

8:30 a.m.

[Mr. White in the chair]

THE CHAIRMAN: Order please. We do now have a quorum.

Might we have approval of the agenda that was circulated earlier?

MR. ZWOZDESKY: I move approval of the agenda as circulated.

THE CHAIRMAN: Thank you, Mr. Zwozdesky. Is it agreed?

HON. MEMBERS: Agreed.

THE CHAIRMAN: Carried.

We do have the minutes of March 18 before us that were previously circulated. Might we have a motion on the acceptance of this? Dr. Pannu. Is it agreed?

HON. MEMBERS: Agreed.

THE CHAIRMAN: Carried. Thank you.

Today we have with us the Hon. Jon Havelock, Minister of Justice and Attorney General of the province of Alberta, and a number of his staff by the looks of it. Mr. Minister, it's traditional that you introduce your staff and give a brief overview of what you think the highlights and other lights were of the year we're studying. We do all we can to restrict ourselves, and the chair is required to restrict us, to the examination of that time in the accounts and not venture into current times or future times, which is the prerogative of the government and certainly not the reason for this committee. I will do the best I can to hold back the committee, as they have been known to venture now and again. I suspect you'll do that also. We'd also like, thereafter, to introduce the Assistant Auditor General and his staff.

Mr. Minister.

MR. HAVELOCK: Well, thank you, Mr. Chairman. I'm certainly pleased to be here today. This is my first appearance before the Public Accounts Committee. I'd be happier if you changed the sitting time, but that's okay anyway.

I'd like to introduce some folks that are with me. To my immediate right is my deputy minister, Mr. Neil McCrank. To my immediate left, which is an unusual position for him, is the ministry's senior financial officer, Mr. Ian Hope. Then I have the executive director, corporate services division, Mr. Dan Mercer, to the far left, and Randy Petruk, who is the director of the corporate support services branch. Perhaps joining us in a little bit will be my executive assistant, Hazel Cail.

Now, did you want me to allow the Auditor General's introductions?

THE CHAIRMAN: If you would.

Mr. Hug.

MR. HUG: Thank you. My name is Jim Hug. With me today are Lawrence Taylor and Ellen Vlieg-Paquette, both of whom are involved in the audit of the Ministry of Justice. I'd also like to acknowledge three of our staff who are in the gallery today: Bruce Laycock, Lori Ostafichuk, and Danielle Recksiedler. They are also involved in the audit of the ministry.

MR. HAVELOCK: Well, thank you. Before I get started, I'd like to pass on to the Auditor General's department what a brilliant job they did. Hopefully that will ensure that they agree with everything I say

today.

I will begin by giving you an overview of my ministry's operating expenditures. During 1996-97 the total voted operating spending for Alberta Justice was \$332.6 million, which was approximately \$600,000 lower than the approved estimate. Within the context of the many spending pressures faced by the ministry over the course of the year, it is indeed commendable that the management and staff of the ministry were able to administer the funds provided to within one-fifth of 1 percent of its approved operating vote.

In the case of statutory spending, expenditures under the Motor Vehicle Accident Claims Act exceeded the estimate by \$3.86 million. This overexpenditure is a reflection of the increase in value of settlements and awards given to victims of accidents, in this case accidents caused by uninsured or unknown motorists. Recognizing this trend towards increasing awards, subsequent business plans of the ministry were amended to provide increased budgets for this purpose.

As many of the members of this committee are new, I would like to describe the main programs in my ministry. I believe a few words on the operations of each component of the justice system will assist members in understanding the financial information contained in the public accounts. As you know, these are listed on pages 85 to 88 in the accounts.

Program 1, departmental support services, provides various support functions to the program areas of the ministry. Staff are responsible for providing nonlegal services such as business planning, performance management, internal auditing, electronic data processing, human resource programs, management information, and financial and administrative services. Departmental support services program spending in 1996-97 was \$13.6 million. This amount exceeded the budget by \$800,000. This variance primarily resulted from higher than anticipated telecommunication costs, severance payments, and corporate computer requirements.

Located under program 2, the court services division provides administrative planning and technical support to all courts in Alberta. There are four courts in the province, all constituted by provincial statute. They are the Court of Appeal, the Court of Queen's Bench, the Surrogate Court, and the Provincial Court. The department also maintains a registry for the Court of Appeal of the Northwest Territories.

These courts maintain all court records and accept a wide variety of documents for filing from the public, lawyers, law enforcement agencies, and other government departments. Employees record all court proceedings, swear in or affirm witnesses and interpreters, mark and ensure the safekeeping of exhibits, process fines and other payments into court, perform searches, and provide general assistance to the public and lawyers. Court services also operates law libraries to provide legal information to judges, Crown prosecutors, defence counsel, and the public. Spending in 1996-97 for court services was \$61 million, which was very close to the budgeted amount.

Included in program 3, under legal services, is the Legislative Counsel office, which drafts all government bills, regulations, and orders in council. In order to prepare and compose these documents, office staff consult with ministers, deputy ministers, or chairmen and senior government officials in all ministries and agencies of government.

The civil law division, which is also located under program 3, is composed of three branches: civil law, constitutional law, and legal research and analysis. The civil law branch is responsible for providing legal advice and assistance to all government departments and for representing them in matters before the courts and various tribunals. The constitutional law branch provides specialized advice

to the government concerning constitutional law matters. The provision of legislative policy advice is the primary responsibility of the legal research and analysis branch.

The criminal justice division is also located in program 3. The principal function of the criminal justice division is the prosecution of all offences under the Criminal Code, the Young Offenders Act, and the provincial statutes in all courts of the province of Alberta and in the Supreme Court of Canada. The criminal justice division is divided into three branches. Appeals and criminal law policy is responsible for criminal appeals to the Court of Appeal and the Supreme Court of Canada. Special prosecutions is responsible for providing specialized prosecutorial services, which might explain its name, in areas such as organized crime, significant commercial or corporate crime, or crimes against government. General prosecutions is responsible for all cases apart from those assigned to the other two branches.

The maintenance enforcement program is also included under program 3. All of you are very familiar with this program. In fact I receive more cards and letters from my colleagues on this particular program than any other program. The program's primary responsibility is to ensure that court orders for child support and spousal maintenance are collected and paid to the appropriate individuals.

Altogether actual spending in 1996-97 for the legal services program was \$35.8 million. This amount exceeded the budget by \$2.1 million. This variance resulted from higher than expected contracted services in civil and criminal justice and unanticipated computer processing costs as well as increased volumes in maintenance enforcement.

Support for legal aid is located under program 4. Alberta Justice provides a grant to the Legal Aid Society of Alberta so that needy individuals have access to legal services they would not otherwise be able to acquire. Over the last several years the legal aid caseload has dropped. No doubt this is a reflection of the decrease in crime and our strong economy but, more importantly, a commitment by the partnership between the Legal Aid Society, the Law Society of Alberta, and our ministry to ensure the most effective legal services at the most reasonable cost.

Program 5 refers to the Public Trustee's office. This office acts as trustee of last resort to dependent adults, administers deceased persons' estates, and acts as official guardian by protecting the assets and financial interests of missing persons and children under 18 years of age. The Public Trustee's office was \$75,000 under budget in '96-97.

