

Legislative Assembly of Alberta

Title: **Thursday, March 25, 1999** 1:30 p.m.

Date: 99/03/25

[The Speaker in the chair]

head: Prayers

THE SPEAKER: Good afternoon. Let us pray.

O Lord, we give thanks for the bounty of our province: our land, our resources, and our people.

We pledge ourselves to act as good stewards on behalf of all Albertans.

Amen.

Please be seated.

head: Introduction of Visitors

THE SPEAKER: The hon. Minister of Education.

MR. MAR: Thank you, Mr. Speaker. It's my pleasure to introduce to you and through to members of the Assembly a delegation from the Saudi Arabian Ministry of Education seated in the Speaker's gallery. The delegation is in Alberta to explore Alberta's education system for applicability in their own country. The delegation is headed by His Excellency Abdullah bin Hamad Al-Fousan, the Deputy Minister of Education. He's accompanied by Dr. Saleh Khalaf, director of general examinations; Dr. Saud Al-Dahiyan, director general of educational research; Dr. Saleh Amr, deputy general of the college of technology in Riyadh; Professor Mohammad Al-Shushan, director general for educational training; and Professor Matar Rizpallah, director general for education, Makkah province. I ask the delegation to rise and receive the traditional warm welcome of this Assembly.

head: Presenting Petitions

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

DR. PANNU: Thank you, Mr. Speaker. I have a petition which is organized by the SOS, Save our Schools, group, 105 names on this petition, and petitioners say:

We the undersigned residents of Alberta, petition the Legislative Assembly to urge the Government to increase funding of children in public and separate schools to a level that covers increased costs due to contract settlements, curriculum changes, technology, and aging schools.

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

MS LEIBOVICI: Thank you, Mr. Speaker. I, too, have a petition on behalf of the Save our Schools group, where they request and

petition the Legislative Assembly to urge the Government to increase funding of children in public and separate schools to a level that covers increased costs due to contract settlements, curriculum changes, technology, and aging schools.

Thank you.

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

DR. MASSEY: Thank you, Mr. Speaker. With permission I would present an SOS petition signed by 99 Edmonton and district citizens urging

the Government to increase funding of children in public and separate schools to a level that covers increased costs due to contract settlements, curriculum changes, technology, and aging schools.

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

MR. SAPERS: Thank you, Mr. Speaker. With your permission it is my pleasure to table another SOS petition urging

the Government to increase funding of children in public and separate schools to a level that covers increased costs due to contract settlements, curriculum changes, technology, and aging schools.

This petition is signed by 101 residents of Edmonton, Leduc, Sherwood Park, Onoway, Morinville, Spruce Grove, and other areas in the Edmonton region. This brings the total number of signatures to date to 5,772.

head: Notices of Motions

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

MRS. MacBETH: Thank you, Mr. Speaker. Pursuant to Standing Order 40 I will be rising at the end of question period to request unanimous consent to consider the following motion:

That the Legislative Assembly recognize the service of Albertans in the present North Atlantic Treaty Organization action in the former Yugoslavia.

head: Introduction of Bills

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

Bill 21

Irrigation Districts Act

MR. STEVENS: Thank you, Mr. Speaker. It is with pleasure that I request leave to introduce a bill being the Irrigation Districts Act.

Mr. Speaker, Alberta is a Canadian leader in many ways, with irrigated agriculture being one of them. Approximately two-thirds of all irrigation in Canada is in southern Alberta. Irrigation districts have operated in Alberta for almost 100 years, and this legislation will provide the means for them to continue to operate in an effective and efficient manner, while recognizing the changes necessary to match the modern world we live in.

Thank you.

[Leave granted; Bill 21 read a first time]

THE SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. I move that Bill 21 be placed on the Order Paper under Government Bills and Orders.

[Motion carried]

THE SPEAKER: The hon. Member for Medicine Hat.

Bill 22

Health Professions Act

MR. RENNER: Thank you, Mr. Speaker. I'm pleased to request leave to introduce Bill 22, the Health Professions Act.

Mr. Speaker, the Health Professions Act is the reintroduction of what was Bill 45 last spring after nearly a year of consultation with the public and stakeholders. I'm very pleased to be sponsoring this bill at this time, and I look forward to further discussion when we get into debate at second reading and committee.

[Leave granted; Bill 22 read a first time]

THE SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. I move that Bill 22 be moved onto the Order Paper under Government Bills and Orders.

[Motion carried]

THE SPEAKER: The hon. Member for Banff-Cochrane.

**Bill 23
Pharmacy and Drug Act**

MRS. TARCHUK: Thank you, Mr. Speaker. I am pleased to request leave to introduce a bill being the Pharmacy and Drug Act.

This Pharmacy and Drug Act is a companion document to the Health Professions Act being brought forward by Alberta Labour, and it contains provisions relating to the licensing and operations of pharmacies and scheduling of drugs.

[Leave granted; Bill 23 read a first time]

THE SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. I move that Bill 23 be placed on the Order Paper under Government Bills and Orders.

[Motion carried]

head: Tabling Returns and Reports

THE SPEAKER: The hon. Minister of Environmental Protection.

MR. LUND: Thank you, Mr. Speaker. I'm pleased today to table with the Assembly six copies of a report entitled A Comparison of Alberta's Environmental Standards to those of other North American jurisdictions. This report shows that Alberta has the highest environmental standards when compared to other jurisdictions across Canada and the United States.

MRS. MacBETH: Mr. Speaker, I'd like to table a letter which I sent to the Premier yesterday inviting him to attend open meetings across the province to discuss the state of public education in Alberta.

MR. JONSON: Mr. Speaker, I'm pleased to table five copies of the Mental Health Patient Advocate office 1998 annual report, and I also would like to table with the Assembly the annual report of the Alberta Cancer Board for the year ended March 31, 1998.

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

DR. PANNU: Thank you, Mr. Speaker. I have four different tablings to make today. The first one is five copies of relevant pages from the annual report for '97-98 of the Environmental Protection department. It draws attention to the deteriorating water quality in the north river basin area.

1:40

The second tabling, Mr. Speaker, is also related to the Environmental Protection department. It's data that we have released today which demonstrates that between 1992-93 and 1999 and year 2000 the manpower responsible for enforcing environmental protection laws will have declined from 4,261 to 2,955, which is a 30 percent reduction in the overall personnel available for enforcing those laws.

The third tabling, Mr. Speaker, with your permission, if I may

make that as well. This is a Northern River Basins Study 1996, which shows high levels of a variety of toxins and contaminants in the Athabasca, McLeod, Wapiti, and Peace rivers and the sources of these contaminants. This report has been in the news this morning, and there's some concern on the part of someone on the panel who did the study that this report might be doctored.

The last tabling, Mr. Speaker, is the Environmental Law Centre's study of Bill 15, Natural Heritage Act. It's a 61-page report. It was just released on Monday, and I trust that the minister has received copies of it. The ELC analysis compares protection of wilderness areas, ecological reserves, provincial parks, and natural areas under existing legislation with the protection they would receive under the proposed act, and their answer is that the protection will be dramatically reduced.

