which is being held in Manitoba. We're also going to look at the monitoring program to increase management competence within the office of the Ombudsman. Those matters will be dealt with while the Ombudsman is with us today, and unless there are others matters that members wish to raise, that will conclude our agenda today.

We reconvene tomorrow morning at 10. We're scheduled again to deal with business arising from the minutes, looking specifically at the office of the Auditor General and going into the Auditor General's budget estimates. Then we have, under New Business, Discussion/Appointment of Auditing Firm for the Office of the Auditor General. We reconvene at 1 o'clock tomorrow afternoon for budget estimates for the office of the Chief Electoral Officer. Obviously, we will not have Yolande's report on the elimination of the Ombudsman's position in Newfoundland. We can discuss it, but we should hold that item over for final discussion until Yolande is present. Then we have this committee's budget estimates, which are scheduled to go before the meeting of the Members' Services Committee along with other standing committees of the House. Do you have a date for that, Louise?

MRS. KAMUCHIK: February 19.

MR. CHAIRMAN: With regard to the agenda for today and tomorrow, are there any other matters members would like to see addressed?

MR. FOX: I move approval.

MR. CHAIRMAN: Approval has been moved. Are you ready for the question?

HON. MEMBERS: Question.

MR. CHAIRMAN: The question's called. All in favour? Opposed? Carried. Thank you.

Moving on, then, to Approval of Committee Meeting Minutes, we have three sets of minutes to look at, starting with October 25 under tab 3(a). Pages 1, 2, 3, 4, 5, and the final page is the sentence, "The meeting adjourned at 3:54 p.m." There's an attachment to that report on the Ombudsman Conference. If you're comfortable, we'll go through all three sets of minutes and then have one motion, unless there's a correction to be made. Okay, the meeting minutes of Friday, October 26, 1990, pages 1 and 2, then Tuesday, November 13, 1990, tab (c), pages 1, 2, 3, and 4. Got a motion, Jack, approving the three sets of minutes?

Ready for the question?

HON. MEMBERS: Question.

MR. CHAIRMAN: All in favour? Opposed, if any? Carried unanimously.

All right. We go on, then, to business arising from the minutes. We have budget estimates for the office of the Ombudsman, 1991-92. Members of the committee will recall that at our previous meeting with Harley we did go through the estimates in a preliminary way. Some questions were raised, and we're now back so that we may go through the request one final time. Any questions any member wishes to raise before I ask Harley to proceed with the estimates? We're on tab 4.

All right. Harley.

MR. JOHNSON: Thank you, Mr. Chairman and members of the committee. We were very pleased to take back the comments made by this committee and have some comments to make. I'd like to break this presentation down to three parts if I may, the first part being answers to the specific questions committee members had. Then what I'd like to do is request a transfer of funds from group 1 to groups 2 and 3 as the second portion of my presentation and then, pending approval of that transfer, go into our final budget submission to this committee, which would represent quite a considerable reduction from the estimates that were presented in the November time frame.

MR. CHAIRMAN: Okay. Proceed, please.

MR. JOHNSON: The first portion, sir, the questions that were asked of us. Number one is: would it be cheaper to mail our annual reports from Sweetgrass, Montana, as opposed to how we're presently doing it? We have examined that. We could realize a saving of \$1.34 per annual report mailed for U.S. destinations only. However, there are only 13 of those reports; therefore, the savings are absolutely minimal in our opinion. We checked out the international rates through the U.S. means and found it to be more expensive, depending on the destination. Therefore, our recommendation is to leave it as it is, but as a result of that question, Mr. Chairman, we've gone back to Canada Post to see if there's any cheaper way to do it within our own structure. We have now found that we can, in fact, reduce the annual reports from the way we are sending them out to what's called surface mail, very similar to third-class mail, and we propose that we would, in fact, do that. Thereby we do realize a saving of \$500 in the final, and it was based on the question even though the idea of Sweetgrass is not one we're recommending. Our suggestion will reduce it by \$500 because we've found a cheaper method of doing so, so that's our recommendation. That was the first question that was asked by this committee to go back to.

The second question came from Mr. Sigurdson in relation to a breakdown of Data Processing Services, the actual breakdown in 712L of the budget presentation itself. Based on the submission in part 2, where we're going to, in fact, make a request to have moneys moved from group 1 to groups 2 and 3, we're able to reduce the amount in that 712L to \$35,500, and we'll give you an updated chart in just a sec on the entire reductions. The breakdown, in response to Mr. Sigurdson's question: computer operations is paid to PWSS for computer printouts received on a daily basis, disc storage space, system charges, budget preparation, and inputting our information to a mainframe data processing system for pay. We don't have a terminal within our office to direct into the mainframe. Therefore, we have to pay somebody outside, which is another department, to put that in. Our office is just too small to warrant a full computer terminal

specifically directed to the mainframe. So that's a thousand dollars on that.

The second is a \$19,000 item, professional services, and that's the provision of local area network computer support. I reported to this committee last time that I was debating whether to hire a person to run the local area network or, in fact, to contract this service out. We find it's quite a bit cheaper to contract it out, and we have been able to at this point receive all the services we require without going to a hired position. So that's \$19,000 as opposed to a full salaried position, which is quite a bit more expensive. We're getting the service, so we just don't need any more than that.

1:14

There is a \$10,000 maintenance contract for the local area network, and that encompasses both the Edmonton and Calgary sites.

There's a \$5,000 program development for our custom-built complaint system, and that \$5,000 comes up, basically, in terms of PWSS requiring to make changes to the system to give us different statistics so that we can measure the types of complaints we're getting in a different fashion. So that's a \$5,000 breakdown.

The last point on that is the Quicklaw computer for \$500. That particular computer, sir, was given to us by PWSS. It's a clone of a company that's no longer in existence; therefore, we can't put the Quicklaw network program into our entire, full system. It has to be a separate computer for that one, but it's only a \$500 cost per year.

That makes up the \$35,500, and that's in response to Mr. Sigurdson's question.