Program 6 refers to fatality inquiries, which is composed of our medical examiner's office and the Fatality Review Board. First, the medical examiner's office investigates all unexplained natural deaths and all unnatural deaths in Alberta. These investigations determine the identity of the deceased and the cause of death. The findings are used to settle estates or are used in court proceedings for both civil and criminal matters. The Fatality Review Board reviews all cases of accidental, unclassified, and undetermined deaths, including any death involving an order of the court, a person held in custody, and persons institutionalized under the Mental Health Act. Actual spending in '96-97 for this program was \$3.5 million, which is marginally above the program estimate.

8:40

The public security division, program 7, is responsible for administering the Police Act, which stipulates that an adequate and effective level of policing be maintained throughout Alberta. In this regard, the public security division manages the provincial police service agreement with the federal government for RCMP services and administers numerous aboriginal policing initiatives. The

division also delivers crime prevention initiatives, provides court and Legislature security and prisoner escort services, and maintains regulatory responsibilities such as licensing and monitoring of private investigators and security guards. As you can see by reference 7.3 in the public accounts, this division was also responsible for the delivery of administrative services for firearms control. Another responsibility of the public security division is the support for programs and services for victims of crime.

As you will note, actual spending in 1996-97 for program 7 was \$92.9 million, and this amount exceeded the budget by \$300,000. This variance resulted from overexpenditures in awards by the Crimes Compensation Board that were partially offset by lower supplies and services expenditures in other areas of the division.

The correctional services division, program 8, is responsible for administering judicial sanctions through a variety of community and custodial supervision programs for adult and young offenders who are awaiting trial or are on probation or other forms of community disposition or are sentenced to custodial dispositions. Actual spending in '96-97 for correctional services was \$97.6 million, which was under budget by \$3.9 million. This variance resulted from a lower than anticipated inmate population.

Finally, turning to the revenue schedule on page 89, the ministry's revenues in '96-97 were \$100,800,000, and this represented a decrease of about \$12 million from '95-96.

Overall there was an \$8.5 million reduction in federal payments. Federal cost contributions to the young offender program and support for legal aid were \$1.2 million lower than in '95-96. As well, \$5.5 million less was received in '96-97 as a result of declines in incidences of federal inmates serving time in Alberta correctional institutions. Also, the return of responsibility for parole services to the federal government resulted in a reduction of \$1.4 million in revenue.

Another significant component of the decrease is in the sheriffs' fees, which is explained by the phasing out of the sheriffs' offices which followed from the Civil Enforcement Act's implementation on January 1, 1996. This caused '96-97 revenues to be \$1.6 million lower than in '95-96.

Finally, statute fines reflect a decrease of just over \$3 million, caused mainly by reduced convictions and time served in lieu of payment.

As you've likely seen in the annual report, numerous successful initiatives were undertaken by Alberta Justice during '96-97. These accomplishments have been achieved through the astute management of our resources, the identification of innovative saving opportunities, and streamlined operations. In coming years we will continue to adhere to our commitment to provide the public with an effective and cost-efficient justice system.

Now that you've been provided with the financial and operational picture of my ministry for the '96-97 fiscal year, I'd certainly invite comments from you. If I'm unable to provide specific responses today, we will be sure to provide written responses after being able to receive the transcript from today's discussions.

Thank you.

THE CHAIRMAN: Mr. Zwozdesky, followed by Mr. Stevens and Ms Blakeman.

MR. ZWOZDESKY: Thank you. Good morning, hon. Justice minister, to you and your staff, and good morning, Mr. Hug, to you and the staff from the Auditor General's office.

Thank you for that overview, Mr. Minister. I want to turn to public accounts, volume 2, and reference page 85 and possibly 86. I was listening, I think intently, to the minister's description of what the role of the civil law agency within your portfolio is, and I'm not

sure about vote 3.3.3 on page 86. Under the civil law division we see an overexpenditure of \$553,000, and I'm wondering if it's within this department that you seek legal advice for other ministries, in particular with reference to legal advice and interpretation of some of the deals we have pertaining to, let's say, Al-Pac or Millar Western or any of those other complicated deals from the past. Could you explain two things then? One would be: does this fall within the civil law aspect as you described it, or does it fall within systems and information of your own department? In other words, within which department would we find the explanation of how much time the department costs out to providing the advice on legal contracts that we're trying to resolve, and how much would that be on a per issue basis?

MR. HAVELOCK: Well, thank you for that question. We actually keep track of the time that we spend in providing advice to other departments, but we do not charge that back, nor I believe do we set a certain dollar amount per hour incurred per file. I don't think there would be any difficulty in trying to provide a bit of a breakdown, although I think it might be a pretty onerous task. As you can appreciate, hon. member, we receive a lot of requests throughout government. We do have individuals who are within departments themselves, for example the health department, providing advice directly, but they are still part of our count. Does that answer your question?

MR. ZWOZDESKY: Well, does it come within that part of the portfolio, the civil law section?

MR. HAVELOCK: Yes.

MR. ZWOZDESKY: And are there other parts of the Justice department involved in the review of those contracts? I'm thinking in particular of the review of things like exit strategies and forming part of the negotiation.

MR. HAVELOCK: Well, one thing you need to keep in mind is that if a particular ministry is wrestling with an issue, they are not obligated to approach our department for advice. They do have the ability, if they so desire, to retain outside counsel. Certainly we would prefer – since we feel we have a pretty good department and it's one of the largest law firms in the province – that they do approach us if they still wish to use outside counsel. We will quite often make a recommendation to them, but any advice that is provided on civil law matters, on contract exit, et cetera, is provided through the civil law division.

MR. ZWOZDESKY: A final quick supplemental: can we expect, then, that the answer to the question about the overexpenditure of \$553 million – what part of that would you say is tied to that type of activity, where the Justice department is assisting other ministries or the Treasury Department or whoever with respect to exit arrangements from some of the deals?

MR. HAVELOCK: Well, to make sure the record is correct, it's \$553,000.

MR. ZWOZDESKY: I'm sorry. Pardon me. Yes, \$553,000.

MR. HAVELOCK: I think the number you used was bigger than our whole budget.

MR. ZWOZDESKY: I'm used to dealing in millions.

MR. HAVELOCK: Yes. We don't have millions.

MR. ZWOZDESKY: Carry on.

MR. HAVELOCK: We haven't tracked the specific overexpenditure, but I believe what primarily resulted in that was having to retain outside contractual services and legal advice. Quite often what happens is that you'll establish a budget, an issue will come up, and the government makes a decision to go forward to the courts. We therefore have to retain outside counsel. So my understanding is that that is primarily due to having to retain outside counsel on some specific cases.

MR. ZWOZDESKY: Would you be providing a breakdown to this committee of some of that?

MR. HAVELOCK: I won't give you a case-by-case breakdown on what we spend on outside counsel. I've been through this before. However, what is available to your own Public Accounts Committee, I believe, is a breakdown of the legal firms that we've retained on matters and, I think, what we have paid them annually. Is that correct?

MR. McCRANK: Correct.

THE CHAIRMAN: Mr. Stevens.