Thank you, Mr. Speaker.

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

MR. DICKSON: Thank you, Mr. Speaker. I'm tabling this afternoon the requisite number of copies of a news release issued by the SPEAK group in Calgary, Support Public Education: Act For Kids. It's an analysis of the \$600 million education spending increase, 1999-2002, and the impact that's going to have on Calgary classrooms.

Thank you very much.

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

MS LEIBOVICI: Thank you, Mr. Speaker. I have four tablings this afternoon. The first is a position statement and supporting documentation from the Alberta Traditional Chinese Medical Science and Acupuncture Association protesting their exclusion from the health summit.

The second is a report that was done by the Central Alberta Council on Aging that outlines their recommendations and concerns with regard to health care in the central Alberta region, the David Thompson region. As well, the results report from the Central Alberta Council on Aging, David Thompson health region, with regard to the public consultation that took place on the long-term care review.

My last tabling is the presentation that was made to the standing policy committee on health planning a couple of days ago with regard to the status of brain injury in Alberta, requesting that the awareness of the issues facing the brain injury population be increased and that funding be divided between Health and Social Services for brain injury services and support.

Thank you.

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

MS CARLSON: Thank you, Mr. Speaker. Today I have four tablings. The first is the letter from the Environmental Law Centre to the Minister of Environmental Protection outlining the details of the legal analysis they did on Bill 15, the Natural Heritage Act. This critical and legal analysis of the bill is in fact 17 pages longer than the bill itself. So that in itself is telling.

The next three tablings I have are letters. The first is a letter to the Premier from Jackie Powell from Lacombe, Alberta, who is writing again, Mr. Speaker, that after having received information about Bill 15, the Natural Heritage Act, she has an increased number of unanswered questions and concerns she has about that bill.

The second is from Sarah Morrison to the Premier on Bill 15, the Natural Heritage Act. She talks in her letter about the proposed Natural Heritage Act making "so many provisions for commitments

that were in place 'to allow future development' that it becomes ineffective for preserving our fragile areas."

The third one is from Serena Rose from Wolfville, Nova Scotia. At the current time she is a student in recreation management who is an Alberta resident and expects to come back here and who does not agree with implementing the Natural Heritage Act as it stands.

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

MR. GIBBONS: Thank you, Mr. Speaker. I beg leave to table five copies of the Edmonton YMCA 1998 annual report on their 92nd anniversary. Their motto has always been "strong kids, strong families, and strong communities." They have lots to be proud about this year with two openings of facilities, one in the south side, William Lutsky, and one in Castle Downs.

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

MR. MacDONALD: Thank you, Mr. Speaker. I would like to table this afternoon with your permission a document on behalf of Mr. William Young, a resident of Terrace Heights since 1959; his comments and concerns and his objections to the present transportation master plan that's been debated in and around the city.

Thank you.

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

MR. SAPERS: Thank you very much, Mr. Speaker. With your permission I'd like to table five copies of correspondence to myself from a constituent, Mr. John de Groot, who has asked me to bring to the attention of the government his concern regarding the requirement for insulin diabetic Albertans to pay 30 percent of the costs of their medically necessary treatments. I hope that this will catch the attention of the Minister of Health.

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

MS BARRETT: Thanks, Mr. Speaker. I'm tabling five copies of a letter that was sent yesterday by fax to the Minister of Education and copied to me from the principal of an Edmonton school who points out that in her particular case between 1991 and 1999 her take-home pay has increased by only \$37 despite the fact that she's become a principal in the meantime and points out that another teacher takes home \$500 per month less than she did in 1992.

head: Introduction of Guests

THE SPEAKER: The hon. Minister of Agriculture, Food and Rural Development.

MR. STELMACH: Well, thank you, Mr. Speaker. I wish to introduce to you and through you to members of this Assembly for the third day consecutively visitors from the community of Vegreville. Seated in the members' gallery are two families known for their community leadership and their volunteerism. The first family is Kevin and Mary Ellen Smiley and their children and students, Candice and Scott Smiley, and also Wayne and Ramona Ergezinger and their children and students joining them in the gallery as well as Nathan, Darren, and Colin. I would ask that all of them please rise and receive the traditional warm welcome of the Assembly.

THE SPEAKER: The hon. Member for Red Deer-South.

MR. DOERKSEN: Mr. Speaker, it is my privilege to introduce to you today and through you to members of the Assembly students from the Maryview school, which of course is located in that beautiful city of Red Deer. Accompanying the students are Ms Sylvia Dore, Mrs. Cindy Barber, Mr. Brad Diduch, Ms Ev Smith, and I would be remiss for not recognizing parents and volunteers who have come along: Mrs. Carless, Mrs. Scavo, Mrs. Waldick, Mr. Pasman, and Mrs. Labercane. I would ask that they rise and receive the traditional warm greeting of the Assembly.

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

MR. HAVELOCK: Yes, thank you, Mr. Speaker. I have two introductions today. First I would like to introduce to you and through you to members of the Assembly a six-member criminal justice review team from Northern Ireland. They are seated in the members' gallery this afternoon. This delegation is in the provincial capital today and tomorrow to learn about Alberta's innovative strategies in areas such as criminal justice and public security as a result of the signing of the Good Friday agreement. The members are Mr. Brian White, Mr. Ian Maye, Professor Joanna Shapland, Dr. Bill Lockhart, Mr. Guy Banim, and Mrs. Jill Leach. I would ask that they stand and receive the warm welcome of the Assembly.

Mr. Speaker, my second introduction is Mr. Bryan Walton, a constituent who is here to observe question period. He is seated in the members' gallery and I would also ask that he stand and receive the warm welcome of the Assembly.

1:50

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

MR. LOUGHEED: Thank you, Mr. Speaker. I'm pleased to introduce to you and through you to the members of the Assembly two classes from Win Ferguson elementary school in Fort Saskatchewan. They're accompanied by teachers Mrs. Godue and Mrs. Sprague and several parents, and I'd ask them to rise and please receive the warm welcome of the Assembly. They're in the public gallery.

THE SPEAKER: The hon. Member for Olds-Didsbury-Three Hills.

MR. MARZ: Thank you, Mr. Speaker. I'm pleased today, for the third time again this week as well, to introduce to you and through you to members of this Assembly four members from my constituency from the Cremona area whose names are synonymous with the development and operation of the Spruce Ridge Christian school. I would ask that Richard, Kathie, David, and Ellen Reid please stand and accept the warm welcome of this Assembly.

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

MRS. GORDON: Thank you, Mr. Speaker. I, too, would like to introduce to you and through you 13 bright, enthusiastic students from Lacombe junior high school. With them are dedicated teachers Karol Warner and Dawna Barnes, seated in the members' gallery. I'd ask them to rise and receive the traditional warm welcome of the House.