The third was a request by yourself, Mr. Chairman, on the cost breakdown of the investigators' conference. We broke it down. Airfare is \$500; accommodation is \$640; meals and per diem is \$260; taxi, GST, and miscellaneous is \$100, for a total of \$1,500 per investigator to send to the investigators' conference. It's not known at this time whether there will be a registration fee. We've asked Ontario, who is going to be putting on the investigators' conference, to supply us with that information, and they simply haven't determined whether there's going to be a registration fee. However, as we get into the number three part of our presentation, you'll see that I've also decreased the number of investigators I'm recommending to send from six to two.

That's the first portion of the presentation, Mr. Chairman, in terms of response to the questions from this committee.

MR. CHAIRMAN: Thank you.

Any further questions to the first part of the presentation today?

All right; proceed, please, Harley.

MR. JOHNSON: Thank you, sir. The second part is a request for a transfer of funds. We are in a position where we have excess funds in our group 1 area, Manpower. We are requesting a transfer to group 2 of \$32,600 and to group 3 of \$12,700, for a total transfer of funds from group 1 to groups 2 and 3 of \$45,300.

In terms of the actual breakdown of the request for the transfer of funds, it came up in our previous meeting whether we were able to cover off Ed Chetner's move from Edmonton to Calgary. We are able to do so, and I said at that time that it would require my coming back to this committee for approval to transfer funds. That amount is \$17,100. We have just hired

on an investigator from the Grande Prairie area. He is actually coming to us from Consumer and Corporate Affairs, and his move from Grande Prairie to Edmonton will cost us \$10,000.

In the transfer in Materials and Supplies, we are requesting \$8,000 for the purchase of furnishings, pamphlets, and software supplies that we had budgeted into our '91-92 budget. However, if this transfer is approved, we can pay for it out of this year's budget, thereby reducing next year's budget.

Under Fixed Assets, which is group 3, we are asking for a printer for \$4,000, a file server for \$6,200, shelving for \$1,500, and a vault for \$1,000, which we can move forward pending the approval of this.

The total amount there is \$47,800, but we are also in a positive budget in groups 2 and 3 in total of \$2,500. We can absorb it; therefore, our request is reduced to \$45,300. Based on that, we are still in a surplus position and are estimating that we will be transferring or turning back \$63,000 to the provincial Treasury at the end of the current budget year. I mentioned last time in my presentation that much of that has come from the increased administrative controls that we have put on in the office, things such as telephone calls in a number of areas. I base it primarily on Dixie's input in terms of identifying areas where we could go back and monitor, and have reduced it quite considerably.

MR. CHAIRMAN: Have you got that written out for us, that it's talking about all three groups?

MR. JOHNSON: I have, sir.

MR. CHAIRMAN: Good.

We'll just take a short break while Louise gets copies for all members. Thank you.

[The committee adjourned from 1:19 p.m. to 1:23 p.m.]

MR. CHAIRMAN: We'll reconvene, please. Alan.

MR. HYLAND: I'll move that we go forward with the request from the Ombudsman. Do you want the amounts?

MR. CHAIRMAN: Yes, please.

MR. HYLAND: With the amount of \$32,600 from group 1 to 2, and \$12,700 from group 1 to group 3, for a total of \$45,300.

MR. CHAIRMAN: And this is out of the current fiscal year estimates. Okay.

Discussion on the motion? Are you ready for the question?

HON. MEMBERS: Question.

MR. CHAIRMAN: All in favour? Carried unanimously.

MR. JOHNSON: Thank you, Mr. Chairman. I'm having Dixie hand out now, based on the approval, a new budget document for groups 1, 2, and 3. This now becomes our formal request.

AN HON. MEMBER: The one in the book is obsolete now?

MR. CHAIRMAN: That's November 2. Now it's being replaced with January 28.

MR. JOHNSON: I'm also going to ask Dixie to hand out a second working document. This we'd actually like back at the completion, but it shows you how we came up with some of the reductions that we did.

MR. CHAIRMAN: Remember that as before, Harley, if there's a point where either you'd like to share information with the committee in confidence or a member wishes to ask a question he feels would be best kept in a confidential nature, we'll go in camera.

MR. JOHNSON: Good. I appreciate that, sir. Thank you.

In group 1 in Manpower, sir, the original estimate was \$573,000; it's now \$604,800. This represents a transfer in of a person from Grande Prairie who, instead of taking contract, went on salary. So it shows an increase in that particular category. The remainder are all down.

Wages, 711C. We have taken out the law student's position for this particular year, hoping to put it back into the budget next year. Based on one of the future items at this committee meeting, we're finding that the \$8,500 is not needed in the 1991-92 budget.

Payments to Contract Employees, 711D, shows a decrease. The majority of that decrease represents that person coming from Grande Prairie, who instead of going on contract, went onto salary.

There is a reduction also in 711E, Employer Contributions. That is based on a secondment position that we've got right now, and again part of it is changed because of that salary-to-contract employee. That shows a reduction of \$10,300.

Allowances and Benefits also shows a reduction of \$2,700, the original estimate being \$16,000. Through working with Dixie on it, we've been able to bring those moneys down to \$9,300.

In group 1 our total Manpower, then, is reduced from \$1,053,600 to \$1,014,500, a fairly significant decrease.

MR. CHAIRMAN: Questions or comments? Yes, Tom.

MR. SIGURDSON: It's under 711F, please. You're cutting Allowances and Benefits by more than a third. Can you give me a little bit more information on the cuts in Allowances and Benefits, please?

MR. JOHNSON: Part of that dealt with training, and originally we had incorporated six investigators to go to the Toronto workshop. I'm now decreasing that from six to two, and I should have explained it, sir, when I brought it up. That's part of the reduction in that.

There's a second item that's been taken out of there, a fairly significant amount, and that is a manpower training component where I would have been sending one of my senior people to Banff on an upgrade for management training. That has been reduced and postponed for a year. There are a couple of reasons: one of them is personal; the other is office-related budget. So that accounts for the reduction there.

MR. SIGURDSON: Okay. Thank you.

MR. CHAIRMAN: Derek.

