

## Legislative Assembly of Alberta

Title: **Wednesday, November 22, 2000**

**8:00 p.m.**

Date: 0/11/22

[The Speaker in the chair]

THE SPEAKER: Please be seated.

head: Statement by the Speaker

### Sub Judice Rule

THE SPEAKER: Hon. members, before starting second reading on Bill 29, Protection of Children Involved in Prostitution Amendment Act, 2000, the chair would like to make a statement about the scope of debate for this particular bill and the sub judice rule. As members are aware, there was a challenge to the constitutionality of the Protection of Children Involved in Prostitution Act last summer. The decision by the Provincial Court of Alberta was the subject of a judicial review application in the Court of Queen's Bench, which has been argued but has not been decided upon yet. The Minister of Justice and Attorney may wish to comment on the status of the case if the chair's understanding is not correct or accurate.

The rule about matters that are sub judice is found in our Standing Order 23(g), and that order states:

A member may be called to order by the Speaker if, in the Speaker's opinion, that member . . .

(g) refers to any matter pending in a court or before a judge for judicial determination

(i) of a criminal nature from the time charges have been laid until passing of sentence and from the date of the filing of a notice of appeal until the date of a decision by an appellate court, or

(ii) of a civil nature that has been set down for a trial or notice of motion filed, as in an injunction proceeding until judgment or from the date of filing a notice of appeal until judgment by an appellate court,

where there is probability of prejudice to any party but where there is any doubt as to prejudice, the rule should be in favour of the debate.

This Standing Order was amended effective February 14, 1995, based on the 1993 report of the Select Special Committee on Parliamentary Reform, which was concurred in by the Assembly on November 8, 1993. Appendix A of that report states, "It is widely held that the rule does not apply to Bills, as the right of Parliament to legislate must not be limited."

There is broad support for this view. As *Beauchesne's* 6th edition states in paragraph 508(3), "The convention applies to motions, references in debates, questions and supplementary questions, but does not apply to bills." Furthermore, paragraph 510 states:

The Speaker has pointed out "that the House has never allowed the sub judice convention to stand in the way of its consideration of a matter vital to the public interest or to the effective operation of the House."

In the book edited by Marleau and Montpetit, *House of Commons Procedure and Practice*, the position of the Canadian House is put forward quite clearly at page 535.

The convention has been applied to motions, references in debates, questions and supplementary questions. It has also been applied consistently in criminal cases. However, the convention does not apply to bills, as the right of Parliament to legislate must not be limited. If the sub judice convention were to apply to bills, the whole legislative process could be stopped simply by the initiation of a writ or legal proceedings in one or other of the courts of Canada.

A point of order was raised on the subject of sub judice and a bill then before the Assembly on May 11, 1995. Speaker Schumacher

ruled at pages 1740 and 1741 of *Hansard* for that day in favour of the bill proceeding. He relied on the principle that the sub judice rule cannot prevent consideration of a bill.

As the chair indicated, the matter involving the constitutionality of the Protection of Children Involved in Prostitution Act has been argued before the Court of Queen's Bench, but there is no decision. In considering the question of prejudice, the chair notes that the 1977 Special Committee of the Canadian House of Commons on the Rights and Immunities of Members found at page 727 of the *Journals* for April 29, 1977, that

it is very unlikely that a judge would be influenced by what is said in the House. Presumably the convention is concerned with the protection of juries and witnesses from undue influence.

To summarize, the sub judice rule is a self-imposed limit on the freedom of speech which Assemblies have adopted out of respect for the judicial branch of our system of government and for the rights of litigants. However, the authorities reviewed by the chair make it very, very clear that the rule is not meant to restrict the ability of Assemblies to proceed with their vital duty of considering legislation and making law.

In this case and after reviewing numerous authorities, the chair must rule in favour of freedom of speech and against the application of the sub judice rule, not out of any disrespect for the judicial branch but in support of the fundamental principle that the Assembly must be able to legislate. Application of the sub judice rule would in the chair's view unduly restrict members in considering Bill 29.

The chair would like to remind members that the other rules of debate such as relevance, the restrictions on unparliamentary language, and the other rules of decorum and order apply. The chair would specifically remind members that it is inappropriate to criticize or impute motives to a specific judge. The chair would refer members to paragraphs 493 of *Beauchesne's* on this point.

head: Government Bills and Orders

head: Second Reading

### Bill 29

#### Protection of Children Involved in Prostitution Amendment Act, 2000

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

MRS. FORSYTH: Thank you, Mr. Speaker. I am extremely pleased to sponsor these amendments to the Protection of Children Involved in Prostitution Act. This important legislation has made a positive impact upon the lives of many sexually exploited children. With these amendments we will be increasing the act's effectiveness and our ability to provide these children with support and assistance. These amendments have two purposes: to enable children to obtain additional care and to protect their rights.

At a recent meeting with police, social workers, and service providers they made a number of recommendations. They suggested several changes that would enable them to provide additional care to these sexually exploited children.

In keeping with these recommendations, the amendments propose extending the initial confinement period from 72 hours to a maximum of five days. Social workers tell us that a child often spends the entire 72 hours recovering from life on the street, usually sleeping and usually recuperating. Sometimes the child is in an alcohol- or drug-induced state. There is often little time to work with the child before he or she is released. It is also insufficient time to properly assess the child's needs. These needs could include social/psychological assessments, medical exams, drug testing, and suicide risk assessment. This amendment would provide social workers with the critical time.

Confining a child at risk for a slightly longer time period has been

tried elsewhere. For example, in Ontario a child in need of protection can be detained up to five days without a court order. Ontario law has been upheld by the Supreme Court. This amendment gives a director the discretion to decide how long a child needs to be confined, up to a maximum of five days.

The amendment is also proposing allowing a protection of children involved in prostitution director to apply to a court for a maximum of two additional confinement periods of up to 21 days each. This additional time will enable social workers to stabilize the child, help the child break the cycle of abuse, and begin the recovery process in a safe and secure environment. Additional confinement could be requested when the child's situation involves significant long-term involvement in prostitution and a number of other risk factors, such as possible involvement with a pimp, drug or alcohol abuse, or illness.

Breaking free of prostitution is extremely difficult. It takes time, perseverance, and a lot of continued struggles. The need to apprehend youth more than once is a clear indication of that difficulty. Spending more time with them will provide them with additional encouragement and additional support.

As well, this additional time allows the child to attend a drug or alcohol addiction treatment program. Many children involved in prostitution are also dealing with substance abuse issues. A residential program of at least three-weeks' duration will provide an opportunity to offer sexually exploited youth programs to assist them in exiting prostitution. Again, another time when time is critical.

Other proposed changes to the act ensure that the children's rights are protected. As soon as the child is confined, that child will be informed in writing as to why he or she is confined, the duration of the confinement, court dates, and the right to legal representation. Providing written notice of their legal rights complies with the Charter of Rights and Freedoms. The child will also be given opportunity to contact legal aid. In addition, each child will be told he or she may request a court review of the confinement.

8:10

A review of an initial confinement of up to five days must be heard within one day of that child's request or, if the court is closed, at its earliest possible sitting. If the child is confined for up to 21 days or for a renewal of the 21 days, the review must be heard within five days of the request. Five days' notice is given to allow both parties, but especially the director, to gather evidence and to prepare their case. Policy will state that a director will provide the child with the request-for-review form and help the child complete the form if requested.

The amendments also provide for adjournments. An adjournment may be requested by a director or a child when a child requests a review of their confinement or for a show cause hearing. This step may be required if the child needs time to contact a lawyer, for example. This adjournment when a child is initially confined for up to five days will not be more than two days unless a longer adjournment is agreed to by both the director and the child.

These amendments also allow an adjournment when a further confinement of up to 21 days is requested. This adjournment may not be longer than seven days unless the court rules that a longer adjournment is necessary. An adjournment may be needed if the child or the director needs more time to prepare for the hearing, the child needs more time to contact a lawyer, or a court time cannot be scheduled, for instance.

As well, a number of procedural safeguards have been added to the act to accommodate these more complex legal processes. A child, a guardian, or a director may appeal a court order for a further confinement or a refusal to grant a further confinement order of up

to 21 days. This appeal may be made to the Court of Queen's Bench.

As well, a court may prohibit the publication of court proceedings that identify a child or a child's guardian to ensure the child's protection and confidentiality. The court may exclude a child from testifying if the evidence could seriously injure that child. It may also exclude the public from the courtroom to maintain the proper administration of justice.

It is important to note that these amendments do not affect our request for or the need to conduct a judicial review. As I mentioned earlier, a Provincial Court ruling found the act to be unconstitutional. The judicial review will further examine the Provincial Court ruling and establish the legislation's constitutionality. If a decision is provided when these amendments are being considered, we will quickly determine the decision's impact and proceed accordingly.

We feel this is an appropriate time to make changes. We see opportunities to improve upon this legislation and expand the help we provide through it. The law's development, inception, and implementation was made possible through a concerted community effort, including the community, police, service agencies, aboriginal groups, children involved in prostitution, parents who have had children involved in prostitution, and many, many others. Together we shaped and we implemented this visionary legislation.

Now, again, because of the impetus from the community, changes are now being brought forward. The law has enabled us to help many children at risk. The police, social workers, and service providers today also tell us that it is working well. They've also told us we can do more. These amendments enable us to do just that.

I believe these vulnerable young people need all available means of support and assistance. Strengthening this act is one way in which we can provide that help. I look forward to enabling the police, the social workers, the service providers, the children, and the parents to provide greater help and help them rebuild their lives. I believe we must do whatever is required to help the children in Alberta to break free from this exploitation.

Protecting children involved in prostitution is a subject of great importance to me. It is a matter that has touched me personally through my involvement in the community and has compelled me to find effective ways to help these children. It began when I met the parent of a child involved in prostitution, which led to the introduction of the Protection of Children Involved in Prostitution Act in 1999.

A number of years ago, Mr. Speaker, I joined a parent support group. Through this group I met a mom whose child was involved in prostitution. I was appalled that a child from a stable, loving home in a good community could be lured into prostitution. I went on police rides in Calgary, saw Popcorn Alley, spoke to several children and adults involved in prostitution, and I even spoke to the johns and the pimps. I learned about the ugliness that occurs there. I felt that there must be something I could do to prevent this from happening to other children. I believe that these changes will help us to improve the support we provide to these children and will help us to take further steps towards addressing the sexual exploitation and abuse of our children through prostitution.

Mr. Speaker, I have received many calls and letters of support on this issue, two that clearly stand out in my mind. One was from a young woman who is currently on the streets. She called me and told me that if this legislation would have been there when she first started at the age of 14, she would not still be on the street at 23. She said the kids on the street like it, and also the girls do, and they feel it is the right way to go.

The second, Mr. Speaker, entails a young girl who I got personally involved with a year ago August. We rescued this young girl. I

guess we can call her any name we want. We got her off the streets, got her into a safe house. I recently attended her graduation from a drug and alcohol program. There were probably 350 people in that hall listening to this young girl tell us about her involvement in prostitution. But I think one thing that stood out in people's minds was a poem that she had dedicated "to all [those] who have helped me." I would like to read it, if I could. She says:

I have met angels that have saved my life.

I have met angels that were once black are now white.

I have met angels from the pit of hell,

Who now stand beside me sober and well.

These angels are beautiful and bright.

They have given me the wings that have helped me in my flight.

I urge all the members of the Assembly to support these amendments. These amendments strengthen our ability to help kids exit prostitution while at the same time protect their legal rights.

Our focus and commitment as a government has always been on doing everything we can to help children involved in prostitution and help them put their lives back together and offer them all the support we can to achieve this goal. With your support we can work together to stop this abuse of our children.

Thank you, Mr. Speaker.

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

MR. DICKSON: Mr. Speaker, thank you very much. I'm pleased to be able to participate in debate on Bill 29. The bill was introduced yesterday for first reading, and now we are embarking on debate at second reading. We have sent copies of the bill out to a number of agencies, frontline workers, people involved in dealing with teen prostitution to solicit their feedback. Obviously, we're in the early stage, and I expect we will hear a lot more from people directly interested in the bill.

I might start off by saying that my inclination is to support this bill at second reading. I have a number of reasons why my recommendation to my caucus colleagues will be to support the bill, but there's much to be said in terms of what's in the bill and in some cases what's missing from the bill.

I was fascinated with the news release that was issued yesterday, November 21. The headline proclaims: "Government to amend law protecting children involved in prostitution." I had the opportunity of attending the news conference that was conducted by the Member for Calgary-Fish Creek and the Minister of Justice and the Minister of Children's Services, and I was disappointed that the news release, in my respectful view, was less than honest. It talked about a need for legislative change based on, quote, feedback from frontline workers. There is no question that there was feedback from frontline workers, but what the news release made no reference to is the real reason we're here today. It's because of the decision of a Calgary family and youth court judge, Karen Jordan. The decision that was rendered by Judge Karen Jordan and reasons for judgment are dated July 28, 2000. I've tabled that. I tabled that yesterday, Mr. Speaker, in the Legislative Assembly, so it's a sessional record. Members are able to access that, and I encourage them to take a look at that judgment from our family and youth court judge.

8:20

The facts of the case are really pretty straightforward. What we had were two 17-year-old females who were apprehended by Calgary police on September 13, 1999. They were taken to a protective safe house and confined there for two days. The girls applied for a ruling that the bill we are about to amend with the current bill is in violation of sections 7, 8, 9, and 10 of the Charter of Rights and Freedoms.

Judge Jordan found a couple of things. Firstly, she found that the

act was *intra vires*; in other words, it was within the legislative competence of the province of Alberta to enact. She found that the act violated section 7 of the Charter because children who were detained were denied the opportunity to answer the allegations. She found that the act did not violate section 7 because children were subject to an assessment. She noted that in cases of children in these circumstances there was no right to what we might describe as pretrial silence.

Number 4, she found that the act does violate section 8 because warrantless searches, searches without the benefit of a warrant obtained through appearing in front of a judicial official, were not subject to any kind of judicial scrutiny. She found, fifthly, that the act does violate section 9 of the Charter because there's no judicial scrutiny of apprehension. Number 6, she found that the act does not violate section 10(b) because there's no right to counsel and said that there is not a constitutional right that these children would have to counsel. She said the act does not violate section 10(c) because there's no access to habeas corpus. Then she found that violations can't be saved by section 1 of the Charter.

This brings up one of the most interesting things I've found. If you look through this very thoughtful decision of Judge Jordan, you know what was interesting? Most members I think appreciate that under the Charter of Rights and Freedoms there is what's called the saving provision, section 1, which sets limits as may be reasonable and "demonstrably justified in a free and democratic society." And one of the things, Mr. Speaker, I found myself asking when I read through the judgment was: why would it be that the province of Alberta, which litigated this case, chose not to submit any evidence on section 1 of the Charter?

There was no argument advanced by the province of Alberta that argued that there's a compelling societal interest, that there's a compelling interest in the safety of children that ought to override the specific Charter provisions. It was open and available to the province. If they believed that this legislation does all of the wonderful things that they contend, why did the Justice officials involved not make that argument? Why was it not raised? Why was there no evidence led? It's a puzzle to me, Mr. Speaker, and I hope that before the end of the debate we're going to get an explanation for that, because it's curious indeed for the Crown to be silent on that.

There are some key elements in that judgment. I have to say in the strongest possible language my discomfort when I heard the Member for Calgary-Fish Creek responding to Judge Jordan's decision. Her comments about the Charter displayed . . .

MRS. FORSYTH: I apologized for that.

MR. DICKSON: Well, I never heard the apology in this House, and I don't know whether the apology was extended to the judge.

Nobody else deals more directly with the problems that exist on the streets of our community than family and youth court judges.

The second thing I want to say is that the value of the Charter, Mr. Speaker, sometimes get lost, but that Charter is the only thing that protects the rights of individual citizens from governments that get carried away with interfering with those basic rights. When we see a lack of appreciation of the importance of the Charter of Rights and Freedoms, I think that's a matter that warrants considerable concern and a great deal of attention.

The other thing I wanted to say was that there was no mention in the news release of a very peculiar strategy followed by the Crown, by the government. They had available to them the suggestion by the Leader of the Official Opposition that we could reconvene the Legislature in late August or September, and we could deal immedi-

ately with building in some of the procedural safeguards that Judge Jordan found were missing from the act.