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

MR. ZWOZDESKY: Thank you, Mr. Speaker. It's a pleasure to introduce to you and through you to everyone here a member from

my constituency, Terry Jorden, who is a member of the Alberta Association of Registered Nurses. I understand Terry is here with other members of the delegation who provide such essential services in health care, and assuming they did make it in, I would ask them to stand and receive the warm welcome of the House.

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

MRS. SOETAERT: Thank you very much, Mr. Speaker. It's my pleasure today to introduce to you a young constituent of Edmonton-Manning. She is Margo Gibbons. She goes to high school at Eastglen; she's in grade 11. Today she is job shadowing her father, so she's been quite busy. So I would ask her to please rise and receive the warm welcome of the Assembly.

THE SPEAKER: The hon. Member for Calgary-Currie, do you have an introduction?

MRS. BURGNER: Mr. Speaker, I'm not certain that my guests are in the gallery at the moment. I don't believe they're in the members' gallery, but I should introduce them now.

Mr. Speaker, it's my privilege to introduce to you and through you to the members of this Assembly a group of 31 adult students from Mount Royal College. They are here this afternoon with Dr. Brownsey, their attending instructor, and I wish to extend to them the warm welcome of this Assembly.

Thank you.

head: Oral Question Period

THE SPEAKER: First Official Opposition main question. The hon. Leader of the Official Opposition.

Education Funding

MRS. MacBETH: Thank you, Mr. Speaker. The \$220 million that's finally being returned to public education next year is certainly welcome, but parents and teachers continue to worry about the adequacy of these funds to undo the damage already done to Alberta students and schools. My questions are to the Minister of Education. Given the deficits in the Grande Yellowhead school division, will schools like Hinton's Mountain View be able to restore special-needs instruction, to refill teaching positions, and to remove their freeze on purchasing supplies?

MR. MAR: Mr. Speaker, there are 60 school boards in the province, and as I've indicated to members of this Assembly earlier this week, there are four that have accumulated deficit situations. Grande Yellowhead is one of those situations. I've certainly worked with the hon. member who represents that area. My department has worked with the officials from that particular school division as well. In all cases, whenever a school board goes into a deficit situation, we work with those school boards to ensure that they have a plan in place, a reasonable plan in place that is achievable, to make sure that they can get themselves out of the deficit situation. Grande Yellowhead is no exception to this.

With respect to the delivery of particular services or freezes on the purchases of supplies and such, Mr. Speaker, the hon. Leader of the Opposition knows that this is a matter that falls clearly within the ambit of responsibilities of school boards. That's the reason we elect a school board at a local level, so the trustees can make those decisions at a local level to meet the local needs in accordance with the particular priorities that are established by voters in those areas.

THE SPEAKER: The hon. Member for Spruce Grove-Sturgeon-St. Albert, enough is enough. Cool it.

The hon. Leader of the Official Opposition.

MRS. MacBETH: Thank you, Mr. Speaker. Is the funding announcement sufficient so that schools like the Keheewin elementary school in Edmonton-Whitemud will no longer have to cut kindergarten, librarian, and basic literacy funds in order to implement the department-mandated language arts program?

MR. MAR: Well, Mr. Speaker, we think that the reinvestment that we've made historically that has brought the funding level up to what it is right now and then the new investment of going to an additional \$600 million three years hence is an appropriate amount of money for school boards to deliver a very solid education.

When we look at our achievement tests, our diploma examinations, when we look at national and international tests, when we look at the schools firsthand we know, Mr. Speaker, that schools in Alberta are doing a good job, and school boards are doing a good job. We have a great deal of time and respect for the people that are elected to run those programs as trustees, and we have respect for the administrations at the school level and at the board levels to do the right job.

MRS. MacBETH: Thanks, Mr. Speaker. Will the increase allow school boards to reward the hard work of teachers properly so that the take-home pay of a concerned Edmonton principal will be more than the amount that same person was taking home seven years ago as vice-principal?

MR. MAR: Mr. Speaker, I'm certain that members of this Assembly are aware that the Edmonton public board recently was involved in negotiations with their teachers, as have many school boards throughout the province. The collective bargaining process yielded a contract which was agreed to between the local of the Alberta teachers' union here in Edmonton and the public school board, which resulted in a 4 percent and 3 percent increase over a two-year period.

Mr. Speaker, I think that teachers work hard and deserve a fair remuneration for what they do. With respect to the individual contracts – it doesn't matter if it's the Edmonton public board or any other board in the province of Alberta – we all know that they are subject to the collective bargaining process at the local level.

THE SPEAKER: The third Official Opposition main question. The hon. Leader of the Official Opposition.

Release of Health Reports

MRS. MacBETH: Thanks, Mr. Speaker. In its press release marking this week as Information Rights Week, the government spoke about its commitment to openness, transparency, and accountability, yet the Minister of Health is already sitting on an interim long-term care report, the final report of the Bill 37 blue-ribbon panel, the Calgary regional health authority's internal review, and today the scheduled public release of the report of the Northern River Basins human health monitoring program was delayed. The people of Alberta have paid for these reports and have a right to this information in a timely manner. My questions are to the Minister of Health. Where is the openness, transparency, and accountability in the Department of Health when the minister refuses to release these reports?

MR. JONSON: First of all, Mr. Speaker, I think that we certainly

endeavour and I think the record would show that in Alberta Health we have responded to inquiries, questions – whether it's as a result of the estimates debate in the budget – very thoroughly, and we have provided a great deal of information on a continuing basis with respect to the health care system.

Mr. Speaker, I could spend some time actually going over the four . . .

THE SPEAKER: No. Please proceed.

2:00

MR. JONSON: But could I use one example, Mr. Speaker, and that is: the last item referred to by the hon. leader was the northern river basin study.

As I indicated yesterday, I have not received that report. My office was in contact with the chair of the panel that is doing that report, and I understand that there is a dissenting report. The majority of that panel were not advised of this until yesterday just before they were going to release the report. And, Mr. Speaker, the majority on the panel and the chair indicated that, as is always the case with this type of review, there is the place for a minority report. They are requesting that minority report so they can include it in the overall report, and they will now be planning to release that report to the public and to the minister at the end of this month, providing the minority report comes in.

So it's very hard for the Minister of Health, as I said yesterday, to release a report which he does not have.

MRS. MacBETH: Well, Mr. Speaker, is the real reason for the delay because the government needs time to doctor the reports?

MR. JONSON: Mr. Speaker, perhaps I could go on and illustrate further that the hon. leader is somewhat off track. The report referred to with respect to the administrative review commissioned by the Calgary regional health authority is a report to that regional health authority. I think it is only reasonable, since it is a report to that health authority, that they have time to consider the report, be briefed on it, and consider their own strategy as far as releasing it is concerned. That is not a report to the Minister of Health.

MRS. MacBETH: Well, Mr. Speaker, there's a couple more that he didn't mention.

Given the lack of faith that Albertans have as a result of this government's decision earlier to shred a seniors' report and now withholding these four additional reports, will the minister work to regain Albertans' trust by releasing all of the reports in their original form, now?

