

Legislative Assembly of Alberta

Title: **Thursday, March 2, 1995**

1:30 p.m.

Date: 95/03/02

[The Speaker in the Chair]

head: **Prayers**

THE SPEAKER: Let us pray.

We give thanks to God for the rich heritage of this province as found in our people.

We pray that native-born Albertans and those who have come from other places may continue to work together to preserve and enlarge the precious heritage called Alberta.

Amen.

head: **Presenting Petitions**

THE SPEAKER: The hon. Member for Lac La Biche-St. Paul.

MR. LANGEVIN: Thank you, Mr. Speaker. It is my pleasure today to table in the House a petition from my constituents from Elk Point and Glendon urging the government "not to make sexual orientation a part of the Individual's Rights Protection Act."

THE SPEAKER: The hon. Member for St. Albert.

MR. BRACKO: Thank you, Mr. Speaker. I am presenting a petition containing 1,290 names from all over Alberta, from as far north as Fawcett to as far south as Brooks. These Albertans are petitioning the Legislative Assembly of Alberta to urge the government "to notify specific communities upon the release of convicted repeat sex offenders in their community."

THE SPEAKER: The hon. Member for Clover Bar-Fort Saskatchewan.

MRS. ABDURAHMAN: Thank you, Mr. Speaker. I'm pleased to present on behalf of 1,440 Albertans a petition to the Legislative Assembly.

We, the undersigned, petition the Legislative Assembly of Alberta to urge the Government to notify specific communities upon the release of convicted repeat sex offenders in their community.

THE SPEAKER: The hon. Member for Edmonton-Rutherford.

MR. WICKMAN: Yes. Mr. Speaker, I'm tabling a petition in the House signed by 1,230 Albertans that states:

We, the undersigned, petition the Legislative Assembly of Alberta to urge the Government to notify specific communities upon the release of convicted repeat sex offenders in their community.

THE SPEAKER: The hon. Member for Spruce Grove-Sturgeon-St. Albert.

MRS. SOETAERT: Thank you, Mr. Speaker. I, too, have a petition, signed by 1,084 Albertans, which brings the total to over 5,000 who are urging the government "to notify specific communities upon the release of convicted repeat sex offenders in their community."

THE SPEAKER: The hon. Member for Bonnyville.

MR. VASSEUR: Thank you, Mr. Speaker. I beg leave to present a petition on behalf of 195 residents of Calgary urging the

government of Alberta to ensure all Alberta school boards provide the opportunity for each eligible child to receive 400 hours of ECS per year.

THE SPEAKER: The hon. Member for Edmonton-Meadowlark.

MS LEIBOVICI: Thank you, Mr. Speaker. I, too, have a petition from 63 Edmontonians urging the government to ensure that all children receive the opportunity for a minimum of 400 hours of early childhood services.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Mayfield.

MR. WHITE: Mr. Speaker, I beg leave to enter a petition signed by some 98 residents of the Rocky Mountain House constituency. They, too, add their voices to urge the government to present to the citizens of Alberta and the students of Alberta 400 hours of paid ECS education.

head: **Reading and Receiving Petitions**

THE SPEAKER: The hon. Member for Calgary-Buffalo.

MR. DICKSON: Thank you, Mr. Speaker. I request that the two petitions that were presented by me yesterday now be read and received.

CLERK:

We the undersigned residents of the Province of Alberta do hereby petition the Legislative Assembly to urge the Government to affirm its support for an enhanced volunteer-based, not-for-profit charitable gaming system in Alberta. We further petition our Legislative Assembly to urge the Government to ensure that sufficient revenues from our "made in Alberta" gaming system can be earned by communities and charities to enable these organizations to continue to provide their valued service to Albertans.

We, the undersigned, petition the Legislative Assembly of Alberta to urge the Government to ensure that no hospital beds are closed in South Western Alberta by an unelected Regional Health Authority without adequate consultation with residents.

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

MR. ZARIWNY: Thank you, Mr. Speaker. I'd ask that the petition I presented on March 1 concerning early childhood education be now read and received.

CLERK:

We the undersigned Residents of Alberta petition the Legislative Assembly to urge the Government of Alberta to ensure all Alberta school boards provide the opportunity for each eligible child to receive a minimum of 400 hours of Early Childhood Services instruction per year.

We also request the Assembly to urge the Government of Alberta to allow Alberta School Boards to use money from the Alberta School Foundation Fund to fund 400 hours or more of Early Childhood Services, as determined by the local community, so that there are no ECS user fees for 400 hour programs and so that all Alberta children have an equal opportunity or "level playing field" to succeed and compete in life by having equal access to basic educational resources.

THE SPEAKER: The hon. Member for Lac La Biche-St. Paul.

MR. LANGEVIN: Thank you, Mr. Speaker. With your permission I would ask that the petition I tabled on February 23 opposing sexual orientation recognition be now read and received.

CLERK:

We, the undersigned residents of Alberta petition the Legislative Assembly to urge the Government of Alberta not to make sexual orientation a part of the Individual's Rights Protection Act.

MR. KIRKLAND: Mr. Speaker, I beg leave to have the petition that I presented on February 28 read and received, please.

CLERK:

We the undersigned Residents of Alberta petition the Legislative Assembly to urge the Government of Alberta to ensure all Alberta school boards provide the opportunity for each eligible child to receive a minimum of 400 hours of Early Childhood Services instruction per year.

We also request the Assembly to urge the Government of Alberta to allow Alberta School Boards to use money from the Alberta School Foundation Fund to fund 400 hours or more of Early Childhood Services, as determined by the local community, so that there are no ECS user fees for 400 hour programs and so that all Alberta children have an equal opportunity or "level playing field" to succeed and compete in life by having equal access to basic educational resources.

head:

Notices of Motions

MRS. BURGNER: Mr. Speaker, I rise pursuant to Standing Order 40 to seek consent of the Assembly to consider the following motion:

Be it resolved that the Legislative Assembly congratulate the Hon. Mike Cardinal on his having been awarded the 1995 Trail Breaker award, presented by the Alberta Association of Rehabilitation Centres on Wednesday, March 1, 1995.

MR. DAY: Mr. Speaker, I wish to give oral notice of two motions. They're both related to the designated subcommittees. One will be that Mr. Dickson be appointed to the designated subcommittee dealing with the estimates of the Department of Public Works, Supply and Services to replace Ms Carlson, and also that the Assembly grant leave for the designated supply subcommittee considering the estimates of Executive Council to meet on Wednesday, March 15, '95, between the hours of 3 and 5 p.m. and Tuesday, March 21, '95, between the hours of 3 and 5 p.m., when the Assembly is sitting.

head:

Tabling Returns and Reports

THE SPEAKER: The hon. Minister of Community Development.

MR. MAR: Thank you, Mr. Speaker. Today I feel compelled to table with this Assembly four copies unedited of pages 94 through 105 of the Fraser Institute's publication Tax Facts Eight. This document has been misused and misrepresented by certain members of the Liberal opposition and, using faulty logic, has led to erroneous conclusions about the state of affairs.

MRS. McCLELLAN: Mr. Speaker, I'm pleased to table today responses to written questions 149, 150, and 151.

THE SPEAKER: The hon. Member for Redwater.

MR. N. TAYLOR: Thank you, Mr. Speaker. Like the hon. minister opposite I, too, have something to table to bring truth and

honesty to the other side. It is the letter of the week in the *Calgary Sun*, February 19, my comments on the tax on utilities. I hope you don't spread it any further, appearing in the *Calgary Sun*. My family wouldn't like to hear about it.

1:40

MR. RENNER: Mr. Speaker, I would like to table this box of postcards, 1,200 addressed to the Premier and another 1,200 addressed to the Minister of Justice. These are signed by citizens in Medicine Hat and area, and they're requesting that the government use all means at its disposal to oppose the federal government implementing further firearms control legislation.

THE SPEAKER: The hon. Member for Spruce Grove-Sturgeon-St. Albert.

MRS. SOETAERT: Thank you, Mr. Speaker. I would like to table four copies of a letter from St. Albert Kindergarten in Crisis, the parent advisory group from Bertha Kennedy school, urging the government to implement 400 hours of fully funded kindergarten.

THE SPEAKER: The hon. Member for St. Albert.

MR. BRACKO: Thank you, Mr. Speaker. I beg leave to table a copy of a letter from a responsible young man in St. Albert, Doug Klem, who's taken a stand and taken action by writing this letter to the government urging the government "to mandate and fully fund the provision of Kindergarten programs with a minimum of 400 hours of instruction per child per year."

head:

Introduction of Guests

THE SPEAKER: The hon. Member for Lethbridge-West.

MR. DUNFORD: Thank you, Mr. Speaker. One of the favourite functions that I get to perform is citizens' court. I would like today to introduce to you and through you my favourite citizenship judge, and she's Ann Wilson. Ann and I have been discussing today the festivities that will take place in Lethbridge during citizens' week. I would ask that Judge Ann Wilson rise and receive the warm welcome of the Legislative Assembly.

THE SPEAKER: The hon. Member for Edmonton-Avonmore.

MR. ZWOZDESKY: Thank you. Mr. Speaker, in keeping with today's prayer about our rich heritage, it's a particular pleasure for me to introduce to you and through you to all members three very special guests from Kiev, Ukraine. Maestro Sergie Malovanay, guest conductor; Mr. Yuri Shevchenko, composer; and ballet meister and choreographer Mr. Victor Litvinov. These gentlemen are here as part of the 35th anniversary concert tour of Edmonton's world-renowned Ukrainian Shumka Dancers, who are performing at the Jubilee Auditorium in Edmonton for the next three nights. They are accompanied by executive producer Michael Sulyma and promotional materials manager Dennis Elkow, both of whom are former Shumka Dancers, along with yours truly. [remarks in Ukrainian]

We welcome you heartily, and we wish you boundless success in your concert appearances with Shumka. [as submitted]

Mr. Speaker, may they all rise and receive the warm welcome of our members.

THE SPEAKER: The hon. Member for Calgary-North West.

MR. BRUSEKER: Thank you, Mr. Speaker. We have visiting all the way from London today a couple of people I'd like to introduce to you and to members of the Legislature. They are Ann and Les Williams. Ann is the sister of the Leader of the Official Opposition. With them we also have the mother of the Leader of the Official Opposition, Mrs. Mabs Mitchell, and his son Lucas. I'd ask them to rise in the public gallery and receive the welcome of the members of the Assembly.

THE SPEAKER: The hon. Member for St. Albert.

MR. BRACKO: Thank you, Mr. Speaker. I am deeply honoured to introduce to you and to the Members of the Legislative Assembly three dynamic community leaders in St. Albert. They are with the Citizens Action Committee for the Protection of Children. I would ask Tracy Cook, Mary Lawless, and Angela Grosset, who are seated in the public gallery, to rise and receive the warm welcome of the Assembly.

THE SPEAKER: The hon. Member for Calgary-Cross.

MRS. FRITZ: Thank you, Mr. Speaker. It's my pleasure today to introduce to you and to the members of the Assembly a group of 49 students from St. Patrick school, which is in the heart of my constituency.

MR. SMITH: Three hundred kilometres away.

MRS. FRITZ: Right.

They are accompanied today by their principal Mr. Jon Kommes and two teachers: Mrs. Beth Weitz and Mrs. Kate Granson. Also, I would like to introduce by name the parent volunteers and helpers who've come so far to be at the Legislature today: Mrs. Lorrie Clark, Mrs. Donna Ames, Mrs. Pam Dionne, Mrs. Leona Kowalick, Mr. Darcy Pittman, Mr. Larry Johnston, Mr. Arthur Clark, Mr. Kim Farand, and Mr. Ed Ramos. They're seated in the members' gallery, and I'd ask that they rise and receive the warm welcome of the Assembly.

THE SPEAKER: The hon. Member for Lacombe-Stettler.

MRS. GORDON: Thank you, Mr. Speaker. It gives me great pleasure today to introduce to you and through you a group of energetic, enthusiastic grade 6 students from Waverly school in Stettler. Seated in the public gallery, they are accompanied here today by teacher Lisa Allen, parents Deb Hunter, June Magee, and bus driver Terry Bauer. I would ask them to rise and receive the warm welcome of this House.

MR. McFARLAND: I got a head start yesterday, Mr. Speaker. I'll do it right this time. I have the pleasure today to introduce a couple of hardworking individuals in the members' gallery. The first one is a young lady who competed in weight lifting in the 50 kilo class to go up to Grande Prairie, and I think she's got a future in weight-lifting: Ms Cassey Foreman. She's along with her mom, Wendy Rodgers, who was also a silver medallist this past year in Montreal in the women's masters weight lifting competitions and who will be competing in the western Canadian women's masters in Regina in about three weeks time, as well as being an instructor in black belt karate. Besides all that, she's the new committee assistant to two of the standing policy committees.

I don't know where they get the time, but my best wishes to you both.

MR. WOLOSHYN: Mr. Speaker, I'm very pleased and honoured to introduce a gentleman who I consider to be a longtime friend. He and I set the stage for community relations between schools and the RCMP for a good number of years when I was the principal at Kitaskinaw. He's been a member of the RCMP for some 17 years. He's currently a corporal. He's currently also one of the members leading the thrust towards community policing in this province in that he has set up one of the satellite stations and is manning it with other members at the Alexander reserve. I would ask Corporal Ray Arcand to rise and receive the warm welcome of this Assembly.

THE SPEAKER: The hon. Member for Lac La Biche-St. Paul.

MR. LANGEVIN: Thank you, Mr. Speaker. In this challenging time in education it is my pleasure today to introduce to you and through you to the members of the Assembly a group of St. Paul students and parents who are involved in home schooling. They are Mrs. Yvette Noël, Raimund Hoffbauer, Elizabeth McEachern,* Erin McEachern, Donna Barker, Marie Jubinville, Karen Chwyl, and Alain Jubinville. They are seated in the public gallery, and I would like to ask them to stand and receive the traditional welcome.

THE SPEAKER: The hon. Member for Lacombe-Stettler.

MRS. GORDON: Thank you again, Mr. Speaker. It gives me great pleasure to introduce to you and through you another group of students from Lakeview Christian school in Stettler. They are accompanied here today by teacher Mr. Galen Wiebe, parents Mr. and Mrs. Ralph Klassen, Mr. and Mrs. George Toews, Mr. and Mrs. Elmer Esau, and Mrs. Valerie Wiebe. They'll be helping to welcome the Governor General later this afternoon. They're seated in the public gallery. I would ask them to rise and receive the warm welcome of this Assembly.

head:
1:50

Oral Question Period

THE SPEAKER: The hon. the Leader of the Opposition.

Achievement Testing

MR. MITCHELL: Thank you, Mr. Speaker. The Minister of Education seems to have canceled his education propaganda video after we brought this blatant misuse of scarce education resources to the attention of the Legislative Assembly yesterday. At least the Minister of Education said after question period yesterday, and I quote: that route won't be taken; other avenues will be explored. I wonder whether the Premier could tell us how much taxpayers' money his government is on the hook for now that they've suddenly canceled this particular video and the contracts that must have surrounded it.

MR. KLEIN: Mr. Speaker, I really don't know, but I'm sure that the hon. Minister of Education has the answer to that question. The minister did the right thing. We welcome that kind of observation and that kind of criticism from the Official Opposition. This is a large, large corporation, a huge corporation, and we can't be on top of all things at all times. That is the role – and I say this with all honesty – of the opposition. If they find

*This spelling could not be verified at the time of publication.

these things out, then bring them to our attention. If indeed we find that that criticism is valid, that their observations are valid, then we're big enough and willing to take the criticism and do the right thing. So we thank you.

MR. MITCHELL: It would still be nice to know how much money we're on the hook for, Mr. Speaker.

My next question is then: given that the Premier and the minister clearly didn't understand what was going on in this particular area in that department and given that the Premier of course has explained here today in the Legislature how sometimes things get away from him, I wonder whether the Premier or the Minister of Education could tell us how many more projects like this are going on in the Minister of Education's department that he simply doesn't know about because somehow it's such a big corporation and he just can't understand what's actually going on.

MR. JONSON: Well, Mr. Speaker, there's one thing that I can at least partly agree with the hon. leader about, and that is, yes, there are quite a number of very important, major good initiatives for education in this province going on in the department.

With respect to the specific question, the amount, according to the figures that I have – and we need to do some refinement of them, but I'm quite willing to share that with the members, and that is that the cost of the work that had proceeded – there'd been no signed contract, Mr. Speaker. The preliminary work that had been done is around \$10,000.

MR. HENRY: What a waste of taxpayers' money. How many kindergartens . . .

THE SPEAKER: Order. [interjection] Order, hon. Member for Edmonton-Centre.

MR. MITCHELL: Speaking of other avenues being explored, the minister's words yesterday, and given that there have been 14 percent cuts to education, could the Minister of Education please explain how it is that he's increased his public relations budget by 5 percent so that he can produce – who knows what? – propaganda videos, TV specials, infomercials to describe and to sell to Albertans his obviously very unpopular education cuts?

MR. JONSON: Well, Mr. Speaker, I would like to, first of all, just remind the House of the issue here I think with the members across the way, and that is that they have some concern about clear accountability, having achievement tests, letting the public, the parents particularly, and the students know where they stand in the core components of the education system. This is what this effort in terms of communication was all about.

Certainly we're also putting priority on providing good information to students, to parents, to the general public about the initiatives that we're undertaking and showing their intent, their benefits in a very clear way. Mr. Speaker, in this case the method that had been chosen by the department and that they had proceeded with without my approval was one that I turned down and killed. I killed that particular video initiative. However, we are going to continue to work at communicating. The department was taking that forward in a vigorous manner, and that I certainly concur with.

Tuberculosis

MR. MITCHELL: Mr. Speaker, tuberculosis in Alberta is a growing public health concern. Last year it was an infected

doctor who affected perhaps as many as 1,500 people. Last week it was a dealer in a local casino. Now we are informed about an inner-city Edmonton man with infectious tuberculosis who actually sat in a hospital emergency room for six hours before anybody paid any attention to him. To the Premier: how many people have to be exposed to tuberculosis before this Premier figures out that he is creating more public health care problems for the people of this province because he hasn't got a properly formed plan of where he is going with this health care system?