MR. STEVENS: Thank you, Mr. Chairman, and welcome, Mr. Minister. The questions I have are based on information contained in public accounts, volume 2, at pages 85 and 86 and deal with the court services section. I think it's quite remarkable that the operating budget of \$61 million was hit right on. You and your department are to be commended for that. I was wondering, however, if you could explain a couple of the variances that fall within the detail of that balanced outcome. In particular, I note at the bottom of page 85 under 2.3.1, Court of Appeal, and under 2.3.8, regional support, that there are, I guess, in relative terms more significant variances.

8:50

MR. HAVELOCK: Variances are primarily volume related. One of the difficulties we have in the department, of course, is that when the budget is established we do wind up shifting staff throughout the province to meet the needs of particular communities and courts.

The divisional budget is determined and allocated approximately three months before the start of the fiscal year, and that's based on perceived requirements of each component. As I mentioned, as the year progresses, those requirements and priorities change, resulting in the reallocation of resources. For example, the Court of Appeal, 2.3.1, again was a staff movement. I'm sorry. The other one you mentioned was 2.3.8?

MR. STEVENS: That's correct.

MR. HAVELOCK: Yes. The same issue: related to staff movement.

If I'm not mistaken – and perhaps you can clarify, Mr. McCrank – we were having a Court of Appeal budget established initially. I think some of it was also trying to allocate the resources they felt they needed in order to get the job done.

MR. McCRANK: That's correct, sir. Hon. members, the Court of Appeal did not have a budget up until the year before this particular fiscal year that we're talking about, so we were trying to establish the right amount. We were off by a couple of hundred thousand in their first year, but we didn't want to give them an excessive amount and then have to bring it back. We'd rather build up. So we had to inject a few more staff into the Court of Appeal, and that accounted for the

overexpenditure this particular year.

MR. STEVENS: All right. Thank you.

My supplemental question deals with a point that is found on page 86, and it relates to the northern court region. It would appear that approximately \$566,000 less than budget was spent. I was wondering if you could comment on why that was.

MR. HAVELOCK: Well, the volumes in the expenditures relative to witnesses, jurors, bailiffs, justices of the peace, and other contracted services were less than anticipated. In addition, some of the positions in the northern region remained vacant over the year due to ongoing restructuring. A good example of that would be Stony Plain, where I think we had two vacant positions and those weren't filled. Money saved was largely applied to purchase and upgrade badly needed computers in the Edmonton and Calgary courts.

MR. STEVENS: Thank you.

MS BLAKEMAN: Good morning, Mr. Minister, staff, and staff in the gallery. Welcome back to the staff from the Auditor General's department.

Well, maintenance enforcement. I've been working on maintenance enforcement since 1989. There have been improvements, but I'm always looking for more. One of the questions I have specifically I'd noticed in the past, and I'd like to know if it was addressed in the fiscal year we are looking at. I will draw your attention to public accounts, volume 2, page 86, vote 3.5, maintenance enforcement. In the past the program was counting any amount received in a payment as an account completed. So when inquiries were made as to what was actually the success rate or what percentage of court-ordered payments were being brought in, we got a number that said this number of cases have had activity. But that activity could be \$1.69 out of a \$200 maintenance order for that given month. I'm wondering if that has been addressed and if it is now being reported in a manner that is reflective of the actual percentage of the amount that has been collected versus the total amount of money that was ordered by the courts.

MR. HAVELOCK: Well, I can tell you that that specific issue was not addressed during this fiscal year that we're examining. However, we have developed some new performance measures which I believe were in the annual report which we recently tabled for '97-98. I appreciate the question raised, because of course it wasn't an effective measure of what was being collected. We're trying to determine – where would it be in here? I'm probably venturing off into an area . . . Just give me a second. Of course, being the Justice department, we have an overwhelming amount of paper and we're never able to find what we need immediately. No, that's not it. We'll have to get back to you on that, but I know that the department is developing better performance measures. That was a specific direction given to them during last year's process. So we'll certainly take that into account. You're right; we need to better measure the percentage that we're collecting and should be collecting as opposed to simply saying: yes, we've collected, let's say, 20 percent on this file, therefore that's a successful collection.

MS BLAKEMAN: Okay. I'll accept that through the . . .

THE CHAIRMAN: Through the secretary if you're delivering some information, so that we can disseminate it throughout. That would be handy. Thank you.

MS BLAKEMAN: Okay. My supplemental question. I know – and surely you see this from the inquiries you get around this issue – that many women or custodial spouses feel the maintenance enforcement is not acting for them and is much more vigilant in collecting subrogated amounts, whether that be current amounts or arrears. I notice that a consultant retained by the Department of Justice during this fiscal year was to be working on improving service delivery. What follow-up is being done by the department and the staff committees and the program quality assurance committee to respond to the recommendations?

MR. HAVELOCK: That was the KPMG report, and certainly some of the recommendations which were made in that report were implemented. It was a report that was not released publicly. It was an internal audit. As you may be aware, we are also having a complete review of maintenance enforcement done by the Member for Calgary-Lougheed. A number of the issues that you've raised I anticipate will again be raised in her report. I would also encourage you, if you haven't, to make those concerns known to her. We anticipate the report coming forward in a month or two, and it's not only dealing with the maintenance issue; it will be dealing with the other side, the access issue.

MS BLAKEMAN: Okay.

MR. HIERATH: To the minister. On page 89 of the public accounts, volume 2, under dealing with transfers from the government of Canada, the total amount decreased from \$34.4 million to \$26 million in one year. In your opening comments you stated that some of that was due to federal inmates in provincial institutions. Maybe, Mr. Minister, you could expand on some of the other substantial decreases and what caused them over the one-year time frame.

MR. HAVELOCK: I'll go through some of the numbers for you and then give you a bit of an explanation. The young offenders program – and I'll just give you the decreases in total or increases compared between '96 and '97 – federal support decreased by \$1 million and one dollar; legal aid, \$191,000; the federal inmates program, a very significant decrease, \$5,484,000; the native court worker program remained the same; the federal/provincial firearms agreement, \$395,000; the national parole service, \$1,432,000. Actually, in another area, just a general basket of revenue, it went up \$38,000. So the total decrease was \$8,465,000.

Specifically, the \$5.5 million decrease in the federal inmates cost recovery program follows the decline in the number of days federal inmates serve sentences in our correctional facilities. That's due to a combination of the federal government adding facilities such as the women's prisons and taking over the administration of the Grande Cache jail. That reduced the need for Alberta to house federal inmates on a cost recovery basis. The \$1.4 million reduction for the national parole service, as I indicated earlier, reflected the return of this program from Alberta's correctional services to federal administration.

9:00

As regards the young offenders program – just as an aside – at the federal/provincial Justice ministers' meeting we indicated as provinces to the federal government that they were not upholding their part of the bargain to fund such programs at a 50-50 level. The federal government is looking at that issue. Part of the difficulty we've been faced with is that they would like to see their dollars going into an area that's quite different than that which we've been supporting thus far, so we are having some discussions with them. Hopefully in the future we'll see some revenue increase on that side

from the federal government.

MR. HIERATH: My supplementary question is still under transfers from the government of Canada. What is included in the \$571,000 amount under the item other revenue?