MR. JONSON: Well, Mr. Speaker, let me just use an illustration. There was a very, I think, well compiled and very important report that was provided last fall with respect to the overall approach to funding health authorities, a very comprehensive report. That report was released to the public of this province. It was not doctored or touched in any way, and it would be our intention, certainly after we've had time to duly consider the report on Bill 37, to release the report without any adjustments to it. And I could go down the list.

THE SPEAKER: Third Official Opposition main question. The hon. Member for Edmonton-Mill Woods.

Advanced Education Funding

DR. MASSEY: Thank you very much, Mr. Speaker. Last week the Premier told Calgarians that kids from all over southern Alberta are

being turned away from Mount Royal College because Jean Chretien's real estate company won't contemplate a deal. The Premier went on to say: if it takes a provincial stake in the matter, including some form of financial support, then I have told advanced education minister Clint Dunford to be creative, because a young Albertan's education is part of what the surplus is for. My questions are to the Minister of Advanced Education and Career Development. How many young Albertans has the province's policy that forced Mount Royal College tuition to increase by 128 percent in the last 10 years – how many has that kept out of Mount Royal College?

MR. DUNFORD: I need him to repeat the last part of that question. I couldn't hear it.

DR. MASSEY: The question was: how many young Albertans has the province's tuition policy, forcing Mount Royal to increase tuition by 128 percent, kept out of Mount Royal College?

MR. DUNFORD: Mr. Speaker, Mount Royal College has been in discussions with our ministry for quite some time. The allegation that they have turned away 1,500 students is nothing new for us. The concern that we would have – and I would want all members' support on this at some point – is that we must find some way to have student identifiers. We know that students in Alberta send applications to more than just one institution. We take the concern that Mount Royal College has very seriously, but frankly we have no way of checking as to whether or not there are 1,500 students out there that wanted to get into our system that were unable to.

Frankly, I would encourage them through this forum that I have this afternoon – if those students are out there, I ask them once again, like I did earlier with another question, to call this minister's office. We'll be glad to take those calls. We do the best that we can given the information we have.

DR. MASSEY: Thank you. To the same minister, Mr. Speaker: given that the provincial grant to Mount Royal this year is a 0.7 percent increase, will the minister now be offering them some of the surplus the Premier referred to?

MR. DUNFORD: The member made reference to the grant, and of course, as he knows because he was in estimates last night and asked a similar question, in Alberta within Advanced Education and Career Development we have not been sending money to the institutions *carte blanche*. What we have done is develop a very systematic and we think a very effective way of putting money into funding envelopes so that our reinvestment is directed toward the targets that we as a government are expecting from our postsecondary institutions.

DR. MASSEY: Thank you, Mr. Speaker. To the same minister: will the minister be visiting young Albertans in the tuition tent city set up at the University of Calgary to offer them some surplus relief?

MR. DUNFORD: As a matter of fact, some of the students that are in that tent city I've met on quite a number of occasions. Students in this province understand that when they want to meet with this minister, they simply have to call our office, and we're usually able to arrange something.

I will answer the question directly. As minister I will not go onto the property of the University of Calgary and intervene in a situation where the university, as far as I know, is following the tuition policy of this government. That is a dispute that's taking place between the university, its administration, and its students, and it's up to them to resolve it.

THE SPEAKER: The hon. Member for Edmonton-Strathcona, and following that we have 13 notifications from hon. members wanting to raise a question today.

Protected Ecological Areas

DR. PANNU: Thank you, Mr. Speaker. Earlier today I tabled an in-depth analysis prepared by the Environmental Law Centre on the government's protected areas legislation. This analysis clearly and systematically shows that wilderness will be further degraded if the government's plan becomes law. My questions are to the Minister of Environmental Protection. In light of the analysis presented in this report, which I'm sure the minister has studied carefully by now, can he please tell Albertans why they should believe his interpretation of Bill 15 rather than an independent centre specializing in analysis of environmental law?

MR. LUND: Thank you, Mr. Speaker. Yes, we did receive the report late yesterday. I have had the opportunity to go through it, not in great detail, but there are some good suggestions in it.

I must remind the hon. member that the folks that did this review never talked to us. There are statements made in there that are not accurate. Therefore, there's a misunderstanding about what we are talking about doing. We know – and I've said this on every occasion when I've spoken about Bill 15. It is enabling legislation, so people have the ability to read into it things that aren't going to happen. It's unfortunate that before they went through the bill, they didn't talk to us so that we could correct some of the misinterpretation that I witness in this perusal of the bill.

2:10

Of course, being that it's from the law centre, they would like to see it written in a very legalistic manner. I, Mr. Speaker, must tell you that I was even somewhat critical of our own writers. I felt that it was too legalistic. A lot of the comments are along that line.

DR. PANNU: Statutes are legal documents, Mr. Speaker.

To promote the dialogue that the minister seems to want to engage in, will he appoint an expert panel of environmental scientists and environmental law experts to consult the public and conduct an in-depth examination of the government's proposed protected areas legislation?

MR. LUND: Well, Mr. Speaker, if I understood the question correctly – I thought he said in his preamble to the first question that this was an expert panel that did the review. So I'm curious what he's talking about when he asks if we're going to have one done.

DR. PANNU: The minister cannot have it both ways. He wants to talk, and he doesn't want to talk.

Why does the minister continue to hide behind the notion that only he is right and everyone else, including eminent environmental scientists and legal experts, are wrong about his protected areas legislation?

MR. LUND: Well, Mr. Speaker, to correct one thing that the hon. member said, he talked about them being environmental experts; these were legal experts that did the review. Certainly if the authors of the perusal want to talk to us, we're very open. We welcome it. As a matter of fact, I have offered on at least four occasions to have the Liberal caucus – we would be only too happy to meet with them and explain this bill, but they refuse to meet. I'll extend that invitation to the hon. member. If he wants to meet with me and go through the bill, we'd be only too happy to do that.

Speaker's Ruling Brevity

THE SPEAKER: Hon. members, I want to repeat again that 13 hon. members have notified me of their desire to raise a question today. We have now had four sets of questions and have dealt with 40 percent of the time allotted for question period.

The hon. Member for Calgary-Glenmore, followed by the hon. Member for Edmonton-Ellerslie.

School Performance Evaluations

MR. STEVENS: Thanks, Mr. Speaker. My constituents and indeed Albertans across this province want reassurance that we have a quality education system for our children. A local company has issued a report on the top 200 failing schools in Alberta. My question is for the Minister of Education. Is this report proof that our education system is failing our students?

MR. MAR: Well, Mr. Speaker, absolutely not. Our education system is doing a great job of preparing our kids for life after school.

I reviewed the results from the 1997-98 school year that show Alberta students are doing well in many subject areas on achievement tests and diploma exams. For example, an improvement in grade 6 science tells us that the curriculum changes that we've introduced are having a positive effect. Students in grades 3, 6, and 9 continue to do very well on English language arts. Mr. Speaker, math results in the lower grades are lower than expected, but we expect that the implementation of the new math curriculum that focuses on problem-solving by applying math to real-life problems will see improved results.