MR. KLEIN: First of all, Mr. Speaker, it's unfortunate that anyone would get sick or be injured, but these are things that happen in society. As a matter of fact, I believe that last year there were 415,000 admissions to hospitals. So sickness and accidents and things that hurt and harm people are a fact of everyday life. In some cases people fall through the cracks, and that's unfortunate, and that's why we have a Health Facilities Review Committee. That's why we have a Minister of Health and a Department of Health: to investigate these matters if we know the details. If the hon. leader of the Liberal opposition will kindly provide the minister with all the details, we'll look into this situation.

THE SPEAKER: The hon. Minister of Health wishes to supplement?

MRS. McCLELLAN: Mr. Speaker, I would like to supplement. We do have a provincial tuberculosis control program in this province, and we do have some very, very fine experts who man that program. Control of TB in this province is managed very well. It isn't completely eliminated, but it is managed very well. I would tell the hon. members that we had about a stable number of tuberculosis cases. I'd also remind people that tuberculosis is 90 percent preventable and 100 percent curable. But one thing that does occur in this province is that we do have a free flow of visitors to our province who may carry TB. Immigrants that are coming in would be tested by having a chest X ray, et cetera. I am very concerned that there might be left an impression here that our TB program and the people who are operating that program are somehow not doing their job. We have an excellent TB program through the public health system. It is being managed very well in this province.

MR. MITCHELL: In fact, Mr. Speaker, we have an excellent provincewide tuberculosis monitoring program. Therefore, the Premier should have no trouble answering this question positively. Will he instruct the Minister of Health to maintain this provincewide tuberculosis monitoring program and put a stop to any suggestion whatsoever that it is going to be fragmented and assigned to 17 independent health care regions?

MR. KLEIN: Mr. Speaker, that has never been suggested. That is a program that is the responsibility of the Department of Health. I don't need to instruct the minister. She knows what is right for this province and what is right in terms of providing proper and good health care.

MR. MITCHELL: Of course, it was never maintained by this Premier that he'd be closing rural hospitals either, Mr. Speaker.

What kind of health care system is the Premier creating when there is a six-hour wait in emergency for people with active

tuberculosis who may be infecting who knows how many people before they are attended to by obviously overworked hospital staff?

MR. KLEIN: Well, Mr. Speaker, the kind of health care system we're creating is precisely the kind of health care system that has been advocated by the Liberal Prime Minister of this country, who said that there should be a determination of what is essential and what isn't essential and that we should be concentrating not on sickness but on wellness. I was absolutely – well, I wasn't astounded, because indeed the Prime Minister said about two years ago that this ought to be done. Now, he is saying publicly that, yes, there has to be reformation of the health care system in this country, that we must find new and more efficient and more effective ways of doing things.

2:00

Mr. Speaker, I note that his comments were backed up by Richard Plain, a health care economist at the University of Alberta, who said relative to the Prime Minister's remarks, and I quote – and I hope the Liberals agree with me on this issue because this comes in support of our Prime Minister, who happens to be a Liberal. Mr. Plain says: if you look at Alberta, for better or worse, Premier Ralph, then Klein – that's in brackets – has shown you can conform to a medical plan and markedly reduce the costs. That is exactly what the Prime Minister of this country is advocating.

THE SPEAKER: The hon. Member for Redwater.

Timber Exports to B.C.

MR. N. TAYLOR: I'm moving up the ladder here.

Mr. Speaker, the Premier has finally decided to appoint a private logging review committee with three monkeys – sorry; I mean three ministers – See No Evil, Hear No Evil, and Speak No Evil. See No Evil doesn't like envirocops snooping around, and Hear No Evil wouldn't listen to the advice about protecting ecological reserves when he was minister of parks, and of course Speak No Evil was sitting there in charge of forestry while logs were disappearing out of the province at 3,000 loads a month. To the Premier: what can the Premier possibly do to turn these three into three wise men? Are they going to have public hearings before road bans come off?

MR. KLEIN: Well, Mr. Speaker, as I indicated to the media yesterday, a ministerial task force has been struck to examine this particular issue. I was also asked by the media if there was a weighting to this. If it came down to, I guess, the ultimate situation, my attitude would be that the protection of the environment is of paramount concern.

There are a number of factors contributing to this particular situation. One is the policies that now exist in the province of British Columbia. The other is the transboundary transportation policies, whereby our trucks are not allowed into B.C. but theirs can flow freely because philosophically we believe that there should be open borders. We'll have to look at that. The third component of course is the environmental component, which to me is the most important component, and that is: how do we apply the environmental laws? How do we ensure that there is indeed reforestation? But, at the same time, how do we protect individual property rights? I mean, that is very important. So we have all these things, Mr. Speaker, to figure out, and if the hon. Member for Redwater can help us along with some good sugges-

tions as to how we might go about this, I'm sure that the ministerial task force headed by the hon. Minister of Environmental Protection would be very happy to listen to him.

THE SPEAKER: Supplemental question.

MR. N. TAYLOR: Thank you, Mr. Speaker. I'd be glad to help. All he has to do is copy California, Oregon, and Idaho, all with more free enterprise governments than this has, who have looked after it quite well for the last generation. That's free, by the way. I won't charge you.

This question is to the Minister of Family and Social Services in his capacity as native affairs minister. As the environment minister has said that 75 percent of the logs exported are coming from native lands, can the minister of native affairs verify this and also assure the House that our native friends are not being ripped off?

MR. CARDINAL: Mr. Speaker, that's a good question. I was going to get up anyway and supplement the Premier on the issue. I do understand that close to 80 percent of the logs moved to B.C. may be from Indian reserves. May be. That is not our jurisdiction. That is why I say may be. The Indian bands across the province are independent governments under the responsibility of the federal Liberal government. That is how the Indian bands want to operate. There is a lot of poverty on Indian reserves. When opportunity of this type arises, you can't blame individuals for grabbing that opportunity. As Albertans, we need to deal with it wherever we can and as much as possible, but it is a federal jurisdiction. I would advise the hon. opposition, the Liberal members, to contact their cousins in Ottawa to deal with those federal issues.

MR. N. TAYLOR: Without debating, the fact of the matter is that the environment is a national and international problem. They can't put up gas plants that put sulphur into the air, so why could they do it with timber?

This is to the Premier again. As the Minister of Environmental Protection obviously believes such unusual things – like, flat land, quote, not one bit of environmental damage is done if logs are cut there – what will the Premier do to ensure that the minister takes a crash course in basic principles of environmental science?

MR. KLEIN: Well, you know, as I quickly learned, Mr. Speaker, just being appointed minister of any portfolio is a crash course. I mean, you learn very, very quickly or you simply don't survive. I think the hon. Minister of Environmental Protection is doing just fine, thank you.

MR. LUND: Mr. Speaker, I think that I should clarify where the hon. member has been doing his research again. He got a quote out of a paper. The discussion was about the logging of about 10 acres on the property of one of my neighbours. It is flat land, and, yes, I did say that it wasn't doing environmental damage, but it is a very, very small piece of ground.

THE SPEAKER: The hon. Member for Calgary-Shaw.

Fiscal Year-end Spending

MR. HAVELOCK: Thank you, Mr. Speaker. [interjections] Well, I'm on a roll with the puff balls; I thought I would keep going.

Mr. Speaker, in the past the government's fiscal management system was based on the old adage: use it or lose it. This system forced public servants to spend unused funds before the end of the fiscal year. A number of my constituents want to know what steps the Provincial Treasurer is prepared to finally put in place to stop this inefficient use of taxpayers' money?

MR. DINNING: Well, Mr. Speaker, it is a concern as we enter the last month of the fiscal year that that kind of spending simply not occur. I remember saying in Budget '94 that our problem at times is that we have good people locked in bad systems, so we've gone about trying to change those systems by downsizing government overall and getting back to focusing on what exactly needs to be done.

We spelled out for the first time in Budget '94 a three-year spending plan backed up as well by three-year business plans that spelled out exactly what each government department and the government in general was focusing on, how it was going to get it done, how much money was going to be spent, and the means by which we would measure results. So now, Mr. Speaker, with those three-year spending plans, managers and senior officials in government departments know that they're not in jeopardy of losing that money next year if for some reason they might lapse those funds in the current year. I think it's a more responsible approach to spending the taxpayers' dollars.

THE SPEAKER: Supplemental question.

MR. HAVELOCK: Yes, Mr. Speaker. While that sounds good in theory, my constituents are interested in whether the Provincial Treasurer is prepared to offer an ironclad guarantee that he's going to achieve those results.

MR. DINNING: Well, Mr. Speaker, I won't profess to stand in this Assembly and deliver any ironclad guarantee other than the fact that I can show you the results that were tabled in this Assembly last Tuesday where we showed that out of 17 government departments in fact 13 of those departments, 13 of my colleagues on the front bench here backed up by a team of caucus members who support them, will actually come in under their budget. They will still meet the objectives that were spelled out. They will still do the job that they said they would do, but they're going to come in under budget, leaving some \$159 million for two purposes: one, to pay the \$40 million transition grant that's to be paid to the regional health authorities in this province, and the second is to ensure that we run that \$110 million surplus we promised Albertans we would run for 1994-95.

2:10

MR. HAVELOCK: Dare I ask, Mr. Speaker, in light of the opposition leader's concern regarding the education video: can the Provincial Treasurer ferret out and make examples of those who still practise this misuse of public funds?

MR. DINNING: Well, Mr. Speaker, I am aware of at least one group that might want to sort of practise the adage: use it or lose it. Now, I'm aware of an E-mail note that was provided to me by hard copy that came to my office from an information analyst for the Liberal caucus who wrote to their constituencies saying:

I have looked into the possibility of constituencies receiving a cheque for the \$1,250 in postage money available until March 31, '95. [The Member for Edmonton-Rutherford] has been pursuing this with Member Services and the answer is no . . . By doing

it this way, the gov. probably thinks there's a chance we won't spend it all. Make sure you do, says the note. I think that's regrettable, and I'll file that with members of the Assembly.

THE SPEAKER: The hon. Member for Sherwood Park.

Suncor Tailing Pond Spill

MR. COLLINGWOOD: Thank you, Mr. Speaker. I'm delighted that the Premier is taking action on an issue that the minister of environment wouldn't take action on, but I would with my question like to bring the Minister of Environmental Protection back to the buffet table of environmental problems. Last month an estimated 64,000 gallons of oil-contaminated pond water seeped into the Athabasca River at Fort McMurray through a 25-year-old dike around a Suncor tailing pond. Now, to Suncor's credit the spill was eventually reported to the department and was contained thanks to winter conditions. The potential for this problem, however, has been known since 1972, when an independent engineering study recommended that tailing ponds not be constructed on the shorelands of an active waterway. To the Minister of Environmental Protection: while the department is working on the spill cleanup, what is the minister doing to ensure that there is no contamination of the Athabasca River from this leak or from potential future spills?

MR. LUND: Mr. Speaker, we take this leak in the dike very seriously, and last Saturday I asked my assistant deputy minister in charge of pollution to visit the site, and he did that. He did a thorough investigation. The hon. member talked about it getting into the Athabasca. It did not get into the Athabasca. They are gathering up the spill. Of course it is frozen at this time, so they are gathering that up. They are bringing it back up on top of the area. We will be continuing to monitor it and will be looking at what can be done to make sure this doesn't happen again and the possibility of some fines being levied.

THE SPEAKER: Supplemental question.

MR. COLLINGWOOD: Thank you, Mr. Speaker. That would indeed, then, lead me to ask this question: since Alberta does enforce the federal Fisheries Act and since the minister continues to assure Albertans that he will enforce it when he's made aware of infractions, what action, if any, will the minister take on this illegal discharge into an Alberta waterway under the federal Fisheries Act? What are you going to do?

MR. LUND: The hon. member evidently didn't hear what I said in the answer to the first question, because I told the hon. member and the House that, in fact, we are monitoring the situation. We are going to assess if there was any environmental damage, and if there is the need for pursuing anything under the Fisheries Act, we will do so.

THE SPEAKER: Final supplemental.

MR. COLLINGWOOD: Thank you, Mr. Speaker. With this important environmental issue the problem isn't going to go away, because of the location of the tailing pond. To the minister: is the minister now prepared to respond to a 23-year-old recommendation that says that exterior tailing ponds should be rigidly regulated for size, location, and duration of use and that they

should not be constructed on the shorelands of active rivers? What action will you take?

MR. LUND: Mr. Speaker, to understand this, I think perhaps I will have to describe a bit what the situation is at the Suncor site. The dike is about 300 feet high. It's about 400 feet in thickness at the base. As you can readily understand, with the pressure of water on something that deep, there is real hydrological pressure on the base. So there is some seepage. In order to make sure that that does not get into the river, there is a trench that is dug all the way around, and there is continual pumping to make sure that the water that does seep through gets pumped back into the reservoir. We will be monitoring to see if this is sufficient and making sure that there is no contamination getting into the Athabasca River.

THE SPEAKER: The hon. Member for Calgary-Fish Creek.

Prescription Drugs

MRS. FORSYTH: Yes. Thank you, Mr. Speaker. My question today is to the Minister of Health. The minister has made a commitment to shifting the focus of health services from institutions to the community and the home. However, it is my understanding that the cost of drugs, which can easily run into thousands of dollars, is only covered by the health system when those drugs are provided within the hospital. Does the cost of drugs represent a barrier to a community-based health system, and how will the minister address it?

MRS. McCLELLAN: Mr. Speaker, this is a very important point, and it is true that the costs of prescription drugs outside hospitals are not required to be paid for under the Canada Health Act. We have been concerned about this issue particularly as we move to more institutional care. We do fund in our province a number of programs that are home therapy programs: cancer programs, cystic fibrosis programs, and HIV/AIDS programs. We are talking about and discussing this with our regional health authorities at this time. We're looking at it internally to see if there is a way that we can enhance the ability for people to have treatment outside of institutions. So I think it is a very important issue and one that we're taking very seriously.

THE SPEAKER: Supplemental question.

MRS. FORSYTH: Yes. Thank you, Mr. Speaker. I gather that each province has developed its own approach to providing drugs and covering their costs. In the absence of any national framework or standards, would a national plan enable provinces to take advantage of economics of scale and reduce costs through bulk purchasing?

MRS. McCLELLAN: Mr. Speaker, this has been a subject of discussion with ministers across Canada. There was agreement to develop a national strategy for the rational and cost-effective development, regulation, and use of pharmaceuticals in Canada, and indeed there was a special office set up in Health Canada to co-ordinate the development of such an office. It is not my understanding that we have looked at the possibility of bulk purchasing as being part of that strategy. We were really looking more at containing costs and ensuring that drugs that were being utilized and so on were effective. I believe that probably each province would prefer to have the latitude of doing their purchasing through the province. We are seeing where group purchasing

can certainly help, but I think it might be a rather difficult program to implement on a national basis.

THE SPEAKER: Final supplemental.

MRS. FORSYTH: Yes. Thank you, Mr. Speaker. I have seen a report that up to 20 percent of all seniors admitted to hospitals are there because of problems with prescription drugs. Is anything being done to try and reduce this needless hardship for seniors as well as the burden it places on the health system?

MRS. McCLELLAN: Well, Mr. Speaker, this is an area that is of deep concern to me and certainly to our caucus. Provinces that have done studies in this area show that up to 15 to 20 percent of hospital admissions due to adverse prescription drugs are indeed seniors, and this is of great concern. There are a few initiatives that are being explored, one of them very important, the pharmacy network, which will link pharmacies and I think perhaps allow a better monitoring. We have a multistakeholder group that is looking at drug utilization right now. The faculty of pharmacy and pharmaceuticals at the university has proposed a pilot study in that area. I have met with them to discuss this, and we're very interested in participating with them. I think it is a very important initiative in a very important area, and I thank the hon. member for raising it.

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

2:20

Dangerous Offenders

MR. ZARIWNY: Thank you, Mr. Speaker. The dangerous offender designation is rarely used in the province, and it is usually reserved for the most serious crimes. In fact, since being introduced to the Criminal Code in 1976, Alberta has designated approximately 15 offenders as dangerous. We have learned that Canada's only woman dangerous offender at present, Lisa Neve, has been sentenced for life for charges for which she was previously offered only four years in exchange for guilty pleas. I'm tabling four copies of a letter from the Crown prosecutor's office in which Lisa Neve is offered four years in exchange for pleading guilty to robbery, aggravated assault, and one count of uttering threats. My first question is to the Minister of Justice. Will the minister explain to Albertans why his department does not consider convicted murderers, pedophiles, and repeat sex offenders dangerous offenders?

MR. EVANS: Mr. Speaker, I have said repeatedly that the focus for the Department of Justice in the province of Alberta is serious and violent crime. I admit that there have been situations in the past where Alberta and other jurisdictions as well have not been aggressive enough in proceeding with dangerous offender applications when clearly the evidence was there that individuals were a continuing and real threat to society.

We had a meeting at the end of January, all justice ministers of the provinces, the territories, and the federal justice minister, and that was one of the matters of focus and concentration at that meeting, that we will be moving forward with federal legislative change to ensure that dangerous offender applications are for indeterminate sentences. That's to protect society. There is consideration of another amendment to the code that would provide for another category called long-term offender. Those individuals, when they are released after they've served their time, could be under supervision for up to 10 years.

There's another serious consideration about using more effectively the existing mental health laws in each and every province, a provincial responsibility, to deal with individuals who are incarcerated and who have treatable mental illness, and there is also consideration being given, Mr. Speaker, to those individuals who at the tail end, at the time when they would be allowed to be released, continue to be a serious and violent threat to society.

There is a concern of course for individual rights, and we have the Charter of Rights and Freedoms to deal with. The federal minister, to his credit, has set up a task force to look at that issue as well, because all of us as justice ministers across this country are very genuinely concerned about public safety.