MR. FOX: I guess Tom and I both may have assumed that 711F, Allowances and Benefits, was the category that included things like employee benefits, negotiated contract benefits, but that must be included under the Wages component. Right?

MR. JOHNSON: It would be under Wages. It would also be in here and under Employer Contributions, depending on what it is.

MR. FOX: Right.

MR. JOHNSON: They're broken down in a number of different categories. But it definitely does not reflect a direct decrease of benefits to any employee, other than the training components and some travel components to the Toronto conference.

MR. FOX: Can you explain - I may have missed it - what the difference is between column 1, proposed revisions, and column 2, proposed revisions? Does that just mean there are two adjustments and you want to describe them separately?

MR. JOHNSON: Two adjustments: the first adjustment was difficult, and that was done in pen; the second one was done with a very sharp pencil.

MR. FOX: But there was some reason for wanting to show that they're two separate figures?

MR. JOHNSON: Basically, we're coming back to this committee saying that it wasn't just a simple budget reduction process that we went through. There was quite a bit of machination, if you will. Some of them were very tough decisions. We've had a law student in the office for a number of years. We had to make some policy decisions to keep the budget within range. The Toronto conference: I'm of the firm belief that we have to train as much as we can, so it was a tough policy decision to say that we're going to reduce it from six to two. I'm going to be looking throughout the provincial service and any other services in the province to supply that training without sending them to Toronto, and we're not sure we can. Right now we've got negotiations ongoing with the International Ombudsman Institute at the University of Alberta to incorporate an international investigators workshop which will provide some specific skills. That's a reduction of cost to us because we have no travel involved. Also, I plan to be an instructor on that if we can get it off the ground; thereby, we can reduce our cost of sending our own investigators.

MR. CHAIRMAN: Tom.

MR. SIGURDSON: Can I go back to - 711C covers the law student, is it?

MR. JOHNSON: Yes; that's correct.

MR. SIGURDSON: What year would you normally hire a law student? Is it after they've completed . . .

MR. JOHNSON: It'd be the second year, and they must have had the administrative law course.

MR. SIGURDSON: So that position is now completely struck?

MR. JOHNSON: It's completely struck for this year.

MR. SIGURDSON: Was that a summer position?

MR. JOHNSON: That's right.

MR. SIGURDSON: I just . . . With what's going on in the economy, I hate to see that one being struck. What's that going to do to the staff complement? Is that going to provide extra workload?

MR. JOHNSON: No. What's happening, and you'll find out about it later, is we have developed a program within our own office, and that is trying to upgrade everybody. Part of that involved a transfer, or secondment, of our lawyer to a private firm for one year. So the person that would be working in this position would normally be supervised by that lawyer. I will be having a lawyer coming on from the University of Alberta on a secondment back the other way, but I don't believe that she will know enough to in fact supervise a law student. I think we could still use a law student, but it would be a make-work project as opposed to something that we absolutely need. So based on that, it was a policy decision that I think we can do without it this particular year. I understand where you're coming from, and I would like very much to have one, but looking at the long term, the long run, maybe this year isn't the year to have them.

MR. CHAIRMAN: Stan.

MR. NELSON: Well, I just want to emphasize, I guess, what Harley is saying: off this year, but it will be requested next year. We should be cognizant of that because of the return of the normal lawyer that's on secondment that has to supervise this individual. I guess we need to make a mental note of that to ensure that we're cognizant of that next year when we're talking budget.

MR. JOHNSON: If I may add to that: not only mental notes, or I'll attempt to remind you.

MR. NELSON: Oh, I'm sure you will.

MR. CHAIRMAN: All right.
Yes, Don.

MR. TANNAS: Do you normally post this particular job with the two faculties of law in the province?

MR. JOHNSON: What I found is that they're normally just taken from the University of Alberta. My intent this year was to go to any law school in the province. Can we maybe go off the record for this next statement?

[The committee adjourned from 1:33 p.m. to 1:34 p.m.]

MR. CHAIRMAN: Anything else on group 1, Manpower?

MR. NELSON: Could I just ask a question?

MR. CHAIRMAN: Go ahead. Yes.

MR. NELSON: I was going to ask this a little later, but maybe it could be asked now, because you have an item here, Contract Services. I think up until this past year you had some legislative services provided by Michael Clegg and what have you at basically no cost. This next year, because of the change in situations, will you still use those legislative services? If so, is there some part of this budget - is it in your Payments to

Contract Employees in the top part or under Contract Services to pay for those legislative services?

MR. JOHNSON: In response, it would be under Contract Services if we decided to use Michael Clegg's position or himself. We used his services once in the last year and that's all, because we have a lawyer on staff. Whereas Michael serves as the solicitor to other offices of the Legislature, he doesn't necessarily to the office of the Ombudsman.

MR. NELSON: So in essence you don't use his services to the extent that it would add significantly to the budget.

MR. JOHNSON: No. Where we'd use his services is where there's a specific request for change in legislation as we did under the complainant protection clause, and that was the only time we used his services.

MR. NELSON: Okay. Thank you.

MR. CHAIRMAN: Any other questions on group 1, Manpower? Are we ready for a motion to accept the revised budget as proposed?

MR. HYLAND: Are you going to do it in sections?

MR. ADY: This would be a motion on the whole budget?

MR. FOX: We have group 2 and group 3 to . . .

MR. CHAIRMAN: All right. That's fine. If you wish, we can wait and do groups 2 and 3 and then a motion to approve the total.

MR. HYLAND: Do a motion for the whole thing?

MR. CHAIRMAN: Certainly. Sure.
So we're ready to move on to group 2. Harley.

MR. JOHNSON: Mr. Chairman, thank you. Group 2 under Travel Expenses, 712A. We have reduced it quite an amount, from \$105,800, our original estimate, to \$84,000. Two swacks at the budget, \$12,000 and \$9,800: basically, our reflection of travel expenses to the Toronto conference. We are monitoring our investigators more and asking that where possible they resolve complaints by telephone as opposed to travel. We believe that we can reduce ourselves to the \$84,000, which by the way is a reduction to what last year's was, not an increase.