On Grade 12 diploma exams, students are achieving the acceptable standard and a standard of excellence in most subject areas tested, but of course, Mr. Speaker, there's room for improvement. There are some schools where students are not achieving the acceptable standards, and we'll continue to work hard with those schools and those jurisdictions to improve those results.

MR. STEVENS: Thank you. Mr. Speaker, my second question is to the same minister. What value should parents place on a report that ranks schools when choosing the best options for their children?

MR. MAR: Well, Mr. Speaker, I perhaps take a liberty here in employing the support of the Education critic from the Liberal opposition. Both he and I agree that there should be no value placed on this simplistic ranking of schools. Further, the Alberta Teachers' Association, the Alberta School Boards Association, local school boards: none of them are of the view that there should be any value placed in a simplistic ranking of schools.

Mr. Speaker, provincial tests are based on a program of studies and are an indicator of how well students are learning, and while we are concerned about poor results in some cases, we do not support the ranking of schools based on test results. Tests are a snapshot. When you look at the methodology that has been used by this ranking system, what it fails to do is look at patterns over time and the context that may occur in a local school, for example asking questions like how many students are writing these exams. They don't consider the turnover rate in some schools or any special learning needs that the students may have in that particular school.

So when parents are looking for schools, Mr. Speaker, they ought not be employing this ranking method, but they should look instead at the individual needs of their student, the school environment, and the types of programming that is offered at a particular school.

Mr. Speaker, I'm proud of our students, and I'm confident that

they can compete with students anywhere. But of course as I said before, there is always room for improvement.

MR. STEVENS: Mr. Speaker, my final question is directed to the same minister. If achievement tests are only a snapshot, to use the minister's words, of how well students are doing, why is the minister proposing to use the results as a key factor in awarding bonuses to high performing schools?

MR. MAR: Mr. Speaker, I think this is an excellent question. The school performance incentive program is a bold plan to improve student learning. I think I have to point out that each participating school jurisdiction, not the individual schools, will be measured against their own past performance. So we will not be comparing schools against other schools. We will not compare jurisdictions against other jurisdictions, but we will compare a jurisdiction's results to its own past history.

Achievement tests and diploma examinations are not the only factors that we'll be looking at. There are other measurable indicators that we'll be looking at such as high school completion rates, course completions, and local measures that are set by the local school jurisdiction. So, Mr. Speaker, the school performance incentive program rewards improvement as measured by a broad range of indicators including the ones that are set by local jurisdictions.

THE SPEAKER: The hon. Member for Edmonton-Ellerslie, followed by the hon. Member for Calgary-Cross.

Protected Ecological Areas

(continued)

MS CARLSON: Mr. Speaker, four lawyers at the Environmental Law Centre have scrutinized Bill 15, the Natural Heritage Act, to ensure that Alberta's protected areas legislation works to protect the environment. Their 61-page report finds many serious flaws in the legislation, and they propose five pages of amendments. Why didn't the Minister of Environmental Protection circulate a draft of this bill giving all Albertans an opportunity to have input before it hit the floor of the Legislature so that the bill wouldn't be so flawed and the minister wouldn't have to do damage control now?

MR. LUND: Thank you, Mr. Speaker. Well, the fact is that we did circulate a draft that kind of outlined all the principles of the bill, and some 2,000 of those were picked up. It was out for public consultation. I think the hon. member must agree that the principles of the bill are okay, because in second reading she did not vote against it. So I would think that in fact she must have some agreement with it.

MR. DICKSON: Point of order.

MS CARLSON: "Kind of" doesn't cut it, Mr. Speaker.

Is the minister considering amending the bill to incorporate all of the law centre's recommendations? That's all of them, Mr. Minister.

MR. LUND: No, Mr. Speaker.

MS CARLSON: Well, then, Mr. Speaker, will the minister finally for once do the right thing and withdraw or at the very least table this bill so that it can be fundamentally revised to really protect Alberta's environment and give the people who care about this province a chance to have input on legislation that will change the future forever?

MR. LUND: Mr. Speaker, as I said earlier, there are some good points in here. There are some things that we will be taking into consideration, and I believe there are places where we will actually be using some of their amendments.

Mr. Speaker, when you look at all of the amendments that they're proposing, many of them are very legalistic and we're trying to write an act that the average Albertan could take and read, that we don't have to go to a lawyer to interpret it. So that is what we're trying to do.

2:20

The hon. member seems to be indicating that there's all negative in this, but you know, I can turn to one page – and I'm not going to read the whole page, Mr. Speaker; I don't want to take that much time. Just let me read some of the complimentary comments in here. "We commend the addition of the ability to provide greater protection for special features within designated areas." On the same page: "We agree that some transitional provision is necessary to deal with existing developments that will be affected by the [Natural Heritage Act]." And on the same page: "While we find it commendable that the [Natural Heritage Act] seeks to maintain this standard . . ." Those are all very complimentary comments. This analysis is not all negative as the opposition tries to make out it is.

THE SPEAKER: The hon. Member for Calgary-Cross, followed by the hon. Member for Lethbridge-East.

High School Math Curriculum

MRS. FRITZ: Thank you, Mr. Speaker. Recently I spoke with the chairs of two school councils in my constituency who voiced strong concerns about the new high school math curriculum. Apparently these courses are costly and very, very difficult, and also there wasn't enough preparation and time provided for in-service to allow the teachers to become familiar with the course content. My questions today are to the Minister of Education. Given that \$2.2 million was recently allocated for math training, how will this money be spent to ensure that students and teachers are better prepared for the new math curriculum?

MR. MAR: Mr. Speaker, as I've traveled to schools throughout the province, particularly high schools, the issue of the new math curriculum has come up. The response by this government has been \$2.2 million for math in-service training that will give junior and senior high teachers the types of resources and the in-servicing they require to support and deliver the new curriculum. I think it will also give parents the information that they need to support student choice and student learning.

The money will be used to develop and deliver in-service training. It could be things like seminars, teacher study clubs, electronic bulletin boards, all of which will help teachers learn new ways to teach and assess student achievement. It will also help guidance counselors and principals and parents to support student choices and student learning. Mr. Speaker, at the end of the day, it will be students who will benefit from this program through better help for teachers, guidance counselors, principals, and parents.

MRS. FRITZ: Thank you, Mr. Speaker. To the same minister: given that there are now two texts available for pure math, why does Alberta Ed authorize the use of two resources for a single course?

MR. MAR: Mr. Speaker, it's our policy to give school boards choices in the textbooks that they use. This has been the policy of the department for the last 10 years. This is to acknowledge that

there may be a difference in teaching styles or in learning styles and for individual schools and school boards to make decisions about which textbook resource would best suit their particular students.

MRS. FRITZ: Thank you, Mr. Speaker. Given that school council chairs also commented that their schools were not given enough lead time to choose the appropriate text and as a result find the one chosen to be inadequate for the demands of the course, I'm interested in whether or not the minister has made any arrangement to assist schools in this situation to purchase additional texts?