THE SPEAKER: Supplemental question.

MR. ZARIWNY: Thank you, Mr. Speaker. My last and final question is also to the Minister of Justice. Given his remarks, how can the minister justify offering Lisa Neve a deal and subsequently branding her the most dangerous woman in Canada?

MR. EVANS: Well, Mr. Speaker, there may be a time at some point to discuss this matter. The hon. member may not be aware that Lisa Neve has appealed her conviction on the last charge, and she has also appealed the dangerous offender designation. So it is quite inappropriate to discuss this matter in this House or elsewhere while the matter is before the courts.

THE SPEAKER: The hon. Member for Cypress-Medicine Hat.

Relocation Incentives to Businesses

DR. L. TAYLOR: Thank you, Mr. Speaker. My constituents are concerned that there are billions of Albertans' dollars going to other provinces in the form of transfer payments. This is at a time when Albertans and Alberta are forced to make do with fewer services. Other provinces are using Albertans' money in an attempt to raid our jobs and jobs in neighbouring provinces. My questions are to the minister of economic development. Is the minister aware of attempts to raid Alberta industries, or have we lost companies who were considering coming to Alberta because of economic incentives from other provinces who are using Albertans' money?

THE SPEAKER: The hon. minister responsible for Economic Development and Tourism.

MR. SMITH: Thank you, Mr. Speaker. It's a good question because in fact equalization rates and each province's competing for businesses throughout Canada have proved destructive in the past, and it's certainly not a route which this government is pursuing.

All provinces in fact, Mr. Speaker, are interested in enticing new investment into their province. As they know Alberta has a strong industrial base, they're very interested in what we have, but we have no record of Alberta-based companies changing their locations to other provinces because of incentives.

In fact, it is quite interesting when a Liberal federal government is in the process of attracting \$2 billion in new taxes, a New Democratic Party government in Saskatchewan announces a reduction in the corporate income tax rate, an introduction of a nonrefundable investment tax credit, and a reduction in aviation fuel tax. Now, certainly a New Democratic Party is knowing

where the engine of growth occurs in a free enterprise market, unlike Liberal federal governments.

DR. L. TAYLOR: Mr. Minister, it's my information that we have lost companies who would have come to Alberta because of economic incentives from other provinces. What action are you prepared to take with offending provinces to restrict this practice?

THE SPEAKER: The hon. minister.

MR. SMITH: Thank you, Mr. Speaker. In fact, competition is good when competition occurs in a regulated marketplace, and the importance of regulating this marketplace is an initiative that this government has supported in the internal trade agreement and being able to break down barriers where in fact free competition can take place under a regulated market. Maybe the Minister of Federal and Intergovernmental Affairs wishes to elaborate on that.

DR. L. TAYLOR: As several of the provinces that were using Alberta taxpayers' money to attack Alberta jobs also have Alberta loans, will the minister play hardball with these provinces to prevent further incursions of McKenna's Raiders?

THE SPEAKER: The hon. minister.

MR. SMITH: Thank you, Mr. Speaker. In fact, contrary to Liberal questions, this government is playing hardball with other jurisdictions. The Alberta advantage is being promoted actively, and the ability for us to compete out there is happening every day. In fact, a businessman says it best when he says, when moving Normerica homes from Ontario into Alberta: I'd much rather do business in a province that supports business and is dealing with their deficit.

THE SPEAKER: The hon. Member for Spruce Grove-Sturgeon-St. Albert.

Sex Offenders

MRS. SOETAERT: Thank you, Mr. Speaker. Albertans want their children to be protected and to feel safe. This province has no clear plan to deal with repeat sex offenders who have been released into communities. There are definite actions that this government can take that will protect Albertans. To the Minister of Justice: how does the minister intend to respond to the more than 5,000 people who've signed a petition voicing their concerns about repeat sex offenders being released into their communities?

MR. EVANS: Well, Mr. Speaker, it's a very good question, and it is a very serious concern when people in this province do not feel safe in their own communities, do not feel that individuals who are being released from custody into communities will be integrating themselves back into the mainstream of society, and that's very much a concern of mine as well. We have informal processes in the appropriate circumstances to get information out very quickly to communities. That is something that is reviewed by the police services, and they make difficult but appropriate decisions after they look at the profiles of individuals who are released, where those individuals go, and what kind of a continuing risk they pose to society. It must be remembered that we must balance the rights of individuals and the rights of society.

Now, while I understand and certainly promote the reasonable rights of the individual, my priority in situations where individuals continue to be a serious risk to society is to ensure that information about those individuals is made known to the communities in which they live so that law-abiding citizens will be protected.

2:30

THE SPEAKER: Supplemental question.

MRS. SOETAERT: Thank you. My supplemental to the same minister: would the minister please show some leadership and work with communities to use the tools that he knows currently exist – for example, section 810 of the Criminal Code – to protect Albertans?

MR. EVANS: Section 810 is a relatively new provision, and the issue of course is how effective that is. It's really a supervisory role that is played and an agreement to be bound by by an order of the court.

I take the responsibility of this office very seriously, Mr. Speaker, and ensuring safer communities is the highest priority that I think I have and that this government has when it comes to the administration of justice. I do intend to work with communities and to work with colleagues on both sides of the House to ensure that the quality of life of Albertans is advanced and that safety will be not only a theoretical issue but will be a reality for all Albertans.

THE SPEAKER: Final supplemental?

The hon. Member for Red Deer-South.

Student Residences

MR. DOERKSEN: Thank you, Mr. Speaker. Yesterday we talked about student dormitories being taxable under the new Municipal Government Act and how they could be exempted. I want to continue this line of questions today because it affects not only Red Deer College but every university and college in Alberta. Could the Minister of Municipal Affairs tell me the difference between the old Municipal Taxation Act and the new Municipal Government Act as far as student dormitories are concerned?

THE SPEAKER: The hon. Minister of Municipal Affairs.

MR. THURBER: Thank you, Mr. Speaker. A student dormitory could be exempt from taxation under the new Municipal Government Act and was exempt also under the old Municipal Taxation Act. Under the old Act, though, the student dormitory could become taxable for municipal purposes only. The difference is that under the new Act if a municipality makes a student dormitory taxable, it then automatically becomes fully taxable for school purposes as well.

MR. DOERKSEN: Could the minister explain further: how would a municipality make a student dormitory taxable?

MR. THURBER: Mr. Speaker, the new Municipal Government Act allows a municipality to pass a bylaw which makes student dormitories taxable. You might want to know that about two-thirds of the dormitories in the province are being taxed right now under that part.

MR. DOERKSEN: Mr. Minister, because this could affect colleges and it could in effect double their taxes for student residences, is the minister prepared to reconsider this provision?

MR. THURBER: Well, as I'd mentioned yesterday, Mr. Speaker, we are in the process of reviewing all of these provisions under the Municipal Government Act, and certainly I will give the commitment that we will review this again to make it consistent throughout the province.

THE SPEAKER: The hon. Member for Edmonton-Meadowlark.

Health Care Workers

MS LEBOVICI: Thank you, Mr. Speaker. Last night more than 500 health care workers from both the private and the public laboratories heard that their jobs could be eliminated. The province has put aside \$15 million over three years for workforce adjustment programs in health. However, as we now know, this is not enough, because waiting lists are starting to occur for those workforce adjustment programs. My first question is to the Minister of Health. What contingencies has the minister set up to deal with another influx of layoffs, this time about 2,000 laboratory workers?

MRS. McCLELLAN: I guess I would want a clarification from the member on her numbers. Mr. Speaker, we did set aside \$20 million in a workforce adjustment, \$5 million to be utilized for development programs or training that might be required for changing roles in the system. My colleague the minister of advanced education and I have been working on that. The other \$15 million was allocated to the regional health authorities to utilize for that purpose. I expect the regional health authorities to utilize those in the best and most efficient ways they can. I think \$15 million is a very significant amount of money for a workforce adjustment program. I will be discussing this program with the regional health authorities at the next meeting of chairs that I attend, but I certainly think \$15 million is a very significant amount of money when you consider it is for a workforce adjustment program.

MS LEBOVICI: Fifteen million dollars may sound like a large figure, but when you look at the number of layoffs across the province that have occurred in the last couple of years and that will be happening, it isn't enough.

Will the minister be proactive – and this is the Minister of Health again – and ensure that the workforce adjustment programs are provided to employees before they are laid off?

MRS. McCLELLAN: Mr. Speaker, I've been very proactive insofar as allocating those moneys to the regional health authorities, recognizing that in the 17 regions in this province there will be 17 probably different ways to handle the workforce adjustment because the needs will be different. I still believe \$15 million is a very significant amount of money. These dollars are used for a variety of activities, whether they be counseling or assistance in career training guidance. I believe we've been very proactive in coming out very early with this program and putting the money in the regions where the decision-making can be made at the local level. As I said, I'll be discussing this as an update with the regions.

MS LEIBOVICI: The point is that the counseling would be helpful before individuals are laid off, not only after.

My supplemental to the Minister of Labour is: will the minister set standards so that severance packages for employees within the laboratory fields, who are in both the private and public sectors, are fair and equitable?

MR. DAY: Well, Mr. Speaker, I can tell you that the government fully recognizes that whether a person's working in the public or private sector, the thought of losing one's job and employment is something that's very difficult for anyone. That's why we certainly have taken a number of steps, as have already been outlined by the Minister of Health, to ease people through a very difficult time and transition. We also reflect and share on a communication basis with other sectors just what we are in fact doing in terms of our own sector. In the private sector we've seen and know that some severance plans, some work adjustment plans are more generous than those in government and less in some.

You know, whenever there's talk about jobs being reduced, there seems to be opposition to that. We've already said that it's a difficult time for people, but when a service can be delivered in a more effective way at less cost to the consumer or the taxpayer – even people working in private labs, it's still provincial dollars that go for a lot of those testings. If something can be delivered in a better way, then we need to ask ourselves the fundamental question: do we keep people working at a job when in fact the service could be delivered better, or do we hope that the overall environment will allow for more job production in general and jobs for those people to go to?

In fact, Statistics Canada is very clear. Over the last two years, December '92 to '94, employment in Alberta – during this time of restructuring, which is not easy for people, there's been a total of 89,000 full-time jobs created. In Edmonton, which has had the impact of direct public service loss of employment, there has been actually an increase in employment of 2,300 jobs. The unemployment rate has actually dropped slightly during this particular time.

THE SPEAKER: Order please. Before recognizing the hon. Member for Medicine Hat, the Chair would advise that it has to call on the Deputy Speaker fairly soon because of a visitor who is arriving today.

You may be hearing some noise resulting from a 21-gun salute. I just want to advise the hon. Minister of Justice that these are registered weapons.

head:
2:40

Members' Statements

THE SPEAKER: The hon. Member for Medicine Hat.

Gun Registration

MR. RENNER: Well, thank you, Mr. Speaker. It's interesting that you should talk about registered weapons because that's just what I want to talk about this afternoon.

Mr. Speaker, prior to question period today I tabled over 1,200 postcards signed by people in Medicine Hat and area, responsible gun owners who are greatly concerned with proposed federal legislation. These 1,200 people are not gun-crazed lunatics who are a risk to society and their fellow citizens. These are decent, law-abiding citizens who for a multitude of reasons choose to own guns. Some are target or trap shooters who participate in

recognized, world-renowned sporting events. Some are farmers or ranchers where the use of a gun is a tool, just as a knife is a tool in my own retail florist business. Others are collectors no different than art collectors. They collect guns for the intrinsic value they see in them. Most collectors never even fire their guns. Others have had guns passed down for generations, from great-grandfathers to grandfathers to fathers and hopefully some day to sons.

[The Deputy Speaker in the Chair]

You might ask, Mr. Speaker: why are they so concerned about the simple act of registering their guns? I asked that same question myself. After all, I don't own a gun. In fact, I have never owned a gun. As a matter of fact, at times I have been quite outspoken in expressing my dislike for guns. At the same time, I recognize the rights of people in society to have interests I don't share. In the last few weeks and months I have learned a lot about guns, about existing laws with respect to guns, about FACs, handgun registration, firearm training courses, and the list goes on.

If I thought for one moment that increased regulation and registration would reduce crime and save lives, I would be the first one to endorse it. But, Mr. Speaker, the 1,200 people who sent me their cards are not criminals. The criminals are too busy in their life of crime to spend time trying to convince politicians to stay out of their lives. Anyway, they have no intention of registering their guns no matter what Mr. Rock and the federal government decide to do.

I ask all members of this House to do their best to convince Mr. Rock that the federal government's proposed legislation is ill conceived, unnecessary, and unwanted.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Gold Bar.

Sex Offenders

MRS. HEWES: Thank you, Mr. Speaker. Our justice system seems inadequate when it comes to dealing with high-risk sex offenders and pedophiles who have served their full sentences. It's unthinkable and irresponsible to simply release a sex offender who has not received treatment and is described by corrections staff as highly likely to reoffend. We are simply waiting for a tragedy to happen. If the goal of our justice system is to protect society and rehabilitate offenders, then simply releasing these offenders is inadequate.

Mr. Speaker, I urge the provincial Justice minister – and I was pleased to hear his comments today – to work with his provincial colleagues and the federal government to develop alternatives to deal with released sex offenders that still pose a serious risk to the communities they live in. Presently there is no opportunity after a sentence has been handed down for an offender to be reclassified as a serious threat to society. Corrections officials can be given the authority to assess whether an offender is rehabilitated and to apply to the courts to require an extended sentence or a restricted, controlled environment.

It appears that we have no programs or institutions to deal with released sex offenders who are unable to responsibly control their actions. We need to develop settings where such individuals can be properly supervised in order to protect our society. At the same time, Mr. Speaker, such an environment would protect the offender from vigilantism and provide him with an opportunity to lead a more productive life than is the case in prison. We do him

no benefit, no good by releasing him into the community to cope with idle time and numerous temptations.

Mr. Speaker, this probably means a change in the dangerous offenders legislation or that a mechanism be put in place to utilize other existing provincial legislation to develop a system of a restricted, supervised environment that protects the public and the offender. I beg the Minister of Justice to continue his dialogue with the other ministers and the federal Justice minister to achieve that.

1995 Special Olympic Winter Games

MR. COUTTS: Mr. Speaker, last Friday the municipality of the Crowsnest Pass toasted the 1995 Alberta Special Olympic Winter Games. The Albert Stella arena in Blairmore became alive by the sparkle of 120 enthusiastic, young special athletes and 30 coaches from Edson, Barrhead, Calgary, Edmonton, Lac Ste. Anne, Red Deer, Pincher Creek, and the host Crowsnest Pass as they paraded before 400 appreciative citizens. Under the marvelous direction and competent leadership of Mrs. Del Grimm, chair of this provincial event, and her 20-member committee and numerous volunteers the stage was set for two days of competition, fun, and fellowship. Following welcoming remarks from Mayor Frank Capron, Mr. Hans Tiedemann, president of the Alberta Special Olympics, brought greetings from that association and presented Louise Suru with coach of the year award. Honorary Chairman Herman "Ham Hands" Harrison, as we know him, inspired the athletes with his words of encouragement. The community youth choir sang the Olympic song *Celebrate the Difference* as the Olympic torch entered the arena carried by Roy Schmode and Herm Harrison officially opened the games.

As precision skaters and mountain fiddlers entertained around the flame and under the fireworks, anticipation was high as athletes waited for their hour in the sun over the next two days in events such as figure skating, alpine skiing, nordic skiing, speed skating, and snowshoeing. When it was all over, whether these special athletes were medal winners or not, they were true to their Olympic oath said by Hanna Meketch and Alan Joss. "Let me win, but if I cannot win, let me be brave in the attempt."

Because, like the community, they all shone, we are all better for participating and sharing with these exceptional young people. My appreciation to everyone involved. Hats off to the Alberta Special Olympics organization, to the coaches and escorts. Hats off to the community of the Crowsnest Pass, but more importantly, thanks to those special young people for giving this MLA a weekend he'll never forget.

head: **Projected Government Business**

THE SPEAKER: The hon. Member for Calgary-North West.

MR. BRUSEKER: Thank you, Mr. Speaker. Under Standing Order 7(5) I would like to ask the Government House Leader what he's planned for next week.

THE SPEAKER: The hon. Government House Leader.

MR. DAY: Thank you, Mr. Speaker. I'm happy to respond and let all members know that on Monday in the afternoon we'll look at Royal Assent for Bill 7 and then second reading of Bills 1, 4, 6, 11, and 17, and in the evening we'll be in Committee of Supply considering the estimates of the Department of Community Development.

On Tuesday in the afternoon we'll be in Committee of the Whole looking at Bills 12, 13, 14, and any others that may have received second reading on Monday, if there's time for that. There's only an hour there, but we'll see how that one goes. In the evening we will be considering the estimates of Agriculture, Food and Rural Development in Committee of Supply and second reading of interim supply Bills 8 and 9.

Wednesday in the evening Municipal Affairs will be up for estimates in Committee of Supply; also, Committee of the Whole in terms of interim supply Bills 8 and 9. Again, if there's time, third reading as per the Order Paper. I don't know that there would be.

On Thursday, March 9, we will be considering the estimates of the department of advanced education, having been designated by the opposition as such, and third reading of interim supply Bills 8 and 9 and, if there is time, other third readings as per the Order Paper.

head: **Motions under Standing Order 40**
2:50

THE DEPUTY SPEAKER: The Assembly has before it for consideration a Standing Order 40 as proposed by the hon. Member for Calgary-Currie. On the matter of urgency, hon. member.

Trail Breaker Award

MRS. BURGNER: Thank you, Mr. Speaker. I would like to speak briefly to the matter of urgency on the Standing Order 40 that is before you and request your unanimous support not only in recognizing the tremendous work of the Minister of Family and Social Services but also the over 10,000 persons with disabilities in this province who came together with their organizations to recognize the work of the government and their volunteers in this unique area. Under that consideration I would ask your unanimous support for this motion.

THE DEPUTY SPEAKER: Is the Assembly in agreement to discuss this motion now? All those in favour, please say aye.