MR. HAVELOCK: These items result from a combination of some cost recovery arrangements, arrangements that have been in place for several years, such as interim custody on a per diem basis for persons involved in federal immigration matters. That amounted to \$344,000 in '97, with a comparable amount, as you'll notice – well, you won't notice, but it was a comparable amount in '96. The ministry has also taken advantage of any cost contribution initiatives offered by the federal government, which are included as other. The vast majority of it is related to federal immigration matters, but if you'd like, we can give you a little further detail and breakdown on that. We can submit that through to you. Okay? I said if you'd like.

MR. HIERATH: Okay; thanks.

DR. PANNU: Mr. Minister, I'd like you to go to page 87, correctional services. I was pleased to hear from you that the \$733,000 that was underspent was a result of a declining number of inmates in the prison system, in the remand system, which is very good news. What I want you to comment on first is whether this saving is a result of a change in the rate of convictions or in fact in the rate of incidence of crime itself. Can you make that distinction?

MR. HAVELOCK: Well, certainly there was a decrease in the level of crime, but it's cyclical. We've seen crime rates going down not only in Alberta but throughout the country in the last few years. We also need to keep in mind that there are other alternatives to incarceration which are now available to the courts. Conditional sentencing is a good example. We have also been ensuring through our serious and violent crime strategy that individuals who are convicted of less serious offences are, again, not incarcerated but perhaps may serve their time in the community through the house arrest program, for example. That has had a significant impact on the incarceration rates. I expect that will continue, but it won't continue as quickly, again because there have been some commentators indicating that the crime rate may start to swing back up in the future.

DR. PANNU: Just to follow up on that last comment you made. Has the rate of conditional sentencing gone up and by how much? If it has, would it be reflected in this?

MR. HAVELOCK: Well, the conditional sentences came in approximately a year ago; was it?

MR. McCRANK: Yes.

DR. PANNU: So that wouldn't explain this.

MR. HAVELOCK: Yeah, it's still quite a new sentence really. The courts are still determining how and when they should be issued. In fact, the Court of Appeal issued some guidelines not too long ago as to those instances where they felt conditional sentences would be appropriate. I anticipate, subject to those guidelines, that conditional sentencing will continue to increase, but I think you'll see it, again, being used more appropriately in instances where a serious offence hasn't been committed. Part of our goal, despite being a law and order government, is to have alternatives to incarceration available to those who offend. Certainly we want to treat those who commit

serious and/or violent offences very severely under the law. For those that don't, I think we need to ensure there are alternatives available and that we can rehabilitate them so we don't see them again.

DR. PANNU: Mr. Chairman, can I ask a second question?

THE CHAIRMAN: Well, a very tiny one. We'll allow it.

DR. PANNU: You or the hon. minister can decide whether it's short or big. The question is on policy. You did talk about restructuring of the department, and as a result, there were some savings and some more expenditures here and there. I was trying to get some idea from the information included in this document with respect to how much money we are spending on contracting out court services.

THE CHAIRMAN: Is that in the year we're examining?

DR. PANNU: Yes. That's the one. Because I can't get a figure here. There may be some departmental staff obviously – you know, you hire more or less – but do you also on a temporary basis go to law firms to do prosecution for you, for example?

MR. HAVELOCK: Oh, absolutely.

DR. PANNU: How much is that amount? How can we figure that out?

MR. HAVELOCK: We can break that out for you, but what I'd also like to comment on is that approximately a year ago 18 new Crown prosecutors were hired, with five support staff. We anticipate that will significantly reduce our need to contract out and hire outside counsel to conduct prosecutions on our behalf. Now, of course, if the crime rate goes in the direction some think it will, we may well need to look at contracting out again. But at this stage our commitment is to doing as much as we can with our existing Crowns.

DR. PANNU: For this year, if you'd like to break down . . .

THE CHAIRMAN: Mr. Minister, that was then.

MR. HAVELOCK: Sorry. That was then; this is now. Okay.

THE CHAIRMAN: That's right. We'll have to move on. That was venturing over, and I got a few raised eyebrows from the committee too.

MR. HAVELOCK: I'm just so thrilled to get questions I can answer that I answer them.

THE CHAIRMAN: Mr. Amery, followed by Ms Olsen and Mrs. O'Neill.

MR. AMERY: Thank you, Mr. Chairman. Mr. Minister, I'd like to refer you to page 87 of public accounts, volume 2, under public security, support for victims of crime, noted as program 7.5. The administration of this program overspent their budget by \$107,000. I wonder if you could explain this overexpenditure.

MR. HAVELOCK: Yes. The overexpenditures are due to the volume of activity experienced by the Crimes Compensation Board in awarding compensation to victims of crime. The recurring pressure in this program was resolved this year with the

proclamation of the Victims of Crime Act. What that proclamation did was dissolve the board and create the victims of crime fund. That new fund will be used to provide payments to victims of crime and also to support victims' programs. As you know, we have the 15 percent surcharge in place now, which we're estimating will generate approximately \$6 million annually. So that should take care of any and all problems we encounter in the future with respect to overexpenditures.

MR. AMERY: Also on the same page, under 7.5.2, it refers to compensation to victims. I wonder if you could explain what this would include and why this area was overspent by \$384,000.

MR. HAVELOCK: Well, again that was due to the increased level of activity. Some of the awards certainly increased a little bit too, but the answer is primarily the same for that, which I gave you: greater activity. Hopefully, the Victims of Crime Act will resolve the difficulty we've experienced.

What's interesting too, by the way, is that in '96-97 this was funded separately. Now the administration of the Victims of Crime Act and the board that will be allocating the dollars will be funded from and by the surcharge.

MR. AMERY: Thank you.

9:10

MS OLSEN: Questions that I have are in relation to the sexual sterilization. If you go to the public accounts, '96-97, volume 2 . . .

MR. HAVELOCK: Sorry. Where are you?

MS OLSEN: Volume 2, public accounts, page 10.

MR. HAVELOCK: Page 10.

MS OLSEN: Yeah. Note 4(h) under legal actions.

MR. HAVELOCK: I don't have it.

MS OLSEN: Have you got the public accounts?

MR. HAVELOCK: Yes.

MS OLSEN: Okay. Turn to page 10. It's under legal actions, note 4.

MR. HAVELOCK: Okay.

MS OLSEN: My question is: what steps were taken by the ministry during 1996-97 to monitor the province's contingent liability of \$764 million in respect to the "703 claims . . . relating to decisions made by the Eugenics Board of Alberta pursuant to the Sexual Sterilization Act"?

MR. HAVELOCK: What I believe was happening at that time is that outside counsel had been retained to review the claims in some detail and to basically come forward with some recommendations and a strategy in order to advance these claims.

Was the Muir decision out at that time too?

MR. McCRANK: It came in late '95.

MS OLSEN: Yeah.

[Mr. Amery in the chair]

MR. HAVELOCK: In late '95. Okay. Well, not having been there, I would assume that a lot of the effort that was being put in at that time was evaluating the impact of the Muir decision.

MS OLSEN: Okay. What role did outside counsel – in this respect, Macleod Dixon – play in monitoring the claims for the Crown then? We're talking about Macleod Dixon specifically.

MR. HAVELOCK: They were responsible as outside counsel for evaluating all the claims and assisting in developing strategies as to how those claims could be resolved in note 4.

THE ACTING CHAIRMAN: Mrs. O'Neill.

MRS. O'NEILL: Yes. Thank you, Mr. Chairman. Welcome, Mr. Minister and staff and Auditor General's staff.