What happened was that the province said: "Well, no. What we're going to do is we're not going to appeal it," presumably because they felt they would not be successful on an appeal. What they chose to do is a very odd and rarely used recourse. It's a judicial review application. That's being argued in front of Justice Rooke of the Court of Queen's Bench, and we await his judgment at this time. But it strikes me that the government is really trying to ride two horses at the same time. I mean, why wouldn't we just come back in and fix the flaws in the existing statute? Why is the province going and incurring the expense of this judicial review application? What may well happen is that we may see a decision from Justice Rooke that requires other changes to the legislation, so then we end up sort of fiddling with this thing again.

I think what we want is certainty. I think what frontline workers want is to know the rules under which they can apprehend and detain children at risk. What the government has done is they have in fact imported a great deal of additional uncertainty into this matter.

The other thing missing from the government news release the other day – and I thought this was interesting – was that there's no mention of what's been done in British Columbia. British Columbia has adopted an act called the Secure Care Act. I heard the Member for Calgary-Fish Creek talking the other day about Bill 6 in Ontario, but that's a private member's bill. In British Columbia they've actually brought in an act, and there are some things that I think are meritorious in that British Columbia act. It deals not just with teen prostitution; it also deals with drug abuse, which arguably affects far more young people in this province than those who are prostituting themselves on the streets of our province.

What the B.C. model does – it's a more holistic, more comprehensive plan in terms of how you deal with and protect children at risk. There are some similar provisions, but it's much broader, and I'm going to commend to the Member for Calgary-Fish Creek and to the government and to the Justice minister that they look more closely at the B.C. model because I think there's much to recommend it.

In looking at the bill, one of the things I did was attempt to compare it with the UN convention on the rights of the child. Members will recall that not so long ago, largely as a result of the work undertaken by the Member for Calgary-McCall, this province, quite silently and very late to the game, said that they would confirm and endorse the UN convention on the rights of the child. That means that we should be able to test Alberta legislation against that.

There are a couple of changes I'm going to propose by way of amendment to the bill. What Judge Jordan was concerned about is that when children are apprehended, in every case they are not brought in front of a judge. We know that because it's a human system, sometimes errors happen. You may have a young person picked up who in fact was not involved in street prostitution, and to the extent to which this person can be basically detained against her will, there are some concerns around that. Judge Jordan was concerned that a judge wouldn't be involved in reviewing every one of those cases. The government, on the other hand, in this amendment package has said: well, we're going to give some information. Presumably it would be a poster on the wall saying: here's the legal aid number. Or maybe they'll be given a slip of paper saying: if you want legal advice, this is who you can call. My proposal would be this: that we have a duty counsel system in the province. What that means is that anywhere in Alberta there are lawyers who are available to assist people and provide summary legal advice. In fact, if you go into one of the big criminal courtrooms in Calgary or Edmonton any day of the week, you will find there's a duty counsel available. So when somebody shows up without a lawyer and is

about to plead guilty or whatever in a system or forum they're not comfortable or familiar with, there's somebody who can give them some summary advice and perhaps give them some advice in terms of what they should do in court and can help give them some information in terms of how they can get legal representation.

8:30

My recommendation, Mr. Speaker, to the Minister of Children's Services and the Minister of Justice and the Member for Calgary-Fish Creek is: why wouldn't we ensure that we have a lawyer available in Lethbridge and one in Peace River and maybe a couple in Calgary and Edmonton who would be designated duty counsel so that when a child is apprehended under this act, they would be able to meet at least within 24 hours with somebody who would give them some legal advice? That is a compromise position, which means they wouldn't have to appear in front of a judge in every single case, but it would ensure that those children who choose not to avail themselves of the opportunity to go in front of a judge at least receive some legal advice. I think it's something that the government ought to look at. They're familiar with the duty counsel system. It works. It works well. I think it provides a measure of protection.

Is it not strange, members – I just ask the question. The reason we have the statute is because we say there are children on the streets of our communities that aren't able to exercise good judgment to protect themselves. Isn't that the whole *raison d'être* for the bill we're dealing with? Yet under this bill and this amendment package we then say: well, these children have the wherewithal and the maturity and the kinds of judgment to decide in what cases they should go to court and to decide in what cases they should seek out legal advice. The reality is that most of these girls that have been apprehended so far spend the first two days sleeping. They often come in either in a state of intoxication or having consumed some illicit drug. Not in every case, but this is a common circumstance. For this bill to simply say, "We leave it to the children. Here's a poster on the wall if you want to phone a lawyer. There's the phone number if you want to find out about your legal rights" – I don't think that's good enough, Mr. Speaker. So that proposal I think is one that has merit.

The second one would be this. When there was an analysis done of all Alberta legislation to determine whether it measured up to the UN convention on the rights of the child – it was done by the Alberta Civil Liberties Research Centre – on page 13 of their report, in talking about the Child Welfare Act, they say that this

represents one of the high points in terms of legislative compliance.

Though the CWA is certainly not without flaws, it is in strong compliance with the Convention . . .

I say parenthetically that that's the UN convention on the rights of the child.

. . . in several key respects. Most notably, the Act establishes an advocacy program for children in care, the Office of the Children's Advocate, which should be emulated in other legislative and service provision contexts, e.g., the young offenders system.

So why would we not require, members, in the annual report that's done by the Children's Advocate that we specifically charge the Children's Advocate with the responsibility to review the operation of this legislation? It just provides one other measure of oversight to ensure that the act continues to work the way we as legislators hope it will work.

Now, what I want to do is go back and point out some of the issues that Judge Jordan had identified. Before I do that, I'd just suggest that anybody who's interested in the area look at this report on UN compliance, *How Does Alberta's Legislation Measure Up?* You can look at articles that are impacted by the legislation. Those

would be articles 3, 25, 37, which all are things that we've agreed to as a province, so presumably that means we've got to make sure our legislation measures up. There are some areas that I'm not sure do measure up.

If I can just quickly touch on some of the things that Judge Jordan had raised. I quote from page 6.

The Act, not unlike the tobacco control legislation, is far from perfect. It merely locks children up for a few days so that social workers and child care workers can attempt to gather some information about them, information which will hopefully enable the families, child care and mental health professionals to help these girls avoid or escape this sad, deplorable, dangerous lifestyle. The time frame for such an assessment is short and may be inadequate.

Mr. Speaker, Sharon Heron, the director's witness in that case before Judge Jordan,

was frank that the girls, having been apprehended, spend a long time sleeping. This is presumably a response to the deleterious effects of their lifestyle; having been given the opportunity to sleep, their bodies demand it. These lengthy periods of sleep obviously reduce the amount of time available for any assessment to be carried out.

The judge goes on to say that there is a narrowness to the bill. When we contrast it with the B.C. Secure Care Act, what we find in British Columbia is that there's a much bigger focus in terms of providing a whole range of supports and programs. One of the things we're going to have to figure out with this bill is that now that we're going to have a longer period of possible detention, that's going to mean substantially more money is going to be required for the frontline agencies. I didn't hear the Member for Calgary-Fish Creek address this in her comments. Perhaps she did. There's going to have to be substantially more money available to ensure that those services are provided.

MRS. FORSYTH: You were at the press conference.

MR. DICKSON: Well, I attended the press conference, but most members in this Assembly didn't have that opportunity.

MRS. FORSYTH: Then you know the answers.

MR. DICKSON: Well, I didn't get a lot of specific answers.

I'm hopeful that the Minister of Children's Services will stand in second reading while we're debating this and particularize the kind of additional resources that are going to be available, because ultimately that's what's key to making this bill work.

I say again that I'm prepared to recommend to my colleagues that we support the bill, but we're going to bring forward amendments that we think recognize the fundamental concerns. Really what Judge Jordan said was that there was no problem with the purpose of the bill, except there had to be procedural safeguards.

Thank you very much, Mr. Speaker.

THE SPEAKER: The hon. Minister of Children's Services.

MS EVANS: Thank you very much, Mr. Speaker. Tempting as it is to launch into some, perhaps, remarks that would challenge the worthy opposition member, who has given us much to think about, I will first address some of the prepared remarks relative to the bill and then in my concluding period follow up with some remarks briefly to address some of the concerns he raises.

First of all, I'd like to give you true stories about child prostitution, stories that have been related by the people that were introduced in this Legislative Assembly yesterday and stories that I think will underscore the importance of child protection through the

enhanced and stronger Bill 29, that will improve and in fact give even additional tools to protect children involved in prostitution.

Around 11:15 Monday night of this week two Edmonton city police officers were driving around 118 Avenue and 88 Street and noticed a car pull up to the sidewalk and two young girls get in. They weren't sure if they'd been waiting for a ride or working the streets but after following the car for a while pulled up beside them and examined the situation. It was a john/prostitute scenario. After pulling over the car, it was determined that the driver was a 26-year-old man and that the girls were 14 and 15 years of age. The girls had been offered \$150 for sex, and luckily the police officers stopped anything from happening before it was too late.

Earlier in the evening, at around 10:30, a mother had called the crisis unit to report that her 15-year-old daughter had been gone for about a week and that a school counselor had informed her she was missing from school. The counselor explained she was worried that her daughter's behaviour could involve prostitution. She was really concerned. The mother was told she had a couple of options: a support agreement under the Child Welfare Act or the Protection of Children Involved in Prostitution Act. After hearing the options, the mother thought the PCHIP was a better fit and requested that a worker call her to discuss this potential help and services available. Ironically, less than an hour after the mother had called, the police walked into the crisis unit with the mother's daughter and a 14-year-old girl, who also happened to be the mother of a three-month-old baby. The local child and family services authority is looking after the situation involving those two girls.

8:40

This scenario paints a true picture of the PCHIP legislation. A mother heard the various options to help her daughter and chose PCHIP as the best route for help. Secondly, PCHIP is there to apprehend children involved in prostitution and to help these children deal with the challenges they have in their lives and to end this horrible lifestyle and regain normal youth activities.

Over the past year and a half of implementation of the Protection of Children Involved in Prostitution Act, community stakeholders and staff from various government ministries have identified a need for longer term holistic treatment that better addresses the specific needs of children involved in prostitution. Hereby goes one of my comments that I would make relative to the suggestion of the hon. member that we could have reconvened in August to quickly put in place procedural safeguards to address Judge Jordan's concerns. Mr. Speaker, that would have been impractical, given that we have taken some period of time not only to review legislation across Canada but to review the workers' attitudes and findings themselves.

Frankly, Mr. Speaker, in the interval between Judge Jordan's ruling and the tabling of PCHIP, we have had two decisions from the Supreme Court in the matter of apprehension of children, one in Manitoba and one in Ontario, which further have underscored the right of the social worker to apprehend children and the right for child protection to be maintained. The five-day period, for example, comes from the Ontario ruling.

So we're quite confident that in the interval we've not only been able to gather information that's been valuable for the amendments that are proposed, but we have responsibly reviewed the track record of PCHIP in the first year and some months and been able to do two things: strengthen the act and address the concerns by Judge Jordan.

At a forum held with the MLA for Calgary-Fish Creek and the Minister of Justice last summer, the need for longer term treatment for sexually exploited youth was reiterated by the community stakeholders. Recommendations indicated that programming must continue to ensure protection of sexually exploited children.

Relative to treatment related to addictions, Mr. Speaker, most of the three-week programs that are available from AADAC could be put in place pending the needs of the child. Dollars obviously are a part of those resources, but other reassignments of existing resources are possible within the treatment options that could be available, given the possible and hopeful proclamation of this bill in the near future.

The amendments are designed to provide strength. The legislation's framework will be maintained, and the act is solid and generally, Mr. Speaker, is working very well. With it we have effectively provided support to many sexually exploited and abused Alberta children. The amendments will simply complement the legislation's existing provisions and enhance its effectiveness.

We can only begin to understand the needs of young people by listening to their stories and thus providing better support for them and their families. This is where, in speaking to intake workers, the outreach Street Teams, and listening to the lawyers and other stakeholders that have come forward, perhaps the following two stories indicate what we most frequently find.

Kari was a shy and quiet 15 year old. During the course of the school year a group of grade 12 boys began to taunt her and laughed at her when she walked by, calling her ugly and leaving her alone. One guy in the group, Jason, began to stand up for her and tell the guys to leave her alone and began to pay more attention to her. During this time Kari's parents noticed changes in her behaviour. She seemed withdrawn and unhappy at times. Concerns escalated when the school counselor called Kari's parents with the news that he had noticed that Kari had been making superficial scratches on her wrists. The counselor began to meet with Kari but could not pinpoint the cause of her behaviour. Kari began to be sexually active with Jason. As the summer holidays approached, Jason began telling Kari that he had ideas of how they could make a lot of money over the summer. Soon he asked her if she would work as a prostitute. She was shocked and refused. He kept asking and became much more persistent.

One day when Kari was with Jason and his friends, the ones that used to make fun of her, he announced that today was the day she would make some money. When she refused, he threatened to kill her and her family. He set up a date for her. Fortunately, when the police learned of the situation and intervened before harm could come to Kari, charges were laid against Jason. PCHIP voluntary services became involved as a result of a referral from the vice unit, and a PCHIP worker now supports Kari as she sees a therapist twice weekly. She and her family have traveled a long road to recovery and are still dealing with pain and scars, but Jason has been charged and sentence is pending. Kari is doing relatively well and has not been involved in prostitution.

Brenda had been involved with child welfare for over a decade as a result of the family's inability to protect their children due to alcohol addiction. She still loves her family and, despite being placed in care a number of times, typically runs away from placement and returns home. Brenda runs to the streets when things are not going well at home and has become connected to a group of young people who use drugs and alcohol. At the age of 12 she became involved in prostitution, using crack cocaine, injecting heroin, and had been connected to a pimp that she called her boyfriend by the time she was 13.

Mr. Speaker, I could go on, but the most intriguing thing for me is the people who have spoken to me saying: aren't you concerned about children's rights? Of course I am, and that is embodied in the legislation that we have brought forward. But could you really imagine saying to a policeman: of course if my daughter exercises her rights, you should leave her with that john, that pimp, that person that is personally violating and sexually abusing her. Would you prefer that to having her brought home?

Mr. Speaker, when we have an opportunity for the extension of the drug treatment program under this legislation, access to drug and alcohol treatment programs will be available, a response tailored to the social needs, and early childhood specialists and others that can help these children regenerate and rejuvenate their lives. Education and job training will be immediately available and, most of all, housing in a safe place to provide them an opportunity to review their current dependence and set a stage for a new type of independence.

The protection of our children is the pertinent issue in this legislation. That was recognized by Judge Jordan. Action in the area of child prostitution needs to be dealt with on three fronts: prevention, early intervention, and treatment. We must realize that breaking free of prostitution is extremely difficult. It takes time and perseverance, time that is built into this legislation and perseverance by workers that know the course of treatment necessary. There are constant struggles, yet this cycle of abuse must end.

We will continue to encourage the end of the child's involvement with prostitution and will never give up on a child at risk. Additional time spent in a caring environment allows the child to attend a drug or alcohol addiction program. It's been found that residential programs of at least three weeks have a solid success rate.

An article in yesterday's *Edmonton Journal* noted that Vancouver is becoming a destination for sex tourists who prey on children. The Progress of Canada's Children Into the Millennium, '99-2000, says that the child sex trade exists everywhere in Canada, from large cities to remote logging camps. Mr. Speaker, it would be comfortable to say that it only exists in inner cities, but I would suggest that that's simply the geography where child prostitution occurs. The children that are involved come from all over Alberta and come from other places as well.

We cannot allow children to be involved in prostitution. On the 10th anniversary of National Child Day, November 20, the International Committee to End Child Prostitution explained that we have to do more to end the world's sex trade. Clearly this legislation and the support provided are needed more than ever. This concern is reinforced by youth who have been apprehended under the act. They say that we must emphasize to youth that other choices are available to them. We are at a time in our history where children have many choices but fewer people to really listen to them. There are people in our communities who are willing to take the time and help them overcome obstacles.