HON. MEMBERS: Aye.

THE DEPUTY SPEAKER: Opposed, please say no. Unanimous consent is granted.

The hon. Member for Calgary-Currie.

Moved by Mrs. Burgener:

Be it resolved that the Legislative Assembly congratulate the Hon. Mike Cardinal on his having been awarded the 1995 Trail Breaker award, presented by the Alberta Association of Rehabilitation Centres on Wednesday, March 1, 1995.

MRS. BURGNER: Thank you, Mr. Speaker. I am pleased to inform this House of the very special award received last night by the Hon. Mike Cardinal, Minister of Family and Social Services. Mr. Cardinal received this award from the Alberta Association of Rehabilitation Centres, known as AARC. The Alberta Association of Rehabilitation Centres is a provincial nonprofit association comprised of 68 nonprofit community agencies which offer a range of residential and vocational programs to Albertans with disabilities. The AARC community agencies provide services to approximately 10,000 Albertans with disabilities. They have

approximately 6,000 volunteers and 6,000 professional staff to deliver these services in over 37 communities in our province.

The Alberta Association of Rehabilitation Centres presented the Hon. Mike Cardinal with the first Trail Breaker award. In their presentation the association commended and thanked Mr. Cardinal and this government for its commitment and ongoing support to citizens with disabilities. Rita Thompson, the volunteer president of AARC, thanked Mr. Cardinal and this government for listening and responding quickly to the concerns expressed by persons with disabilities, their families and communities. Mrs. Thompson also pointed out that the agenda of Family and Social Services and this government coincides with the agendas of community agencies who support persons with disabilities. She recognized Mr. Cardinal's personal commitment to persons with disabilities by presenting him with a plaque and a pair of snowshoes which were crafted by a friend of Mr. Cardinal's in his home constituency of Athabasca-Wabasca.

In his acceptance speech Mr. Cardinal very generously shared the recognition bestowed upon him by pointing out that the decisions made by the Department of Family and Social Services in redirecting funding to people with disabilities were supported by all members of this Legislature, many of whom were in attendance last evening. In attendance were Mr. Cardinal's children and his wife. He was quite surprised, because this was something that he was not informed about. He did mention that he was concerned that his department could still surprise him.

I would ask you to join the Alberta Association of Rehabilitation Centres in expressing to the Hon. Mr. Cardinal our official congratulations and thank him for his commitment to Albertans with disabilities.

THE DEPUTY SPEAKER: All those in support of the motion, please say aye.

HON. MEMBERS: Aye.

THE DEPUTY SPEAKER: Opposed, please say no. Let the record show that unanimous consent was received. Congratulations.

head: **Orders of the Day**

head: **Committee of Supply**

[Mr. Tannas in the Chair]

THE CHAIRMAN: I'd like to call the committee to order. I would just remind all members and remind those in the gallery that this is an informal part of the legislative session. We do like to try and keep it to only one person standing at a time and one person speaking out loud at a time.

Before we even ask the minister to speak, I'll recognize the hon. Government House Leader.

MR. DAY: Mr. Chairman, I would move at this time that Mr. Dickson be appointed to the designated subcommittee dealing with the estimates of the Department of Public Works, Supply and Services to replace Ms Carlson, not that he could actually in fact replace her in our minds but strictly as a person on that particular subcommittee.

[Motion carried]

head:

Main Estimates 1995-96

THE CHAIRMAN: I'll now invite the minister to open this afternoon's events.

Justice and Attorney General

MR. EVANS: It is a bit of an event, Mr. Chairman. For history I will just make reference to the fact that we are having a 21-gun salute at this time in recognition of the attendance of the new Governor General upon the Assembly. I will try to keep going with a big boom myself during the time that I am allotted to review the estimates of this department. I am very pleased to stand before the committee today as the Minister of Justice and Attorney General to review the estimates of my department.

I want to begin by congratulating and thanking, quite frankly, my predecessor, whom I will not name by name, the now Minister of Federal and Intergovernmental Affairs, and the staff of the department, three of whom are in the members' gallery. I'm going to ask them to stand as I mention their names and their positions and ask members to acknowledge them. First of all, my deputy minister, Mr. Neil McCrank; secondly, my assistant deputy minister responsible for civil law, Mr. Doug Rae; and thirdly, my executive director of administration, Mr. Dennis Medwid. With them, actually, is my executive assistant, Donna Mastel. I'd ask all of them to rise and receive the welcome of the committee.

I wanted to do that, Mr. Chairman, because I genuinely believe the three-year budget plan and the planning of this department generally has been in extremely good hands in the past, and I hope that I can continue in a proactive way with the responsibilities of this portfolio. Certainly our commitment as government is to focus our efforts on people and prosperity and preservation, and I want to this afternoon reiterate my department's commitment to one of the key cornerstones of the Alberta way of life – and that's the administration of justice – and to demonstrate how it will be dealt with in our department in the coming years.

We've approached this year's business plan as an opportunity to renew the justice system. This represents the necessity to restructure our services to Albertans to better meet their needs while maintaining our strong resolve to do so in a way that Albertans can afford. I'm confident, Mr. Chairman, that my department has adopted an approach to renewing the justice system that captures the spirit of reshaping government while still maintaining those elements of our system of justice that continue to reflect Alberta's strong democratic traditions.

3:00

We have in the past few years re-examined what the administration of justice means in terms of how to best meet our goals, and I'm sure that the members will take note of the frank assessment of the challenges facing us as well as observe the many innovative strategies that we've chosen to pursue over the next three years to meet our business objectives.

My department's 1995-96 gross operating expenditure estimates to be voted total \$343.5 million, which represent a decrease of \$7.2 million from the comparable 1994-1995 estimates. In giving consideration to this budget reduction, it must be set in the context of the significant resourcing curtailment that my department experienced during the preceding two fiscal years. Again I want to give credit where credit is due: to my predecessor, the Minister of Federal and Intergovernmental Affairs, and to my staff for the superb job that they've done. In 1992-93 my department's estimates were \$416 million, indicating that by 1995-96 reductions made since that '92-93 figure will exceed \$70 million, or 17

percent. I'd add that my department's '95-96 estimates also include a further amount of \$8.8 million as a statutory requirement for the Motor Vehicle Accident Claims Act and the fund. You'll note no doubt with satisfaction that the Alberta Department of Justice has continued to meet its obligation under the Deficit Elimination Act and that this has been achieved without compromising public safety or creating undue hardship for Albertans.

A few weeks ago our government tabled the business plans for all of the departments, and in our business plan "the mission . . . is to ensure equality and fairness in the administration of justice in Alberta." This objective, I am sure you and your committee will agree, is formidable, but it's fundamental to our way of life. Fairness and equality are principles upon which our democracy rests, and the pursuit of them remains one of the core business activities of the government of the province of Alberta.

In the business plan we identified six different goals of the department and the programs that are in place to meet these goals. I'd like to draw the attention of the committee to a very important aspect of these goals. For the most part, they require the co-operation of the entire system of justice in order to be met. For example, our goal of maintaining law and order in Alberta communities is not merely a police responsibility. It requires the commitment and co-operation of our courts, our prosecutors, our corrections system, and the community at large. The significance of this is apparent. Interventions in any one part of the justice system have logical consequences for other parts of the system as well.

Innovation and change must take place in a way that recognizes this reality and only after careful consideration of the consequences across the entire system. In developing an approach that does this, we asked ourselves not, "What services can we cut?" but rather, "Given the funds that are available to us, how can we restructure our services in a way to best provide law and order in the province?" This approach leads us towards innovative programming as the basis of our planning rather than merely preserving the status quo. This, Mr. Chairman, is quite a challenge, given that there are many aspects of our operating environment which are beyond our control, such as federal legislation, court decisions, and the demographic shifts in Alberta, to name just a few. We remain concerned that many federal initiatives such as gun control, initiatives on the young offenders side to change the Act, the national child support guidelines, and others will seriously impact the way that we do business and in a manner that we cannot control. Another reality that my department must deal with is that the world is changing socially, technologically, and politically, and we must be sensitive to those changes.

I'd like to turn now, Mr. Chairman, to a number of strategies and initiatives that my department will be undertaking in the coming year to ensure Albertans continue to receive equality and fairness in the administration of justice in Alberta. In the coming year we intend to focus the resources of the department on serious and violent crime. I've hopefully given members some indication of that during question period today.

The Alberta public has expressed great concern over what it perceives to be an intolerable level of criminal activity within the province. Despite some very encouraging statistics over the past few years which show that crime is decreasing in the province, it's nevertheless the priority of this government to renew efforts to ensure the safety and the security of our citizens. There are many offenders serving short sentences for low-risk property-related offences or crimes against the administration of justice, such as failing to appear in court. The public is much better

served through the diversion of these offenders into a less costly community supervision program. This permits correctional services to focus its resources on incarceration of offenders who pose a risk to public security; namely, those offenders who are convicted of violent offences, weapons offences, sex offences, and the like. Alberta will continue to lobby the federal government for legislative changes to increase the protection of society by restricting and limiting the release of serious and violent offenders into our communities, particularly those offenders who are guilty of serious sexual crimes.

Like all other jurisdictions in Canada, Mr. Chairman, Alberta Justice is examining the best approach to take in dealing with the notification of the public about the release of these types of offenders once their sentences are satisfied and there is no authority to continue to hold them in custody. The challenge is to balance the protection of the public, as I said before, with the rights of the individual. It's not an easy issue, and as I said earlier today, I would certainly welcome the assistance and the recommendations and the support of all members of the House.

Alberta Justice is currently examining the possible development of an adult offender alternative measures program. This program diverts selected first-time minor offenders from court prosecution and uses community-based sanctions to deal with them. The program will be similar to the alternative measures program currently in place for Alberta young offenders. A study has shown that 95 percent of the participants at the young offender level have not reoffended within an 18-month period of time. Alberta Justice is also working with a pilot victim/offender reconciliation project which uses mediation and restorative community-based justice as an alternative to court proceeding and processing of minor offences. These are two examples of the adult diversion programs. This doesn't mean that more offenders will be in the community, Mr. Chairman, as these offenders would not likely receive jail as a disposition if they proceeded into the court system. These programs reduce the more formal involvement of the court and the corrections system, thereby allowing resources to be focused on dealing with more serious offenders.

A second general strategy is the commitment "to streamline the justice system" by aggressively pursuing opportunities to re-engineer our activities so as to improve services and to reduce costs. We'll be making a number of representations to our federal colleagues for ways of improving the justice system.

One key area that will address Albertans' concerns is through my department's participation in federal and provincial working groups to ensure that recommendations resulting from the Premier's Task Force on the Young Offenders Act are considered by federal officials in revising this Act in its totality. As most members are aware, C-37 is now passed, but that was specific to a few recommendations on the young offenders. The justice committee will now be going around Canada and taking an overall view of and recommendations on the Act itself. My department will emphasize in the coming year that significant changes are required if communities are to be protected and young offenders rehabilitated.

Among our many other streamlining innovations is the implementation of the Civil Enforcement Act. At present the government hires and pays sheriffs, bailiffs to seize assets from debtors on behalf of creditors. With the proclamation of the Civil Enforcement Act, these functions will be privatized. Private bailiff firms will take over these functions and work directly with creditors. The sheriff's office will remain, and it will oversee the regulation of these private firms, but by this method, Mr.

Chairman, we'll encourage private-sector involvement and efficiency while ensuring that these services continue to be available to the public at a reasonable cost.

A third strategy is "to improve public awareness of the justice system, and increase community involvement." I'm sure that the committee will agree that the justice system does touch all of us but is not always understandable to the public or responsive to community needs. So we've identified a number of initiatives that are intended to foster public dialogue and community involvement to ensure that we have the necessary feedback and support from the public to more effectively administer justice in the province. In this regard, we'll be actively promoting a better relationship between correctional and young offender centres and their surrounding communities through the use of citizen advisory committees. The role of these committees is to promote positive interactions between the centre and the local community and to assist in the resolution of identified issues. Over the next year studies will occur to determine the feasibility of establishing committees in other centres.

In addition, Mr. Chairman, my department intends to continue the process of establishing youth justice committees. There are currently 13 formally designated youth justice committees in operation throughout the province. [some applause] Thank you. Thank you. It's a very positive initiative. That's actually a threefold increase from a year ago. In addition to that, there are now approximately 35 committees that are operating informally or are organizing and being encouraged to seek formal designation. Interest in youth justice committees has increased as a result of the MLA task force on young offenders holding hearings throughout this province. This is an important example of how my department can work effectively with the community to improve the administration of justice.

3:10

Mr. Chairman, the current business plan of the department also recognizes the need for strategies to continue to meet the obligations of our province to our aboriginal citizens. We proposed initiatives that will foster greater sensitivity to the aboriginal needs and attempt to increase their involvement in a positive way within the justice system. Since the task force report on the criminal justice system and its impact on Indian and Metis people, it's been understood that aboriginal offenders are disproportionately represented in terms of their contact and involvement with the various components of the justice system. Many of the recommendations of that report have been implemented, and my department will continue to focus on increasing the number of aboriginals involved in the administration and delivery of justice programs and services.

Mr. Chairman, the foregoing were some of the many examples of the program innovations that we have either embarked upon or that are planned to make the justice system in Alberta more effective and more responsive. I can assure you and the committee that there are many others as well: from replacing the existing computer system in the maintenance enforcement program, thereby enhancing the collections, to continuing our process of relocating court sittings to locations in the province where the numbers of offences warrant holding court. We'll continue to examine options such as the transfer of the Grande Cache Correctional Centre to the federal government, which would better rationalize existing resources between the federal and provincial spheres of responsibility.

Mr. Chairman, I'm pleased to present this budget as an example of my department's commitment to meeting our government's

broad fiscal and social objectives. I'm confident that we'll be able to provide a system of justice that is both sensitive to the public's needs and affordable. I believe we can do that in the context of the budget that we are presenting today, and I believe Albertans request and, in fact, demand nothing less. I'm pleased to have this opportunity, as I said at the outset, and I look forward to the questions from hon. members on both sides of the House.

THE CHAIRMAN: The hon. Member for Edmonton-Strathcona.

MR. ZARIWNY: Thank you, Mr. Chairman. I have a number of questions that I would like to ask the minister, but before doing that, I'd like to make some general remarks. First and foremost, I'd like to congratulate him for acknowledging the task force that was set up by this side on the young offenders. Although he may not have directly acknowledged it, he did in an indirect way. As well, to his credit, he has focused on what I believe are some of the major issues in Alberta, and that is the increasing rate of crime. Congratulations to him and his predecessor as well as his staff for keeping the cuts to the budget as low as they were. Given, however, that legal aid did suffer the biggest cut, I'll have some questions in that regard later on. I'd also like to say that he has made himself accessible to me, and I very much appreciate that. I know that we have some other meetings planned in the next two or three weeks.

If I could just make reference, Mr. Chairman, to the throne speech. I'm surprised that it only paid lip service to matters of justice and crime. In that respect it failed, but the minister has more than made up for that by giving us some of the innovations that he's going to be introducing in the next year. Obviously, one of the major values of Albertans is to build safer, more secure communities in Alberta and to see that justice is administered and to ensure fair and equal access.

Having made those general remarks, I'd now like to direct the minister's attention to some of the questions that I have. As I understand from the budget, there will be a reduction in jobs. Apparently, there will be 84.5 full-time employees that will not have jobs as a result of his cuts. Can the minister give us a breakdown of where he expects these particular full-time employees to come from in his department? As well, how will this be accomplished? By that I mean: are we looking at layoffs, attrition, or early retirement?

In his vote 1 the minister's and his deputy minister's offices had close to a 5 percent reduction. Administrative services and financial services received modest increases. Can the minister tell us whether the increases in administrative services will include the costs of a provincewide public consultation process on the issue of jail privatization? I know that my colleague to my right will be asking additional questions in this regard, and I won't pursue the matter any further and will let her do it.

Given that we ignore the cuts to the RITE system, the Public Affairs Bureau budget was increased by \$167,000. Can the minister explain the need for the department's own communication bureau?

I direct his attention to court services, vote 2. The overall budget reduction, as I understand it, was less than 1.5 percent, approximately \$900,000. Court support services had an increase of 1 percent, and most of this was found in the court system improvements as an increase of \$279,000, or approximately 8 percent. Can the minister provide us with the benefits in the services and the cost savings that are expected as a result of this increase in spending on court system improvements?

I also believe this might be the proper place to have him provide us with assurances that he will strive to his utmost to implement the Canadian Bar Association recommendations that we, this particular government specifically, seek the best men and women for positions in the courts. By that I mean judges who fill Provincial Court.

Why is there an increase in support services when the frontline service to Albertans seems to have been decreased? In the court operations in the Calgary region we saw a decrease of 4 percent. The biggest cut is to the Court of Queen's Bench, which amounts to about 9 percent, despite the minister's pledge, both in question period and in his preamble on the budget, to get tough earlier with serious crime. Can the minister tell us how he expects to prosecute serious crimes with an already busy court system?

In that regard, I also feel that perhaps at this time it would be appropriate to raise a matter which my predecessor did, the Member for Calgary-Buffalo, when he was reviewing last session's estimates. Would the minister consider appointing at least some Provincial Court judges in remote parts of the province as masters in chambers? This would be an alternative way of cutting out circuit courts.

Now, I understand the sheriff's office received a \$114,000 decrease. If the minister recalls – I'm sure he does – the Civil Enforcement Act was introduced last session and passed. Given this particular cut, can he explain why the cost savings are not considerably higher than the 9.75 percent, given that there is the Civil Enforcement Act and the privatization of the sheriff's office? What mechanisms will Albertans be able to access if they're concerned with the services that are being provided in this particular area?