On page 87 of the public accounts, in reference to institutional services, the Edmonton Remand Centre had an operating deficit of \$673,000 while the Calgary Remand Centre had a surplus of \$319,000. I'm wondering if you could explain how that happened.

MR. HAVELOCK: Sure. Actually, there were several factors involved in creating the deficit at the Edmonton Remand Centre. Firstly, in the past intermittent sentenced offenders – in other words, those serving their sentences on weekends at the court's discretion – were eligible to be considered for temporary absence release under the house arrest program. During '96-97 the eligibility requirements and criteria for that program were reviewed and tightened, and this resulted in an increase in the number of weekenders serving their sentences in the centre and, in turn, resulted in the need for additional staff to supervise them. Those increased staffing costs impacted the budget expenditure.

Secondly and rather unexpectedly, the centre was required to house offenders from the federal Edmonton Institution for Women from May until August of '96 when Alberta Justice responded to an urgent request from the Correctional Service of Canada. This temporary transfer of offenders allowed the Correctional Service of Canada to address the very serious security concerns which threatened the safety of the public – you might remember that issue – and not only the safety of the public but staff and offenders at the women's facility.

Thirdly, throughout the budget period the centre experienced a higher than expected absenteeism rate of employees from the bargaining unit, and to ensure the safety of the staff and offenders, additional staff was hired to cover off such absenteeism. The division is certainly taking this whole matter very seriously and is working with an expert in workplace culture to address that particular issue. I've had some discussions with members of the opposition in that regard.

As concerns Calgary Remand, the budget surplus was probably due to the savings in the manpower costs due to a lower than anticipated offender population count. Significant manpower savings were realized as a result when a number of the permanent staff positions did not have to be filled. So it's interesting how in Edmonton there was a lot of pressure and in Calgary the pressure was reversed.

MRS. O'NEILL: My second question has to do with the same page, under 7.5, the support for victims of crime. I would ask you if it is under that that the community policing based program of victims' services – is it funded under there or elsewhere? Can you break it down further as to what moneys went to, for instance, community

victims' services, volunteer groups, and other administrative groups?

MR. HAVELOCK: That's actually under a separate fund, I've just been advised, called victims' assistance committee. What I can do is get you some additional information in that regard.

THE ACTING CHAIRMAN: Mr. Zwozdesky.

MR. ZWOZDESKY: Thank you, hon. Mr. Chairman. Maharba. That's Arabic for hello. It's a pleasure to see you in the chair, Mr. Chairman. My questions to the hon. Justice minister I think fall probably within page 85, under departmental support services. However, I'm not sure.

Hon. minister, I respect the fact that you were not the Minister of Justice at the time these figures were accumulated, but I'm wondering whether or not you could explain to us where, within these reported figures, we might find how much money was spent by the department during this period of time on researching and developing any other studies with relation to the issue of jail privatization in Alberta.

MR. HAVELOCK: Yes, you're right. Since I wasn't around at that time, I'll have my deputy respond.

MR. McCRANK: Hon. member, the privatization was considered, I believe, in 1994-95. The study was conducted internally by people in the department with the assistance of some of the union staff that were prepared to assist in reviewing this issue. It all occurred within the corrections division budget, so it all occurred within program 8. It would have been spread over the assistant deputy minister's office, some of his planning people that are included in the program support for administration of the \$4.4 million. So it was all included in there. It was all done internally.

MR. ZWOZDESKY: Just so I understand it correctly, there were no moneys expended on the issue of follow-up to jail privatization possibilities during the '96-97 fiscal year?

MR. McCRANK: If there were, they would have been just within the staff of the corrections division. We have a planning section in the corrections division and they do a number of activities, one of which was privatization and the follow-up to that privatization report.

MR. ZWOZDESKY: So it's not your department directly as a department per se, then, that would pursue that?

MR. McCRANK: Well, through the corrections division.

MR. ZWOZDESKY: But it's staff out in the branches. I'm talking about your own internal staff here.

MR. McCRANK: Not invoked or in program 1. It would have been in program 8. Other than my own time, I spent a fair amount of time on it as well.

MR. ZWOZDESKY: My final quick question, hon. Mr. Chairman, is with respect to 1.08 on page 85, and that is the systems and information services, where we see an overexpenditure of \$615,000. I appreciate that there are underexpenditures in other areas for which the minister has already given explanation. But in particular, this systems and information services – can you comment on that overexpenditure? Does it somehow tie in with compliance in your department? Or is this more of an internal systems review, search,

documentation type of expenditure?

MR. HAVELOCK: We'll have to get you more specifics on that. Generally, I understand, that related again to higher anticipated communication costs and corporate computer requirements. We'll get you a further breakdown on that.

MR. ZWOZDESKY: Thank you.

THE ACTING CHAIRMAN: Mr. Melchin.

MR. MELCHIN: Thank you, Mr. Chairman. I'd like to reference in public accounts, volume 2, page 86, maintenance enforcement, 3.5.1, and also on page 89, likewise the maintenance enforcement, the revenue side of it. I wonder if you could give me a little more appreciation of the expenditure that was \$5.6 million in the year ending '96-97. Was that just for maintenance of the office and staff and people to administer the program? Or are there other expenditures related to the people in default? Are we helping them out?

Then on the other side of it, we received \$11.1 million in revenue, the Maintenance Enforcement Act. Where does that revenue come from? Who pays that? Did we actually make that on maintenance enforcement as a department?

9:20

MR. HAVELOCK: Well, it's not us that makes the money. But with respect to the overexpenditure, that is simply due to increased volumes. In fact, for a number of years this area has been underfunded, and that matter has been corrected in the budget which is just going through the House at this time. So we've taken care of that problem. But that again was strictly an increased volume issue.

With respect to the \$11 million, those are the subrogated claims which are available to us as we collect moneys on behalf of claimants. If they have received any funding from Social Services, then we have access to those dollars to offset what we have collected on their behalf.

Also, since you're raising maintenance enforcement, I'd direct your attention to page 88. If you'll look at the dedicated revenue amount of \$14.4 million . . .

MR. MELCHIN: Page 88?

MR. HAVELOCK: Yeah, I think it's page 88, just down at the bottom, total '96. Can you see it?

MR. MELCHIN: What's the column?

MR. HAVELOCK: The second column at the bottom, under dedicated revenue.

MR. MELCHIN: Oh, okay. Yes.

MR. HAVELOCK: Did you get it?

MR. MELCHIN: Finally, yes.

MR. HAVELOCK: We used to actually anticipate revenue from the subrogated claims which would accrue to maintenance enforcement, but we have stopped that practice because, quite frankly, it was decreasing. Nevertheless, as we had budgeted that revenue amount, because we weren't collecting that amount we would have some difficulties on our budgeting side and therefore show a shortfall. That's one of the reasons why we had to pick it up in other areas in

the budget if we experienced that. So we are no longer using the dedicated revenue process. I think it better reflects what happens.

Did that just confuse it, or did that help?

MR. MELCHIN: It raised more questions, I guess.

MR. HAVELOCK: I don't think you have any more, do you?

Perhaps someone from the department would like to give a much better explanation, since this happened in '96.

MR. HOPE: I could maybe explain, if you don't mind, Jon.