8:50

So what are our achievements to date? Our government is dedicated to helping sexually exploited children. The children are victims, and within our means we have taken many off the streets. In fact, since the Provincial Court ruling, 23 children have been apprehended using either the Protection of Children Involved in Prostitution Act or our new policy directives in the Child Welfare Act. Since the act's inception in February 1999, 427 apprehensions have occurred involving 194 youth, 82 of which have been apprehended more than once, reaffirming our commitment to never give up on one single child. The ages of the apprehended children range from 12 to 17 years.

Our focus has always been and will continue to be the children. We're making a positive impact on their lives. Children and youth, who've had high regard for the community follow-up workers, comment: "You can trust them. They're caring. I tell them stuff I wouldn't tell anyone else." When you get these kinds of responses, it shows we're making a difference.

Mr. Speaker, when the hon. member of the opposition spoke, he asked why we did not challenge the Charter. I will not attempt to go

into the legal arguments, but I'd remind the members in the House that clearly we had an opportunity to wait for two Charter rulings, for two Supreme Court rulings relative to the apprehension of children. To in fact arrange for some opportunity for the child to review their apprehension in court – and I know that the hon. member has cited a duty counsel system. But to do that would in fact be unprecedented, for we do not have, in any circumstances, a challenge to the apprehension. Rather, we are enabling them to challenge the confinement. We have in fact provided for them to have a written opportunity to understand their rights, court dates, and the opportunity to receive legal advice. Clearly it could be some form of duty counsel system, but quite frankly the child may or may not have their own choices, and we should avail them of that.

Mr. Speaker, there is a public perception that this legislation is good. It is the first of its kind internationally. It acknowledges that children involved in prostitution are victims. It makes it clear that individuals who are children and who are being controlled and exploited and abused are victims and not criminals, and it is a significant shift in people's attitudes towards this issue. It is a community issue. Child prostitution is an issue that we all own. If we are all going to save the child, it behooves us to be involved collectively.

Mr. Speaker, one additional comment. With the longer period of detention, a significant number of dollars, I think I can assure this body, would be available. Clearly we can make those adjustments, not only with the agencies that are currently under contract but with other agencies that can be adapted. For example, the AADAC residential treatment facilities can provide additional assistance in maintaining the child in a well-cared-for environment.

In conclusion, Mr. Speaker, by allowing the victims of the sex trade to be confined in a safe house for longer than the original 72 hours, we give social workers and others more time to counsel and help the child toward the recovery process. We in fact give youngsters a chance to make a complete break with street life and the sex trade, our ultimate goal. We feel we have achieved a balance that addresses court concerns and the needs of the children and will continue to do whatever is necessary to end child prostitution and help children start a life free of abuse.

Thank you.

THE SPEAKER: Hon. members, before recognizing the hon. Member for Edmonton-Highlands, I'm going to call on the hon. Member for Calgary-Buffalo on a point.

#### **Point of Order Member's Apology**

MR. DICKSON: Mr. Speaker, thanks very much. Pursuant to Standing Order 23(1), I suppose, I wanted to apologize to the Member for Calgary-Fish Creek. In my comments a few moments ago I had taken issue with some things that she had said publicly after Judge Jordan rendered her decision. I understand from the member that subsequently she retracted the statements she had made. I wasn't aware of that. I appreciate her doing so, and I think it's important that the record should accurately reflect the fact that she withdrew the statements she made after learning of the decision from the youth and family court judge.

Thank you very much.

THE SPEAKER: And the chair very much appreciates the upholding of the decorum rules of our House.

#### **Debate Continued**

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

MR. MASON: Thank you, Mr. Speaker. I would like to enter into the debate on this bill, and I would like to begin by affirming the minister's commitment to help sexually exploited children. I believe it is something the government has done that is very, very progressive and indicates that they would like to deal with some of the social conditions under which many Albertans live.

I think, however, that perhaps the bill has a little bit too much focus on the confinement of children who are caught up in this trade and not enough on what can be done to permanently help them make a break with the street. I think that the confinement element of this PCHIP bill could be strengthened if we talked more about the continuum of programs that can be made available to the youth in this situation and indeed to the families who are in this situation.

I think the bill could be strengthened if it required the government and the responsible agencies involved to adequately fund and make available all required programs which would be of benefit in allowing these young people to make a permanent break with the street. That should be a part of the bill, and I think we should be legislating government action as well as legislating the activities of our young people.

I have a number of questions for the minister that I hope she will be able to answer at some point in the debate. First of all, could you tell us, Madam Minister, where these children will be confined for the 21-day period and how you will ensure that this 21-day confinement is not experienced as punitive by the children. What services will be available during the 21 days that will ensure that the children get the help they need, assess their current needs, and determine their future plans? What new funding will be established to ensure that the children get the support services they need for this new confinement period? Will those with five-day confinements be in the same facility as those with 21-day confinements?

Support services that I think, Mr. Speaker, ought to be provided during the 21-day confinement period are as follows.

Psychologists to do a psych assessment to determine the trauma and abuse issues and the appropriate treatment required.

An addictions counselor. Most street-entrenched youth are dealing with substance addictions and the added addiction to the street life, which is often not adequately understood. I understand that AADAC is working on a program in this regard. Sexually exploited youth have said they need to have different treatment programs than other youth who are in secure custody. How is this being addressed?

A recreation therapist. Children certainly have lots of energy. They just can't sit around locked up for 21 days. The children need cultural and spiritual support.

I think there's going to be a significant cost to some of these programs, and I hope the government is committed to meeting that need. I'd like to know what dollars for programs will be available to increase the choices of sexually exploited children for voluntary programs which address addictions; physical and mental health concerns related to trauma, abuse, and poverty; transitional housing; schooling; and employment training.

I would further, Mr. Speaker, like to ask the minister: what sort of evaluation has been done on the effectiveness of the current three-day confinement? Why would the legislation be amended to provide for five-day and 21-day confinement if the three-day confinement has not been properly evaluated?

Those are some of the questions, Mr. Speaker, that I have on what happens to the children during their confinement and what steps are taken, other than taking them off the street, to make sure that they never return to it.

9:00

Mr. Speaker, I want to say a word also about the drafting. As I read this piece of legislation and try to imagine it from the point of view of a scared, 12-year-old girl, I think the drafting is designed more to meet court challenges and Charter challenges than it is to ensure that children actually understand what's happening to them. If you read the language, the intimidation factor is something that I think needs to be adequately dealt with. It may not have to be dealt with here in the legislation, but I would like some assurance that this is going to be child friendly so that when the children are taken into custody, things are explained to them in a way that they're going to understand and in a way that they don't find intimidating.

As I read through it:

A director must inform a child with respect to whom a show cause hearing is to be held under subsection(12), in writing, of

- (a) the director's reasons for, and the time period of, the confinement,
- (b) the time and place of the show cause hearing,
- (c) the right to attend the show cause hearing,
- (d) the right to contact a lawyer, and
- (e) the telephone number of the nearest office of the Legal Aid Society of Alberta.

I think, Mr. Speaker, that from the point of view of an inexperienced 12-year old this needs to be changed. This needs to be put in a fashion that they will understand, and I would certainly concur with the suggestion that someone, a legal aid lawyer or somebody, should be required to be available right at the point of confinement of the child rather than some director reading a list of rights or handing a written list of rights to this scared child.

Mr. Speaker, the last point I want to deal with in respect of this bill is in fact the whole question of poverty. Poverty exists throughout our province. It's not just confined to the rural areas. Poverty is a major contributing factor to the situation that many of these children find themselves in. It's certainly not exclusively caused by poverty, but I believe that poverty is a major factor with respect to all of these situations.

Now, in Alberta there are very, very serious problems with child poverty. In Alberta in 1998 the child poverty rate was 17.1 percent, Mr. Speaker. That's nearly one child in five in this province, and in absolute numbers it's 128,800 children according to the report on Child Poverty in Canada: Report Card 2000. So one in five, Mr. Speaker.

I would certainly be remiss if I didn't talk about the record of this government with respect to social assistance and the dramatic cuts that they have made in the 1990s in social assistance and the dramatic impact that that has had on the lives of many, many children in our society. The complete abandonment of responsibility for social housing to provide affordable and safe housing is another black mark on this government's record.

We know, those of us that have been involved with housing, that the government – and I certainly heard the minister of housing at the time, Dr. West, speak to a housing conference and lecture everybody about . . . [interjections] Well, he's the Provincial Treasurer now. At the time these programs were cut, he was responsible for housing. I heard him speak in Calgary, and he lectured all of the providers of social housing in this province on the need for people to pull themselves up by their bootstraps, Mr. Speaker. It's that attitude that's contributed greatly to the problems facing our young people.

As I said earlier, a couple of ministers are trying to stem the flood. They're trying to put their fingers in the dike to stop the flood, and another minister, the Provincial Treasurer, is going at the dike with a backhoe.

Mr. Speaker, the government needs to get all of its ducks in a row

if it's going to tackle this issue. It cannot just simply say, "We're going to apprehend these kids once they get into trouble," and not look at the cause and their culpability in creating the conditions that put these children on the street in the first place. I urge the government to reconsider its approach to social assistance, to reconsider its approach to the budgets for people on social assistance, the housing allowance, to look at many of the programs that have been eliminated in this province, and then we can begin to seriously tackle the real issues relating to child prostitution in this province.

Thank you very much.

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

MS CARLSON: Thank you, Mr. Speaker. I am happy to have the opportunity this evening to speak to Bill 29, Protection of Children Involved in Prostitution Amendment Act, 2000. Certainly we are happy to see this come forward into the Legislature. There was some concern that it wouldn't hit the floor this fall, but we are happy to see it brought forward.

Many of the amendments that we see in here I find to be improvements on what we saw before us in the Legislature in the spring, but I do still, Mr. Speaker, have concerns with one particular section, and that is the review of the confinement decision. I do have some concerns about that.

I agree with the Minister of Children's Services when she says that we all own prostitution as an issue in this province and in this country. Certainly we really have some responsibility towards children who are involved in prostitution, and we must make every effort that we can to eradicate it and to help those children through that process when they get involved in that kind of lifestyle.

With that in mind, I don't think, Mr. Speaker, that section 4, which talks about the confinement decision, is yet adequate enough in terms of addressing the kinds of issues there are. The way the section is put forward, where they give these young women who are put in care the right to ask for a review of the director's decision and the right to contact a lawyer and just give them the telephone number of the nearest office of the Legal Aid Society of Alberta, assumes a great deal more maturity and presence of mind than likely those people have at that particular time and space in their life. I think we have to take a look at that very seriously. This is one area where an amendment would be justified in terms of being brought forward.

In responding to that particular point which my colleague from Calgary-Buffalo had brought forward, the Minister of Children's Services said that to do something like bring in duty counsel for these kids, lawyers under contract, where they'd have access to the service immediately, would be something that would be unprecedented. But I respectfully disagree with the minister on that point. I think we do have a precedent for that kind of action in this province, and that is the action that takes place within WIN houses in this province.

When women come into WIN houses, they are mature most of the time. They are older women, not really younger women, a cross section of women. They are in a state of mind, Mr. Speaker, where they are unable to make decisions that have a great deal of impact on their lives at that particular moment. It takes all of their resolve and all of their ability just to have made it into the house itself. They are beyond the ability to make other kinds of choices that are going to require decisions, paperwork, often money. They're not able to do that, and WIN House has recognized that.

What they do is within 24 or 48 hours of the women having entered the shelters, they bring in social workers; they bring in legal aid counsel. They bring in the kinds of resources that these women and often their children require at that moment in time. It isn't a



choice. If you are there in the shelter, you are expected to show up for the appointment. I think that's good, because when people are at critical stages in their lives, sometimes they need an additional catalyst or a strong hand on their shoulder to help them along in the process that they have embarked on.

9:10

Once these children are confined, they're at a crossroads in their lives. They need some help in making the decisions that are going to help them leave the life of prostitution, leave the life on the street, and move forward. Leaving what you know always puts you in a state where you feel unsafe, where you're unsure, where you're not confident of what the next step is, where you're scared, where you're apprehensive of what can happen, what will happen, what could happen. All of those states render a person unable often to take the next step.

I would suggest that when we are talking about children here, young girls, we are placing too much responsibility and too much of a burden on them to expect that they are going to be in the kind of mind where they are going to be able to rationally exercise their right to contact a lawyer or to even physically be able to retain the phone number of the Legal Aid Society, make the first phone call, stay on hold while they get connected to somebody or wait for someone to call them back. All of those steps, while they seem very minor in nature to us, are monumental steps for those young women to take at that particular point in their life, and I say that we are placing far too much of a burden on them if that's the kind of request that we are making of them at that time.

They are under outside influences that can be very hard for them to say no to. Remember, these are girls that have been taken out of their environment, often not willingly, so now you're asking them to willingly choose to contact a lawyer who can help them take the next step. I don't think it's possible for that to happen, Mr. Speaker.

I think we have to recognize the state of mind that those young people are in at that time. Regardless of the fact that they have a lack of maturity and that they have a history of making decisions that are hurtful to them, not helpful to them, it's our job to give them a hand up in this process, and we can best give them a hand up, Mr. Speaker, if we automatically provide the kinds of services that will help them get one step further along in the process. For those reasons, I very respectfully request that the government take a look at this position and look at strengthening this particular section with an amendment, which I am sure would find support from all members in this Assembly.

Once that's done, Mr. Speaker, I think we also have to address issues of what isn't in this bill. It just isn't enough to provide the kind of short-term security that we're seeing here. There are still severe problems in communities in terms of the lack of adequate resources for street programs and adequate accommodation. All of us who have been the parents of teenagers or who are the parents of teenagers know how hard and how stressful that can be sometimes and how different teens react to their teen years in different ways. Sometimes they just leave. Well, where do they go? If they don't go on the street to make money, do they have other options available to them?

Why don't we look at solving this problem before those kids hit that kind of street life? We need to ensure that we have enough programming for them, enough accommodation for them, and enough resources that they can access before they get to that stage in their life. It's much easier to give a person a hand up when they're only one step away from the kind of life we would like them to lead than when they have involved themselves in lifestyles like prostitution or drugs or the other kinds of lifestyles that are so

detrimental to their health and their safety and their well-being and their ability to be contributing members of this society, Mr. Speaker.

I know that the Minister of Children's Services is very concerned about this very issue. I've heard her speak a number of times on it. I would support any endeavours that she undertakes to address this issue before it becomes a prostitution problem. I would respectfully urge all of her colleagues in the government to also support her in those endeavours. I don't think we can stress enough how important it is to support children before they hit the street and, once they are there, to support them in the process of getting them off the street.

Mr. Speaker, the dollars that we spend up front in preventative kinds of care and in providing adequate options for young people will be dollars where we reap the rewards tenfold after the fact, not just from a monetary perspective but from respecting the rights of human beings, particularly girls who end up on the street involved in prostitution.

Mr. Speaker, those are my comments at stage 2 of this particular bill, and I hope that the government takes them seriously and that we see some additional strengthening of this bill before it's passed through this Assembly.

THE SPEAKER: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Speaker. I'm pleased to rise this evening and to speak in support of Bill 29 and to thank and I guess applaud the efforts of the Member for Calgary-Fish Creek for the work she's done in trying to bring the issue before the Assembly and to put it on the public agenda of this province. That takes a lot of determination, and it takes a lot of hard work to succeed, as she has done, in bringing the whole issue of child prostitution to the Alberta public in a way that I think has been caring and in the best interests of children.

I was struck, while driving across the city earlier this evening, by a radio report. I wasn't paying too much attention initially, but they were interviewing a speaker who was talking about the law before us and the changes that had been made to protect the rights of children. Somehow in the conversation the issue of residential schools for native children arose, and it caused me to reflect back on that time in our history when the very churches were responsible for believing that they knew what was best for children of native families and in those children's best interests took them from their homes and placed them in residential schools. At the time, Mr. Speaker, there was widespread public support for moving those children to residential schools, and it was sanctioned by the church, which was even more powerful in those days. There was a general feeling that if native children were going to succeed in this world, they had to be cut off from their culture, they had to learn English, and they had to be schooled in the ways of the majority white population.

Here we are a number of years later, Mr. Speaker, reflecting back on all those good intentions and what those good intentions did to that particular group of children. The story that has emerged, of course, is not very pretty. The kind of remorse and the kinds of apologies that some of the churches have had to engage in is something that I'm sure those hardworking missionaries and church people who were responsible for the program years ago could never, never have possibly imagined would be an outcome of their work.