Court operations in Edmonton: we saw a slight increase of \$333,000, or less than 2 percent over last year. All subprograms seem to have taken a modest cut, except for a \$14,000 increase in regional support and the inclusion of a new vote for Court of Appeal with a budget of \$1.149 million. Would the minister explain, then, how this subprogram was funded in the past and why it was necessary to create a new vote for this year? Is this new funding, or is it old funding coming from other votes? If he could elaborate on that. As well, is the increase in regional support funding a result of a reduction of services in the northern region? Will rural Albertans be forced to wait longer for court services?

3:20

In the area of court operations the northern region overall was to be reduced by \$382,000, or 3.5 percent. Vegreville has been closed, bringing in a savings of \$850,000. I believe it is likely in an effort to absorb the traffic from Vegreville that Vermilion and Sherwood Park and Fort Saskatchewan have seen increases in their budgets. Can he please elaborate if that is in fact the reason for these increases? Does the minister anticipate a greater need for court services in these three communities of Vermilion, Sherwood Park, Fort Saskatchewan? Wetaskiwin is being increased by about 37 percent. This is one of the biggest increases of any subprogram in the minister's department. Is the minister planning a shift in services from other jurisdictions, or does he expect a one-third increase in the need for court services by the Wetaskiwin region? Is this the result of any new staff being located in Wetaskiwin?

In the southern region court operations the overall reduction was less than 1.5 percent, which amounts to slightly over \$893,000. The far southern region has been hit the hardest with the already announced reduction of services for Fort Macleod, approximately 30 percent, and a \$135,000 decrease to Lethbridge,

approximately 5 percent. Medicine Hat has had a decrease of a modest 2 percent. Can the minister tell us if the court traffic in southern Alberta is down, or are Albertans in southern Alberta being forced to travel and experience delays for necessary court services?

I'd ask him to direct his attention now to vote 3. The overall budget of legal services was reduced by \$531,000, or 1.5 percent. As the minister knows well, a part of that reduction is going to be absorbed by the good work that is being done by the Alberta Law Reform Institute, which, as he knows, was very instrumental in providing his department with the Civil Enforcement Act, at least the basis for it. I know personally the head of that particular institute. He was a teacher of mine: Mr. Lown. [interjection] He's a good man; you're right.

The government has recently used the institute to work in presenting a number of recent Bills. This is obviously a valuable resource, and I'd appreciate if he could give us what assurances he can that the funding cuts will not threaten – will not threaten – the continued benefit from the good work that the Alberta Law Reform Institute does.

The civil division is being reduced by 2.7 percent; that's approximately \$288,000. The division provides legal advisory services and representations for departments and Crown agencies. Now, in light of the new legislation under which the government plans to take legal action against ordinary Albertans to recoup health care costs due to accidents, can the minister explain how this particular cut will impact the resources of the civil law division? Can the minister tell us: what projected increases in caseloads does the department expect as a result of the new legislation?

The criminal justice division is being reduced by \$211,000, or approximately 1.1 percent. My question to the minister: is the reduction due to expected increases in caseloads, or is this an attempt to reduce existing delays?

Maintenance enforcement is being reduced by \$9,000, less than one-tenth of 1 percent. The question here to the minister is: can he tell us how effective this particular aggressive approach has been for maintenance enforcement? Can he report to this House on that?

Vote 4, the legal aid plan. Obviously the minister is well aware that we raised a question in question period on this particular matter. We'd like to know again: why is it that this program is being hit with 50 percent of the entire cuts of the department? When the demand for legal aid is continuing to rise, how does he plan to reduce the program budget by 10 percent, or \$2.5 million? Will there be a much greater reliance on staff counsel? Will fees for legal aid services be reduced? Will eligibility requirements become more restrictive? Will the Alberta Law Foundation under section 119.1 of the Legal Profession Act be expected to increase their contributions to legal aid funding? If so, how can this be justified?

Those are my remarks for the time being, Mr. Chairman. I'd now like to allow my colleagues an opportunity to continue the questions. Thank you.

MR. DECORE: Mr. Chairman, I'd like to start by congratulating the minister on his appointment to this portfolio and to congratulate the previous minister. I'm sorry he's not here to hear this because I think he served the province extremely well as Minister of Justice and Attorney General.

I think that Albertans probably don't know and don't give accolades as often as they should to our judicial system. I can't think of an incident of corruption that has taken place in the

judicial system in this province since I've been a student of law and a professional and a politician. I can't think of one. That means that the prosecutors and the judges and the system that we put into place have been, I think, serving Albertans extremely well. I wish there was some way that we could say hurrah to those men and women that have done such a tremendous job over many years and who will continue to do a good job.

I admire the fact that this province for the first time has a woman who is the head, the Chief Justice, of our highest court. It wasn't very long ago when there were few women in the legal profession, and to see women now in the highest position, the Chief Justice's position, is I think admirable, and to see women appointed almost, not quite but almost, on a 50 percent basis when there are appointments to the courts I think is admirable too.

I had an interesting experience two weeks ago when three high court judges from Ukraine came to visit Canada, came to visit Alberta, and they spent time with our judges and our prosecutors and our defence people. I think Albertans need to know the difference in the systems. Ukraine is coming out of a system of totalitarianism and is now going into democracy, but imagine a system, Mr. Chairman, where you can't go to statutes to read what the law is or to a criminal code. You have to go to a newspaper which sometimes prints what the laws are that have been passed in the Rada, the House of Commons in the Ukraine, and sometimes doesn't print. They've got a long way to go to realize the importance of the independence of the judiciary and how there is independence between the judiciary and the prosecution. Even now in Ukraine there's much too close a connection between the judiciary and the prosecution.

3:30

Well, those are the nice things, Mr. Chairman, about what's happening in our law system, but there are some things that need correction. If there's one area that I'm extremely disappointed in, Mr. Minister, it is the area of native justice. We have had the Kirby commission and the Cawsey commission. What's the other one? There are at least three or four others that have reviewed and rereviewed and examined and re-examined this area and have given us some tremendous suggestions on what to do with native justice.

There's something wrong when the majority of the people that are incarcerated in our jails are there for alcohol-related offences. It means, I think, that we have to look at the suggestions and the recommendations of Cawsey and Kirby that say that we have to embrace some of the suggestions and workings of Nietzsche and the suggestions from the native community to deal with alcoholism and drug abuse in the native community. Why haven't we, Mr. Minister, put in place the system of elders or community assistants in sentencing in the native community? Well, we have to a very limited degree. Most of what's happened, as I see it, are judges who have taken an initiative themselves rather than the department or the ministry taking the initiative. How come? What's the delay? Is it money that's holding us back? Is it the fact that we don't understand the culture that's holding back? If it is, why don't we call experts in to help us? Why don't we do something for native justice to get the thing sorted out? Mr. Minister, I ask you to address this one at length, to give us the history of what's happened in terms of reviewing native justice in our province and tell us what you are prepared to accept from those recommendations, what you are not prepared to accept, and what you're shelving for further discussion. I think it's time for some specificity in this area.

I would also like the minister to address the issue of gambling with respect to the native reserves. There seems to be confusion on this issue. There seems to be buck-passing on this issue. If you phone the federal authorities, they will say that this is a matter, by virtue of the negotiations between the provinces and the Mulroney government, that is now completely the prerogative of the provinces, of the ministries of justice. Well, is it a fact that the First Nations, as our party believes, have the right to control and develop and utilize their lands as they see fit, or are we still going to dictate what they can and can't do? Let's get that resolved. Let's tell them what we can do. I suggest that we adopt the position of the Liberal Party in Alberta, and that is to give the kind of authority to natives, to the First Nations, to allow them to do whatever they want. It's their land. They were the first people here. They should be entitled to say what they want to do with their lands.

So what is it with casinos and bingos and video lottery terminals and anything else that relates to gambling vis-à-vis our society and the native community. Is the minister, for example, if he is contemplating allowing gambling on First Nations land, going to insist that there be some sort of a prorationing of the receipts that come from gambling? Is he going to insist that all aboriginals in the province get access to those profits, or is he going to insist that not only does the band get revenue that's accruing from the gambling but all natives and charities in the province? I'd like some specificity on this issue from the minister, and it's time because natives want this, Indians want it, aboriginals want it, and the First Nations want it.

Mr. Chairman, I want to pick up a little bit on what my colleague from Edmonton-Strathcona talked about: legal aid. Yesterday I heard some comments by one of the frontbench ministers who said: well, you solve legal aid by simply cutting back the hourly costs of lawyers. Well, the minister knows and I know and every lawyer in this Assembly knows and anybody who wants to find out will know that lawyers debate this issue at length.

There is a principle that the Law Society has established, and that principle is that there is a responsibility that lawyers, that the Law Society, that the legal system have towards looking after people who can't get lawyers and pay for them on their own. That still applies. It has meant that wages, moneys, that have been paid in other provinces for legal services have been much less in Alberta, and the minister I'm sure will acknowledge this. What are we going to do? I mean, we've already got the legal community - I think the figure was two-thirds of what was normally chargeable as a fee. Is the minister insisting that the legal community absorb more than that two-thirds or whatever the formula is? I'd like some specificity on that.

How does this work, Mr. Minister, when the Charter of Rights and Freedoms says that everybody is entitled to legal assistance, legal advice, legal attention when their freedom is at stake? I don't think we should take that issue very lightly either. I remember a friend, Mr. Chairman, who went to a central American country who decided on a hot day that he'd jump into a fountain, a pond in the middle of the town square. A month later the U.S. consul found my friend in jail, because there isn't a provision like there is in Canada for legal assistance to be given immediately. There isn't a provision like there is in our Charter of Rights that says that you have to be brought to a court as quickly as possible and be dealt with as quickly as possible.

So, Mr. Minister, those are safeguards in our Constitution that you can't walk away from. We have to ensure that legal assis-

tance is given, and the danger is that if you keep pushing back on the Law Society and lawyers and cutting their wages, then lawyers are going to have I think – at least the temptation is there – junior lawyers doing senior courtroom work. There is a temptation for the law system to allow lawyers who haven't got very much experience to handle serious crimes like murder and manslaughter and so on. I don't think that's where we want to go. What's the specificity? Is the specificity that the minister wants to see some sort of a public defence system? There's a pilot project that you've gone through. I'd like to hear about that. Is that the answer to looking after the constitutional rights, of ensuring that everybody's got legal attention?

Now, I'd also like to hear from the minister what it is that the Legal Aid Society is expected to do with respect to women. The second area that I thought legal aid spent a lot of time looking after was women, women who were battered, women who didn't have the resources, women who had children, who needed restraining orders or maintenance orders, who had to go for legal aid attention. Is this an area that's going to be cut back? Is this an area where we're going to allow for some women to go wanting, without the kind of legal attention and advice that they need?

Mr. Chairman, I would also like the minister to tell Albertans what has happened with the deficits of the Legal Aid Society. Has that now been covered off, and is that all calm and under control with respect to the ministry, the government, and the legal aid system?

My last comments relate to a place I find dear to my heart, and that's Vegreville. I note that the ministry has now decided to cut legal services out of Vegreville. I want to know why. I want to know why legal services could be sent over to Vermilion, a smaller community than Vegreville. Vegreville has always been regarded as the regional centre, which I think includes Vermilion. If you look at how lawyers and the infrastructure for law exists, it will show that Vegreville is that centre, and a community like Vermilion and others simply gravitate or focus in on Vegreville. Lawyers. There are more lawyers in Vegreville than there because it is a regional centre and because the Court of Queen's Bench and the provincial courts came there.

3:40

What's happening? Why is this 800 and some thousand dollar reduction taking place to shovel people off to Sherwood Park or to Fort Saskatchewan or to Vermilion? I think one of the things that the legal system must do is ensure that people don't have to travel a long way to get justice, to be looked after. One of the things that has always irked me is the fact that the Supreme Court of Canada doesn't travel. If you want justice in B.C. or Alberta, you must travel to Ottawa to get that justice. That court doesn't come across the country. I think that's wrong and should be changed, but it doesn't mean that in our own province we should have a system that forces Albertans to go long distances to get the justice that they want.

Mr. Minister, a good system but a system that needs correction in a number of areas. I look forward to your answers to those issues.

Thank you.

MRS. ABDURAHMAN: Mr. Chairman, it's with pleasure that I stand up to speak to the Justice estimates. I'd like to start off my questions and comments by addressing Budget '95: Building a Strong Foundation. The focus of any justice system of course is people, and the main focus of a justice system is to ensure that

indeed justice prevails. I would put to you, Mr. Minister, that to ensure that justice prevails and that we indeed focus in on people, we start at the very earliest age, our young children, to ensure they receive justice. Most of my questions and comments are going to be based on that premise: when young children get into problems, we as a society through our justice system and other areas indeed meet that responsibility.

I've been proud to be an Albertan, proud to be a Canadian. Certainly when I live in the province of Alberta in comparison to when I lived in the city of Glasgow as a nurse – in fact, I nursed in Gorbals, which is inner city like you have never known it in the province of Alberta. I am afraid I have to say that I'm starting to see some of the symptoms of the things that I saw in those inner cities, Gorbals and Bridgeton Cross, beginning to creep into our communities in the province of Alberta, and that deeply concerns me.

When we lived in Breton and then moved to Fort Saskatchewan, I never dreamt of locking anything. I never feared the youth. I can't say that I have that same feeling of security today. So indeed we're beginning to see the beginning of a significant social problem, and I believe, Mr. Minister, through the Chair, that some of that is the result of the inaction of governments and the inability of our social service agencies to deal with the root problem within our systems with young children.

I would put to you, Mr. Minister – and I think there's evidence that clearly tells you – that the children who have been sexually or physically abused and come from an environment that is not caring and didn't get appropriate programming, end up unfortunately in conflict with the law as early in their life as 10, 11, and 12 years old. I think it's a sad reflection of our society that to this point in time we still have not found the ability to put the resources there to ensure that these young people indeed are dealt with fairly.

So I take you to page 100 of the business plan. We talk about the initiatives there, and it's being suggested that

over the next three years, the Ministry will be undertaking a number of initiatives associated with its five key strategies, which are:

- to focus the resources of the government on serious and violent crime;
- to streamline the justice system;
- to improve public awareness of the justice system, and increase community involvement.

Now, I was absolutely delighted, Mr. Chairman, when the hon. minister made us aware of the number of youth justice committees that are now going to be put in place in Alberta, and I commend you for doing that. If there's one thing I learned when I traveled this province seeking advice from communities on how we deal with young offenders, that was one area that came through loud and clear: youth justice committees were the way to go, and the ones that were presently in place were indeed functioning very positively. The communities were saying, "Give us the resources, and we will take care of some of these problems at the local level." When I spoke with young offenders, the thing that came across to me was that if there was only someone there to assist them, they wanted to get out of the life-style they had fallen into. That came across loud and clear.

When I look at the Justice budget, they are the same figures. It's the same identification, and that concerns me. So what I want to ask is: if you look at the throne speech – we're going to make our communities safer, and we're going to put youth justice committees in place and do the necessary things that need to happen – where in the Justice estimates is the allotment over the

next budget year to meet some of these needs? The reason that I want to pursue that is because in my travels across the province of Alberta time and time again the professionals in these residential centres would say to me, "It is so frustrating when you know that you are discharging or allowing this young person to move into the community when they aren't prepared by any stretch of the imagination." The reason is that they were failed in two places by the youth justice system: there was a clear time line stated for them being placed in that residential home, and it wasn't designated for when the professionals felt that the needs of that client were met and they were prepared to move back into the community.

Now, I know in one community in the province of Alberta the director of that facility quite often ignored that, and I commend him for doing that. He felt in the long term that he was saving taxpayers' money by not prematurely allowing that young individual back into the community. That's what I call good planning. That's what I call foresight and using your justice system dollars in a positive way.

What happened when I met in the city of Edmonton with some of our young offenders not only in the young offender centre or within the residential homes was that young people were saying: "I don't want to go back to the community. I'm not ready." It really concerned me when I left one residential home here in the city of Edmonton. A young man said: "I don't want to go back home. They want to move to another community. They don't want to deal with my problems. I'm better here. Can you not help me?" He was being released on the Monday. He still had a drug problem. He was going back to an environment the parents wouldn't accept: he had caused these problems and embarrassments.

So I'm saying to you: in your votes, Mr. Minister, where are we addressing putting adequate programming in place, finding the funds for the youth justice committees to meet the needs of these young Albertans? I would submit to you that without reinjecting dollars in these areas, we're just going to compound a problem that will result in communities that are even less safe than they are today. I think we're also doing a disservice to our youth.

3:50

I think that Health, Education, the justice system, and social services have got to do a better job of ensuring that the moneys that are made available are being used in a co-ordinated fashion to ensure the best value is given for our dollar. I don't see that happening yet.

I'll use the Edmonton inner-city educational system, where I have people coming to me saying: "We have children in the inner-city schools that are special needs. They have mental health problems. There are justice problems." Let's face it; shoplifting starts quite often at a very early age. The professionals can't find the resources to take them into the schools. Now, keep in mind that these are not middle-class families or upper middle-class families; they are inner-city families. Quite often, whoever the guardian is is not interested in coming to the school and being involved. So we have to show leadership and put resources into inner-city schools to deal with these problems, whether it be kindergarten, grade 1 right through, so that we don't face some of the problems at 11 and 12 and 13 and so on that we're facing today.

So I'd ask you, Mr. Minister: in dealing with the Young Offenders Act and the youth justice recommendations, how are you going to address these problems? Where are you finding the resources? How would you see the residential vote assisting you

in that way when we've had no growth in those dollars? I'm the last person to be advocating spending more money, but I firmly believe that within our provincial budget we need to find those resources to deal with these problems that are facing our young people. I certainly want to go back to the type of community that I lived in in the late '60s and the '70s in the province of Alberta, and I think I represent the bulk of the citizens in Alberta.