Hon. members, the reason for that was that at about that time or in the year prior Social Services had drastically reduced its caseload. Because we had established the maintenance enforcement program on a dedicated revenue basis, which was a financial vehicle available at the time to departments, we re-evaluated that decision because we realized that ultimately we don't have a lot of control over how much we collect. Despite our efforts, the amount can actually fall as a result of policy decisions by the departments. Therefore, we have discontinued that practice of reflecting in our estimates an offset against our expenditure of those subrogated recoveries.

MR. HAVELOCK: That's just what I said.

MR. MELCHIN: Thank you. I'd like to follow up not so much on maintenance enforcement but shift to the Motor Vehicle Accident Claims Act on page 88. I'd like to know more about what the department expenditures of \$27 million were versus the revenue side on page 89. We collected \$12.2 million. Is the department attempting to at least see that this is self-financing in some fashion? Where do they collect the fees? Is that intended to offset the Motor Vehicle Accident Claims Act of \$27 million?

MR. HAVELOCK: Well, unfortunately this program is not self-financing. For it to become self-financing, we would have to increase some fees rather significantly; for example, fees that are charged to acquire a licence.

Again, what has been happening is that for accidents caused by either uninsured or unknown individuals, the awards are increasing and increasing significantly on the civil side. We did make some changes recently where we eliminated the recovery of property damage, and I believe that saved us – what? A million?

MR. HOPE: A million and a half.

MR. HAVELOCK: A million and a half per year. But for us to make this self-financing would require increasing some fees rather significantly.

I also did make an effort to suggest to the minister of transportation that this would more appropriately fall within his department, but he rejected that.

MR. MELCHIN: Thank you.

MS BLAKEMAN: The maintenance enforcement program has always subrogated amounts if a custodial parent was receiving supports for independence, and I'm wondering if in the recommendations I was speaking of previously – sorry; public accounts, volume 2, page 86, vote 3.5, maintenance enforcement. This consultant and the committee on improving service delivery – during this fiscal year, was there any consideration to working with the student finance? That's another area where the lack of payment of maintenance enforcement is severely hampering people's ability to get higher education in this case. The Students Finance Board

considers the maintenance payment in the loan agreement, but if they're not actually receiving it, they're in trouble. So was there ever any consideration of renewed vigilance in attempting to collect maintenance enforcement from those people that were registered under the student finance or student loans?

MR. HAVELOCK: We're going to have to get back to you on that. The department's indicating to me that they don't have that information or a response at this time, so we'll get back to you.

MS BLAKEMAN: Okay. A follow-up question then. I thank my colleague for having asked some of the things that I was interested in with the finances, but I'm not sure that I heard you talk about the overexpenditure – 3.5.1 on page 86 – of \$1,195,000.

MR. HAVELOCK: That's always been for a number of years – and again, as I indicated earlier, it's been corrected in this budget – due to the volumes.

MS BLAKEMAN: Okay.

MR. HAVELOCK: This has not been funded properly in the past. What has occurred is that we have taken resources from other areas of the budget to offset any overexpenditure. But again, that matter will be corrected this year through our budget. Let's say you spend \$5 million a year in the area. There was an artificially low budget amount allocated in the budget for that of, let's say, \$4 million. So each year what was occurring was that the budget would be passed, there would perhaps be no increase in the total budget, and therefore we would take dollars from other areas in the budget to support this particular program. That's why the budget balances. But we have fixed that.

MS BLAKEMAN: Okay. Thank you.

MR. STEVENS: There were some questions with respect to correctional services, Mr. Minister, where you indicated that there were two or three reasons why the expenditures in that area had gone down. I believe one of the reasons was a change in sentencing. I was wondering whether you could comment on whether public safety has in any way been affected as a result of the changes in that area and in particular the decrease in expenditures.

MR. HAVELOCK: Well, from our perspective, not at all. Again, the decreases are primarily due to a decrease in the offender population. That's what drives our expenditures in the correctional facilities. From a public safety perspective, we of course enforce whatever sentences the courts pass. We've tried to make some changes to some of our other programs such as house arrest, where if there is a breach of your conditions, you must serve the remainder of your time in jail. So from our perspective, no, we don't feel there is a public safety issue. We've had, as I indicated earlier, some challenges at the Edmonton Remand Centre with respect to the corporate culture there, and we are working to address that with the staff and with the humble assistance of some members of the opposition.

9:30

MR. STEVENS: Thank you.

My other question relates to court services. I was wondering if you could, for example, under 2.2.1, elaborate upon what components go into the expenditure of \$4.4 million for the Court of Queen's Bench.

MR. HAVELOCK: Well, that relates to all the support that's provided to the courts. Those would be the clerks; those would be the administrators; those would be the processing and filing of documents that are tendered through the court. I believe we have the judicial salaries in there; don't we?

MR. McCRANK: No.

MR. HAVELOCK: Sorry; that's federal.

But their expenses are covered, their secretarial support. There are expenses associated with the housing of the courts, operating expenditures. So it's really quite a mishmash. But I can get you, if you'd like, a further breakdown of that number. That's certainly available.

[Mr. White in the chair]

MR. STEVENS: Essentially, it's everything but judicial salary?

MR. HAVELOCK: Yes.

MR. STEVENS: Thank you.

MR. HAVELOCK: And pension. It doesn't cover their pension either.

MR. STEVENS: Thank you.

DR. PANNU: Mr. Minister, may I get your attention, sir. On page 89, under fees, permits and licences, I notice some increases in revenues from fees. This occurred while the crime rate and therefore, I presume, by implication the need to use courts has been declining or might have been declining. How is one to explain the increase in the clerks of the court act revenues? Public Trustees Act amounts are \$376,000 for the first item, \$125,000 or so for the second item. I ask this question because obviously people who use courts, whether they are victims or alleged offenders, have to bear the costs, I suppose, for these fees and licences. So it's a matter of, I guess, concern to Albertans who have to be in the courts and pay these fees. Are these increases the result of increases in fees themselves rather than the number of cases?

MR. HAVELOCK: Well, there was no fee increase that particular year. I'm advised that the increase in the fee revenue was primarily due to the filing of documents in civil matters, not criminal. This includes all fees, permits, and licences for both courts, both civil and criminal. The increase occurred on the civil side with more activity. So the crime rate can be going down; however, there can be more people suing each other.

DR. PANNU: Okay. My supplementary, Mr. Minister, is that I notice under other revenues a dramatic drop in the revenues from interest. Could you explain the discrepancy? Did we have lots of money in the bank on which we drew this \$317,000 in one year? Next year it declines to \$28,000.

MR. HAVELOCK: I'm advised of two things. One would be rate related; but secondly, it would be due to having smaller balances on hand, which from my perspective is better management of money. That's why you have the interest decrease. Of course, it doesn't do the department any good to have dollars sitting in the bank collecting some interest. Those dollars could be better spent elsewhere throughout government or in the department.

DR. PANNU: Thank you.

THE CHAIRMAN: Mr. Lougheed, followed by Ms Olsen and Mr. Hlady.

MR. LOUGHEED: Well, thank you, Mr. Chairman, for recognizing me. Your substitute was overlooking me, I'm afraid. Thank you very much.