I use the example, just as a word of caution, that when we become so enthusiastic about knowing what is right for a group of children, it also is incumbent upon us to take a few minutes to reflect in terms of: are there some downsides to this? Are there some things that we're not paying attention to in our enthusiasm to try to rectify what we see as a great evil being inflicted upon young Albertans? I started to think back about the context in which child prostitution in

this province thrives. We've been so concerned with fiscal realities of the province that I think we have to take some responsibility for the kind of social context that we've created in which these youngsters grow up. We have been so bent on creating an economy of winners and losers and we have been so ready to discard those who are not successful in that economy that I think we are reaping some of the side effects of those policy thrusts.

9:20

You see it manifested in a number of ways. I see it in some of the families in my constituency who are on social assistance. There is a resignation on the part of some of them that they have no value or that they are certainly undervalued, that somehow or other they are guilty for having to ask for help from the government and that they are worth less in some way or another than their fellow citizens. So I think we've started to create a context where the kinds of things like child prostitution can thrive, where youngsters who have little self-concept, who have little value for their own being are easily led into the kinds of grim circumstances that previous speakers have described. For that, we all bear some responsibility.

I guess the third thing I would like to touch on just briefly, Mr. Speaker, is the necessity for adequate resources for this program. I don't think there can be any doubt in anyone's mind that this is a very high-maintenance program. It's a program that is going to draw heavily upon professionals, be they childcare workers, be they counselors, be they police, be they lawyers. It's going to take some of most skilled in those professions to work with these youngsters and to bring about the kinds of changes that we all want. It would be sad if a bill that has been brought in and has such goodwill in the province and has such support – it would be a shame if the goals of that program were thwarted for the lack of adequate resources. I think that's a real danger, and I think we have some parallels with other programs in the province that are currently underfunded that should lead us to be a little wary and to question the resources that are going to be put at the disposal of those who are charged with carrying out the mandate of this legislation. We need to back up the good words of this bill with the dollars that will make it actually work.

I'm sure that the program will be watched carefully. The successes they've had to this point are impressive. The changes in the legislation that we see before us tonight will hopefully make the program even more successful. I look forward to hearing that, as do all members of the Assembly, and to the eradication of an evil that is probably one of the worst and one that preys on and destroys the lives of young Albertans.

Thank you very much, Mr. Speaker.

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

MS BLAKEMAN: Thanks very much, Mr. Speaker. I'm pleased to have the opportunity to speak to this bill, and like many of my colleagues I will join in praise for the Member for Calgary-Fish Creek for the work she put in to bringing this before us.

In looking back, I remember I had reservations about the bill as it was initially introduced. I've gone briefly through the *Hansard* and looked at the number of my colleagues who participated in vigorous debate about the proposed bill at the time and also noticed that three of the Liberal amendments were in fact accepted at the time we were debating it. It's certainly clear to me and I think it should be clear to everyone here that members of the Official Opposition in no way want to delay passage of this amendment bill. I think we all feel really strongly that protection of children is a major part of our responsibility as legislators, and we take that responsibility seri-

ously. But as legislators we are also responsible for passing the best possible legislation.

When I look at how the program as implemented has run, I think some of my original concerns were alleviated, but other of my original concerns were not. There is obviously an attempt to address some of those concerns in this amending bill as it is brought forward to us tonight.

The sort of history, the tale we will all tell in the years to come of how this bill came into being and the work that was done on it, how the initial program developed, I think is a really good example of the legislative input, the community input, the workers who've actually worked with this program, and the involvement of the court in pointing out to us as legislators that we had to make amendments to the bill to make it the strongest piece of legislation possible. It's a good example for us to look back upon, and I'm sure I will do that.

I think what's important here, certainly from the comments Judge Karen Jordan brought forward, is that the apprehension is not the concern here, but it is the ability to have access to have your day in court, if you want to put it that way, for anyone who is apprehended to be able to have their chance to explain in court if they feel they need an opportunity to explain.

I think it's really important that we do understand that all of our laws need to conform to the Constitution and to the Charter of Rights and Freedoms and to place a limit on a personal freedom. It has to be subject to the reasonable limits prescribed by law and those that can be justifiably demonstrated in a free and democratic society. We hear that phrase, but what does it really mean? I think even children, even child prostitutes who are apprehended need to have that constitutional right upheld for them. I am certainly willing to come into this House and assist in amending a bill that is going to do that on their behalf. I'm proud to be involved in that process when that's what it's going to do.

One of the concerns I think has been raised previously, but I'll just go through it briefly, as I think it's important when you're dealing with children in particular. I notice that the provisions of the act are allowing that they will be given a piece of paper that gives them information which is very valuable: people they can call, assistance they can look for. That's all well and good, but when it comes to whether they actually want to apply to appear in court, that's sort of written on a piece of paper and handed to them. There's a leap of faith or a leap of logic here. If we believe that these children are so in need of protection that we're willing to apprehend them because we feel they can't make decisions about their life, then we take this leap of faith and say, "Well, if we just give them a piece of paper and tell them to phone this guy if they think they might be interested" – I'm not quite getting the connection there. I think more has to be done in an advocacy way or in an information provision way than giving them a piece of paper and saying: you can phone this if you want. One of the suggestions that's been made would be to provide a judicial counsel.

9:30

MR. DICKSON: Legal counsel.

MS BLAKEMAN: Legal counsel. I'm sorry.

It makes perfect sense to me that there's a human being there that a young person can talk to and ask questions of or perhaps have them provide information that they can then react to. Because not many of us, hopefully, have the opportunity to come into contact with the legal and judicial systems, we don't know what the rules are here. We don't know what we're supposed to get. Frankly, we all watch way too much American television and think that all the American rules apply to us, which they don't. We really are kind of stranded then. We don't know what's supposed to be happening.

To assume that a young person we've apprehended because we

don't think they can make their own decisions about their life at that point or they're unduly influenced by someone else can all of a sudden now stand up and go, "Right, I have to take control of my life and look after all of this; yes, indeed, I will follow through and contact this phone number," I think is a bit of a stretch. If we're really looking to being of assistance to these young people – and that is what the Member for Calgary-Fish Creek has brought forward; we are trying to be of assistance to them – then let's do it in a very real and tangible way. Let's get this so that there is some kind of legal counsel available for them who's on a salary, who's available to give them information, and who, if they want additional help, can help arrange for that.

My bias as an MLA in a larger city comes through here, and I needed to be reminded by one of my colleagues representing an area outside of Edmonton and Calgary that that's all fine and dandy for a big city to have someone like that available, but what about the smaller centres or rural centres? Okay, this can be worked around. There's nothing to stop us from looking at having a team of lawyers who are educated specifically in this legislation offering this kind of counselor information and who are on call for various areas of the province. I hope that that will be taken into consideration and given serious consideration by the drafter of this bill.

My colleague from Edmonton-Mill Woods just raised some really poignant reminders to us all of how quick we can be to decide that we know what's best for certain groups of people. What that brought to mind for me is that in all of this dealing with a bill around child prostitution, I don't know how many of us or how many of the public ever really grappled with the thought: what kind of a society are we that we have children selling sex, that that goes on in our society? Frankly, somebody's buying the sex, and that's why it's going on.

There's a lot more to consider in the context of this bill than merely talking about apprehension and constitutional rights of children that have been apprehended. I think we also need to take a moment and step back and say: what are we doing in this society that we still have child prostitution? Heck, while I'm at it, why do we still have adult prostitution? Why is this a part or a component of our society? Why do some people find it necessary or important? Because that's still not acceptable to me. I've worked the better part of my life on issues of concern to women and, frankly, on issues of concern to girls. We haven't really talked about what's underneath, the need for this legislation. I hope we'll all take some time to do that and maybe look at other leadership roles that we as legislators could be taking on this issue.

[The Deputy Speaker in the Chair]

The other thing that I just wanted to bring up is that we keep referring to girls, that they're girls. Yes, that's true for the most part. We are dealing with young women, but there are also young men, and we shouldn't forget that, because I'm sure that they will be some of the people that are also affected by the passage of this legislation.

I think this has been a good process. Some people might consider that it's been a little rough, and maybe it didn't go exactly the way they wanted it to or as quickly as they wanted it to, or maybe they didn't want to see it come back here for the amendments that were certainly recommended by the courts, but they were also recommended by the workers that had actually been in the system and had been working the program as it has existed so far. So the recommendations for longer term, protective, safe custody I think is a good idea, and it's obviously coming with words of experience from those that have actually worked in the program. Because it's true. You know, what on earth would make us think that in 72 hours we could

solve all these problems? I think that in 72 hours they would mostly sleep, because these kids have not had an opportunity for just plain old sleep and maybe a decent meal. So it makes perfect sense to me that we would be looking at a longer period of time for safe custody.

Beyond that, if you're going to get into any kind of treatment, you're looking at quite extended periods of time. I notice that the ones that are being talked about here are further confinement of up to 21 days, which can be renewed an additional 21 days. So we've got 42 days there. That's six weeks, which isn't a very long time to turn someone's life around. I am not, believe me, recommending that for some reason we incarcerate children for years and years, but I think we do need to understand that if we're going to be running programs for them – and they don't necessarily have to be run as safe custody – the kinds of issues that are going to be involved here, this ain't going to be solved overnight and it ain't going to be solved in 42 days. So I hope that there are the context of programs that are needed to support these children beyond the five days or the 21 days or the 42 days.

The last thing I wanted to do was commend the community groups, the grassroots organizations, who have been working on prostitution issues all the way along, usually with not a lot of fanfare, certainly the communities that I have spoken with and sat in on their meetings and their working sessions as they try and grapple with this kind of activity in their communities. I just want to take a moment to recognize the work that they do. They are trying to protect their communities and make their communities a safer spot, and they've always approached it with an understanding that they are dealing with human beings, human beings that are prostitutes. They've always treated them with understanding. I think that's a very admirable quality.

Some of them have been very inventive. I remember one woman who used to dash out on the street and paint, actually, the licence plate numbers of the johns on the street, which certainly had an immediate effect upon things. It was a very innovative way to look at moving the johns out of her neighbourhood, but it was really particularly affecting her children as they walked home from school and were propositioned.

So I just want to take the time to acknowledge the work that's been done all along by the community groups and what they have contributed to this very serious issue, that is really a scourge upon our society. If this is the least that we can do as legislators in passing this amending bill, good for us, and I hope that we continue to look for ways in which we can show leadership on this issue.

Thank you very much for this opportunity to speak.

9:40

THE DEPUTY SPEAKER: The hon. Leader of Her Majesty's Loyal Opposition.

MRS. MacBETH: Thank you, Mr. Speaker. I am very pleased to rise this evening to speak on second reading of Bill 29, the Protection of Children Involved in Prostitution Amendment Act, 2000. Certainly at the outset I want to commend the Member for Calgary-Fish Creek for bringing forth the bill and the amendments and thank her for the consideration that's been given of the very important issues that were raised in Judge Karen Jordan's judgment earlier in the summer.

Certainly it was that judgment which led us as an Official Opposition to suggest that we return to this Legislature this fall to correct some of the imbalance that was noted in Judge Jordan's decision, an imbalance of, yes, to protect the child but also to protect that child's rights. I think it's exceedingly important, given the kind of lifestyle that virtually all of these young people have led, that they

understand that society is trying its very best to provide an example of fairness, an example of rights and to live in accordance with those rights and to give them an example of how they might live that way as well.

I think there's been a good deal of discussion on this legislation, and it has really focused a good deal on the issue of morality, that the actions of young men and women engaged in prostitution is a question of morality. I thought that one of Judge Jordan's points that she made in her excellent judgment that's very much worth noting was paragraph 27 where she said:

It is not axiomatic that the legislation is penal or criminal law because it authorizes the apprehension and detention of children engaged in prostitution. If the only reason for trying to eradicate this activity were moral, it would follow that legislation directed at this purpose would be criminal law.

Then reference is made to a Supreme Court of Canada ruling by Swain, which is cited in the judgment:

"A statute that includes a prohibition and a penalty and is enacted to serve a public purpose commonly recognized as being criminal in nature will fall within the scope of Parliament's criminal law power . . . such public purposes include peace, order, security, health, and morality". . .

There are, however, valid reasons for trying to eliminate prostitution in which children are involved which are not based in morality. Prostitution is a dangerous enterprise; female participants, whether children or adult, are subject to [dangerous] harm and even death at the hands of both pimps and johns. Alcoholism and drug addiction are widespread within the trade. The risk of sexually transmitted disease is so high as to be a significant public health risk.

I think it's a very important part of the issue that we are dealing with here, Mr. Speaker, and one that certainly causes me to participate in the debate. The legislation itself certainly deals with finding a child in the vulnerable practice of prostitution and in dealing with the apprehension of that child and then the confinement of that child for up to 21 days subsequent to the apprehension. I would like to think more in terms of what we can do as a society to prevent that scenario from developing, also what to do in terms of the rehabilitation of that young person once the 21-day maximum period has been expired.

On the prevention side, having long been a proponent and always will be of the importance of public education, I think really we need to look at our children and look at the reality of what some of our children are born into through nothing on their part except that they happen to be born into a world. They may be born into that world with poverty, with disease, with health problems which perhaps few of us can comprehend, with issues of an economic lifestyle that leads them to poor health, poor educational achievement, and a downward cycle which we as a society, I believe, have a responsibility to correct to the best of our ability. Obviously, we can't do everything for everyone, but surely we can focus our efforts on children and look at children with, perhaps, a new lens as we move into the next century.

In terms of children we know that when children are born, there are signs that will indicate the kinds of difficulties that child will have in later life. Assessment done of newborns will often pinpoint issues in terms of health and learning that are very critical to how that child then proceeds. So if we look at a model which I've spoken about before in this Legislature – and it's a model which was developed by the Calgary United Way in terms of looking at how we might better address the needs of children. Having done that initial assessment from, say, the birth of the child up to the age of three, we can identify as a society some of those problematic indicators in that child's life.

Then from age three to six is a perfect opportunity to intervene at an early point for the purpose of trying to make that child as ready as possible for school when they begin at age six. That requires early intervention for those children who need it the most and is often a key not only to that young person's learning ability but to their health and their ability to then thrive as an independent citizen in our country.

Then they move into school, and from six to 10 children learn basic skills. From 10 to 14 there's the same Calgary United Way model, where the children are learning social skills that give them the ability to function in a self-sufficient way and in an independent way. Then from age 14 to 18 in that same school system that the provincial government has a responsibility to run and run effectively, that child then emerges at age 18 with, hopefully, the very best that our society can give that child to going on to be a good citizen. I mean, that is the trust that we are given as legislators: the responsibility right off the bat for every single child born in this province. There is clearly no better way of preventing the kinds of things that are leading children to prostitution, to many other lifestyles which are going to harm them and make them in fact exceedingly dependent upon society and dependent upon others rather than giving them the independence and the rights of citizenship that I think all children, quite frankly, deserve.

That, then, is on the prevention side. The key to a model that looks at prevention is that it also identifies problem behaviours wherever they occur along that path from zero to 18 and, where there are issues that a child needs to be dealing with or that society needs to help that child deal with, surely to goodness identifying those needs within the school system and then supplementing with counseling, with health intervention, or with support in any way is clearly part of what we as a province I think have a responsibility to do. So that's the whole issue of prevention so that hopefully as we go through this process, as we pass this legislation, we will have fewer kids who come to the point where they are living in a way that takes away, surely, the greatest part of their self-esteem and their rights to be children and to become adults.

9:50

Mr. Speaker, that's on the prevention side. Then if we move to the apprehension of these young men and women, let's look at the time subsequent to that apprehension, and that's the whole rehabilitation side. The rehabilitation side is obviously one that several people have spoken about here in the Legislature. I would simply like to cite that the issue of kids that are vulnerable and on the street does not only include kids involved in prostitution. It certainly involves young people who are homeless, young people who have substance addictions, young people who have been demoralized and are vulnerable in our society and have probably been violated in many unspeakable ways. Often these young people are running away from abuse in one situation only to come upon abuse in another. They are running from one vile situation to another that can be even more wretched in terms of their lives, and often they see no hope at all and no way to extricate themselves from lives of hopeless misery.