Let's move on to where really young people have gotten into excessive difficulties, and they end up in the young offender program, whether it be in Alberta Hospital Edmonton, in the actual forensic facility, the Helen Hunley Pavilion, or indeed in Counterpoint House. I've said this time and time again. I'd hoped that the former Minister of Justice, whom I have a lot of respect for, would have acted and we'd have seen programs comparable to Counterpoint House here in the city of Edmonton dealing with young sex offenders. For the past 15 years, when I've been involved in community health and mental health, I have not seen any substantial improvement, and that distresses me. Why it distresses me significantly is that I know that particularly these young males who have not gotten adequate programming at the early ages of eight, nine, and 10, and so on are going to move on and become pedophiles, sex assaulters in the future. We know that from statistical information. If we don't deal with these young males at an early age, we are creating a horrendous problem in the province of Alberta and across Canada.

Let's see what's happened when some of these adult sex offenders find their way back into our community. Because of the inactions of governments, we're now seeing a reaction to people coming back into the community. Now, I'm no different from anybody else. My head tells me one thing, not to overreact, but quite frankly, Mr. Chairman, to the minister, my gut tells me something else. I don't think as a grandmother or a mother that I'd react any differently than some of the residents within the city of Edmonton have reacted to the pedophile who unfortunately ended up in their community.

Quite frankly, I have some compassion for that man, because the reality is that possibly if he had had the kind of care – and I'm assuming some things here, and I may be assuming wrongly. Let's not use him. Let's use someone else who never had the treatment. After it being identified that they were sexually abused, they'd been physically abused, no treatment programs, they end up in a criminal justice system, they end up being incarcerated, and they end up back in our communities. That isn't what we want.

Mr. Chairman, I'm begging this government: let's for once in this decade start putting money where our mouth is. The answer is not incarceration for young offenders without appropriate treatment programs. The answer is not allowing people who have violated others back onto the street making our communities unsafe. I would put it to you, Mr. Minister, that when we're looking at implementing these recommendations and we know that someone isn't treatable or they will not accept treatment, whether it be in a forensic centre like the Helen Hunley pavilion or not, then I would question whether they should be back on our streets and within our communities.

Having said that, you have to assume the responsibility of finding treatment for our young children who need it. We can go to any mental health service group today, and we will find that there are not adequate resources there. We can go into the young offender centres; we can go into the residential programs. There aren't adequate services there.

[Mrs. Forsyth in the Chair]

Now, where in the budget, Mr. Minister – and I was looking for it, because I heard from family members, I heard from people within the professions, I heard from young offenders that had gone through the wilderness programs that they worked, that these people came out of those programs feeling there was a purpose in their life, feeling good about themselves, feeling disciplined. Where is there money in this justice system? If it's not going to be in the justice system budget, whose budget is it going to be in? I need to know those answers to feel that I can go to my community and say: you know, the Justice department in the province of Alberta is working positively to make sure our communities become safer.

Break and enters are all tied back to the fact that our young people are getting the wrong message out there. It can be because they're bored or it can be because there's a lack of discipline in the home or it can be because there's a lack of discipline within our educational system. I don't have all the answers, but I know that communities out there believe that they have some of the answers. If it was not in the government's report, I know that some of it definitely was in the Official Opposition's report looking at youth justice.

I'd like to leave that whole area of youth justice and the unfortunate young Albertans that have been sexually and physically abused and move on to our adult justice system. The one question I'd ask the minister to address so that I can have a better appreciation is: what were the benefits to our justice system and our community when we closed the Belmont Correctional Centre? What savings, if there were any savings there? If we didn't save any money, where was the money redirected to? If it was redirected, I would still think it was a good utilization of the moneys that came out of that remand centre as long as they've been put to a useful, positive function. I don't see that anywhere within the business plan or within the votes in the budget.

Also, when we look at the Grande Cache Correctional Centre and the fact that the federal government is going to take on that facility, I have to ask the question: why this operating budget? I don't understand what's going on there.

When we're looking also at the budgets for the next up-and-coming year and the fact that you haven't released your report on privatization to the communities involved or to all Albertans, I want to know quite frankly, Mr. Minister, if you indeed are going to privatize. I'll be quite frank with you: I think it's the wrong thing to do when it comes to security. I think there are certain aspects of the correctional system that, yes, are privatized already, and it's appropriate to privatize certain areas, but certainly I don't believe for one minute and my community doesn't believe that the area to privatize is the security. I think that would be a disservice. Mr. Minister, I challenge you to please release that document to the communities and to Albertans so we can address it and see whether we indeed are going to save any money, keep our communities secure, and how it fits into our votes.

So with those comments – and quite honestly, Madam Chairman, to the minister, there are a number of areas that I would like to have touched on as well, but I'll leave that to my colleagues. I look forward to some positive replies to some of my concerns and questions.

Thank you, Mr. Minister.

4:00

THE ACTING CHAIRMAN: The hon. Member for Highwood.

MR. TANNAS: Thank you, Madam Chairman. I'd like to ask the minister just a few questions. Under program 2, court

services, I see that the '94-95 estimates were \$61,395,000 and the '95-96 estimates are \$61,102,000, a savings there of several hundred thousand dollars. What I want to draw attention to, or to ask a question of the minister on, is that this part of Alberta, as other parts of Alberta, experienced a rather serious depletion of the number of courtrooms in service, and it seems that that's a rather small saving. Now, perhaps there are some reasons for it, and rather than speculate, I will look forward to the minister's reply. In my constituency alone we had three courthouses, and now we have one. We willingly went along with that because of course there were going to be significant savings and we would like to see those materialize, and it doesn't look like it's there. Perhaps there are other reasons for it.

The second thing that I would like to draw attention to and ask the minister about is the scheduling of court appearances. When there was this possibility of losing two of the three courthouses in the constituency, the question immediately rose from the different detachments that would normally have to have personnel attend those courts: could they have all of their cases from an area or from a detachment scheduled for one day? That's what used to happen when the court appeared in their community, and in speaking with a number of the officers, I find that that's not the case, that any one of three detachments can have personnel standing by at the court for all of the days that the court sits in the nearby community. That's costing them a tremendous amount of overtime and inconvenience. As far as the communities that pay the major share of the shot, they're not getting the coverage in their communities because the officers for which they pay spend so much time traveling some distance to the court, and they may be there on every day that the court sits instead of only one day a week.

So those are the two questions that I would ask about: the savings that don't seem to be very much reflected here, and whether or not court appearances cannot be scheduled in an efficient way by court officers so that personnel from the detachments don't have to spend undue amounts of time driving back and forth.

Thank you.

THE ACTING CHAIRMAN: The hon. Member for Edmonton-Glenora.

MR. SAPERS: Well, thank you, Madam Chairman, and may I say what a pleasure it is to see you in that spot.

MR. KIRKLAND: Where you can't heckle us.

MR. SAPERS: That's exactly what I was thinking.

I have a few questions and a few comments for the Minister of Justice and Attorney General for the province. I'd like to start off by briefly talking about young offenders in the province and the programs available for young offenders funded by the Minister of Justice.

In his opening comments I do give the minister credit for talking about alternative measures and the youth justice panels, both of which are allowed for in the federal Young Offenders Act, section 4 and section 69. You should note that this government has been brought kicking and screaming to the realization that what we need to do is get more involved in alternative measures under section 4 and we need to implement more youth justice committees under section 69. Both were commented on extensively in the consultations held not just by members of the government but also, of course, by members of the opposition.

I'm particularly concerned, though, about the recurrent problem with alternative measures in this province, and that is the underutilization or the underrepresentation of aboriginal youth in alternative measures programs. I'm wondering what specifically the minister is doing to make sure that aboriginal young offenders take full advantage of these programs under section 4 that operate across the province. I hope the minister would take the time to reflect on the involvement of the community and nonprofit agencies in the delivery of alternative measures programs, recognizing of course that these community and often volunteer-driven programs offer a qualitatively and quantitatively different kind of program than that offered by the correctional services people themselves.

Now, when it comes to section 69, I would like the minister to give us a further breakdown of the section 69 type programs which have been developed. How many of these are sentencing panels? How many of these provide advice to the court? How many of them in fact operate precharge or pretrial? How many intervene at the point of sentencing, *et cetera*, *et cetera*?

Mr. Minister, something that's troubled me for many years is watching the increasing burden on community corrections staff in this province, particularly those probation officers who have to deal with a mixed caseload. I have been told of caseloads going increasingly high, of some probation officers having to deal in the same day with young offenders convicted of relatively minor crimes and then dealing with parolees under the exchange of services agreement and then with adult probationers as well, and this mix of caseload does not allow them to do their best work. The paperwork burden is extensive, the actual numbers. I've been told by probation officers that it's no wonder people sometimes look at probation as a sentence without consequence. It's simply because the system has now emerged where they cannot give their best quality work, and they cannot serve those clients and their communities in the way that they would like to, in the manner in which they have been trained.

I'll note that when it comes to community correctional services for young offenders under program 8, vote 8.3.3, there is a decrease in the amount of money allocated this year over last year, and this does not bode well. If the caseloads are already onerous, if the paperwork is already extensive, if probation officers are already feeling that they can't meet the requirements that they themselves would like to meet, then I would like the minister to explain how this decrease in funding can remedy that. In fact, it seems to me that it would be just the opposite.

Mr. Minister, there are a number of other issues to do with young offenders on the institutional side. Particularly, I continue to be concerned about the triple designation of the Calgary and Edmonton young offender centres. You have a situation where some of the most secure jails in the province are EYOC and CYOC. They were built to very stringent standards. Unfortunately, they are being used to house some dangerous youth.

They're also being used to house some female young offenders who the courts have decided should only have open custody sentences. Because of the lack of open custody facilities for young girls who are sentenced to the courts, the system has incarcerated these girls not in community settings, not in residential settings, not in open custody facilities but in fact in the most high security, maximum security centres that we have for youth. Therefore, these girls don't have access to the same degree of programming, they don't have the same kind of peer/community support, they don't have the same kind of contact with their families, they are denied the ability to maintain their regular school programs, and not because the courts consider them to be

a risk but simply because of your department's lack of funding of proper community-based programs for this small but important population of young people.

4:10

The impact on your budget of some of the federal initiatives. Now, you alluded to this, but I'd like to know specifically, Mr. Minister, what adjustments you've made in your program plans, particularly when it comes to institutional corrections for youth, as a result of the passing of Bill C-37 in Parliament. The Bill deals with some of the most serious young offenders, and I would like to know where the adjustments have been made.

I note that both the Calgary Young Offender Centre and the Lethbridge Young Offender Centre will enjoy a decrease in funding this year, while only EYOC, which has been, of course, over capacity for years, will have an increase. So I'd like to know: if these institutions are already over capacity and if we're going to see longer sentencing as a result of the change in the federal law, how can it be justified that these centres receive either a very modest increase, in the case of the Edmonton Young Offender Centre – and I would imagine that's just to cover the fact that they're over capacity – or in fact a decrease in funding, in the case of CYOC and the Lethbridge Young Offender Centre?

Mr. Chairman, the minister talked a little bit about staff counsel in the business plan, the staff counsel program for young people. Now, I would like to say that I am very proud of the program that this government has instituted, providing staff counsel in the city of Edmonton on a pilot project for young people who come into conflict with the law. This program appears to be successful. I encourage the minister to evaluate this program and to ensure that adequate resources are put towards it so it can continue. But program 4, the legal aid program, gives absolutely no clue that this is about to happen. We don't know what resources have been made available for the ongoing monitoring of the program, we don't know what's been made available for an evaluation as it reaches the end of its three-year cycle, and most troubling, we don't have any indication that this program will continue, as I believe it should. I would appreciate some words of encouragement from the minister on this point.

I would like to turn my attention for just a second to the area of purchased community services by the Department of Justice. If you look at program 8 again, vote 8.4.3, you'll note that there is a decrease this year over last year in the community services which will be purchased. You'll also note that the amount of money being spent on community corrections overall is going down, and at the same time, as I said earlier, community corrections caseloads are going up. As the government moves towards more alternative measures, as the government moves towards the utilization of more sentencing panels under section 69, and even as the government explores the potential of an adult alternative measures program, it would seem to me that you would have to see an increase in the funding made available not just to community corrections offered by departmental staff but also to community corrections purchased through voluntary and community agencies. So I would like the minister to explain this contradiction.

While on the topic of this adult alternative measures program, I'd like to say that it's about time. I'm aware that adult alternative measures has taken place in other jurisdictions for at least the last 20 years. It has proven to be very effective from a community safety standpoint and very cost-effective as well. It's about time that this government got into this decade in terms of correctional programming. So I would encourage the minister to

pursue that pilot project with vigour. I believe that we'll all enjoy the results of that.

Mr. Chairman, I'd like to talk for just a minute about the impact of some other federal legislation on this provincial government's budget regarding the administration of justice. I would like the minister to comment on what adjustments they've made in their program planning for the eventual passage of Bill C-41, which is before Parliament right now, which is a Bill to do with sentencing and sentencing options. In addition, I would like to know what the provincial government is doing to prepare for the eventual passage of Bill C-45, which is another federal Bill presently before Parliament dealing with sex offenders.

One of the implications of Bill C-45, should it become law, will be longer terms of incarceration, typically the right to warrant expiry dates for convicted sex offenders. As this provincial government continues to have in place an exchange of service agreement with the federal government to house federally sentenced offenders who are serving a period between two and five years, obviously this will have some impact on finances and on the administration of those correctional centres that receive these particular correctional clients. I'd like to know what adjustments in the budget or in the programs have been made.

[Mr. Tannas in the Chair]

Mr. Chairman, turning quickly to program 5, the Public Trustee, there was a Bill before this Assembly in the last session that was called Bill 58. It had to do with living wills. This would have some impact on the Public Trustee. There are consultations taking place right now. I would like to know what the budget impact potentially will be if we move in this province towards an enduring power of attorney beyond the power of attorney that's presently in place. If we expand the role of the Public Trustee, or if in fact we change it entirely, I'd like to know what has been anticipated by this minister. If you simply look at the budget, you get no clue. We see an overall decrease of something in the order of over \$100,000, but we don't know why. We don't know what services or programs won't be funded. I'm not aware of any decrease in demand on the office of the Public Trustee. In fact, I'm aware of just the opposite, yet we see a decrease in funding and we have legislation being contemplated. So the minister needs to clear this up as well.

Mr. Chairman, this government is on record in years past stating that they pay tribute to their obligation to provide access to justice and to provide public education about the justice system to the people of Alberta through the good work of the Alberta Law Foundation. Now, the Alberta Law Foundation's ability to fund programs and public education programs has been seriously undermined because of the impact of low interest rates and lower activity in lawyers' trust funds, et cetera, et cetera. I won't bother reciting how it is that the Law Foundation receives its income. I'm sure all members are familiar with it, or if they aren't, they can seek that input from the minister directly.

The fact remains that the Alberta Law Foundation is moving towards eliminating the funding to many community agencies that have a decade or more tradition of providing public legal education to the people of this province and literally coming into contact with tens of thousands of Albertans right across the province on an almost weekly basis. Given that the Alberta Law Foundation is in these financial hard times, and given that this government still has a stated commitment to funding public legal education and access to justice, I would like to know where

exactly it is in this budget that this government is going to honour that commitment. Where is the obligation to access the justice? Where is the obligation to public legal education? It is no longer good enough, I suggest, to simply say that the Alberta Law Foundation takes care of that, because if anybody still believes that, I would recommend they read the latest annual report of the foundation.

A couple of other quick points to touch on before I yield the floor, Mr. Chairman. There was a report done on the potential privatization of corrections in this province. To this date that report has not been made public. I'd like to know why. This has tremendous implications for the future programming and finances of corrections in the province. I believe it is public information. I believe it's in the public good for that information to be in the public domain, and I would like to know why the minister hasn't seen to it that that report is circulated for discussion and reflection by all Albertans.

Now, I'll note that in the Public Expectations section of the departmental business plan, which is on I believe page 8, it states that "public opinion, special interest advocates and the media will continue to identify issues in the administration of justice." This would lead me to conclude that the minister is in fact interested in public opinion and public input. Very hard to get that public input if you keep the reports secret, Mr. Minister.

Now, while I'm on this point of reflecting on the business plan, I find it odd that you would go to the trouble of including "special interest advocates." I have never met a special interest advocate when it comes to justice, and I would just like to suggest that the minister take a careful look at the implications of that wording. I always thought the administration of justice was a public good, and I always thought that every citizen had a right to make their opinion known and not be subjected to being somehow written off as just a special interest.

4:20

There is another report that this government has not made public, and this one is a report on the potential of going to a provincial or regional police department for the province. I think this report, too, deserves to be shown the light of day. I believe that it could withstand public scrutiny and public input. I know there are still many changes afoot when it comes to policing and the organization of policing in this department, and I think the minister should welcome public debate reflecting on the department's own research in this area, as opposed to somehow just filing this report in a departmental filing cabinet.

There are many dramatic examples, positive examples of changes in policing in this province. The Edmonton Police Service I think deserves to be singled out as being a shining example of what can happen when a police service decides to orient itself more towards the community and less towards serving the system. The community policing in this city is now being seen as a model right across the country. The ex-chief of police is on a national crime prevention forum providing advice to the national government and to his former provincial and other municipal counterparts. I think we can learn more from this experience than this government seems to be willing to to this date.

Along those lines, I would suggest that the whole theme of crime prevention through social development, which was once in favour, now seems to have taken a backseat to the get-tough rhetoric, and I don't think that does us any good, Mr. Chairman. I would suggest that the minister pay close attention to the lessons learned by his colleagues in social services and in education and others who can tell him what a good investment it is to invest in

community development as a crime prevention program, far more rewarding than more cops or more courts or more corrections.

Mr. Chairman, the last thing that I would like to make reference to very quickly is Grande Cache and the transfer of Grande Cache to the federal government. I think the staff involved deserve to be immediately informed of their fate. Are they going to be taken into the federal correctional service? Are they going to be released? What equivalencies are going to be put into place? What retraining? What other options will these people have? We know that the Grande Cache Correctional Centre was built to meet other agendas and correctional agendas. Staff were enticed to go out there with the promise of job security, and I think it is absolutely incumbent upon this minister to ensure that the staff involved are told as quickly as possible what fate awaits them.

With those comments, Mr. Chairman, I'll take my seat.

THE CHAIRMAN: The hon. Minister of Justice and Attorney General.