MR. MAR: Mr. Speaker, we have increased the per pupil credit at the Learning Resources Distribution Centre for textbooks. We've increased it to \$9.60 starting in September of 1999.

With respect to the time that was put in place to allow teachers to work with this new curriculum, work on the new curriculum began in 1994. High school teachers, including those nominated by the Alberta Teachers' Association, met in Saskatchewan to write outcomes for the western protocol course sequence. From 1995 through April of 1996 drafts of the new programs were circulated to all high schools for response, and information sessions were held with teachers to discuss the development of Alberta courses based on the new western Canadian protocol. Finally, high schools received their final copy of the western Canada protocol's outcome and courses in June of 1996.

THE SPEAKER: The hon. Member for Lethbridge-East, followed by the hon. Member for Highwood.

Tax Reform

DR. NICOL: Thank you, Mr. Speaker. A report by the U.S. National Bureau Economic Research puts the maximum increase in the rate of growth of gross domestic product that can be expected from a 5 percent tax decrease at .3 percent. Budget '99 claims the government tax cut will give a .8 percent increase in the rate of growth of our gross domestic product. I'd like to ask my questions to the Minister of Economic Development. What studies has Economic Development done to verify why our tax cut is so much above the NBER's .62 percent maximum that we could expect from our 11 percent tax cut?

MRS. NELSON: Mr. Speaker, we've had the opportunity to work with our private sector and with Treasury to assess the impact of the tax reform that has been introduced by our Provincial Treasurer, particularly in the last budget. We believe that from the historical picture that we've had this last five years on growth and the changes, starting with the elimination of the M and E tax, that brought investment and growth to the province, this new framework will in fact surpass the historical fundamental principles on tax relief and the impact on the economy. So we're comfortable with the assumptions we've made that based on our plan, we will see the results. We certainly have seen them in the last five years.

DR. NICOL: Thank you, Mr. Speaker. She didn't tell us about the studies. We'd sure like to see them.

If we extrapolate the NBER's data, this would give us a .63 percent growth rate. Why the discrepancy, and what is it that's going on in Alberta's economy that is above the maximum that they set given that everything else works the way it should. They recommend .2 on 5 percent, which would be about 4 percent from our budget change. Why the difference?

MRS. NELSON: You know, Mr. Speaker, I guess it's amazing to me that here's an opposition party that is telling us that they've been listening to the people, but quite frankly they haven't. On the surveying that was done in the province of Alberta, the people said that any way taxes can go down, they should. This has been done through investment, and it is based on the revenue base coming into this province over the next few years.

Every time we have gone on a positive move forward to reduce taxes – our government and our Premier said that the only way taxes will go in this province is down – these guys fight it. They don't like taxes going down. You know why? Because they're in opposition. They're opposed to anything positive. Anything positive.

In fact, Mr. Speaker, we took a trade mission out this winter, and everywhere we went, when we put forward the tax framework for this province, people were absolutely thrilled with the idea. In fact the hon. Provincial Treasurer the other day talked about the Fraser Institute study that placed Alberta number one over 56 jurisdictions in North America. Number one, the province of Alberta. Not Saskatchewan, not Canada. Alberta. Number one. And they fight it.

DR. NICOL: Mr. Speaker, if I didn't have my data any better than that, I wouldn't be here. [interjections]

What is Economic Development going to do to stimulate the Alberta economy to get the additional .18 percent growth rate needed to reach the budget target?

MRS. NELSON: I didn't hear the question.

Speaker's Ruling Decorum

THE SPEAKER: I didn't hear it either. We're not wasting any more time on that. I've still got nine more members. My job is to ensure that hon. members have a chance to raise questions. If somebody's going to raise a question and everybody else is going to drown out the question so the other person can't hear it, then that is a waste of this time.

The hon. Member for Highwood, followed by the hon. Member for Edmonton-Centre.

Teachers' Board of Reference

MR. TANNAS: Thank you, Mr. Speaker. My questions today are to the Minister of Education. For the past 73 years appeals regarding the termination or suspension of teachers under the School Act have been dealt with by the Board of Reference. This has led to the creation of a substantial body of law, and as teachers work under the requirements of statutory law, the issue is the proposal to repeal the Board of Reference. To the Minister of Education: is the policy of government to propose legislative change without prior consultation with the associations most affected?

2:30

MR. MAR: Mr. Speaker, we are eliminating the Board of Reference from the School Act because disputes between employers and employees, including boards and their teachers, are best resolved under the arbitration process pursuant to the Alberta Labour Relations Code.

I've done a review of practices throughout Canada, and throughout Canada there are only two provinces that have Boards of Reference: the province of Saskatchewan and the province of Prince Edward Island. In both those cases, Mr. Speaker, they have an arbitration model with nominees from each party and a chair that both parties agree to. The province of Nova Scotia also has a single

board of appeal where the person is appointed by the Minister of Education. In the remaining six provinces and territories they do not have a Board of Reference.

Mr. Speaker, most areas of dispute between boards and teachers are already settled under the Labour Relations Code, and accordingly it makes sense for those matters between employers and employees to be moved to the jurisdiction of the Minister of Labour. We will be consulting with the ATA and the Alberta School Boards Association to review and update the teacher contract sections in the School Act that may be more appropriately contained within the collective agreement.

MR. TANNAS: Thank you, Mr. Speaker. Again to the Minister of Education: inasmuch as the Board of Reference, among other related educational matters, was given a good bill of health by the government's own 1998 regulatory review, what has changed in the past few months that would justify repealing the Board of Reference?

MR. MAR: Well, Mr. Speaker, it is true that there was a review, but that review was restricted in its scope to addressing the issue of payments of fees and costs for the 10 members of the board. That review did not address the relevance of the process, and upon consideration of the process of the board of review, it does appear to be appropriate to fall within the ambit of labour relations.

MR. TANNAS: Mr. Speaker, again to the Minister of Education: is this apparent precipitous action being done to save money, and if so, how much will be saved given that the cost of the arbitrators of the Board of Reference are covered by the ATA and the ASBA?

MR. MAR: Well, Mr. Speaker, this change is not about saving money. What it is about is eliminating a duplication of process, an appeal process in the labour relations context, so that there can be a single process that is employed rather than two processes. Clearly, simplifying the regulatory environment in this province is one of the goals of this government, and in this case it is an elimination of duplication and a simplification of the labour relations process.

THE SPEAKER: The hon. Member for Edmonton-Centre, followed by the hon. Member for Calgary-Currie.

Options for Women Employment Program

MS BLAKEMAN: Thank you, Mr. Speaker. On April 1, 1998, the provincial government took over responsibility from the federal government for providing labour market programs. The province has decided to distribute the money to general employment programs, effectively getting rid of targeted funding for specific client groups. Options for Women has been providing employment services for 16 years, yet despite exceeding their contract obligations, this government refuses to continue to fund their program for women. My questions are to the Minister of Advanced Education and Career Development. Why does this government refuse to fund targeted employment programs?