Mr. Speaker, I think we also must be mindful that many of these young people are disadvantaged by maladies that often go undiagnosed, including fetal alcohol syndrome . . .

THE DEPUTY SPEAKER: Hon. members who are attempting to make long-distance conversations, would you please take those conversations out into the Confederation Room, which is meant for exactly that.

The hon. Leader of Her Majesty's Loyal Opposition.

MRS. MacBETH: Thank you, Mr. Speaker. As I was saying, many of these maladies will go undiagnosed, including attention deficit disorders, mental illness, brain injuries, fetal alcohol syndrome, substance abuse, and many other issues. These are young people in need. They are in need of rehabilitation and all that we can do to set them on a track that leads to their own good health and good opportunities to learn.

One of the programs which I would like to offer to the Minister of Children's Services as a model for rehabilitation is one that she may wish to look at in Edmonton family and community services. It's actually called the phase 3 program, Mr. Speaker, and I was privileged to work extensively in this program when I was out of public life in the mid '90s. It's a model of preventing family violence. What it is is young women in this case. Certainly it could involve men as well, but at the moment it's just involving women.

There are three phases to the program. The first one is that the young woman presents herself to family and community services having been involved in some kind of violent situation. The first phase of the program is a clinical look at violence and how it has manifested in the lives of others. It's really trying to understand the whole cycle of violence. We know there are many patterns of violence, including the obnoxious triangle of rescuer, persecutor, and victim. That study of violence as a model is one that is the first phase of the program.

The second phase of the program is that the young woman will then look at her own life and try to determine how that cycle of violence is manifested in her own life, so in fact it's a personal chronicle of the kinds of behaviours, the kinds of choices and decisions that have been made that have led to this violent behaviour.

The third level, at which point I was very privileged to be involved, is called the mentorship model. Having examined violence as a behaviour, having examined their own behaviour and how violence has impacted their life, the young woman then moves into the third phase of the program, which would involve the victim, someone who has already gone through the program and has experienced the same kinds of violence issues, as well as a mentor. That was a woman who was in the community who might work with this triad of people to try and build a plan to curb violence in their lives in the future. Interestingly, for some of the women the best that they could do to come up with new behaviours to fight violence in their lives was the ability to stand before someone and say, "No, I do not wish to participate in that kind of activity, behaviour," you name it. That was a huge step for many of those women, as you can imagine.

For some the plan to eliminate violence from their lives was as complex as one woman who actually developed a training program for the city of Edmonton police in terms of entering into a family domestic violence issue and training the police as to what issues to look for, what questions to ask, and what kinds of behaviours would encourage both parties to deal with the issue. I would highly commend the program to the member because it really did get into the issue of building a support network for these women with other women in the community who were interested in helping them. It is an activity which I think would be very useful to some of these subsequent to the 21-day period.

There are also many women and men in this province who want to be part of and to help in creating a new culture of nonviolence in Alberta.

Finally, I just wanted to speak to the legislation and to alert the minister to something we will be bringing forward, and that is an amendment to try and measure the effectiveness of this legislation. I think so often, whether it's establishing a budget for a particular

goal in mind or drafting legislation with very laudable goals in mind, sometimes legislators will forget that we need to put in place at the same time a monitoring and evaluative tool that will ensure that the goals of that legislation or that budgetary process are in fact being met as we go down the road. Otherwise, we're just throwing money at problems rather than saying: this is where we want to get to in one year or five years, whatever the goals are. To build in those evaluative tools I think is an extremely important part of budgeting as well as in legislation.

Judge Jordan actually presents in chapter 37 in her judgment some very excellent suggestions in terms of how to describe the goals that we want to achieve. Then we will look at the legislation perhaps in two years' time and say: "Have we achieved that? Is there something that we need to do to amend that legislation to make sure we can achieve those goals?"

I'll just highlight some of the questions in the judge's decision, but I think it's a real credit to Judge Jordan for the work that she put into this judgment and the very fine direction she is giving us as legislators. Some of the questions that she asks are: "How many accept the services [that are being] offered?" Perhaps some will not. Perhaps some will shut down, and we have to know that. "How many return to the same lifestyle?" What kind of monitoring and follow-up is around for these young people? "How many gradually escape from that world?" What kind of success rate is there?

Are those numbers any different from the numbers where the prostitutes have not been apprehended and confined but have moved onto a more conventional lifestyle? How many children who have been apprehended and confined are subsequently beaten by their pimps? Are those numbers any different from the beatings endured by girls in the trade who have never been apprehended? Are beatings by pimps taking place because they are sending a message to these girls and others that they must not reveal anything during the assessment which would endanger the pimp or effect him economically? Are there beatings . . . which take place to encourage the girls to replace the income that was lost during the time of confinement? What attempts are being made to determine whether under-age prostitutes are actually leaving the trade or merely working in trick pads? The questions go on and on, but the Government of Alberta [she writes] has not made a commitment to provide us with answers even though the liberty of children is being curtailed.

So I think building some evaluative tools into the legislation itself would help in that knowledge that we are doing something. We are evaluating it, and we are forcing future Legislatures to evaluate it as well.

10:00

Finally, I wanted to close on the whole issue of the rights of the child and to cite the UN convention on the rights of the child, which, of course, we all know Alberta did not initially support. I have always been an advocate of the convention and deem it to be very much pro-parent and pro-family but most of all pro-children. The convention certainly talks about the fundamental importance of ensuring that children's rights are protected, no matter what their age. I think it is particularly germane to this legislation to look at the convention on the rights of the child and the several articles in it about recognizing children's rights. So many times I think young women and young men who become involved in dangerous behaviour like prostitution do so because there are some real difficulties with power and authority and with dominance in their lives. So often, while they have ended up in this kind of life, it's because they have been unable to grow and become themselves self-sufficient in order to make good decisions that are in their best interests.

If the legislation is not respectful of their rights, then what we as legislators are doing is simply perpetuating that pattern, which has

often led to their troublesome behaviour in the first place. I think the fact that the legislation is in the process of being amended to improve and protect the rights of children is a commitment we all need to make to continue in that advancement. I think it's very much an issue of ensuring that all legislation respects the equality of all persons, even those young kids who've ended up on the street and need help.

I would like to thank the hon. minister and the Member for Calgary-Fish Creek for bringing forward the legislation. I hope the statement by the Minister of Justice that if subsequent suggestions came along that we felt as legislators would continue to improve this legislation, that we all make a commitment to certainly embody those in future amendments. Certainly for our part we will be bringing forth an amendment to do as I suggested, and that is to build an accountability mechanism into the legislation. We will be suggesting that the evaluator of that effectiveness of the legislation will be an independent children's advocate, which we have long advocated on this side of the House.

With that, Mr. Speaker, I'd like to thank the hon. members for the privilege of addressing this legislation, and I look forward to continuing to participate in its passage in this Legislature.

**THE DEPUTY SPEAKER:** The hon. leader of the third party.

**DR. PANNU:** Thank you, Mr. Speaker. I would also like to join the debate on Bill 29 and the state of its reading. My colleagues, who have spoken this evening on the bill, made some important points on this bill, Bill 29, which is titled Protection of Children Involved in Prostitution Amendment Act, 2000. This piece of legislation clearly recognizes once again in this House the problem we are faced with; that is, we have lots of children on the street who are victims of prostitution. The bill focuses on providing protection to these children who are already involved in prostitution.

I support this. I certainly want to commend the Member for Calgary-Fish Creek for the passion with which she has pursued this matter for some time. I also want to thank the Minister of Children's Services for providing leadership and political will to take action on this matter. When the minister was speaking on the bill about an hour earlier, she was talking about the main assumption driving this bill, that is that children are not criminals; they are victims. The children who are in prostitution are victims, and we need to treat them as such. They need our sympathy. They need our care. They need our help. This bill is an attempt, I guess, to provide this help through a process of apprehension and provide them safe care for a period of time.

I think we'll agree that we need to work at both the apprehension and protection of children who get into this difficulty. But we need also to work at two other levels, the level of prevention, so that we can then hope to find two, three, four, five years down the line that our actions have in fact reduced the number of children who risk ending up on the street and ending up exploited in prostitution. So prevention, apprehension, and the third stage I think is the rehabilitation side, which in this bill is only marginally addressed. Mere apprehension, which in this case can last I guess about six, seven weeks altogether, may not be enough to protect these children unless we pay attention to the rehabilitative sort of measures that are needed even after these children are released from custody in the safe houses.

So I hope we will pay some attention during this debate to all three stages: how to prevent children from getting to the stage where they have to be rescued and then the rescue part, which is the apprehension and putting them in safe houses, and then the postapprehension and postrelease measures and programs that are

needed if we are to in fact provide these young people with hope and with skills and with the abilities and the capacities to be freed from this terrible exploitation that they willy-nilly get subjected to as they adopt this particular way of living, for however short a period.

The Member for Calgary-Buffalo made an interesting comment, which I would like to revisit for a moment. The one thing that I find troubling, as he did, in the bill in its present form is that although the bill does now require the director to provide reasons to a child that's apprehended, give the information, give information on legal rights and the right to seek legal counsel, the bill seems to assume that the apprehended child is in a mental frame of mind psychologically sound enough and having the ability to exercise reasonable and good judgment in order to seek these avenues which are legally provided in the bill. But I guess the point the Member for Calgary-Buffalo made that I like is his attempt to draw attention to the fact that the very fact that these children are in difficulty is perhaps because they are not capable of making good judgment.

10:10

If that is the case, if they're not good decision-makers – and if they are in difficulty, we can infer from it that most of them are not good decision-makers – then it seems to me to be rather problematic to leave it to those children under conditions of apprehension to make decisions about whether or not to seek advice, legal advice in this case. So I am somewhat concerned about the arrangement that the bill doesn't provide which will ensure that these children indeed will have this right and the ability to exercise this right to seek legal counsel. I hope that as we go through the bill, as we try to amend it and improve it, we will build into it those provisions to address this concern expressed by several members on the floor of this House.

I also want to, since my colleague from Edmonton-Highlands spoke, I think eloquently, speak about the position that our caucus takes on this bill. I won't repeat what he had to say, but I want to spend a little more time on the prevention side. I think we will be remiss in addressing the problems our children face, particularly those who fall victims to prostitution, if we don't address seriously the issue of prevention and the conditions that seem to lead children into this difficulty in the first place. So with your permission, Mr. Speaker, I will quickly move on to that.

In order to do that, I would like to draw the attention of the House to a document that I tabled in the House yesterday. The document that I tabled in the House yesterday is called Child Poverty in Canada: Report Card 2000, and this document was prepared by Canada 2000, a nonpartisan, cross-Canada coalition of over 85 national, provincial, and community partner organizations providing information and recommendations regarding child poverty in Canada. Now, I would certainly hope that members with deep concern for this problem that this bill tries to address and rectify will find some time to take a quick look at this document, because it does provide some very significant and important information that we need to look at if we are to seriously discuss and address the issue of prevention.

I'm assuming, of course – and there are perhaps some who may disagree with me – that poverty is one of the key factors which leads children into the street first and from there on to becoming victims of prostitution. Poverty, as the Member for Edmonton-Highlands indicated, is not confined to a few parts of Canada. Child poverty is highly generalized. In our province it's quite high: 17.1 percent. These are 1998 figures. This is in spite of the fact that the rate of economic growth in our province has been good, has been very high. It appears that there doesn't seem to be a close relationship with reduction in child poverty and economic growth. There seems to be a disconnect between economic growth and the rates of child poverty.

According to this count, we have 128,800 children in this province

who live under conditions of poverty. Poverty is not something that's an abstract concept. It affects in concrete ways, in real ways the daily lives of families, children in terms of the safety that they enjoy, in terms of the housing that they have, in terms of family conditions under which they live. All of these conditions are germane for our consideration if we are interested not only in dealing with the problem once it occurs but in doing something about preventing this problem from occurring or from growing.

So the evidence is clear – some of this is reported in this document – that most of the children who are growing up in poverty are growing up in families where parents are working. Most of the families where children grow up poor are families which are working families, so we have a growing number of working poor in our country and in our province.

Some other interesting information here that we need to take into account and that I want to put on record has to do with children up to 14 years of age who are likely to be experiencing poverty. Aboriginal children: about 52 percent of them are likely to experience poverty. Children of visible minorities: about 42 percent, according to this document, Mr. Speaker. Children with disabilities: about 23 percent. So there are clearly some social groups in our society, in our community that are much more likely to have children who will be exposed to conditions of poverty. Poverty is I think recognized as one of the key determinants – certainly it's not the only determinant, I agree – for pushing children into all kinds of personal difficulties, including prostitution.

In order to then address the issue of the prevention of prostitution, I think we need to ask ourselves what needs to be done in order to reduce the likelihood that children, particularly those who grow up in certain social groups and communities, will not have to face those conditions of poverty which generate problems including prostitution. Unless we pay some attention to this, I think we will be simply dealing with the symptoms and the consequences and not with the causes of poverty, Mr. Speaker. I wanted to emphasize this. I know that this is a matter that's been recognized across this House, but I think it requires emphasis. It requires reiteration as we move towards putting in place a law which hopefully will withstand any future court challenges to its legality and constitutionality. We should not only deal with the apprehension side but deal in fact with the causes that lead to it, dealing with the problem of poverty and providing protection for children.

A few other factors. The youths that we are dealing with are between the ages of 16 and up to 24, and surely lots of youths between 15, 16, and 17 are apprehended, I guess, in terms of prostitution. According to this report, youths face particular hurdles in overcoming poverty. The demographic group of youth at this age that we are trying to provide protection to from becoming victims of prostitution is precisely the group that's exposed to a higher incidence of poverty than other age groups in our community, so we need to pay attention to that.

Before they get to be 16, 17, 18, young children of course need child care. Quality child care services are still not available nor are they affordable for most families, particularly for families that we categorize as the working poor. So that's another front on which we need to work, and I would hope the minister would be taking note of some of these matters as we discuss this bill.

Lack of safe, secure, affordable housing: another factor that's associated with it. Similarly, I guess, there's an interesting statistic here of who uses the food banks. Forty percent of food bank users are children, although only 26 percent of Canada's population are children. So that's another indication of the depth of poverty that many of our children experience and face on a daily basis.

10:20

It is these conditions of poverty that our children experience on a fairly large scale across this country and in this province which draw attention to why the problem of prostitution and other problems that young children face persist. The persistence of child poverty in rich countries like ours, according to this report, undermines both equality of opportunity and commonality of values. It therefore confronts the industrialized world with a test both of its ideals and its capacity to resolve many of the most intractable social problems, and prostitution certainly is one of the most intractable social problems that we are seriously trying to address in this province.

Mr. Speaker, I just want to close by saying that I support the intent of the bill, the general intention and the goals of the bill, but I think what we need to do is work on more than just apprehension and putting these children in secure safe homes for a period of six or seven weeks. We need to go beyond that, both with rehabilitation after the release of children from these safe homes and, much more importantly perhaps, at the other end, at the level of their childhood experiences and the poverty that many children experience.

Thank you, Mr. Speaker.

THE DEPUTY SPEAKER: The hon. Member for Calgary-Fish Creek to close debate.

MRS. FORSYTH: I'll have the question.

[Motion carried; Bill 29 read a second time]

head: Government Bills and Orders

head: Committee of the Whole

[Mr. Tannas in the chair]

THE CHAIRMAN: I'd call the committee to order.

### Bill 28 Appropriation (Supplementary Supply) Act, 2000 (No. 2)

THE CHAIRMAN: Are there any comments, questions, or amendments to be offered with respect to this bill?

The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thanks very much, Mr. Chairman. There are some additional comments I'd like to make further to the comments I made in speaking to second reading of this bill.

THE CHAIRMAN: We're having a little bit of difficulty hearing. Perhaps your laptop is obscuring the microphone, which does inhibit the sound quality.

MR. SMITH: No, no. Leave it like that. It was good. It was fine.

THE CHAIRMAN: Thank you for your assistance, hon. minister. I think that will probably be better now.

MS BLAKEMAN: Sorry about that. My apologies to *Hansard*. I didn't mean to obscure the microphone.

Yes, I am pleased to continue with some of the points I was raising last night in second reading. I was speaking specifically of my concern about the proclivity that this government has shown for this injection of one-time-only funding in responding to pressure points. And let me be clear: this is not about saying that you

shouldn't be spending this money. Obviously, the demand from Albertans to have money restored to budgets like education and health, the infrastructure money going into maintenance and renovation of schools – the money has already been talked about by other people.