MR. EVANS: Thank you very much, Mr. Chairman. Just to give hon. members a little bit of a reprieve and to give me a chance to try to keep some of these things in order before we get to the end of the day, I'll begin in not any particular order in dealing with some of the specific concerns that were raised by hon. members, and I want to thank each and every one of them for participating in the discussion.

One of the questions that was asked was: where are the 83 and a half people who are identified in the department as being reduced in total staff complement coming from this coming year? Well, the majority of those individuals, Mr. Chairman, are from the Grande Cache correction facility. We're looking at about 65 altogether from corrections this coming year.

Again, in answer to Edmonton-Glenora's last question about their future, certainly the negotiations that we've had with the federal government are that the federal government would be taking these individuals on. Now, there are three different scenarios that we have been investigating with the federal government. First of all, the individuals who are providing service, and very good service, at Grande Cache would remain as provincial employees in that we'd enter into a long-term agreement with the federal government. They already have federal prisoners in Grande Cache. It doesn't seem that that is going to come to pass.

Another alternative is that the federal government would take over the facility and would actually buy the facility. We're continuing with those negotiations with the federal government. May I say that in that second possibility the presumption is that the employees who are currently working at Grande Cache would continue on under that model as federal employees.

The third is a long-term agreement with the federal government, in essence a lease with the government, and again the current employees would continue on.

I wanted to alleviate some of the concerns of the employees there, and I took a trip there before we'd persuaded the federal government that it was in their best interests, with their overcrowding situation, to take over that facility, and I toured the facility itself. I indicated to the employees that we were doing everything we could to encourage the federal government to continue operating there and ensure that the employees continued to carry out the security function and the corrections function. They know what they're doing. They're dealing with some long-term offenders and pretty seriously charged individuals, and they

certainly have the competency to deal with a federal complement solely, if that happens in the future.

So we'll continue with those negotiations. As I say, the first issue of these employees remaining as provincial employees in a long-term contract with the operation of the facility doesn't seem to be in the cards, but the other two possibilities are there, and we'll continue to negotiate with the federal government.

There are some other reductions in staffing as well, but we're not anticipating that we will be laying off anyone in this fiscal period, in '95-96. By attrition, by retirement we expect that we will meet the targets that we have and operate, as I said in my introduction, within a 17 percent reduction overall since '92-93 for this department and still be able to carry out the functions of the department in the kind of way that Albertans demand, ensuring that we can have public safety concerns addressed.

In terms of this issue of court closures, hon. members would be aware that we are closing some 26 facilities throughout the province, and at the same time we are reducing the number of provincial court judges by nine and prosecutors by nine. The intention is and was to review all of the facilities that were in operation, to look at efficiencies and to look at the number of cases that were being heard in these various facilities. You know, we moved the court sites in a reasonable manner and a reasonable distance so that Albertans would not be unduly inconvenienced, but we could make more productive use of the facilities that we keep open and have them operating for more hours of the day.

A couple of members have talked specifically about the Vegreville court. As you know, the process for the provincial court sittings is going to be that we'll have a circuit out of Vermilion, and the Court of Queen's Bench sitting will move to Edmonton as of January 1, 1996. We took a look at what the number of court sittings were, and in that courthouse in Vegreville we were only at 35 days, 33 days of actual court sittings and another 2 days of chamber application. So again trying to use our money more effectively, we wanted to make sure that we analyzed these critically. I can ensure all members that this was not an easy process, and it involved communities throughout the province, north and south. It was not done on an arbitrary basis; it was done with a lot of consideration for the amount of time that the courts were sitting and the distances that would be traveled by Albertans to access those courts.

4:30

There were a number of concerns raised about what we are doing to deal with the aboriginal reality and the fact that we have too many members of the aboriginal community involved in our corrections system. There is no question about that.

In terms of the Cawsey report, well over half of the recommendations that were made by that report have already been implemented. I'll just give hon. members the headlines, if you will, Mr. Chairman, of some of the programs that have been set up as a direct result of that Cawsey report. The assistant probation officer program, making sure that aboriginal people are providing community correction supervision to offenders in our isolated and remote communities. The community supervision program. The elder visitation program. Stan Daniels* correctional centre. The Kainai Community Corrections Society. The Metis Nation Wilderness Camp. The Poundmaker's Lodge in St. Paul. There's an adult addictions treatment program . . .

MRS. SOETAERT: It's in St. Albert, the Poundmaker.

*This spelling could not be verified at the time of publication.

MR. EVANS: No. It's St. Paul as well. [interjection] Trust me; I'm talking about the one in St. Paul.

Young offenders community programs involving aboriginals. The native brotherhood and sisterhood program. The native court worker program. Native program co-ordinators and young offender group homes. Young offender native custody homes and community corrections agreements.

Now, all of those in one way or the other are trying to address the concerns that were raised, and I take note specifically of the concerns raised by Edmonton-Glenarry. I do take them seriously. I think we have to make sure that we integrate aboriginal custom and religion into the sentencing. Any of us who have spent time in a courtroom realize how much of the court time is spent dealing with recurring offenders who are aboriginal who do not benefit, quite frankly, Mr. Chairman, from the existing system. They reappear and they reappear. It is a frustrating experience for them. It's a frustrating experience for court workers. It's a frustrating experience for defence counsel and the prosecution. It's a frustrating experience for the presiding judge as well. So in terms of using sentencing circles, in terms of trying to bring elders into the process, and, in point of fact, trying to again use diversion as a possibility early on so that these individuals who are coming into the system and reoffending over and over again can be diverted away from the system early on and perhaps helped through that kind of a process, it is a focus that we will continue to spend time and effort on.

We also have to recognize that in the last couple of years we've had a number of native societies who have taken on responsibility for their own justice services: the Metis Nation Wilderness Camp Society, as I mentioned before; the Tsuu T'ina Nation, Mr. Chairman, a reserve that you and I share responsibility for as members of the Legislative Assembly; the Stoney Corrections Society; the Yellowhead Tribal Community Corrections Society; the Kainai Community Corrections Society; again, as I've mentioned, the Siksika Nation. They are training their own staff to conduct court services, probation services, and crime prevention services as well as their office administration. The Kainai are operating a correctional centre on the Blood reserve as well.

Again, when you look at the reality of what is happening, I think we're moving in the right direction. There is some conscious effort to recognize aboriginal tradition and to try to give them an opportunity to be more actively involved in the criminal justice system on their own reserves.

I'm going to bump ahead now to some statistics that were asked for by Edmonton-Strathcona on the maintenance enforcement program. These are statistics from January of this year. Active accounts, \$35,162. Funds recovered on all accounts over the last 90 days: I think it's about 66.1 percent. Collectible accounts – because there are some that are uncollectible, when someone's in prison, when they are out of the jurisdiction, we can't find them, or what have you. The percentage of the caseload where they are collectible is about 81.1 percent, and funds received over the last 90 days on those collectible accounts, Mr. Chairman, are about 81.5 percent. That works out to net receipts of about \$7.5 million. That's assisting some 49,293 children who are registered with the program, so it is positive.

We made some additional changes, as members know, with amendments to our legislation last fall. So now if an individual is in arrears on maintenance enforcement, they are not entitled to renew their driver's licence, they're not allowed to get licence plates for their vehicles until they have come up with the arrears or at least made some kind of an arrangement with the mainten-

ance enforcement program. I think hon. members may have heard in the last couple of days that we've just had an individual who paid up arrears of \$16,000 when he found out that he was not going to have his licence renewed. That, in my view, is proof in the pudding that this is effective and it's a move in the right direction. We've had about 400 incidents since this new legislation came into effect on December 1, and that's putting more money into the system and more money into the hands of those who have court orders and where the spouse is not living up to his or her responsibility. Of course, it's mostly the "his" responsibility.

[Mr. Clegg in the Chair]

I want to talk again – and this is a general comment, Mr. Chairman – about how we're using the money that's available to us in the Department of Justice. Number one, again this year we've had about a \$7 million reduction to the budget, but that's only 2 percent of the entire budget of the Department of Justice. That's a recognition of the importance to society of having a system that works, that's operational, that's effective. In that context we are moving into a genuine focus on those charges that are serious, those individuals who are creating violence in our communities, those who are the sexual offenders for example. We are in the process of creating a list, really, of the most serious offences, and that's going to be available when it's completed. So we will concentrate, in terms of law enforcement, in terms of prosecutions, on those most serious offences so that we can get the best bang for the buck in ensuring the safety of our communities.

There was a comment made by Edmonton-Strathcona about judicial appointments. I would just remind the hon. member that before anyone can be appointed to the provincial bench, a bench that is operating very, very well in this province – I'm very proud of the individuals who are on the bench. I'm proud of that bench generally in terms of the judgments and the reasons for judgments that are coming from the bench. Before an individual is qualified to be appointed, he or she must be approved by judicial counsel, and that is an opportunity for a thorough review of the qualifications of the individual to ensure that he or she would be appropriate for the bench.

There was a comment relating back to something that Calgary-Buffalo had talked about before: allowing provincial court judges to take on functions of masters in chambers in remote areas. Hon. members will recall, though, that in circuits where we are having the Court of Queen's Bench judges appear, they are serving that function, and there aren't that many chambers applications that are being made. I mean, we're looking at that, and if there are some cost savings, we'll certainly look at it more carefully. But I think, generally speaking, those chamber matters are served by the circuit of Court of Queen's Bench judges.

4:40

The sheriff's office: the decrease in the budget. Again as a result of the changes to the Civil Enforcement Act, we will be doing more privatization. The services will be provided, as I mentioned in my preamble, but there will be a review by the sheriff's office. The reason for the amount of saving this year is that we're in the process of implementing the changes in the legislation, so I hope that we will have more savings as the years go along.

In terms of how we are dealing with court closures generally, again it's been done in a way not to create a longer lineup in areas where we already have a high demand but rather to close those

courts that are not terribly busy and utilize the funds that we have for the other important functions that the department provides.

Moving along now, there were some questions asked about federal legislation and how we budget for those kinds of things. Well, in a general sense we have good communication with the federal government. We don't always agree on some of the initiatives that they're taking, such as universal gun registration. I had to get that in, Mr. Chairman.

MR. SAPERS: You should have stayed away from it, Brian.

MR. EVANS: I would remind the Member for Edmonton-Glenora that even his caucus have passed a resolution – and I applaud them and congratulate them for doing that – arguing that there is no justification for spending \$85 million. Certainly Albertans believe in the same poll, hon. members, believe to the tune of 54 percent that we either have sufficient rules and regulations with respect to registration or that they're too strict already. So why would we be increasing that with wonderful pieces of paper that will take a tremendous amount of manpower, set up another bureaucracy, and move in a direction that will not provide for safer communities and will not address serious and violent crime? I knew you'd just love to have an opportunity to hear that.

On the issue of the legal aid budget, for the third time. We're going to get this straight. The reduction in the legal aid budget this year is about 2 and a half million dollars, but \$2 million of that 2 and a half million dollars was on the pilot program to analyze the staff counsel model and determine whether or not that was a better way to deliver our legal aid services. We put, in total, \$4 million into that program, and I think we are probably in the final analysis going to get a report back which says that we should have a hybrid, we should have a staff counsel model.

I'll speak a little bit more after you have had an opportunity to speak again.

Thank you.

THE DEPUTY CHAIRMAN: The hon. Member for Leduc.

MR. KIRKLAND: Thank you, Mr. Chairman. It's always a pleasure to participate in the Justice estimates. I would say that because the minister is very forthright with his answers, he's informative, he articulates well, and he delivers it with a statesmanlike position. I appreciate that.

MR. SAPERS: But he's still got the gun registration wrong.

MR. KIRKLAND: Well, I won't add that particular comment, but I have some respect for the minister, and I would compliment him in my opening comments.

I would also suggest that the minister is fully aware, when we look at the public perception of justice, be it right or be it wrong, that there is a cry out there for tougher measures. In light of that cry for tougher measures, the Justice department is, as I see it, reducing their funding, so I do have some concern there and more concern about the policing aspect as opposed to some of the other areas of his department.

I want to compliment the minister because if the reduction in budget is due to efficiencies, then he's to be complimented. If it is at the expense of those in society who, generally speaking, aren't faring that well looking after themselves and are found in that situation, then it becomes more a criticism in that sense.

I would offer another positive compliment to the minister for his initiatives on the youth justice committees. I think that's a very positive undertaking. I know the citizens of Beaumont and the citizens of Devon are well into organizing that particular means of dealing with young offenders. It's always been my suggestion that when you deal with them on that basis and it's people from the community that are actually in the sentencing process and program, those young offenders bump into those citizens on a regular basis and are reminded that they do have to be accountable.

While I'm in the constituency, I'm going to bring a quirk of justice to the minister's attention. It unfolds this way. I have a constituent in Leduc that has been sentenced on two matters, one an adult matter, followed by a young offender matter, and in both cases secure custody. The quirk is that when you have young custody time following adult time, as is the case here, that precludes any sort of early release program with the adult sentence. Now, it did become a little confused in the sense that the sentences came from two jurisdictions, though both judges were certainly aware of the other charges pending. What becomes an adult sentence of in this case 14 months turns out really to be at the best 19, simply because the individual cannot be released under early release due to that.

It's a quirk of justice. With all the lawyers that were hired to deal with the matter, none of them were aware of it, and as the constituent has done some research in attempting to unlock it, it doesn't appear to be there. Now, I know the director of corrections is certainly capable of indicating that the young offender time that follows can be served in an adult facility. I think that's only fair and reasonable after you've served time there, to carry on on that basis. But it cannot be defined as adult time, and that, as I say, puts it into an unusual situation.

The minister spoke of legal aid. He started to expound upon exactly what was intended there, and I understood that it was a pilot program that was involved. Prior to those comments, I had a large concern that we were actually reducing legal aid dollars. From my experience as an MLA who has dealt with many people in the legal aid system, I would suggest there are efficiencies to be gained there. We would probably tread on some legal toes in attempting to do it. It seems to get dragged out, in the two or three cases I've dealt with, a little longer than it should. I would hope that the minister is not looking at a reduction of qualifications for legal aid. I do believe that that will be fairly onerous to some individuals, and they will have their opportunity for justice thwarted somewhat.

The other thing when we're on legal aid. My understanding is that Alberta has chosen not to access the federal government funding under the Canadian assistance program for legal aid services. In the research that we have done, that's somewhere between \$300,000 to \$1 million a year, and I would ask the Justice minister why we would not access those funds.

As we go through the budget, I would direct the minister's attention to vote 8 under correctional services. When we look at the administration budget for correctional services, it has been increased by about \$200,000, which perhaps is not significant, but it's higher than '94-95 and also higher than '93-94. When we look at that, I wonder if the minister can explain why there would be a greater administration cost when we have closed one prison, Belmont, and we're in the process of scheduling to turn another over to the federal government in Grande Cache. So I'm struggling a bit as to why we would actually get into an increased administration cost there.

When we are moving along through that budget on a chronological viewpoint, I look at 8.2, and that's the institutional services aspect. We're looking at the Remand Centre in this particular situation. There seems to be an increase in projected expenses for the Remand Centre, and I wonder if that's due to a longer incarceration of the prisoners there, if that's the justification for that or what the reason is behind that.

4:50

The other aspect I would comment on on the Remand Centre from my observation would be – and I did read an article in the paper here recently about this exact matter – whether the individuals that are incarcerated there are properly treated. I am not going to expound at length there, but certainly from my observations in the last few months there is definitely a lack of adequate clothing. That clothing is in the form of jackets to stay warm in that particular facility. It was refuted in the letter to the *Journal* that I read. I would suggest that in fact it is a problem there.

We move on down through the budget. The minister spoke somewhat of Grande Cache under 8.2.11, but I would like to move along to 8.3 and 8.4. There's an increase for the purchased community services. I wonder if that is a planned expansion of the home-alone program. Now, the minister would recall from the last session that we did indicate we thought the criteria to qualify for that was not scrutinized as well as it should have been in some cases. I would ask if there are some measures that have been undertaken to ensure that that doesn't happen.

I would offer also a comment on maintenance enforcement when we're at this stage, just to detract a bit from the budget. It's an area that consumes a fair bit of my time as an MLA. I would compliment, on one hand, the new provisions that were introduced in legislation last time, and if it produced that \$16,000 payment, that's positive for some children in this province. I would suggest that we have to watch closely and balance it to make sure that that removal or inability to renew drivers' licences and/or driver vehicle registration does not become counterproductive, depriving someone of the opportunity to earn a living and thereby depriving individuals of being able to make their payment. That's a balance that we've discussed before, but I would ask the minister to watch it closely. If it turns into a situation where it becomes more counterproductive than productive, we'll have to review that.

There's another area of maintenance enforcement that I would like to touch on. It's a difficult one to put a formula and a solution to, but with those supporters who are not making their payments and are in arrears, those arrears continue to accumulate without any sort of interest applied to them. It would be my suggestion to the minister that they explore perhaps a means of applying interest. The solution I would offer here is that maybe those accounts in arrears over \$1,000 be charged a minimum of a standard 4 percent interest rate until interest rates drop below that, and then revise it from that day forth. I'll speak to that when the Maintenance Enforcement Bill comes forth in the session later on.

One concern that certainly has been brought to my attention from the elected officials of the county of Leduc falls under public security, vote 9. We know that the counties do not pay for policing costs. I wonder if the minister has it factored into the budget here where they can expect to pick up some policing costs in the next year or two. Now, I'm not advocating that; I'm simply asking on their behalf so they can in fact determine whether their budgets are going to impact to some degree.

So with those comments, Mr. Minister, I look forward to your answers, and I will yield the floor to our next speaker or somebody that so chooses to speak.

Thank you.

THE DEPUTY CHAIRMAN: The hon. Member for Spruce Grove-Sturgeon-St. Albert.

MRS. SOETAERT: Thank you, Mr. Chairman. Well, it is a pleasure today to speak to these estimates on Justice. This is a serious debate, which I wish all members would realize instead of wearing funny glasses, but I guess that happens on that side of the House. I would compliment the Minister of Justice. I am pleased to see him in that portfolio, though there are times we wish he were back in environment, but that's another topic for another day.