Now, I still am personally traveling around the province more than my predecessors and doing more. We're doing it as inexpensively as possible.

MR. CHAIRMAN: I was going to raise that if no one else was. You've been kind enough to copy me all letters you've been sending to MLAs advising that you're going into their respective constituencies. I would hope that that program you've initiated will not be affected by the reduction.

MR. JOHNSON: No, sir; it won't be.

MR. CHAIRMAN: Good.

MR. JOHNSON: I might just add, since you raised that point at this time, I'm only copying you on those which are public

presentations, where the public is brought in. I'm also running between 10 and 15 private ones as well on some of these trips.

MR. CHAIRMAN: Just for clarification, a private one is where you . . .

MR. JOHNSON: Private is where it's to a school, to a Kiwanis club, a service club. A public one is where the public is notified and told that they can come and meet with the Ombudsman.

MR. CHAIRMAN: They're notified and the MLA is notified.

MR. JOHNSON: The MLA is notified in that particular case, with a copy to yourself as chairman.

MR. CHAIRMAN: All right.
Alan.

MR. HYLAND: Harley, I think it was in private conversation that you shared once how long it would take you to make the circuit of the province. I wonder if you could just share that with us on the record, because I think it's worth while, what your intention is.

MR. JOHNSON: I said during the selection committee meeting as well that I would attend in a public forum in every electoral district once during the five years in office; at least once, I believe I said. That's a fairly significant number. There may be some combinations in the urban areas where we can put a number of constituents into one group. Right now I'm negotiating with the University of Calgary and Mount Royal College to attempt to put on a public forum as part of their community commitment. Thereby they're paying for the advertising; they're paying for the space. It's costing us absolutely nothing except my time to be there. That's how it's happening in most of the provinces right now, through the AVCs and community colleges. The last swing last week was three separate electoral boundary areas in the northwest part of the province: Grande Prairie, Peace River, and Fairview and Dunvegan. They were all put on basically by the community colleges or the AVCs in the area. It's really turning out well. We're getting a real feel for some of the issues, especially where there are issues coming forward in groups. We did have one of those in Fairview that we may all hear about sooner or later.

MR. CHAIRMAN: Anything else on travel?

MR. JOHNSON: On the travel, I still believe I can continue that program without any real hardships at all and stick within the \$84,000 as it now stands.

In 712C, Advertising, we have again reduced our budget considerably. I see here that there is a typing error on your amounts. We originally estimated that we in fact would be reducing this particular area, Advertising; it's a reduction of \$4,000 over our original estimates. I believe our original estimates were \$17,000, and we're now sitting at \$13,000. So there is a typo error on 712C. No, it's my fault; I'm reading from the wrong document. Yeah, \$17,000; it's fine. That's a decrease of \$4,000 there.

Item 712D is Insurance. No change; we really don't have much choice in that one.

Item 712E, Freight and Postage, we have reduced \$1,500. Some of that is by going surface mail, and some of it is by reducing the letters that are going out to oral complainants. In

the past the Ombudsman has always responded to an oral complaint by letter. We're suggesting that an oral return is what's required here, and we don't have to have a letter every time. So there is a reduction in cost there.

The next three are pretty well the same: 712G, Rentals; 712H, Telephone and Communications; 712J, Repairs and Maintenance. Item 712K, Contract Services, \$30,000. No change is recommended in those areas from our original submission.

Item 712L. A fairly significant change. Our original proposal was for \$52,800. Our proposed revision: number one, we've dropped it \$12,300, another \$5,000, and the remainder is \$35,500 requested. Part of our request reduction, if you will, is because of the approval in the previous vote taken by this committee whereby we can move some of those services forward and use them in this particular year.

Item 712M, Hosting; there's no change. Item 712N is Other Purchased Services; no change.

Item 712P, Materials and Supplies. We have reduced by \$11,000 our original request, and that again is primarily based on the vote that was taken by this committee just a few minutes ago.

MR. HYLAND: Now we know why you wouldn't circulate these till the other motion passed.

MR. JOHNSON: We had two sets of documents.

MR. CHAIRMAN: Yes, Tom.

MR. SIGURDSON: I'm a little worried about the 712E component, postage. I guess one of the concerns I have is that on a final communication I think it would be better to have it in writing. Maybe I'm being a bit concerned about how my office may end up being involved and some constituents coming to me after they've been turned down by the Ombudsman with only an oral no. Perhaps if it were in writing, there might be an explanation given in the letter that wouldn't be communicated to an MLA because of an oral conversation that took place between yourself or your office and the complainant.

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MR. JOHNSON: If I may, sir. That's oral complaints where they phone us, and that is only indicating that we will tell them on the phone, "No, you have to go through a certain number of appeals before you can come forward," or "Write to the Ombudsman," or whatever. In all of those oral complaints - because by legislation all the complaints that I investigate have to be in writing. So these are only the ones where we've advised people over the phone. Then we give them a follow-up letter giving them exactly the same advice. But it's only on the oral, sir. Where I've turned down somebody for an investigation or whatever that's based on a written complaint to my office - the writing may come from a complainant; it may come from a priest; it may come from an MLA, whatever - those still will get letters. Only the oral complaints, and most of those I won't say are complaints but they're requests for information as much as anything else.

MR. CHAIRMAN: Yes, Derek.

MR. FOX: I guess just to follow on Tom's concern though, Harley, there are occasions when there's some disagreement about, or people misunderstand perhaps, what's been communicated to them. I just know that some of the cases that have

come through my office are cases that have been dealt with by perhaps other MLAs, MPs, perhaps the Ombudsman's office, and you find out after a lot of investigation that you're duplicating somebody else's work. I've just found it very useful to . . .

I mean, you know the kind of complaints you're dealing with, and I trust your judgment on it. I'm just saying that there are times when a written communication is very clear. You know, if you can hold up that letter and say to the person, "Well, what you said to the Ombudsman was such and such, and what the Ombudsman said to you, and I have it in writing, was such and such," there's no opportunity for people to play off one office against another or try and get something out of one investigation . . .