But what's important here is the whole planning process. I noticed that on February 23 of '99 in the *Hansard* debate on the Fiscal Responsibility Act – again, I always find that a little bizarre, that the government felt it had to pass legislation to keep itself from creating a deficit. That always struck me as odd. Did they need that legislation in order not to go over, that they had to somehow constrain themselves? That legislation will never make sense to me. Who did they think they were constraining? Obviously they had to constrain themselves.

Don't let me get off topic, Mr. Chairman. Keep me on topic. In this debate of the Provincial Treasurer, he says:

Twenty-five percent of [the surplus] will be available to us for items like infrastructure, pressures, and onetime capital spending that is in place already. There will be a plan where we can see in an orderly way what we can do to accelerate some of our infrastructure costs.

So the plan is simple yet detailed, but it builds in the fiscal discipline in terms of our own planning process. Every minister who's planning their budgetary spending has to realize that we have three-year business plans in place, that they're being reinforced by this particular act. This puts teeth in the three-year business planning process and puts discipline into our own particular planning [process].

But that's not in fact what's happened, and these remarks are 18 months old now. In fact, the three-year planning process for the most part has gone right out the window. Certainly that's what the Auditor General is bringing forward in his comments from the recently released '99-2000 Auditor General's report, that in fact the planning process isn't followed.

I used an analogy last night about, you know, if you restrict the amount of money so badly that's going into a program that they can't really do the program properly and then come flying in like some *deus ex machina* in the last moment and dump a whack of money on these projects, they can't in fact go backwards and do the project they were actually trying to do or offer the services they were actually trying to do or run the program they were actually trying to do. I mean, it's too late. Nine months of the year has gone by. So they take that injection of money and in trying to make some kind of recovery or perhaps looking forward into the future say: "Well, okay. We'll purchase equipment now with this injection of funds, and then we won't have to buy that equipment next year, and that'll free up money to put into programming." You know, this isn't part of the plan, folks.

So I'm really concerned, because I don't see the leadership coming forth from the government that is about a genuine planning process. At the same time, the government puts expectations on a number of groups that they work in the community, certainly on the nonprofit groups, that they're to develop absolutely gold-plated, blue-ribbon, award-winning business plans, and they're to know all this stuff and project three years into the future and absolutely stick to it, because if they don't, they'll get punished. They'll get less grant money. They'll get less contract money. They'll get punished. But nobody's doing that for this government or maybe the government has to pass another piece of legislation to somehow punish themselves, since they seem so keen on somehow passing legislation that's going to restrict them.

Another quote, again from the previous Provincial Treasurer from March of '99, A Plan for a Debt-Free Alberta: "Business plans are the cornerstones of Alberta's prudent fiscal management." Well, I

can see that that's what the government wanted to do or thought it was doing, but that's certainly not in fact what it's done. That's what I want to keep calling attention to. The planning process of this government has gone out the window, the baby and the bathwater, because they're not following these plans. They can't, not when the money is coming in such an unstructured and sort of peaks and valleys way.

10:30

Here's another comment from A Plan for a Debt-Free Alberta, issued in March of 1999.

Controls on in-year spending increases are legislated. No more than 25% of the economic cushion and any forecast revenue increases over budget can be committed to in-year spending increases or revenue reduction initiatives in a quarterly budget update.

Well, that's all fine and dandy, but even in this past year we saw that the government had to bring in an act in the spring to change its own Fiscal Responsibility Act, because they'd already spent more money than that 25 percent that they'd allowed themselves to. So they had to remove that 25 percent limit. They'd already broken their own rules, so, gosh, we'll just change the legislation temporarily. This is not a plan. This is fudging it after the fact to meet the reality of the choices that have actually been made.

I mean, essentially we've got a government that's operating on a three-month plan, not on a three-year plan. It's on a three-month plan. The amount of money that has been announced as released since – well, let me just pick three months back: September. Okay. Well, at the very end of August we had a whack of stuff come out. Oh, my goodness. There were press releases on the RHA salary settlements for \$39 million; a press release on eliminating accumulated deficits of voluntary organizations operating acute care facilities for \$8.9 million – I think that's bailing out the RHAs – Children's Forum and children at risk task force report, \$3.4 million; community mental health and eating disorders, \$13 million; centennial projects, \$50 million; seniors' housing and lodge accommodations, \$10 million; rent subsidies for low-income households, \$2 million; child welfare and handicapped children's services, Children's Forum, children at risk task force report, \$29.1 million.

Those are all press releases dated August 31, 2000. All that money poured out in one day. Oh, I'm sorry. I missed one: the Pine Lake tornado disaster recovery program at nine and a half million dollars. That also happened at the same time. Then we had the fire fighting costs, which were announced both at the end of August and on November 14; the Alberta Heritage Foundation for Medical Research also at the end of August; Northern Alberta Institute of Technology, August 31; 30 percent reduction in crop insurance premiums for farmers also August 31.

Then we get into September: energy tax refund, \$345 million; electricity auction rebate, \$60 million; senior supportive housing incentive program, \$10 million. Now, that's the one I asked the minister about when we were in supplementary estimates debate. That's the one that looks like the \$10 million for seniors has been announced twice, but I don't see more than \$10 million forthcoming, so I don't know what that second one was about. Education property tax reduction on September 13 is another announcement; farm income assistance program on October 6; Canada/Alberta infrastructure partnership on October 10. Oh, my goodness, this goes on for pages.

Well, there's no need for me to read this all into the record. I'm sure that the press releases are available. It does go on with another 20 announcements from the end of August up until – the last one I have here is November 14, which is when we started into this session. So over three months all that money was announced. It is a three-month planning process that we're operating under.



How is that manifesting itself? Well, here's the experience that I'm having at the constituency office. All this money is going back into health care. Certainly people were asking for that, and I've asked that money be reinvested into health care. But I have to ask about the planning process that's going on here, because the waiting lists are getting longer, not shorter. So what's going on here?

I mean, I used to phone up and try and argue my case on behalf of my constituents, that they needed to get into the hospital or get a bed or be considered on the waiting list for a particular type of surgery or treatment, and chances four years ago were pretty good that I could actually plead my case well enough to get the person in there. So obviously I'm successful at pleading cases. I don't think my ability there has lessened, but I'll tell you, I cannot get attention for anybody now, for any constituent. In the last six to eight months, nobody moves, no lists move, nobody gets added to them: "Sorry, ma'am; there are 30 people on that waiting list. They're all in as a bad shape as your constituent. Everybody's going to have to wait."

Here's another example: a constituent who has a pinched nerve in their back. They've now been at home since October, I think. They've been told that they'll have to wait until May to see the neurologist to even begin treatment. So here we have a person who is an active, contributing member of society, working hard, paying their taxes, whose now going to be out of commission for – what are we talking? – six, seven months.

Their point to me is: you know, this is costing the system a lot of money. This is costing WCB payments or insurance payments or the insurance coverage from the employer to keep this guy at home waiting to see a doctor. He goes, "You know, it's cheaper in the end run to fly me to Toronto to get the operation, and I'd be back at work in a month or two." At this rate he's not going to be back to work for a year. How is this a good plan? How is this addressing the system, not to mention what that's doing to that person and their quality of life and their family and their friends and their coworkers? How much is that costing, not only in money, which is important, but also in quality of life for them and for everybody around them?

Another example: someone that I work with has recently been diagnosed as a type 2 diabetic. You know, that's a very hard thing to face in your life. It's very difficult, and it's very tricky. At the beginning of this diagnosis to get it right you've got to learn a whole new system of what you eat, when you eat it, and all of this testing that goes on and how you get this right. With type 2 most people start out able to control the diabetes with diet and exercise and very careful testing. For the most part they don't need insulin, although some of them may be receiving medication for a sort of pancreas booster. So you've got to learn a lot when you're first diagnosed with this.

When does this person who's just been diagnosed get in for the educational component, what I call diabetes school, that they get sent to? March. That person has to go five months without the instruction about how they're supposed to manage essentially every waking hour of their life.

They said to their doctor: "Well, what am I supposed to do? How am I supposed to learn all this stuff? I know I'm supposed to be doing this. I know I'm supposed to be careful. You know, you can show me how to do the pinprick test and the pharmacist can show me how to do the test strips and things, but how am I supposed to do all this diet control? How do I learn all of this stuff? Who's going to tell me how to do this?" Well, "Sorry," says the doctor. "I can't get you into this diabetes school until March. I guess you could go to the library and get a book." This is, you know, a thoughtful person that this has happened to; I'm sure they will go and get a book.

But the system obviously intended that there be some intensive

counseling around nutrition and diet and exercise and a whole lifestyle change. The system intended that that counseling be available to them very quickly to help them get on the road to managing diabetes. This person is now going to have to wait five months. As described by their doctor, they're a raging diabetic. They're coming up, you know, 10 points higher than where they're supposed to be on their testing scale.

So what's going on? All this money is being put back into the system, yet we're not seeing improvements in the waiting lists. We're not seeing the improvements in treatment that's supposed to happen. We're hearing all the time about the cuts that happened in the mid-90s and the way the nurses were treated. They all left. We can't get them back now. This strikes me as really badly managed. That's my concern.

You know, it's our job here. This is what we're paid to do, to provide leadership and manage this budget carefully on behalf of all Albertans. I don't see the manifestation of that at all, and I certainly don't see it being manifested in a positive way.

10:40

We had the government cuts in '93, '94, '95. Money started to be put back in I think it was around '97 or '98. The government is recently going around touting: oh, we're back up to the levels we were at. Well, excuse me. You're back to the levels you were at in '94, which was after the majority of the cuts happened. So it hasn't really been restored back to where it was. Frankly, with the increase in population that we've had in Alberta, which is a good thing and is a good economic driver, the economic calculations that need to be done, the cost of living increases – a budget of a billion dollars in 1992 is more than that in the year 2000. You've got to allow for that cost of living and inflationary rate to be calculated into this.

So where do I see the movement of this government to the point where the health care system is renewed, rejuvenated, remodeled? I never saw that. That's what this was all supposed to be about. We were going to rejuvenate this health care system. We were just going to strip it down to the bones, and we were going to rebuild it right. I'm not seeing that.

The regional health authorities seem to have been the big panacea to this remodeling. Well, there are all kinds of problems involved with the regional health authorities and certainly with reporting and responsibility. Frankly, they may have the responsibility to provide the services, but they're kind of strapped if they don't have the proper finances to do it. How are they supposed to do it? That goes right back to this whole planning cycle. They can plan their little brains out, but if they don't have that sustainable funding, then their plans all fall apart.

When I look at performance measurements, at the performance of the government and of the health care system, I think we're sadly lacking. We're not coming up to the mark there, and in many ways I think we now need to develop different performance measurements.

I will certainly support the money that's in this appropriation bill, but I have serious concerns about the planning process that this government is using right now that is landing us in the position we're in.

Thank you very much for the opportunity to speak to this bill in Committee of the Whole.

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

MRS. SOETAERT: Thank you very much, Mr. Chairman. I've had some opportunity to speak to these estimates, but you know, I'm not quite done, so I was really pleased that I had this opportunity

tonight. I see a few things that I hadn't had a chance to mention.

I wanted to ask the minister about the Western Heritage Centre. I had a call from somebody who lives in Cochrane, and they just asked me what the plans were for the Western Heritage Centre. They've noticed that there are a lot of commercial buildings coming in there, kind of like a strip mall within the Western Heritage Centre. Did you know that? There's a restaurant now and a coffee shop. Something like that is either coming in or it's there, and they're a little worried.

I mean, if that's the goal, to make money there and try and balance - it's lost a lot of money over the years. If that's the goal, then is that what we want to do with museums? Do we want to make them commercialized? Is that the point in bringing those restaurants and commercial stores into the Western Heritage Centre? Now, when they were doing that they said: you know, there are some people who own restaurants in town that are a little worried that that isn't fair competition. That was their concern.

I really hope I get answers to this. I know the Minister of Community Development is going to read *Hansard* and answer my questions. Hello? Hello? And I don't mean *Hansard*. They're so good up there.

What else did she say about that? That was her question: what's the purpose of all these stores setting up in the Western Heritage Centre?

The other thing is: how did they get the contracts? Were they tendered out? Did different companies have the opportunity? I know. There's a catering business. That was it. A catering business supposedly gets a contract - and you could have banquets and dinners there. I'm embarrassed to say, married to my cowboy husband, that I haven't been to the Western Heritage Centre. Now, that is a crime, I know, and believe me, when we're in Cochrane next, I know we will. We spent three hours at Head-Smashed-In Buffalo Jump, and we spent a couple hours in Fort Macleod. [interjection] Oh yes, believe me.

You know what? As much I enjoy it, my husband, that's right up his alley. Anything western, anything native, anything cowboy: that's him. I guess we're on our way to Turner Valley next time. That's in your constituency, Mr. Chairman. You can brag, I know, but I have the honey producers' production plant in Spruce Grove, that I'll give you on a tour of.

So I really hope the minister will read *Hansard* in case he didn't hear all my questions about that, but that was the call I got from a constituent in Cochrane. So if that's happening, I would just like to know: why? Was it tendered out? I mean, maybe it's not happening, but this person - and I have the record of it in my constituency office - phoned me with these concerns of what's happening there, that it's changing from a museum to a commercial site. They didn't know if they were paying rent and how they got the contract and the catering contract. So if the minister wouldn't mind looking into that and responding, I would really appreciate that.

Another thing I was looking at was the seniors' housing. One of the other things that affects some of my constituents is the Youville home in St. Albert. Believe me, that Youville home has served the St. Albert community and area for a very long time. Regretfully, in the last few years it has not been able to serve the Sturgeon area, but certainly the people in St. Albert it has. In fact, just last month the Youville Sisters handed over the guardianship of it to Caritas Health Group. It was a touching and emotional time, because that has been something the Grey Nuns have done in St. Albert for a long time. They have provided health care for those people in St. Albert and area for a long, long time.

Now, the Youville home is an old building, and I know the board is seriously looking at building a new facility rather than renovating.

It just isn't feasible to renovate, so they're looking at this new building. I am wondering if there will be that centennial legacy funding coming for it, maybe for the legacy that the Grey Nuns have left. Maybe that could possibly be something that they could qualify for, or maybe that's already in the works.

MS BLAKEMAN: That's a credit to you if it is.

MRS. SOETAERT: Well, thank you. Thank you. Edmonton-Centre says it's a credit to me if it is. Well, I thank you for that.

MS BLAKEMAN: You worked on it.

MRS. SOETAERT: I thank you for that, but I would give far more credit to the board and the work that the board has done for the Youville home and certainly the residents and the people who continually work for the Youville home and most definitely the Grey Nuns, first and foremost the Grey Nuns.

My final thing in this opportunity was to talk about Milk River and the infrastructure that is slated . . . [interjection] Which highway is that? That's 4, I believe. You know, I have a map that I'm always going to bring out here just to remember all of those numbers. Of course everyone here knows that highway 794 has changed to 44. For seven years you've been hearing 794, and now it's 44. It was close to being named Soetaert Way, but at the last minute we decided 44 probably would be more practical and proper.

So back to Milk River and highway 4.

10:50

MS BLAKEMAN: Was that in the plan?

MRS. SOETAERT: Milk River?

MS BLAKEMAN: No. Changing the highway numbers.

MRS. SOETAERT: Yes, it was actually a good move, changing the highway numbers.

Now, Milk River, highway 4. Here is a community that for the most part wants the highway to pass - I'd better get this straight in my head - on the east side. The east side would mean going near a graveyard. Maybe there's a big hill that would have to be cut down a bit, worked within. Very few farmsteads disturbed; in fact, I don't think any. That's been the choice of most of the people in that community. Instead, the department has made it its priority to go on the west side, where a railroad track will have to be moved and access to the grain elevators will now be difficult. Farmers will have to travel, like, eight miles around to get to the grain elevators, where it used to be half a mile. About four or six farmsteads will be affected. Certainly one will be gone totally. The farmstead will be gone because of this highway.