MRS. ABDURAHMAN: Name him. Name him.

MRS. SOETAERT: I should name him? Oh, the Minister of Labour there was wearing them, and they didn't do him justice, I must say. You got that pun? All right.

I would like to speak for a moment on some concerns I had while speaking to the people from the Elizabeth Fry Society. Item 8.4.1 talks about the administration budget of the community residential centres going up, so I'm interested in where that money went. I'm hoping that maybe this was spent on community agencies like the Elizabeth Fry Society, because they do such excellent work.

THE DEPUTY CHAIRMAN: Hon. member, excuse me, but I think the Government House Leader should turn around and not make a spectacle of himself.

Hon. member.

MR. DAY: I feel like I've been framed, Mr. Chairman. I'll keep an eye out for you.

THE DEPUTY CHAIRMAN: Hon. member, sorry. No, I'm not sorry.

Hon. member.

MRS. SOETAERT: Thank you, Mr. Chairman. I know he needs to be kept in line once in a while, and I appreciate that you do that.

I was talking about the Elizabeth Fry Society, and I know that they do some monitoring as to what is happening within the system and afterwards. I don't know if that is being done by the Department of Justice, and I'd like to see groups and societies like the Elizabeth Fry Society have the money that they need to run this very effective program. They even get money from other sources, as you're well aware, to support the programs that they implement. I am concerned about how these cuts may have affected women. I'm afraid that sometimes within the justice system they are lost in the system. In fact, we heard of one incident of overcrowding and double bunking and triple bunking. I'm not saying this is happening; I'm leaving it up to you to find out if these things really are happening. In fact, one time women were in the same wing as male young offenders, and I have grave concerns about this. I'm sure the minister will make sure that these kinds of things are not happening or, if they are, that they will stop.

I would like to know if there are any programs in place working on tracking repeat offenders. Part of my concern about women in prison is from a systemic point of view. Often women who are in prison depend on social assistance, certainly the first month that they are out of prison. With cuts as severe as they are

right now, I am concerned that there is a high chance of reoffending, so I want to know what rehabilitation programs are in place for them.

I want to speak specifically about maintenance enforcement. I know some of my other colleagues have expressed concern about that. Certainly that along with WCB is the top call coming into my office, and I'm sure it is for other members who happen to frequent their constituency offices. I am really interested in knowing how the approach on taking away drivers' licences has worked. I expressed my concerns about that last session, and I would be very interested in hearing your response about how effective it is. [interjection] Sorry; you've addressed that. I'll read it in the Blues. I'm interested if the new legislation has impacted on the percentage of outstanding accounts.

The other thing that concerns me is that I've had calls from people wondering why they're put on a quota system regarding the number of calls they can make to maintenance enforcement. I find that of grave concern to me. Is this the emphasis on frontline services that you want known? Certainly the wrong message is being sent out there.

5:00

My other question. I have filed a written question in the Assembly. I'm hoping the minister can respond to it when it comes time, though it seems few questions are answered. Mine was concerning the fines. How many women are in prison because they are unable to pay fines? Certainly there is a more efficient system of justice rather than imprisoning people who can't pay fines. I'm not saying that you shouldn't be accountable for not paying fines, but certainly putting them in jail is not saving this province any money.

I also asked about the proportion of native women who are incarcerated for the same reason, because they are unable to pay fines. I would really appreciate that information. If I could get that information, maybe not today but certainly at some point in time, I would very much appreciate it.

So those are a few of the concerns I have when looking at the Justice estimates that I would appreciate the minister responding to.

Thank you very much.

THE DEPUTY CHAIRMAN: The hon. Member for Edmonton-Manning.

MR. SEKULIC: Thank you, Mr. Chairman. I, too, rise to speak to the budget estimates for the Department of Justice. I do so within a constituency context and in the specific area of vote 4 with respect to legal aid funding.

What I'll do is I'll convey a story, a case of one constituent that recently came to my office seeking some assistance. What had happened in this case was that this individual had entered a contract with one of Alberta's larger companies, and he showed me the contract. He fulfilled the terms that he was bound to by the contract, but the company, the corporation, on the other hand, he claims didn't. Well, subsequently he had to take the issue to the courts. He was then countersued by this corporation for defamation and libel, and the suit was for half a million dollars and certainly well outside of this individual's financial capabilities. The costs of his own legal fees drove him to the point where he and his family are now on social assistance and really cannot continue to access legal resources, at least through their own means.

So this individual came to me. Currently he's sitting in a situation where he has been countersued. There's a lawsuit

against him for half a million dollars, and he is without any financial ability to take on legal representation. He came to me and asked me what resources were available to him. One of the ones I assumed would be available to him was legal aid, but that wasn't the case. We explored student legal aid and also legal referral services, and in effect none of these could be of any assistance to him.

My concern with that and the biggest concern is that we see a budget reduction in this area, yet the demand seems to be increasing, at least in my constituency, where we have a diversity of both cultural and economic backgrounds. The people on the lower end of the income scale are certainly having difficulty, particularly with this vote, and it appears now that there is a price, a threshold for access to justice, and I think that's going in the wrong direction. Unlike the minister of transportation, who alluded earlier that it's a subsidy for lawyers, I think it's quite the contrary. We're talking about access to justice.

AN HON. MEMBER: I believe he called it welfare for lawyers.

MR. SEKULIC: Called it welfare for lawyers. I think it's wrong on both counts. This is neither welfare nor a subsidy for lawyers. It's rather a provision for those individuals on the lower income or middle income end to have access to our justice system. Specifically, in this one instance I was shocked. This individual had lived up to the terms of the contract – and I saw the contract – which he signed and was bound by, but the other party having much greater financial resources, it appears, didn't have to live up to their terms. [interjections]

THE DEPUTY CHAIRMAN: Order. Minister of Transportation and Utilities, you haven't got the floor.

MR. SEKULIC: And thus he's the minister of transport.

Mr. Chairman, my questioning falls specifically in that line. How will the minister and how does this budget and these estimates reflect the needs in the community that don't just exist but are growing? I think to view it from the perspective that the minister of transportation is viewing it from is truly incorrect. I think the minister of transportation referred to the gates and the gatekeeper. Well, who is the gatekeeper to justice? I'm not sure whether the Minister of Family and Social Services would be able to help me on this one. I'll refer to him maybe after the session, but this individual does need the assistance of the legal system or legal aid, and I would hope that there is something that the minister can work out.

Another question falling to the same line is that at the same time that we're reducing these funds while the need's growing, we're also refusing to accept the CAP funding, the portion that Alberta's entitled to. I'm really not clear as to why that is occurring. [interjection] I'm encouraged to hear that we are now accepting the CAP funding, and I hope that the minister would elaborate to some extent, because I wasn't clear that they were in fact. The one thing I would like to hear from the minister is that in fact his estimates will reflect accurately to allow people who need to access our courts and our justice system to do so and won't be kept from justice or access to justice because of their economic situation.

With those comments, Mr. Chairman, I will pass the floor on to another colleague.

THE DEPUTY CHAIRMAN: The hon. Member for Edmonton-Gold Bar.

MRS. HEWES: Thank you very much, Mr. Chairman. I have a few comments and questions for the minister, and I thank him for his very clear observations earlier today as well as introducing his budget. I wanted to relate my comments and questions to the business plans vis-à-vis the budget and some of the things that I see in the business plan that I don't see in the budget and vice versa. In the business plan, Mr. Minister, they're set out very clearly as goals, and I note that in goal 1 is an item on facilitating family violence initiatives and also another goal is incarceration of serious and violent offenders. That one appears in goal 3 as well, and I'm not sure what that overlap is or where that comes from.

Going back to family violence, Mr. Chairman, I don't see in the budget any item that relates to family violence. Now, from time to time that particular portfolio has been sort of moved from one ministry to another. I'm not sure – and the minister didn't mention this in his comments – what his department does relative to family violence. There were some interesting programs available, a certain amount of money to do research and to follow through on initiatives in managing family violence, but that seems to have disappeared entirely. I think that's a tragedy if it's gone, because it appears that from all the information and evidence that we're seeing, this is increasing. Either it's increasing in absolute numbers, or it's simply increasing in the reporting of it.

5:10

There have been over a number of years some studies done in other parts of Canada as to the control and management of violence in the home. It's a very serious matter and one that I'd appreciate the minister letting me in on, as to what his department is doing and whether they have given some incentives to municipalities to institute the program that I've been watching with particular interest, and that's the one from London, Ontario. It's received some considerable support across the country. If it is in the . . .

Chairman's Ruling Decorum

THE DEPUTY CHAIRMAN: Excuse me, hon. member, again. We just can't continue here with this kind of noise. If you want to talk, talk very quietly or go and talk to your neighbour outside. The hon. member is being drowned out. They're good questions. I'm sure that the hon. minister is having trouble hearing them. So could we just calm it down in here a little, please.

The hon. Member for Edmonton-Gold Bar.

Debate Continued

MRS. HEWES: Thank you, Mr. Chairman. If family violence is someplace that I can't see or can't find, perhaps the minister will tell me not only the amounts that are anticipated to be expended but how this will be managed.

Mr. Chairman, I realize that shelters are not in this budget; that is, shelters for women who are abused. I wonder, again, where the budget would be, in what department – or is it in the Justice budget? – for counseling for offenders who have perhaps been charged. The former solicitor general brought in some good legislation regarding the police having the responsibility to charge as opposed to the victim having to charge if there is an indication of family violence. I'd like to know what's happening there. Are we seeing an increase? Is there in fact an aggressive program to deal with family violence situations?

Similarly I have recently heard of an excellent program in the city of Edmonton using trained volunteers as a support system for victims of sex offences. It appears to be working extraordinarily

well, Mr. Minister, and I wonder if that's something you are providing any incentives for other municipalities to follow. It certainly is a very necessary support system, and it does use all volunteers with supervision from the department. I've been very impressed with the kind of work they have done in providing support to victims.

Mr. Chairman, the other goal that I mentioned is in both goal 1 and goal 3: incarceration of serious and violent offenders. I spoke to this this afternoon, and I've shared some comments with the minister on it. I'm pleased that there are some really very positive initiatives happening with the other provinces and the Justice minister federally. I believe that this is a situation that is going to exacerbate, that communities are simply not allowing this to happen.

The recent case of the pedophile who had served his time and was released. He happened to be released into Edmonton-Gold Bar. I could see him from my desk, Mr. Minister, in my constituency office. He was harassed constantly by people driving by, by people – I don't know whether they came from the community or from elsewhere – who put up signs and who hurled insults at him and so on. While we would see the man in question wandering up and down the street, he then took to wandering up and down the alleys I think simply to have a walk, get outside, get some air, and escape the circumstances. In this particular case, he is not employable according to the Family and Social Services definitions, so he was constrained to living in a small apartment on a busy avenue, watching television, or cruising the malls. Most unfortunate.

Mr. Chairman, I think that the community acted very responsibly. They were, of course, terrified. The police from the community policing station reassured the community, and finally everyone realized: well, this man is now identified, so we have a better system of protection. But it didn't end the sort of vigilante spirit in the neighbourhood. So not only were the community potential victims in a sense, but so was the offender. He has, of course, now moved to another community, and while that doesn't solve the problem everywhere, it solves it, I suppose, to some extent for Edmonton-Gold Bar.

Mr. Chairman, I think we can use our creative talents to find ways to deal with it. I suspect it will require a change to the dangerous offenders legislation, and I would hope that can be achieved without too much delay. It seems to me that we now have enough in the way of sophisticated testing, Mr. Minister, to be able to determine if an offender has responded to treatment. In some cases the offender is not able to respond to treatment – that is, he's past that – and simply to release him, I think, is not safe or fair to communities.

I have considered what I talked about this afternoon, Mr. Chairman: the notion of a controlled environment. We have a number of examples in this province for different constituencies of course, but I think that's really what we have to look to. I'm not terribly comfortable yet. I'm waiting to be convinced by the federal Justice minister's notion of using the mental health Acts in the provinces to deal with it. That seems to me to be lumping two constituencies of people who are not compatible, so I'm not very comfortable with that as yet. I'm waiting to be convinced on that one.

Mr. Chairman, I want to talk about goal 5 and the budget relative to it. This is on maintenance enforcement. Has the department given any consideration to going to the Ontario program of deductions at source? Maintenance enforcement has now been in our system in Alberta long enough. I think it started

up just about the same time I started up here. I think it was '85 or '86 that it began, and I believe there are some flaws that we now know about and some ways that it needs to be tightened up.

I'm concerned about the kinds of complaints that I hear in my constituency about people only being allowed a certain number of phone calls and so on. These are often women who are not just hard up for finances but are very frightened. I think we have to reach out a little bit more carefully to deal with them. If maintenance enforcement is not working for them, they are inevitably on social assistance. They don't have the income they are used to or that they believe they require, and they're often in a very stressful situation. We pick up the pieces with children in school and so on.

So I'd like to ask the minister if he would look at the systems that are in place in Australia and in Ontario, that seem to be more effective and would probably not cost any more to implement once they're operational. I'd like him to tell us if he's considering that.

The other one is on the same general subject. I get frequent concerns, as I'm sure the department does, from noncustodial parents who have in fact court-ordered access to children and through a series of mischiefs or whatever aren't able to acquire it. Then they must go back to the court and appeal for a variance or whatever to get access to their children.

I'm sure, Mr. Chairman and Mr. Minister, that there are probably reasons why this occurs that have to do with bitterness and acrimony in divorce cases, but at the same time I think we have to keep our eye on the court orders. Presumably the order is made in court for a particular reason and with good understanding of the circumstances, but I have wondered if we could not implement some kind of mediation process that would eliminate the necessity for the noncustodial parent who is deprived of access to go through mediation or some negotiation process as opposed to having to go back to court. I think that's clumsy and expensive for all parties and uses up court time perhaps unnecessarily. I also think there needs to be some form of penalty for the custodial parent if through mischief that access is denied over time. So I'd like the minister to comment on that.

5:20

In the section on strategies, Mr. Chairman – and again I don't see much reference to this in the budget. I am committed to the community policing system that has been implemented with great success in the city of Edmonton. I think it's not only popular, but the crime rate and the rate of crimes with violence has been reduced. The neighbourhoods like it. They not only feel safe, but they are considerably encouraged by the presence of community policing to develop volunteers to work with that police section, so we get an expansion of the effect of policing through it. I've been at a number of meetings recently where community policing has been extraordinarily effective in dealing with gangs, dealing with groups of young offenders who are harassing or frightening neighbourhood elders or neighbourhood businesses, and I think it's most effective. I wonder what the minister's plans are regarding providing incentives for all municipalities to get into it and make better use of volunteers, who have tremendous skills to offer.

Mr. Chairman, I just want to ask a few questions about young offenders. Now, in several places in the business plans it relates to the importance – wait a minute. It's page 11 and page 20, two sections that tell me without equivocation that it is the ministry's intention to work on the recommendations from the young offenders report. I'd also like to ask the minister if the one done by this caucus is part of your thinking. In acting on those

recommendations, I know you said a few moments ago that you're closing in on them, but I'd like some further assessment on them.

Mr. Chairman, we know that many of the institutions that serve young offenders have been closed or reduced in size. I wonder if the minister can tell us where those young offenders are. I suspect most of them are in foster care homes, in some form or other of foster care or community care, and I'd like some comments from the minister about these children who are in foster care or who are otherwise in a group home in a community. Have we beefed up the department supports through FCSS or through your department, Mr. Minister, to make sure that those foster homes have the capacity to deal with those behaviour problems? We're all aware of recent tragedies where children have in fact murdered other children in foster care, and I wonder if in fact some of those could have been prevented had we had sufficient support or sufficient understanding on the part of foster care parents of what they're having to deal with.

Considering the hour and that others may want to speak on this subject, Mr. Minister, I'd be grateful for your response.

THE DEPUTY CHAIRMAN: The hon. Minister of Justice.

MR. EVANS: Thank you very much, Mr. Chairman. The hour is late, and I know that hon. members on both sides of the House are anxious to have yet another opportunity to discuss Justice issues, which we will have as we move through the budget estimates process. I will undertake to hon. members to deal with some of the very specific questions on votes by written correspondence between now and the time that this department is next before the committee.

Some of the broader issues such as where we are going with young offenders; what we are doing with legal aid; how we are accessing federal programs and the implications of federal programs on our budgets; how we are dealing with less serious offences through diversion, therefore freeing up more funds for other more serious programs; what we are doing about the Belmont funding saving; what we are doing about issues like living wills and the issue of privatization of corrections and where that report is, what my attitude is about that; what we're doing with federal programs – I would just let you know that for civil legal aid we are now accessing this Canadian assistance program, and that's a help to us. I'm going to come back with preliminary remarks on some of those broader issues the next time I appear before the committee.

So given the hour, Mr. Chairman, I would thank hon. members for their contribution and their comments and move that the committee rise and report.

[Motion carried]

[The Deputy Speaker in the Chair]

THE DEPUTY SPEAKER: The hon. Member for Dunvegan.

MR. CLEGG: Thank you, Mr. Speaker. The Committee of Supply has had under consideration certain resolutions of the Department of Justice and Attorney General, reports progress thereon, and requests leave to sit again.

Mr. Speaker, I also wish to table a copy of the motion agreed to in Committee of Supply pursuant to Standing Order 56(2)(a) and (b), changing the membership on the Public Works, Supply

and Services designated supply subcommittee for the official records of the Assembly.

THE DEPUTY SPEAKER: Does the Assembly concur in this report?

HON. MEMBERS: Agreed.

THE DEPUTY SPEAKER: Opposed? Carried.

MR. EVANS: Well, it's been a very interesting week, Mr. Speaker, and I would now move that we call it 5:30 and that we adjourn, to reconvene on Monday at 1:30 o'clock.

[At 5:28 p.m. the Assembly adjourned to Monday at 1:30 p.m.]