MR. JOHNSON: Sir, your comments are very valid. We are going to give it a whirl to see what type of potential problems show up or do come out of the woodwork. Right now, for the most part, they're all getting letters. Even when they phone, we send them off a letter. I'm suggesting that in times of budget restraint that becomes quite costly when we're dealing with 6,000 orals per year. It's a fairly significant number.

MR. FOX: Would it be safe to say that there may be some oral complaints which you deem necessary to respond to in writing? Like, the issue raised may be controversial enough?

MR. JOHNSON: Controversial, or we feel that the person on the other end doesn't understand the information. For instance, especially under the Workers' Compensation Board there are so many levels of appeal they have to go through that they may not have understood it. I've left it on the oral complaint notice which an investigator must fill out whether he or she wants a letter to go out. They can still check it off, and a letter will be produced and put out for that oral complaint. I guess I should have said right off the bat that we're going to give that over to the investigators, but it's not going out as a matter of course on every oral complaint.

MR. CHAIRMAN: Yes, Stan.

MR. NELSON: Mr. Chairman, I was going to jump in when you made the comment, but the more I think about the area of travel expenses - and I guess Calgary and Edmonton are all right because the offices of the Ombudsman are in the two cities. But there are a lot of rural communities in the province where I'm sure the investigators have to make some effort to assist people that have complaints as well as Mr. Johnson's travel to acknowledge or identify the Ombudsman's office to the various groups in the province. I would think that probably rather than run it so close to the line, rather than having to squeeze themselves to death and maybe not give the attention to many of the rural communities in particular that probably need to be addressed from time to time, I'd like to play it a little safer and keep that budget there so they can do their jobs appropriately. So it might be useful, Mr. Chairman, if we were to replace that second revision of \$9,800 that's been cut off there, and certainly if it's not needed, it won't be expended, I'm sure. At the same time, rather than have the adjustment now and then some request farther on down the road, I'd rather put that little bit of insurance into that area to make sure that the communities that may have some request out there are looked after appropriately, especially the rural communities.

MR. CHAIRMAN: Okay. We'll hold that request until we're through group 2.

MR. NELSON: Well, we're discussing group 2.

MR. CHAIRMAN: I know we are. I just want to make sure that there are no other general points to raise. Then I thought we'll go back and deal with any suggested revisions to the list, just so that we can do it all at one time, Stan.

MR. NELSON: Okay. Well, that's the one area that I have some concern with.

MR. CHAIRMAN: Yeah. I understand what you're saying. We've finished group 2 then.

MR. JOHNSON: If I could make a summary comment, sir. It shows that \$55,600 or 24.4 percent from the original '91-92 budget submission is reduced. The increase really is minimal over last year: 1 percent.

MR. CHAIRMAN: All right. Thank you.

Okay, now back to Stan's point on Travel Expenses. The only thing I'd draw to your attention, Stan, is that if you look at the 1990-91 forecast, we're at \$68,300, so it appears that we're going to be significantly under the amount budgeted in the current year. I'm wondering if indeed you still feel there needs to be an adjustment upward of the \$84,000.

MR. NELSON: Well, I recognize that, at the same time also recognizing that the original request was for \$105,800.

MR. CHAIRMAN: How much of that was tied in with sending four of your investigators to Toronto?

MR. JOHNSON: Twelve thousand dollars in total, and that's been cut down.

MR. CHAIRMAN: So we're not talking about reduced travel around Alberta; it's now reduced participation in training sessions in Toronto.

MR. NELSON: I appreciate that. I'd rather play the safe side in this particular area, quite frankly.

MR. CHAIRMAN: Okay. Do you wish to make a motion?

MR. NELSON: Well, I'd just like to make it all-encompassing then.

MR. SIGURDSON: Just for clarification . . .

MR. CHAIRMAN: Tom, for clarification?

MR. SIGURDSON: Just for clarification. I'm sorry. The \$12,000 under travel was the first proposed revision, where you took out the \$12,000 which would have covered the travel expenses of those four additional people; that was the first one. Then on the second one, when you were told to go back and revise the budget, you took out another \$9,800. Where did that come from?

MR. JOHNSON: Basically, it's the monitoring system that we're putting into place to try and telephone people as opposed to visiting people.

MR. SIGURDSON: And that's what Stan's concerned about.

MR. JOHNSON: There is a concern raised on that. I am of the belief that we can do the job effectively over the telephone in a number of cases, but that doesn't preclude the fact that I may send them out directly to talk with the complainants in cases where it's more difficult to explain.

MR. SIGURDSON: And that's where you want the cushions then.

How often do your investigators go out? Is it a matter of course or . . .

MR. JOHNSON: It's a matter of course. It depends on the types of complaints. If we have a spate of complaints coming in from Lethbridge, the investigators would be spending quite a bit of time there. Peace River, Grande Cache: those areas seem to get quite a bit of complaint activity, mostly from the correctional facilities. It's inappropriate for us to discuss correction complaints to complainants via phone. That I think has to be done in person.

But I'm still of the belief - and I appreciate Mr. Nelson's comments - that we can come in very close to that \$84,000, and that's taking into effect increased travel costs. As pointed out by the chairman, \$68,300 is our projection, our forecast for this year, so we're still going to have a surplus this year.

MR. CHAIRMAN: Are we ready to move on, or is there a motion to amend?

MR. NELSON: Yeah. I'll move the amendment to replace that \$9,800 back into the revised estimate for '91-92 in the budget of the Ombudsman.

MR. CHAIRMAN: We have a motion.
Speaking to the motion, Don.

MR. TANNAS: Right. Just so I can clarify this. Did you not raise the point - or what was the number when the first budget came in, in the first budget estimate, and then we said to go back and try for 1 percent or zero percent?

MR. CHAIRMAN: There was \$105,800 in the budget dated November 2, 1990, but that included the investigators going to the training session in Toronto.

MR. TANNAS: I've asked this very badly. I'll start again.
When we looked at the first presentation, did you not suggest to Mr. Johnson that he go back and . . .