The reason? I can't find out why. It isn't for financial reasons. It is more expensive to move the railroad tracks, to have more accesses, and to buy out those properties than it would be to go on the other side. People from the town have told me that it's political interference, that that's what happened, that there are one or two high-profile people down there who want it going on the west side rather than the east side. Now, Mr. Chairman, I would hope that the Minister of Infrastructure takes a second look at this, because this has split the town. This is affecting farmers. As a matter of fact, the town council of Warner had a vote: 5 to 6 in favour of lobbying the government to change that route. Instead of where the minister has decided to put it, on the west side, the county of Warner has asked the government to change their mind and put it on the east side.

Those are the people who live there. Those are the people who have to access that town, more so than the people traveling by.

I know there's a tourist information centre there, and I know that's what some people want people to see as they go by. I do know that if you want to access that information centre, you will, but if you're on that highway – and that's going to be part of the big Canamex – you're really not stopping at the tourist information centre. You're a big heavy truck; you're going through. You are not going to cross all the overpasses to go into town. But if you are a tourist looking for information on Writing-on-Stone provincial park or you want to canoe the Milk River, that's when you go into that wonderful tourist centre and get great maps.

I've actually canoed that Milk River. Some parts of it were pretty slow, and some parts of it were pretty good. They woke me up. Tipped only a couple of times. Tells you what a poor canoer I am.

The idea that I'm trying to point out here is that I know this is slated to be done next spring. I know that it is going on the wrong side of that town. I know that the majority of the people do not want it, and it's just shades of – I don't know. I don't know why. It's going to be more expensive to do it that way. It is going to disrupt more people, and local politicians in the county of Warner have said: we don't want it either for our farms. It's not convenient either. So, Mr. Chairman, I'm really worried about that.

If we had more time and a longer session, it would be a question in question period. Then I would most certainly hope to get a real answer from the minister. I can't get a cost-benefit analysis from him. You know why? Because I don't believe it's done. I think it is political pressure from a small group, who have insisted that the minister go by the west route come heck or high water, do it so that people can see the tourist centre and the dinosaur as they go by. That does not serve that community. It does not serve the people traveling. It does not serve industry as they go by. It just serves a couple of people, who for reasons I don't know have decided that that priority is more important than people, than established farms that have been there for decades.

I don't know how to get him to change his mind on that. I don't know what else I can do. As the critic of that, as a person who has listened to so many people – I've read all the articles from Milk River. People have called me. I know Lethbridge-East has a file that thick on it. I'm really worried about what's happening in Milk River. In the long run we're going to pay more and it will be inconvenient for people and I think it will take years, if that goes through, for that town to heal all the hurts that have happened over that highway. Now, isn't that a pity.

I'll tell you that when they decided to finally rebuild highway 794, the engineer said to me: we have never had such an easy time of talking to local people as to where their driveways will have to be put, as to whose yards will have to be cut up a bit; never had such an easy time planning a highway. Because the community asked for it and needed it. That's what happened.

In this case the community does not want the highway on that side. That's why it will be headache upon headache and heartache upon heartache for the people. I hope the minister is listening.

So, Mr. Chairman, those were three more points that I'm glad I've had the opportunity to speak to tonight. I hope the Minister of Infrastructure does a second think on this, because certainly the people of Milk River deserve that. I would expect their MLA should be speaking for them, as well.

Thank you, Mr. Chairman.

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

MS CARLSON: Thank you, Mr. Chairman. I, too, would like to add

some additional comments to supplementary estimates this evening. Listening to the Member for Spruce Grove-Sturgeon-St. Albert reminded me of my trip to Milk River and a stop at the local Co-op gas station where the operator of that station, unsolicited, came out with this huge barrage of comments about that highway. Certainly what I heard from him echoes what we've heard this evening from my colleague. I think she has hit the nail on the head there. It is certainly a consideration for the minister in terms of whether or not they're going to go ahead with the proposed plans as they've been outlined. I think she is right: it has divided the community. People are very upset. This fellow told me that he is quite prepared to show his displeasure when it comes to the next election. So we'll see what happens there.

Also, once he got on a tear about the highway, he said: I've got more concerns about this government. He had issues around health care, issues that I don't see having been addressed in these estimates. Those were about access to health care for rural communities, once again. We've heard those concerns in the past, Mr. Chairman. What he said to me was that he hopes that if the Premier ever breaks his leg, he does it down in that backcountry. He's going to throw him into the back of the pickup truck and take him over the country roads to the local hospital, and then the government will have an appreciation for how necessary tertiary care is in rural communities.

Mr. Chairman, I certainly have to agree that all the money being asked for and thrown back into health care hasn't addressed outstanding issues at all. In fact, it was last night that I got a call from a local constituent who called me up at home on a rant and didn't even say, "Hi, how are you?" She just said her name and went into the concerns she had about her sister, who had recently broken her ankle in three spots and had been sitting in the University hospital for 36 hours after having been transferred from the Grey Nuns, which was a concern that I talked about the last time I talked in supplementary estimates, about how we can't get adequate care at our local hospital. Many people are being shipped out to the U, and what that does is add great stress and strain on families and pain certainly for the patient and uncertainty in terms of when and how they're going to be properly cared for.

11:00

Well, she was very concerned because, of course, her sister needs an operation to set the bones, and after 36 hours it looked like there was no end in sight. She called me at about 7 o'clock at night. Of course, unless it was an extreme emergency, there would be no further operations that evening, and she was wondering how long this was going to go on. Her sister was doped up regularly, so at least she wasn't in a great deal of pain, but of course she was missing work, not starting the healing process, looking forward to a recovery time that would be substantially longer than it would have been had the bones been set when the accident happened, and with no end in sight, Mr. Chairman.

I said to her that the good news was that her sister hadn't been sent home. We have had several instances where people with broken legs or ankles or bones in their feet have been sent home to wait until they could be called back into surgery, which doesn't seem to be a very efficient use of dollars, Mr. Chairman. We certainly don't see those kinds of concerns being addressed in these supplementary estimates.

So what I said to her was that it isn't all bad news in terms of how the process is working right now and that she needed to outline, write down a chronology of what had happened to her sister and follow it up as they go through the process so that it can be brought to the minister of health's attention. We don't seem to be getting any kind of a focus on those kinds of issues in this Legislature,

regardless of the money being dumped back into the system. We're not meeting the primary needs of people in need on any given day in this province, Mr. Chairman, and that is really unfortunate.

This woman was absolutely outraged. She said that her sister has to hobble to the washroom on one leg while the other one is in a great deal of pain through the hobbling process, having been broken in three places. She's on very heavy painkillers. They are worried about the withdrawal symptoms afterwards. She's away from her home, away from her family, away from her children. Her husband is having to take time off work, so now they've got two incomes that are in jeopardy, and the situation is completely disruptive for the entire family, Mr. Chairman. That's just this week's bad-news story about health care in this province, which none of these additional dollars seems to have adequately addressed.

I'll leave health care for the time being, because I really want to get back to the supplementary estimates on Environment. I didn't have much of an opportunity the other evening to speak to the Environment estimates because of the number of departments that we had to go through in that evening. I do want to come back and address some of the issues in fire fighting, which is where the dollars have been asked for in these estimates.

What we see here is a 77 percent increase in the funding asked for in fire fighting. Now, nobody wants to complain about dollars asked for in fire fighting, Mr. Chairman, because we all know how needed and necessary fire fighting is in the province of Alberta for many reasons, not just to preserve the forests but to preserve the forest industry, often to preserve wildlife and other agricultural land uses and buildings and towns. We want fire protection, but we also want estimates and costs for fire protection to be at least reasonably accurate, to be based on best case scenarios. It isn't just me asking for this. We literally see this document for the second year in a row in the Auditor General's report.

If we take a look at the annual report of the Auditor General, 1999-2000, we see that on page 104 they talk about the financial administration of fire fighting. What the Auditor General talks about there is that the year previous, being the '99-2000 year, five recommendations were made by the department regarding the financial administration of fire fighting. In addition to these recommendations, the AG is documenting that "the Department received dozens of other fire fighting-related recommendations as the result of internal operational reviews." Good to do internal operational reviews. Good to incorporate those recommendations. So what's happened so far? Well, really nothing, Mr. Chairman.

What the Auditor General goes on to say is that

in order to give the Department time to decide its priorities and to implement changes, we will wait until 2000-01 to follow up progress against our recommendations.

So what we have is a report that came out for the '99-2000 year where there were a number of recommendations, more internal recommendations. By the time of printing of the 2000-2001 AG's report nothing has happened so far. Let's hope that some of those recommendations are implemented quickly, Mr. Chairman, because certainly some of them are very, very easy to implement.

If we go back and take a look at the annual report of the Auditor General of Alberta, 1998-1999, we actually see those recommendations for what they are. Some of them I did mention briefly in my comments the other night in terms of fire fighting, but they certainly deserve a little more attention.

We want to know what the status is, Mr. Chairman, of addressing the recommendations from the '98-99 Auditor General's report. We want to know why these recommendations haven't been implemented, the one out of five or one out of any of the internal dozens of recommendations that were made, by this point in time. They're

quite easy to take a look at, quite easy to process, and just simply haven't been met at this time.

It actually shows on page 150 of the '98-99 report recommendation 27, where the AG states that

it is recommended that the Department of Environment budget for the expected annual fire fighting costs based on the most current information. Further, it is recommended that the fire fighting budget be subject to legislative approval, including approval for any supplemental estimates required during the year.

That recommendation is broken down into the five subrecommendations that the AG refers to in the subsequent year's report.

So what does he ask for first? He says that in his view "the fire fighting budget should be controlled by the Legislative vote process." Well, what a good idea, Mr. Chairman, something we've asked for on this side of the House many times. We know that the government doesn't like that kind of scrutiny and doesn't like to have to justify what they're doing, but in fact it's the best way to spend the dollars of the people of this province, and fire fighting is no exception.

What we see is that the fund that the dollars come out of provides the opportunity for expenditure without any legislative approval at all. At this time "it is a fund to be distributed at the discretion of the Minister, subject to guidelines established by Treasury Board." The AG believes, as we do, that the controls embodied in the annual estimates and the vote process are important to ensuring accountability throughout the process, Mr. Chairman. We have asked for more accountability in any number of instances, not just in this department but in many departments, and we see this backed up by the Auditor General.

What he goes on to talk about, too, is that "the Ministry is required to operate financially within centrally approved financial parameters" and having a separate fund arrangement for fire fighting "offers significantly greater flexibility than budgeting through the Legislative vote process." Well, the minister of course likes to have that kind of flexibility, because they can do what they want, when they want, how they want, and easily come back and ask for more money. It isn't a case where it's not possible for them to budget reasonably from year to year.

The AG goes on to talk about how in fact "the Department has the ability to forecast a severe fire season early in the fiscal year," which is a little bit of what I talked about before. The budget is brought in early in the year, before March. That's prior to fire season. We know what a lot of the weather conditions are at that time. You can make estimates based on several of the last years' fire-fighting expenses and rainfalls, and we know what the precipitation load has been in the province. We know where the groundwater tables are. There's good science, where we can make excellent projections in terms of what supplemental estimates might be needed, what costs there are that could be incurred at that time and should be incorporated into the budget at that time, not in a separate fund, as the minister so likes to do.

So preparing supplemental estimates, then, should not be a compelling reason to avoid the legislative process. This is a process that can easily be incorporated into budgets. If fire seasons then turn out to be less than what were expected or budgeted for, unused funds can just go back, and we'd be happy to support that, Mr. Chairman. I think it would be a really good idea.

11:10

He goes on to talk about how "best estimates for the year should form the budget request." Well, we've talked about that a lot. It's just best practice, good business practice, reasonable ways to

anticipate annual fire-fighting responsibilities, and they are. As the AG says, fire fighting responsibilities are routine in the sense that the department has to address these challenges each and every year.

He goes on to talk about how "prudent management and accountability dictate that an organization should budget for its expected annual expenditures based on the most current information available." Well, that's what you do in your household. That's what you should be doing in government, and certainly fires are no exception, Mr. Chairman. Easy to do that. He talks about, gives them good documentation in terms of the guidelines they should use. He talks about calculating the "recent historical results plus sophisticated predictive capacity based on systems that monitor and analyze weather," all of which the department has, all of which they do a good job at. Not just weather but vegetation and all the other significant forest fire factors, which we have gone over in detail in budget estimates and which the minister is well aware of.

They can't always predict the severity of a fire with the actual outcome of the cost for the season, but there is a framework arranged so that they can predict what is reasonable. So they can make a best estimate, which is what a budget is supposed to be, which is why they could incorporate it in the budgetary process rather than going through the separate fund that they estimate under now.

So having done that, then why do they ask for less money than they're going to need? We don't know the answer to that, Mr. Chairman, but we would expect those answers to be forthcoming fairly soon because we are soon going to be at another budget year and the start of another fire season. We want to ensure that we get a good estimate, the best possible estimate available from the department on that.

The AG goes on to talk about: "upcoming replacements and upgrades should also be budgeted." Well, I talked about that the other day just briefly when we talked about improvements to fire airstrips. The AG agrees. He says:

Of increasing concern in recent years, the Department needs to plan for the replacement or upgrade of its fire fighting infrastructure. For example, the Department feels that community airports need to be upgraded and aircraft and equipment replaced. These types of expenditure should also be budgeted annually as they support the essential service.

Airstrips do not disintegrate overnight. There's an erosion over time. There is a maintenance and upkeep standard that needs to be met, and you don't find out about that in one day or yesterday. There's a building process time for that, and as you would maintain any other type of infrastructure like roads, you should be maintaining fire-fighting infrastructure. All of that is completely predictable, Mr. Chairman, and certainly the department is able to forecast those in advance. So it is absolutely inexcusable that we see those kinds of costs coming forward in an estimate budget.

[Mr. Shariff in the chair]

Now, the other point that he makes is that "financial reporting issues can also be resolved through Departmental budgeting." What that means is that solutions to existing financial reporting issues that we've heard about repeatedly could easily be taken care of if they'd just do adequate budgeting. If they did that, if they did forecasting for fires in a predictable kind of fashion, like we see other estimates coming through at budget time, then the need for the enhancement fund should also be reviewed, which is also one of the AG's recommendations. There wouldn't be a need for this large fund if they did proper budgeting, and we think that the department should certainly take a look at this.

A few other questions that I would like to address before I run out

of time. Does the department continue to tender for contract services, or does it now issue requests for proposals, as recommended by the Auditor General? We would like that cleared up. Certainly we would suggest that the department follow the Auditor General's recommendations. We would like to know what services are tendered. Hopefully, I'll get answers to those questions in a timely fashion. I don't want to have to wait to put it in a written question in the next legislative session.

Also, in addition to that, for which services is a request for proposals issued? So if we could get that information.

Does the department do a complete cost-benefit analysis, being sure to consider all relevant data, before contracting out services? The AG pointed out that the analysis that the department has been doing was not adequate and was sometimes done after the services had been contracted out. Easy to clean that up, Mr. Chairman, and I would like to see that addressed.

A couple of questions. What is the minister's projected estimate of the amount of Alberta's forest that will be burnt in the next five, 10, and 20 years? I ask that, Mr. Chairman, because these estimates must be taken into account when we talk about timber allocations and the impact of various commercial and recreational activities on Alberta's green spaces. This is going to be critical in the years to come. You know, when we talk to industry, they talk all the time about the overallocation of the timber resources. Every time we have a large forest fire, that significantly bites into their inventories and puts more pressure on areas to be developed in terms of timber resources, which puts more pressure on lack of access for commercial and recreational activities in other areas.

It also puts more pressure on protected spaces, and that is something this Assembly knows we are particularly concerned about. We need to start doing some adequate forecasting in these areas, because we have far too many requests for our green spaces now. The landscape is under a great deal of pressure, and that puts other species at risk in the province. We have seen the consequences of that in the past. We can completely alleviate those kinds of pressures with proper planning. That's all it takes, Mr. Chairman. Not lobbying by specific groups but proper planning that takes into account the sustainability of the landscape of the province in a manner in which we want it to go forward for not just the next five years but for our children and for their children. This is an issue that this government has neglected to take a look at. They seem to plan in election-year cycles rather than in viable, operational cycles that would maintain the viability of Alberta landscapes for all users, not just for environmental users or for species but also for agricultural users, for commercial users, and for sustainability in terms of access to water and the land.