MR. DUNFORD: Well, we don't, Mr. Speaker.

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

MS BLAKEMAN: Thank you. That's not an answer.

I'll try again. Why has the government ignored their own consultations which urge them to fund specific target programming?

MR. DUNFORD: Mr. Speaker, I believe that I've said in this House before – if I haven't, I'll try to say it as clearly as I can – that what we've done in Alberta, as opposed to programs that were being delivered in Alberta previously by other jurisdictions, primarily the federal jurisdiction, is that we would look for specific outcomes, and it had to lead to either entry into postsecondary education or it had to lead to specific employment. That is still our policy, and to my knowledge, we are still doing that today.

If the hon. member has some specific program that she has some knowledge about, she can send the information to me, and I'll be glad to check it out for her.

MS BLAKEMAN: Thank you, Mr. Speaker. Could the minister tell me: what is the Department of Advanced Education and Career Development doing to address the needs of women, who represent 60 percent of their client group?

MR. DUNFORD: Well, we're actually quite proud of all of the programs that we've been using to look after some of the targeted groups that are being mentioned here today. I think that by any measurement our severest critic on the opposition side would want to make about how we approach adult learning in this province, you'd be hard pressed to find anything to really be critical about. I think the hon. Member for Edmonton-Centre knows that when it comes to career development, Alberta leads the nation in how we approach the concerns and the upgrading that's required amongst our group. Now, there she is doing all kinds of antics and that sort of thing, but, hon. member, look into your heart, look into your mind, and come up with the answer.

Mr. Speaker, I just simply want to say that I don't want to call the situation today obscure, but certainly if there was a problem, I have not to my knowledge received any information from this member or from the advanced education critic about this particular instance. Now, if they want to come in and try and sandbag the minister on this deal, that's fine, but if they want a specific answer on a specific item, then what they'll do is provide what would be I think kind and reasonable to give us an opportunity to answer in a direct way. But if you want to play silly little games, then I'll play silly little games with you.

THE SPEAKER: The hon. Member for Calgary-Currie, followed by the hon. Member for Edmonton-Gold Bar.

Alberta Children's Hospital

MRS. BURGNER: Thank you, Mr. Speaker. In the fall the members of the Calgary regional health authority, the Alberta Children's hospital, and the Alberta Children's Hospital Foundation presented their planning strategies for future expansion of the hospital. They identified the following needs: the need to expand emergency facilities, to provide co-ordinated children's mental health programing, a more efficient isolation unit, and, lastly, expanded parking structures. My questions are to the Minister of Health. In response to that presentation and with the release of the Health budget, what is the status of that proposal?

MR. JONSON: Well, Mr. Speaker, certainly the presentation that was made to the health standing policy committee was a very impressive one, and I would like to certainly recognize that a great deal of thought has gone into that planning and, further, that there's been a great deal of work done on fund-raising to provide complementary funding with respect to this project.

Mr. Speaker, the process that is followed is that we request from

regional health authorities their priorities. They're ranked according to their priority with respect to capital projects. Those proposals which come of course from all regions of the province are compiled through Public Works, Supply and Services. We run them against provincial criteria and then make decisions on what projects will go ahead relative to the size of the capital budget that we have available.

Mr. Speaker, it is not yet the new fiscal year operationally speaking, and we will have to look at what our construction program will be for the coming year. Certainly proposals from all of the regions of the province will be considered and Calgary, as this is one of their proposals.

MRS. BURGNER: Thank you, Mr. Minister.

As the Alberta Children's hospital serves the needs of children in southern Alberta, what steps can be taken to address the priority status with that process?

MR. JONSON: Well, Mr. Speaker, I acknowledge certainly that the Children's hospital, as could be said also of the Foothills hospital in Calgary – they serve through their specialized programs all of southern Alberta and are also the sites for research.

2:40

We have to, however, also give consideration to the priorities as they have come forward from the Calgary regional health authority. The Calgary regional health authority is placing some priority, as is understandable, on long-term care. They've ranked the Children's hospital proposal I think fifth or sixth on their list. We will certainly be looking at that overall list in the context of, as the member said, provincial needs as well as local.

MRS. BURGNER: My final question to the same minister: given that the Alberta Children's Hospital Foundation asked at those meetings for a commitment within our three-year business plans, is there an opportunity to meet that request?

MR. JONSON: Mr. Speaker, I just wish to emphasize that we have not yet established the specific projects that will be supported this year. We have of course over the past couple of years, including this one, had to divert money that might normally have gone to help capital projects to a very, very significant program, costing us well over \$170 million, to address Y2K concerns. We will be addressing the degree to which we can fund capital projects in the next month or so, and we'll make announcements as those decisions are made.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar, followed by the hon. Member for Lacombe-Stettler.

Pharmacists' Fees

MR. MacDONALD: Thank you, Mr. Speaker. Alberta Health is in negotiations with the Alberta Pharmaceutical Association. A recent KPMG report shows that Alberta pays to pharmacists the highest dispensing fees of any province. All my questions are to the Minister of Health. Will the government be maintaining the cap on dispensing fee expenditures?

MR. JONSON: Well, Mr. Speaker, as the hon. member indicates in his preamble, we are in discussions with the Pharmaceutical Association, and therefore, as I would expect, because occasionally they purport to be interested in conducting respectful negotiations, the opposition would not want us to be negotiating back and forth across the floor.

MR. MacDONALD: Is the government considering changing the fee structure to reflect the differences between rural and urban pharmacies?

MR. JONSON: Well, Mr. Speaker, I think that as I recall the details of the current arrangement, there are some differences in the way various parts of the province are compensated with respect to our support of pharmacy fees. Again, it is really quite ironic, I think, that there's a purported concern here about there being proper negotiations between government and various professional bodies and then they want to do it here on the floor of the Legislature. I really don't think that's appropriate.

MR. MacDONALD: I thank the minister for that gracious answer.

My third question: does the government have any plans to recognize pharmacists for services such as patient education and medication counseling?

MR. JONSON: That's a good question, Mr. Speaker. Yes, we have had discussions with the Pharmaceutical Association about establishing what might be referred to as an innovation fund, out of which there would be payment of support for some new models of pharmacists' remuneration. Yes, that is something we want to pursue and plan to pursue in the coming year with the co-operation of the pharmacists.

THE SPEAKER: The time for the question period has expired.

Speaker's Ruling Members' Opportunities for Questions

THE SPEAKER: Hon. members, the purpose of the chair in this Assembly is to deal with the requests made of him by hon. members to raise questions. When the chair looks out at the Assembly, he sees no difference in who the person is. All 82 members in this Assembly, including the chair, are equal. They all have the right to raise a question if and when they want to. Today was one of those days in which 13 hon. members, in addition to the three that would normally come from the Leader of the Official Opposition and one from the leader of the NDP opposition, requested the chair to work them into the question period. Hon. members do not know from day to day how many there are. Only the chair knows how many there are. The intent of the chair and the purpose of the chair is to get as many of these questions in as possible on the assumption that all hon. members are equal. Perhaps the ebb and flow will be different from day to day. If the chair only has six requests in front of him, the chair will allow more leniency with respect to the questions. In this case today, there was an incredible number: 13.