1:54

MR. CHAIRMAN: Pardon me. Yes, we asked the Ombudsman and the Auditor General if they could come back with one scenario which would show a zero-growth budget. We did not ask that of the Chief Electoral Officer. It's impossible for him to do that because he has just taken on 83 returning officers in the 83 constituencies across the province. But we did ask him to come back with a scenario of a reduced budget over what he had projected. So that was a common thrust for all three

officers: if you were asked to hold your budget to zero-growth, where would you make your reductions?

Harley.

MR. JOHNSON: That's exactly what we went back with, the idea of attempting to get to a zero-growth, and I believe we've come close. I don't think we've quite reached it, as you can see from the bottom line, but we've taken a good swack at it.

MR. ADY: Speaking to the motion, I think I wouldn't be in favour of the motion. In looking at the numbers in this year's budget, we have an increase of \$15,700 over last year's: what he's projecting he'll actually spend in this fiscal year. I'm confident the Ombudsman has got a handle on what he wants to do there and that he can make those numbers work. I'm comfortable with them. I'd support the numbers that he's brought forward.

MR. CHAIRMAN: Any other members wish to speak to the motion?

AN HON. MEMBER: Question.

MR. CHAIRMAN: The question's been called. I would ask that we defer voting until Alan has returned. It's been our practice in the past not to vote on matters if a member has slipped out of the room for a moment. So if we could have a very brief coffee break until Alan returns.

[The committee adjourned from 1:56 p.m. to 1:57 p.m.]

MR. CHAIRMAN: All right.

Alan, there's a motion put forward. It's been debated: pros and cons to add \$9,800 to the Travel Expenses budget. Right?

MR. HYLAND: All right.

MR. CHAIRMAN: The question's been called. All in favour of the motion? Opposed? The motion is lost.

Any further discussion on group 2, Supplies and Services, before we move on? All right. Thank you.
Group 3, Fixed Assets.

MR. JOHNSON: Thank you, sir.

Purchase of Data Processing Equipment, C. Again based on the approval of transfer of budget this particular year from group 1 to groups 2 and 3, we've been able to reduce \$4,000 from our original submission, \$11,000 to \$7,000, and Purchase of Office Equipment is reduced by \$4,000 from the original \$5,000, again based on that vote: a total reduction from \$16,000 requested initially to \$8,000 now.

MR. CHAIRMAN: Discussion on group 3? Don?

MR. TANNAS: I was just going to say that if we wanted to approach this zero . . .

MR. CHAIRMAN: If I may interrupt. It was not the intent that we be working on a precise dollar figure.

MR. TANNAS: Okay.

MR. CHAIRMAN: It was something we asked the three officers to look at, recognizing that one or more might come

back very close to that and others might say, "I just can't do it," for a variety of reasons.

MR. TANNAS: Okay.

MR. CHAIRMAN: Anyone else? Yes, Alan.

MR. HYLAND: If we're ready for a motion, I'd be prepared to make a motion.

MR. CHAIRMAN: All right.

MR. HYLAND: I would move that we accept the budget as presented to us by the Ombudsman, the sheet dated January 28, '91.

MR. CHAIRMAN: All right. Do you want to put in a total, Alan?

MR. HYLAND: The total should be \$1,250,800.

MR. CHAIRMAN: Right.

Discussion on the motion? Are you ready for the question?

HON. MEMBERS: Question.

MR. CHAIRMAN: The question's been called. All in favour? Opposed? Was your hand up in favour? All right. Carried unanimously. Thank you.

May I say on behalf of the committee, Harley, how impressed we are with the work that you and Dixie and your staff have done in going back. We know it's not easy when you're asked to look for areas to reduce proposals. You know that when you're back next year, you'll be reporting on what impact there has been as a result of this, and other news.

MR. JOHNSON: Yes. Thank you, sir.

MR. CHAIRMAN: All right. If we could move on then, still under the office of the Ombudsman, to the Manitoba request for committee participation at the 1991 Canadian Ombudsman Conference in Winnipeg. As members are aware, there is an Ombudsman conference planned, we believe, for September 15, 16, 17, and 18 in Winnipeg. There's a question mark as to the exact time, but that's the suggested time frame for that conference. We do have a request from Mr. Gordon Earle, the Ombudsman in Manitoba, for participation in a workshop session which would deal with the relationship between the Ombudsman and the Legislature. Because we have a unique relationship in that we have the Leg. Offices Committee, our participation was sought. I don't want to get into our participation at this conference or other conferences yet. That's something we normally do as a committee. I think any two members of this committee could represent our interests very well in that sense. I wanted to raise the issue while Harley was with us today so that if there were any further comments he wanted to share with the committee, he could certainly have the opportunity to do so.

MR. JOHNSON: Thank you, Mr. Chairman. Gordon Earle approached me at a human rights conference in Ottawa and suggested again how impressed he was with this particular committee and the relationship we have between the political side and the administrative side of the offices. That was based

on his involvement and discussions with the two members of this committee who went to Halifax last year. He suggested that it might be a very good topic for a Canadian Ombudsman conference in that other provincial bodies don't have the same relationships and don't have the same structure, and it appears to be working exceptionally well here in Alberta. So it's based on that. He asked if I would approach the chairman and ask if he would consider it. The chairman said yes, he would consider it. We then went back to Gordon Earle, and I asked for a letter to be sent to the chairman.

MR. FOX: I appreciate the request coming from the office of the Manitoba Ombudsman. Just to point out to members who may not have been members of our committee in the 21st Legislature, we hosted the Canadian Ombudsman Conference in the summer of 1988, I believe. The committee played a very active role in the conference and indeed made a presentation on this subject to the Ombudsmen, and the response was favourable.

MR. CHAIRMAN: Thank you.
Yes, Tom.

MR. SIGURDSON: I think it might be very timely in light of what has taken place in Newfoundland, the relationship that's soured between the government and the office of the Ombudsman there, to show the kind of relationship that one can have and enjoy between the Legislative Assembly and the office, to contrast that with what's going on in other jurisdictions.

MR. CHAIRMAN: With the support of the committee I'd be most pleased to respond to Mr. Earle in the affirmative that we will participate. Once we know who will be attending the conference, we can be more specific, and we would assist in any other way we were asked.