With respect to volume 2, page 87 . . . It's been so long that I've forgotten what I was going to talk about. With respect to the young offender facilities, looking at all of them, they seem to have had lower expenditures than the estimates. Can you elaborate on the reasons for that, please?

MR. HAVELOCK: Well, the difference relates to a fairly significant reduction in the number of young offenders being brought into custody during '96-97. This reduction translated into a reduction in the costs of the programs.

Did we have any justice committees back then? I think we did.

MR. McCRANK: Yes.

MR. HAVELOCK: Yes. There were other alternatives to incarceration, and that certainly would be impacting on it: the young offender committee, where young people are being directed from the formal system through the youth justice committees so that their issues are dealt with. So that had an impact on the young offender population. But also, much like the trend for adult offenders during that period of time, the crime rate and the level of crime committed by young people was decreasing. In fact, I think it was '96 when we had the only decrease since the Young Offenders Act had come into effect in the crime rate for young offenders relating to serious and violent crime. I think it was 1996. So that would have impacted.

MR. LOUGHEED: You have alluded a little bit to the youth justice committees. Could you comment on what you've seen happening with them? Has that in part impacted the reduction in rates because it's closer to the kids or anything like that?

MR. HAVELOCK: Well, absolutely. We're finding that the youth justice committees have been very successful in dealing with young people and ensuring that they don't reoffend. And that again impacts on the level of crime. It impacts on our incarceration rates and the number of young people we have in our institutions.

What we're finding too though – and I think this was happening in 1996 – is that the committees would not simply deal with all youth. These young people would have to qualify. You'd want to look at them as being first-time offenders. Obviously it could not be a serious or violent offence. They work with members of the community, they work with the family, they work with the police, with the Crown, and it's really been a very successful program. I must say that it was, I think, a program instituted at the federal level through the Young Offenders Act.

MR. McCRANK: It's ours.

MR. HAVELOCK: Oh, is it ours?

MR. McCRANK: It is under the Young Offenders Act, but it's our program.

MR. HAVELOCK: Yeah. Well, the legislation enabled us to set it up. That was it. But very successful.

THE CHAIRMAN: Ms Olsen, Mr. Hlady, and Mr. Zwozdesky.

MS OLSEN: Thank you. I'd just like to follow up on my colleague's question in relation to jail privatization. You alluded to the fact that it was in '94-95 when much of the work was done and the studies were done and that anything would be found separated out under program 8. I'm just wondering if you could endeavour to enlighten us on '96-97 in relation to any studies done: how many studies in relation to jail privatization, if there were, and how much the department spent on pursuing that particular endeavour.

MR. HAVELOCK: Well, in fact I can tell you that when the privatization issue was looked at, the then minister, the hon. Ken Rostad, approached me to carry the legislation. Much like some recent legislation, it went nowhere. So there were no studies done in '96 relating to privatization. There aren't any going on now. I think what was determined at that time was that we would work with our staff and the union to see what savings could be achieved. Some savings were achieved, albeit I don't believe the amount that was originally intended, but there's certainly no intention at this stage for me or for the department to pursue privatization. I've a couple of other things on my plate.

9:40

MS OLSEN: All right. That helps a great deal.

My next question is: what review activities were conducted by the Department of Justice for '96-97 as it relates to the provincial policing agreements and municipal policing agreements which were up for the five-year review in '97?

MR. HAVELOCK: You're talking about the RCMP, provincial policing, what review took place?

MS OLSEN: Yeah. That's on page 87, 7.2.

MR. HAVELOCK: Well, there certainly were discussions that took place, but if I'm not mistaken, the general consensus with the RCMP and with the department after those discussions took place was that there would not be any significant changes to the contract, and it simply remained as is. I think there were some trade-offs in there where they felt they needed some additional support and we felt they could achieve greater efficiencies.

There was some very specific direction given by the department and the then minister that they wanted to see some reductions on the administrative side, and I believe K Division has made a concerted effort to drive more members of their force into the community.

Is there anything that you wanted to add?

MR. McCRANK: I don't think so, sir, other than, as you indicate, the five-year review revealed that we and the federal government were content with the 20-year agreement that we've entered into. There were some inequities on both sides, but it was a wash overall in terms of the overall amount. There was one issue, grants in lieu of taxes, which continues to be in debate both between us and the federal government and between the municipalities and the federal government. We hope that will be resolved in the near future. But by and large, the five-year review revealed pretty much contentment, and we'll look to the next review in another five years.

THE CHAIRMAN: Thank you.

Mr. Hlady, followed by Mr. Zwozdesky.

MR. HLADY: Well, thank you, Mr. Chairman. I would like to commend the minister on his precise and concise answers. In my

time here I think he may have set a record on the number of questions answered by a minister. So congratulations, Mr. Minister.

MR. HAVELOCK: Thank you. I can slow down.

MR. HLADY: My first question is on page 89 of volume 2. It's under Other Revenue. I'm looking at the bottom of the column under other. Would you be able to tell me what's included in other, that \$2.38 million?

MR. HAVELOCK: Okay. The ministry has over \$250 million in trust funds under administration by the Public Trustee in the courts, and when a beneficiary or a claimant cannot be located, these unclaimed moneys are transferred to general revenue and amounted to \$1.5 million in 1997. Policing agreements with Cold Lake and Gibbons amounted to \$379,000 in '97, and another \$270,000 was received for civil enforcement, agency commissions, and licensing. The remaining \$188,000 in '97 was derived from various sources, with no one source exceeding \$75,000. Disposals of exhibits and seized property, for example, amounted to about \$74,000 in '97. So if you look at the numbers, that just about covers off the entire amount.

MR. HLADY: Thank you for that precise answer.

My supplementary is going to come under the statute fines line. The fine revenue has decreased from \$21.896 million to \$18.735 million. Can you comment? Are Albertans just that much better people that they're not in need of fines anymore? Why have we seen such a decrease in fines?

MR. HAVELOCK: Well, we certainly encourage people not to break the law despite the fact that we now get a 15 percent surcharge on all provincial offences. Nevertheless, the decrease was due to a reduction in the number and value of expected fine convictions, and I think there's been a trend. I think we can use – please correct me if I'm wrong – those charged with impaired driving. That, for example, has been decreasing. It seems that our educational efforts are having some impact. Society is changing its attitude; it's regarded as a very serious offence. So that's one example. I would think – although I don't know if anyone could ever prove it – that photo radar may have had an impact on that. Although I'll never concur with that, I'm sure there are those that would argue that position. If used properly, photo radar is an appropriate law enforcement tool. If it is used to generate revenue, it is not appropriate.

Another couple of reasons that there was an increase in fines: satisfied through time served rather than payment, and there was a decrease in the outstanding fines as of March 31, 1997.

I hope that answer was a little longer for you.

MR. HLADY: Thank you.

MS OLSEN: I just would like to know about the SHOWCAP program and the progress achieved in '96-97 as it relates to any increases or decreases in recidivism with some of the offenders: how many were targeted, that type of thing. How successful has SH0WCAP been, and what is the role the province actually plays?

MR. HAVELOCK: Well, for '96-97 I don't have the answer to that. Do any of the staff people have anything they could add? If you'll give us just a moment.

MS OLSEN: Certainly.

MR. HAVELOCK: We'll have to get back to you with specific

numbers on that.