Thank you.

THE ACTING CHAIRMAN: The hon. Member for Calgary-Buffalo.

MR. DICKSON: Mr. Chairman, thank you very much. I've been sitting and wondering whether I was going to get an opportunity. My colleague had so many questions and so many excellent comments that I thought I might not be afforded this last-gasp opportunity to raise some concerns and ask some questions before we retire the supplementary estimates for 2000.

MR. SMITH: The last time in your career.

MR. DICKSON: You know, I try hard not to wallow in nostalgia, Mr. Chairman, and I'm encouraged to do exactly that by the Minister of Gaming. If I had ever realized that being at the Tuxis and older boys' parliament with the distinguished Minister of Gaming would

land me here at 11:19 a month before Christmas, I might have taken some different choices in my life. At the time I'm sure he told me he was the leader of men, and I thought that when he came to the Legislature, I should come as well.

MRS. SOETAERT: You were here before him.

MR. DICKSON: Well, that's true too.

There were a couple of observations I wanted to make when we're dealing with supplementary supply, and I might start by saying how disappointed so many Calgarians were when there was a meeting at what's now called, I think, the Euro-Canadian club, in lovely Calgary-Bow on the banks of the Bow River. This happened about a month ago. The school community in Calgary got very excited, Mr. Chairman, because word went out, word spread out, fanned out through the community like a brushfire. The word was that the Deputy Minister of Infrastructure and the Deputy Minister of Learning were coming to Calgary to meet with the Calgary school community.

We must have had about 400 people in a room. There were people from the Calgary public school board, there were many, many school council chairs, and there were parents, teachers, and representatives of the teaching profession. I recognized a couple of school principals I knew. They were there as part of the LEAP program. You'd know, Mr. Chairman, that in Calgary the LEAP program is the device that's been developed by the Calgary board of education to try and decide how they go about determining what schools should close.

Obviously this is something that aroused a lot of interest. I'm sure in Calgary-Fish Creek it may not be so much a problem, but I know in some communities it is. I see my friend from Calgary-Fort there. He represents some of those older communities where we don't have as many children now as would have been the case a long time before.

11:20

In any event, I attended the Friday night of this Friday night and Saturday meeting. People were very interested to hear what was going to happen with respect to what the announcement was going to be in terms of the school utilization formula. What's happening is we have too many new areas in Calgary that cannot get a school, and we understand the province is saying: well, we're using the school utilization formula, and you'll get no new schools in Calgary until you have a higher rate of utilization. What was so distressing is that the government has been promising for at least the last year and a half that the school utilization formula would be revised, and every government minister – and maybe, Mr. Chairman, even you've shared this in your constituency – people have said that the formula is too arbitrary; it doesn't accurately reflect lots of ways that our public schools are being used on a meritorious basis, but they don't get credit under that existing formula. So the government had said that we will import some more flexibility.

Now, we happen to be lucky to have here a former chairman of the Calgary board of education as I look around. We have expertise here. I don't know whether we'll hear from the Minister of Learning here tonight, but maybe the former, former, former, former chairman of the Calgary board of education can tell us what's wrong with that school utilization formula. All the school councils in Calgary know it, and the minister has acknowledged it.

So I specifically went to the Euro-Canadian club because I thought we were going to have at least the outline presented to all of this Calgary school community of what the new school utilization formula would look like. I sat there and I listened to the Deputy

Minister of Learning and the Deputy Minister of Infrastructure, and they teased us. They said: well, we continue to work on this; there will be changes. I thought, Mr. Chairman: what an insult to these people who have come out, who have been waiting for an announcement of what the changes are going to be. You have all of these key stakeholders, to use the government parlance, in education, and we had no news to share with them. The government wouldn't tell us what that formula is going to be changed to, what the changes are going to be. What does that show us?

[Mr. Tannas in the chair]

Mr. Chairman, I'm so pleased to see you in the chair this evening, and I'm hopeful that you're going to have some opportunity to offer some input in this because of your experience in education.

I'm distressed. In the supplementary supply debate this would have been, if you like – in law there's an expression called last clear chance. This was the Minister of Infrastructure's and the Minister of Learning's last clear chance to come in front of this Assembly and tell us what the changes would be to the school utilization formula. As I look around, the associate minister of health may know what that new school utilization formula looks like. Our new colleague from Red Deer: somebody may have shared with her when she was working hard in the by-election campaign and given her some ammunition so that when she went door-to-door and people complained about education, she'd be able to say: you know, there's going to be a new school utilization formula, these are the new criteria, and this is how it's going to apply and this is when it's going to kick in. Maybe she has that information. I don't have it. Maybe the Member for Bonnyville-Cold Lake has got that information.

This is too much like the Whack-a-Mole game. I mean, we can go around asking people. I don't know who has the secret. I don't know who knows that information. So if somebody could put their hand up, it would save having to go from member to member to member to find out who has that information. But I don't think it should be such a game; do you, members? Do you think it should be so tough to find out what's happening with the school utilization formula? We need to know what's going on with that school utilization formula, and I haven't heard.

The other meeting that I found instructive was going to Central Memorial high school. It was a meeting organized by SPEAK, Support Public Education – Act for Kids. Once again a lot of school counselor representatives came together, and lots of concerns about overcrowded classrooms. Where in Bill 28, anywhere in this little flimsy four pages – I mean, you lose it. It's not even substantial enough to be a bookmark, it's such a skinny bill. Where in Bill 28 is anything that's going to address overcrowded classrooms? There's nothing that addresses the school utilization formula. So the minister comes along and asks for the extraordinary kind of relief, more dough, when we don't have a clear sense of answers to those questions.

All members maybe would want to spend a minute and reflect on this process. Is there anybody dissatisfied with this budget process, Mr. Chairman? Is there anybody dissatisfied with this process?

AN HON. MEMBER: Satisfied or dissatisfied?

MR. DICKSON: Dissatisfied with the process.

MRS. SOETAERT: I am.

MR. DICKSON: Anybody else dissatisfied by the process?

### Chairman's Ruling Rhetorical Questions

THE CHAIRMAN: Hon. member, I don't know where it is that you're authorized to call these sort of impromptu votes. I think hon. members should know by now that rhetorical questions are not to be answered. I would ask the hon. member not to awaken too many people by your votes.

MR. DICKSON: Mr. Chairman, you've caught me out, and I confess what I was hoping to do was to economize on time. The evening is late, and I thought if I could integrate some of the concerns that the government members had in my comments, we'd be able to save 20 or 30 other speeches that are going to be tried to be jammed in, but they're going to have to do it on their own. I tried.

### Debate Continued

MR. DICKSON: The point is this. We ask questions around the supplementary estimates, and do we get answers, Mr. Chairman? You will remember back to Monday evening, November 20 – this is only a couple of days ago – we were looking for answers from the Health and Wellness minister, and we didn't get them. If you look through *Hansard*, the kinds of things that call out for some explanation. We have the Minister of Health and Wellness on November 20 telling us that "our health authorities are doing a remarkable job in attracting physicians to this province."

Well, Mr. Chairman, in downtown Calgary we have a substantial number of foreign-trained physicians. Why don't we spend a fraction of the dollars that we pay headhunters to send off to South Africa to find physicians that we sort of take away from those countries that also need physicians? Why don't we recognize that in our communities, certainly in Calgary, there are plenty of people who have medical training, who have practised as physicians?

I remember a reporter telling me he was at the Westin hotel in Calgary, and there was a conference with physicians talking about the challenges of rural practice. People from all over the world were there. He left the conference, and the parking lot attendant setting up the bill had been a doctor in another country. This is the guy in the little booth in the parking lot taking the ticket and collecting payment for somebody parking at the Westin hotel. The reporter started talking to this fellow, and he explained how he had come from another country, had been trained as a physician, had practised in that other country, and has been waiting over four years to try to be accredited in Canada.

11:30

It seems to me, Mr. Chairman, if we spent just a fraction of the dollars we spend on headhunters, we'd be able to utilize some of the talent of those new Canadians, those people who are looking for work. And I'm embarrassed as an Albertan that that sort of thing happens and we don't do a better job with that.

Mr. Chairman, there were a couple of other things I was going to ask. The Minister of Municipal Affairs the other night told us about some of the reasons why he was looking for additional funding. What I didn't hear him say and what I was waiting for was a specific response to the recommendation from the Information and Privacy Commissioner. That report landed on our desk maybe last Wednesday or Thursday. [interjections] Well, I'm talking about what's missing, hon. minister, through the chair. What I'm talking about is that there was a recommendation from the Information and Privacy Commissioner of this province, who challenged the government again and said it's important that this province deal with the protection of privacy in the nonpublic sector. That's a recommendation he's continued to make.

You know, we've heard comments that this is something govern-

ment is working on, but the reality, Minister of Municipal Affairs, through the chair, is that other provinces in fact are holding public hearings. Other provinces are in a very public way moving towards legislation. I saw a draft bill the other day from Saskatchewan and draft legislation from Ontario. This Minister of Municipal Affairs isn't providing us with any information in that respect, and it makes it tough to deal with supplementary supply.

The Minister of Health and Wellness told us the other day that one of the things that's going to happen is \$13 million for the Alberta Mental Health Board to enhance community programs for people suffering. My question would be: why wasn't that part of the budget? Why wasn't that dealt with in March of 2000? The mental health crisis in this province is no more aggravated in November of 2000 than it was in March of 2000. Mr. Chairman, why would it be that that sort of thing couldn't be addressed then?

The Building Better Bridges report identified higher wages, so we see some provision for that in the supplementary estimates and in the appropriation bill. Why didn't we deal with that in March? You know, that's not in the category of a forest fire. I mean, that's something that could have been addressed then.

Mr. Chairman, I'd ask some questions about what was happening with Bill 40 and the fact that regional health authorities geared up, did in-service training, did a lot of work to prepare for the advent of Bill 40. December 15 was to be the date for proclamation of that legislation. It hasn't been proclaimed. We understand the deadline is off. What are the regional health authorities to do? They need certainty, and they're not getting it from this government. One would think that would be something government would be prepared to come in and talk about and to tell us.

Mr. Chairman, rent subsidies for low-income households. We've got a provision in an announcement made August 31, 2000. What I want to ask the Minister of Municipal Affairs, the Minister of Infrastructure – I read that the Member for Fort McMurray, for the Wood Buffalo area, is talking about calling for rent controls. I applaud his advocacy on behalf of constituents who can't find an affordable place to live. He's doing what an MLA is supposed to do: he's raising those concerns and he's looking for answers.

Well, in Calgary-Buffalo over 75 percent of my constituents are renters. Many of them are facing dramatic rent increases, and that was before the KEP came along and the 20 percent further increase in electricity rates and 35 percent increase in natural gas rates. Those costs are all being passed on to my tenants. Where's the government remedy to deal with that? Maybe the member from the Wood Buffalo region has got some assurances that that's going to be addressed in some concrete way. I haven't heard them in this Assembly. I don't see that being addressed in a supplementary estimate package. Those are issues that are important to people not just in Fort McMurray but in downtown Calgary and I expect in Edmonton. Those are issues that we should be dealing with, we should be getting answers for, and I don't see them, Mr. Chairman.

It seems to me that for persons with developmental disabilities, we continue to have a real problem there, Mr. Chairman. I'll give credit to the government that they've decided to supplement the pathetically low salaries that are paid to people who work in that area, and that's positive. But we have a real problem with governance. I see the Associate Minister of Health and Wellness opposite, and he's working furiously away at his desk. He may be penning a note to the Provincial Treasurer this very moment saying: when are we going to clean up the mess that's been created with that structure of local PDD boards?

I'd remind members that when the Associate Minister of Health and Wellness came to Calgary and talked to those groups, people got really excited. They thought: here's a fellow who's taken the trouble

to come and listen. I think everybody was impressed. Everybody I talked to that met the Associate Minister of Health of Wellness was impressed. They got a bit excited when they heard the report was coming. But the difficulty is that we don't see any action on cleaning up the mess with governance.

Mr. Chairman, it's a good thing it's committee. I may get up again. Thank you very much.

THE CHAIRMAN: The hon. Member for Lethbridge-East.

DR. NICOL: Thank you, Mr. Chairman. It's a real pleasure to stand this evening and speak to the supplementary estimates legislation. It's important that we look at some of the issues that come up in terms of how the allocations are put out.

We notice that as we get into looking at, say, the Infrastructure dollars, there's a number of values that go out in terms of the allocation to different institutions. What you have to do is begin to question the methods that they're using and the protocol that they use to determine which institutions get their dollars and which do not.

I notice the dollars that are going out to NAIT to expand the capacity to put out a high-tech program, yet when it came time to do the funding for the University of Lethbridge's library, this group failed to provide the dollars to do that. What they did was allow them to borrow the money, and then they have to pay it back out of their operating grant. Well, you know, that's kind of creating a double standard as you go across and develop different methods of putting together the infrastructure that's necessary for the support of the education programs, especially the advanced education programs, in our province. If they want to finance these kinds of things over time and allow for local discretion to build their infrastructure with the materials they're putting together, what they have to do is look at the possibility of developing a per unit funding so they end up with a formula that allows them to have certain dollars for capital just the way they now have certain dollars for their operating grant.

11:40

But effectively what they've done at the University of Lethbridge is reduce the operating grant now by the amount of money that is necessary to service a debt load that's there because of the obligation they have now when they're building their new library. If you have to look at advanced education institutions, I don't think there's any part that's more critical to the appropriate and proper functioning of a university than a library that's adequate, a library that is modern, a library that has the kind of volumes that will broadly support the different programs that are being offered by the institution.

You know, we look at the University of Lethbridge, and they were always ranked quite high for the midsized university category, but one of the criteria that always came out in terms of their ranking was the fact that their library resources were limited. They didn't have what was considered an adequate library service for their students when they were compared to the other midsized universities across the country. We have to look at it and see how these kinds of priorities get put in place.

When we were in Committee of Supply, I also mentioned the fact that I was quite disappointed in the way the dollars were allocated to the income support or the supplementary payment to the agricultural sector this fall. What they did was just basically pay it on the past list of eligible farmers. Yet we look at the turnover of land in

the province, and a number of individuals were affected very badly by that. They were farming new land this year that they didn't get payments on because the list was made up of the people who farmed land in 1999. What in essence we did was we had some leakage out of those dollars to the nonag sector, and the individuals who were farming the year before were given these dollars.

I guess, Mr. Chairman, what we're really saying here in these two examples I give is that as we go through the initial budgeting process to give our budget debate and the budget authorization in the spring session and then we look at the potential for supplementary supply, we have to look at it also in terms of how those additional dollars either support or violate the kind of parameters that were put in place for the budgeting we had in the spring. I guess the formulas and the allocation procedures that are used in the initial budget don't really seem to follow as we get into looking at supplementary estimates and supplementary dollars to kind of fill in the needs of the province as we get to the subsequent opportunities to spend. These are also just a function of whether or not we happen to be having a good revenue year, and we get to spend that extra 25 percent and how it works out. You know, we're now down to the point where the contingency fund in the . . .

THE CHAIRMAN: I'm sorry to interrupt the hon. Member for Lethbridge-East, but under Standing Order 61(4) I must put the question proposing the approval of the appropriation bill on the Order Paper for consideration by the Committee of the Whole. Does the committee approve the following appropriation bill: Bill 28, Appropriation (Supplementary Supply) Act, 2000 (No. 2). All those in favour, please say aye.

HON. MEMBERS: Aye.

THE CHAIRMAN: Those opposed, please say no. Carried.  
Shall the bill be reported? Are you agreed?

HON. MEMBERS: Agreed.

THE CHAIRMAN: Opposed? Carried.  
The hon. Deputy Government House Leader.

MR. HAVELOCK: Thank you, Mr. Chairman. I move that the committee do now rise and report.

[Motion carried]

[Mr. Shariff in the chair]

MR. TANNAS: Mr. Speaker, the Committee of the Whole has had under consideration a certain bill. The committee reports Bill 28.

THE ACTING SPEAKER: Does the Assembly concur in the report?

HON. MEMBERS: Agreed.

THE ACTING SPEAKER: Opposed? Carried.

[At 11:47 p.m. the Assembly adjourned to Thursday at 1:30 p.m.]