MR. FOX: Just to point out, Mr. Chairman, that the invitation is extended to you and members of the committee, that you don't be too shy . . .

MR. CHAIRMAN: I know.

MR. FOX: . . . that they're asking for your participation. I'm sure any member of the committee would be honoured to attend with you.

MR. CHAIRMAN: We have a long-standing practice in this committee of determining who attends various conferences in terms of members writing to the chairman with their preferences, and I wouldn't want to cause any member who wished to attend to step aside so that I could take that position. I will certainly give that due consideration.

MR. HYLAND: Mr. Chairman, who does the chairman write to to show his preference in which ones he wants to attend?

MR. CHAIRMAN: I'll have to check the minutes of last year's process to determine that. Okay.

MR. HYLAND: Do we need a motion for that?

MR. CHAIRMAN: I don't think so. It's here for information. I sense there is a consensus that we do participate.

HON. MEMBERS: Agreed.

MR. CHAIRMAN: We'll be sure to do so.

MR. FOX: I think anything we as a committee can do to enhance the role of the office of Ombudsman elsewhere in the country and the good working relationship our committee has had with Ombudsmen in our province over the years is time very well spent.

MR. CHAIRMAN: Well, based on what we're seen in the past 12 months both with an Ombudsman and an Auditor General where a provincial government has moved in and ruthlessly removed them from office - in one case just shut the office down and the other removed the individual. There was no advance warning. It was announced at a dinner sponsored by that province where the Minister of Finance announced that the Auditor General would be leaving office.

2-07

MR. FOX: Which province was that?

MR. CHAIRMAN: That was Newfoundland.

MR. FOX: Both were Newfoundland. Is that a Liberal government there too?

MR. CHAIRMAN: If they're cousins, they're are closer to your side of the family than they are ours.

MR. ADY: It's difficult to tell.

MR. FOX: I know it's difficult. All those governments down there are either Liberal or Conservative.

MR. TANNAS: I want to make a suggestion just for consideration. The heart of the uniqueness is that the committee is representative of both opposition parties as well as the government party, and so it might be a good idea to reflect that in our panel representation and perhaps suggest to them that would two be appropriate, and have two members. As I say, it's just for consideration, not for determination.

MR. CHAIRMAN: Yes. Okay.

MR. JOHNSON: Maybe I can respond to that, sir, at this point. I think what it is is a panel of different views, one representing the structure we have in Alberta, another representing another structure, another representing another. So I suspect it would be one view presented.

MR. CHAIRMAN: That's right. The invitation is to participate in a panel discussion on the topic. So I think that while we would have two or more members of the committee attend the conference, there'd be one speaking on behalf of us.

Okay. If there's nothing else on the Manitoba Ombudsmen conference, we'll move on to item 5(b), Monitoring Program to Increase Management Competence and Systems Within the Office of the Ombudsman. There is not an attachment; it's to be raised verbally today by the Ombudsman.

MR. JOHNSON: Basically, Mr. Chairman, this is a mentoring program. It probably is the typing on our part which says "Monitoring Program," but it's a mentoring, where we are

attempting to develop as best we can the talents that are already within the office as opposed to on occasion having to go outside to search. So it's definitely a mentoring program. We're attempting to increase the competence of people already in place to ensure that we have people available should something happen.

For instance, if the Ombudsman goes down - through a car accident, through death, heart attack, whatever - I am now in a position to report to this committee that I have four individuals trained and qualified to step in on an acting interim basis, whereas this particular committee, I understand, really had one choice and potentially two choices previously to step into that chair during the hiatus of the previous Ombudsmen and before I came on board. So now I'm up to four people qualified.

I'm doing that on all levels. The manager of the Calgary office now has a person who is in full training to take over that position and be there on an interim basis and, if successful in a competition, to take over that chair without further training. It's basically a developmental program from the ground up, so that we have a backup in all areas. Through our management program within the office of the Ombudsman, we have had nobody to take over for Dixie if Dixie were struck by a car or whatever. Now we're developing people to take over specific components of that job, so that they will have some training, so that we're not left in the lurch should an unfortunate circumstance present itself.

In this particular case Mary Marshall, the lawyer or solicitor to the Ombudsman, is just an excellent candidate for future considerations down the path at some form of senior level within the government bureaucracy. She's just an excellent candidate. In order to develop her skills further in the management side, I've agreed to a one-year secondment of Mary to a private law firm. She is going to be taking over a fairly major administrative task plus a legal task within this particular law firm, and it's within the areas that are going to give us a definite skill with her coming back. She's got a legal background in mental health and health facilities. This will give her that administrative background, coming back to us.

We are not left in the lurch because of it. What we've done is gone to the University of Alberta and got seconded back to us a professor from the law school. She also is connected with the International Ombudsman Institute. So we are again developing skills at whatever level we touch as best we can.

One of the things this committee asked when I was in front of them during the selection process was: do you believe basically in developing your own people? My answer was yes, and this is one of those programs I'm now putting into place to support that belief and statement that I made to the selection committee.

MR. CHAIRMAN: Harley's quite right. His letter to me does use the term "mentoring program," not monitoring. So the explanation has been given. Thank you.

Alan, you don't need to give me your glasses. It's in the agenda as "monitoring." The actual letter does mention mentoring.

Harley shared this with me earlier. I know it was something that the selection committee had reviewed earlier, and I'm sure I'm speaking on behalf of all the committee in saying how pleased we are that you're taking this initiative, moving in this particular way. It's very positive.

MR. ADY: This is being brought to us by way of information?

MR. CHAIRMAN: Information.

MR. ADY: It doesn't have budget impact. It's just . . .

MR. JOHNSON: No.

MR. ADY: Okay.

MR. JOHNSON: Where it does have budget impact, sir, is in some of the programs we are searching out to develop managerial skills. Dixie was sent up to Banff for a couple of weeks on a specific training program for her area. I was going to be sending one other person, but there were personal reasons as well as budget considerations why we held back this year. But we'll be bringing it back next year for that particular person.