MS OLSEN: My next question would be: what results were achieved by the department in relation to the implementation of the house arrest program and community surveillance program in '96-97?

MR. HAVELOCK: Well, again, I don't have those specifics. But as you know, there have been some significant changes to the program implemented just recently at the direction of my office, and the staff has been very helpful. So what we'll do is not only get you some information for '96-97, but to give you the complete picture, we will show you what changes we have made recently.

MS OLSEN: I'd appreciate that. Thank you.

THE CHAIRMAN: Very forthcoming.
Mrs. O'Neill, please.

MRS. O'NEILL: Thank you, Mr. Chairman. I'm referencing page 85 under court services, section 2.1.4, law libraries. I'm reading here that \$105,000 was overexpended. Was that because of restructuring of services through the law libraries, which I understand did have a bit of impact, certainly in St. Albert and in reference to the central?

MR. HAVELOCK: Well, I understand there was an increase in the amount spent for reading material for the judiciary, but I'll let Dan answer that more specifically.

MR. MERCER: It was for computer systems and for reading material for the judiciary.

MRS. O'NEILL: Thank you. That's what I wanted to know.

MR. HAVELOCK: That's basically it.

MRS. O'NEILL: I don't have a supplementary.

THE CHAIRMAN: Okay. Mr. Zwozdesky.

MR. ZWOZDESKY: Thank you. I will quickly reference page 87, vote 8.2.1. I appreciate that the hon. Minister of Justice and some of his staff have referred to the Edmonton Remand Centre in their remarks this morning. I'm concerned about the \$673,000 overexpenditure, which I believe the minister alluded to at some point during the discussion. I wanted some additional specifics, hon. minister, with respect to that overexpenditure and perhaps clarification regarding whether or not those overexpenditures are related to some of the reported staff problems we've experienced out there unfortunately and/or the changing culture that's occurring out there. As you're answering that question, perhaps you could tell us also: what is the sort of staff to inmate ratio, if I can use those terms? We'll start with the overexpenditure, the reason for it, and then the ratio, please.

MR. HAVELOCK: On the staff to inmate ratio, I'll have to get you information on that.

This question was raised earlier. I gave a lengthy response. I'll give you a shorter response, if that's all right.

9:50

MR. ZWOZDESKY: Sorry, hon. minister. Before you proceed, I heard the earlier question, but in this answer can you relate it specifically to the issues of the reported staff problems? I appreciate that you'd alluded to it. That's why I mentioned it in my preamble. If you could comment on specifically the staff problems that were

reported and the perceived change in culture out there or the need for one, that's more what I'm interested in.

MR. HAVELOCK: I don't have a specific dollar amount that I can give you, but we can certainly carve that out for you. But as I stated earlier, there was a high level of absenteeism with respect to the staff. We're aware that there is a bit of a culture that's developed there that's a concern for us. We have retained the services of a consultant, who understands these issues, to work with the department and to work with the staff at the facility to try and resolve those issues. I would have to assume that in '96 management was simply trying to address the issue through traditional means. Since I've become minister, we are quite aware of the problem and we've taken these steps, again part of the reason being that the Member for Edmonton-Norwood brought it forward and we met and discussed it. I have not seen anything come back on that at this stage, but with respect to the cover-off that was incurred regarding the absenteeism, we can get you that number specifically.

MR. ZWOZDESKY: Thank you. What concerns me is that we have a few areas now where we're seeing tremendously increased stress and workload and that type of thing which is also contributing to absenteeism and people taking disability leave for the workload, the mental stress, and everything else that's associated with some of these trying positions. I appreciate that these staff members out there are experiencing some of these difficulties, and I was wondering with respect to '96-97: is there a trend developing that you're monitoring? What is it that you might be doing about that?

MR. HAVELOCK: Well, there was a trend. Please correct me if I'm wrong, but the Edmonton Remand Centre, when we look at our institutional facilities throughout the province, was rather unique. A culture had developed there: very high absenteeism rates. Again, management had tried to resolve them. We had other issues that arose out there, some of which have been reported in the media, although I won't go into any detail. We were concerned enough to the extent that, again, we retained a consultant to specifically attempt to resolve and address the issue. Now, I don't know if and when that consultant will complete his work.

MR. McCRANK: Mr. Minister, the consultant we have hired is going through a training program with the managers and the supervisors at the remand centre at the moment. We're hoping to complete that in the next few months, and then hopefully that training and counseling and exposure will be translated through to the remainder of the staff at the Edmonton Remand Centre. The time lines are trying to get it done this spring, but we don't have a precise date because it depends on availability of the consultant and the staff.

MR. ZWOZDESKY: Are some of these same problems being experienced at the other centres? Is there some correlation there? Or, as you said, is Edmonton unique?

MR. HAVELOCK: No. Certainly not to this extent, if at all.

MR. ZWOZDESKY: Will you provide to us, once you find those results, more information through the chair so that we can stay abreast of the situation?

MR. HAVELOCK: Well, to the extent we can, because again we're dealing with personnel matters. To the extent we can provide some advice or direction as to what's occurred, we will. But always keep that in mind: personnel matters are confidential.

MR. ZWOZDESKY: I appreciate the confidentiality, so I'll abide by your decision in that regard. Thanks.

THE CHAIRMAN: It's at the minister's discretion. That in fact may go over into the area where we're bound not to go. I'll leave that to your discretion.

I think this is a first, as mentioned by Mr. Hlady. This is probably the first time we've had quite so many questions asked of and answered by the minister. We thank you for that.

The other thing is that I have no more paper. With the funding allotted to this committee, I'm only allowed one piece of paper per meeting, so we're out of luck, Mr. Minister. We can only ask one more.

For our last speaker, our last question, Mr. Melchin, please.

MR. MELCHIN: Notwithstanding the many questions asked today . . .

MR. HAVELOCK: You know, everyone's a comedian.

MR. MELCHIN: . . . and given the lateness of the hour . . .

MR. WHITE: And that would not relate to current policy, I might add.

MR. HAVELOCK: Do you actually have a question, or was that just a cheap shot?

MR. MELCHIN: I'll combine that as both. I would like to actually follow up on your very eloquent response on the revenue. I still didn't quite understand the Maintenance Enforcement Act. We collect \$11 million in revenues. How are those fees charged, or in what fashion do we earn money on maintenance enforcement?

MR. HAVELOCK: Since I didn't explain it so eloquently perhaps, who wants to take that one?

DR. PETRUK: Hon. members, when a client of the maintenance enforcement program is also a client of Social Services, they sign a subrogation agreement in which income that we would normally collect and turn over to the creditor goes to the program instead. In this year it was something in the order of \$11 million that we collected under those circumstances, and that goes to general revenues.

MR. MELCHIN: Okay. Thank you.

THE CHAIRMAN: We have now completed the questions, Mr. Minister, and we would like to thank you for coming along and being as forthright as you have been on the questions and answers. The written responses should, again, go through the secretary.

Any other business to conduct? We have to make mention that next week, April 1, we will have the Hon. Murray Smith here before us, which could be entertaining. He's labour relations, workers' compensation, professions, and others.

We do now need a motion for adjournment. Mr. Zwozdesky. Is it agreed? It is carried. Thank you kindly for your attendance.

[The committee adjourned at 9:58 a.m.]