MR. NELSON: That's good; great stuff. Banff, eh?

MR. JOHNSON: She said she worked hard.

MR. CHAIRMAN: Anything else? Okay.

Again, Harley, to you and to Dixie our thanks for coming in today and for the extra work your staff did in working on the budget with you. We do appreciate that. We look forward to seeing you on February 13.

MR. JOHNSON: I shall be here then.

MR. CHAIRMAN: Thank you.

Before we break today, we do have some material to pass out. We'll very briefly go through the material. It's in preparation for tomorrow's discussion on our committee's budget.

MR. SIGURDSON: Gee, I was too quick to speak against Public Accounts, wasn't I? Remember that two years ago?

MR. ADY: I remember how complimentary I was of that whole process.

MR. SIGURDSON: Then there's going to be that letter: "Dear me, this is where I want to go. Okay." Is this called social Darwinism?

MR. CHAIRMAN: Can I set your heart to rest? That's not going to be on my list. Thank you.

Maybe if we could begin with the 1990-91 Budget Estimates, Standing Committee on Legislative Offices. I'm sure that's the sheet most of you are focusing on anyway.

MRS. KAMUCHIK: Oh, no. That one didn't get distributed.

MR. CHAIRMAN: Oh, didn't it get distributed? All right. Well, okay, we'll do it as well, please.

MR. TANNAS: While she's doing that, can I ask the question: you did mention that there might be a meeting of Leg. Offices on February 19?

MR. CHAIRMAN: No. The 13th.

MR. TANNAS: No, no. That was earlier in the game.

MRS. KAMUCHIK: That was Members' Services on the 19th.

MR. TANNAS: Ah, good.

MR. NELSON: I won't be here on the 13th.

MR. CHAIRMAN: You're not here? We had agreed with that date earlier though.

MR. NELSON: Yeah, well, I had indicated that I probably wouldn't be here, I think, because I had made a commitment in Victoria.

MR. CHAIRMAN: All right.

We're not making any decisions today on any of these. It's being given for information. It is on the agenda tomorrow, after we've dealt with the Office of the Chief Electoral Officer and the Auditor General. The first is merely showing the expenditures in 1990-91 vis-à-vis the estimates. You'll see that they're significantly under what had been estimated at this point in time. Okay? We'll go into that in detail tomorrow.

The second sheet deals with the upcoming conferences. Yolande is not with us, so we'll have to get this information to her. Then we'll follow the same practice of asking members to submit their preferences to myself by memo, and if you'd give me your first, second, and third preferences as to conferences.

2:17

You'll note that there's an addition in this year's conferences that wasn't there last year, and that's the Australasian Council of Public Accounts Committees in Darwin, Australia, May 23 to 27, which would be in the middle of the spring sitting. This is something that the Public Accounts Committee has included in its budget and we have included in ours at this point in time. Now, we as a committee will decide tomorrow whether you wish it to remain in and it goes forward to Members' Services Committee or not. There has been participation by Australian delegates in the Canadian Council of Public Accounts, and we did find that helpful during the last session. As well, we've got the conferences that we're normally involved in: Legislative Auditors in Winnipeg, August 11 to 14; the Canadian Ombudsman Conference, again Winnipeg. At this point in time it's scheduled for September 15 through 18, but there is a question mark behind that; it still may be moved.

MRS. KAMUCHIK: In the past the conference was always held starting Sunday night, Monday, and Tuesday. In this letter they're referring to possibly the 11th, which would be more like Wednesday, Thursday, and Friday. But it hasn't been decided yet. We'll have to wait for more specific dates from Manitoba.

MR. CHAIRMAN: The Council on Governmental Ethics Laws Conference, North Carolina, September 22 to 25, and the Canadian Comprehensive Auditing Foundation Conference, Montreal, November 17 to 19. You'll remember that last year we were not able to send all members of the committee to conferences, although I think that if we look over the past two years, counting the current fiscal year as a year past, all members have been to at least one. Many have been to two. Last year we included Louise as our administrative support, and with your concurrence we'll continue that process as well.

MR. ADY: In the last year was there anyone who wanted to go who was not able to go?

MR. CHAIRMAN: Yes.

MR. NELSON: I didn't go.

MR. ADY: But did you want to go?

MR. CHAIRMAN: He expressed an interest last year.

MR. NELSON: I was going to Alaska. I had to cancel for personal . . .

MR. ADY: Okay. But there was no one sort of struck off because of . . .

MR. CHAIRMAN: The one thing we're going to attempt to do because we've had a couple of instances where members have had to cancel at the last minute . . . I think, Alan, you had to cancel one the year before?

MR. HYLAND: Yeah.

MR. CHAIRMAN: And Stan this past year. We're trying to get a backup situation so that particularly if there's a registration involved and we've already paid the registration that can't be redeemed, we do have representation at the conference.

Members should also recall that next year we have the Ombudsman conference. It's tentatively scheduled at this time for Austria, and that's something this committee sends several members to. The last conference was in Australia.

AN HON. MEMBER: Wasn't it in Stockholm?

MR. CHAIRMAN: Australia, was it not?

MRS. KAMUCHIK: That was before. The last one was in

Australia, and the one prior to that was in Stockholm.

MR. CHAIRMAN: That was in 1988, Australia?

MRS. KAMUCHIK: Yes, it was.

MR. CHAIRMAN: So once every three years.

MRS. KAMUCHIK: Four years.

MR. CHAIRMAN: Four years?

MRS. KAMUCHIK: Right. Next year it'll be '92.

MR. CHAIRMAN: That's right. Okay.

Anything else we should discuss in preparation for tomorrow's meeting?

MR. HYLAND: I can tell you what happens if you miss a meeting, which conference you get to go to.

MR. CHAIRMAN: Don't miss a meeting, and don't insult the chairman.

Are we ready for a motion to adjourn?

MR. SIGURDSON: So moved.

MR. CHAIRMAN: Moved by Tom. All in favour? Carried. Thank you.

See you tomorrow at 10 a.m.

[The committee adjourned at 2:22 p.m.]