So the chair has failed in his responsibility of allowing at least four additional members to raise their questions and would want to apologize to the hon. Member for Edmonton-Glenora, the hon. Member for Edmonton-Glengarry, the hon. Member for Lacombe-Stettler, and the hon. Member for Calgary-Mountain View for not getting their questions in and in fact would look with some degree of bias at the next opportunity, being Monday, to get their questions in first on the basis that all hon. members in this Assembly are equal and will be treated equally by this chair.

head: Members' Statements

THE SPEAKER: In 30 seconds from now we will recognize three hon. members to proceed with members' statements, and we'll go in this order: first of all, the hon. Member for Calgary-Lougheed, followed by hon. Member for Edmonton-Glengarry, then the hon.

Member for St. Albert. In 30 seconds from now.

NATO Military Action in the Balkans

MS GRAHAM: Thank you, Mr. Speaker. This afternoon I would like to speak to Canada's involvement in the current NATO efforts in Yugoslavia. Through this Legislature we recognize the service of those Albertans involved in resolving this international conflict and working towards a peaceful conclusion.

At this time I would like to read the letter to be sent this afternoon to Brigadier General Don Ross, land force western area headquarters at CFB Edmonton, Griesbach, on behalf of the government of Alberta by the Hon. Dave Hancock, Minister of Intergovernmental and Aboriginal Affairs, which I believe represents the sentiments of not only the government of Alberta but all members of this Assembly and all Albertans. The letter reads:

On behalf of Premier Ralph Klein and the Government of Alberta, I am writing to request that you pass on the best wishes and fervent prayers of all Albertans for the men and women of the Canadian Armed Forces, particularly those based in Alberta, who are currently serving in the NATO peace effort in Yugoslavia.

It is always a solemn occasion when Canadian troops are called into armed action. One never knows exactly when the call will come, or where it will come from, but all Albertans know that our forces will never shirk from making contributions to peace anywhere in the world.

Albertans feel a strong sense of gratitude to our troops for their courage and their total commitment to peace and freedom. I hope that through you, the Canadian troops in Yugoslavia will be reminded of Albertans' tremendous respect for them, and be comforted by the words of prayer being expressed on their behalf by Albertans across the province.

To these men and women, I join with all Albertans, and all Canadians, in wishing them safety, security, and success. The cause of peace is well-served by your commitment and bravery.

Sincerely,
Dave Hancock, Q.C.
Minister

CFB Edmonton

MR. BONNER: Mr. Speaker, it is a pleasure for me to describe to all members of this Assembly the great benefits that the expansion of the Edmonton garrison has had on my constituency, Edmonton-Glengarry, and on Edmonton-Manning and Edmonton-Castle Downs, two other constituencies bordering the base. The federal government made a commitment to turn CFB Namao into a super-base housing the bulk of Canada's western Canadian forces, and they have followed through on this commitment. The three sites that comprise this base accommodate over 3,500 soldiers and their families, the largest collection of military personnel in this country.

This influx of soldiers and their families into Edmonton-Glengarry, Edmonton-Manning, and Edmonton-Castle Downs has resulted in many positive economic and social spin-offs. These have not gone unnoticed. Residential and commercial construction is booming, and major developments are currently under way. Our new friends and neighbours have become valuable members of our communities and have added a lot to our classrooms, community meetings, sports teams, and general community spirit.

2:50

The Edmonton garrison has made a commitment to the community its soldiers now live and work in. Citizens have been invited to make use of the base's outstanding recreational facilities, and the garrison has hosted several community events that have been well attended and were very enjoyable.

As Griesbach's base is part of Edmonton-Glengarry, I feel a special attachment to the men and women of our armed forces. They have made Alberta and Edmonton proud by helping out flood victims in Manitoba, assisting ice storm victims in Quebec, and serving internationally as peacekeepers. Currently 700 members of Edmonton garrison are on standby for possible duty in the former Yugoslavia.

We are all aware of the conflict that has erupted in Kosovo. It is an unfortunate circumstance, but our soldiers and pilots and those from elsewhere in Canada are fulfilling our commitment to NATO and standing up for international order and humanitarian principles. We are proud of you, and we wish you all a safe and speedy return to your families as soon as possible.

Thank you, Mr. Speaker.

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

Project Russia

MRS. O'NEILL: Thank you, Mr. Speaker. I'm pleased to rise in the House today to commend the organization and delivery of humanitarian aid by Edmonton students and teachers. The initiative coined Project Russia was organized by Dr. Wade Pike, a teacher at Lee Ridge school in Mill Woods who is seated in the member's gallery today.

The aid was delivered to the city of Yakutsk, located in the far northeast of Siberia in the Sakha Republic, the sister region of Alberta and Northwest Territories. The region had suffered from a severe flood last spring and has been hurting from the current economic turmoil in Russia.

Mr. Speaker, four tonnes of food, clothing, toys, school supplies, and other goods were collected by more than 5,000 students at 30 Edmonton public schools and shipped to Moscow before Christmas and on to Yakutsk in January. Many individuals, businesses, and officials assisted this project, including Dr. Dosdall, superintendent of Edmonton public schools, Reimer Express Lines, Shippers Supply Inc., Motor Truck Express, RTX Express, the Sakha-Alberta Business Association, Aeroflot, the Russian embassy and the Canadian embassy, Alberta Intergovernmental and Aboriginal Affairs, CIDA, EPS Distribution Centre, the Edmonton Oilers, and the House of Flags.

Despite being held up in Russian customs for nearly a month, with the assistance and intervention of Wayne Primeau from the Canadian embassy in Moscow, Ben Gailor from the departments of Foreign Affairs and International Trade, and the Humanitarian Committee of the Russian Federation Council, the aid finally reached its destination.

Galena Pettchenko, External Affairs of the Yakutsk city administration, arranged for the transportation to Yakutsk and oversaw the distribution of the aid. The majority of the aid was food and went to four schools, including a boarding school, the school for the blind, and to an orphanage. The various gifts, school supplies, and clothing were distributed to over 300 students among the four schools.

I would like to commend all of the students, administrators, businesses, and teachers who aided in this wonderful effort.

head: Projected Government Business

THE SPEAKER: The hon. Opposition House Leader.

MR. DICKSON: Thank you, Mr. Speaker. Pursuant to Standing Order 7(5) I'll ask the Government House Leader to explain the activity for next week, and I'd just take the opportunity to thank him

for the courtesy he provides in terms of providing us with some written material relative to the very same question.

THE SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. The Deputy Government House Leader has just indicated to me that he doesn't think anybody can explain the activities of the House well.

Projected government business for next week. Monday the 29th under Government Bills and Orders in the afternoon for second reading Bill 17 and Bill 20; if time permits, under Committee of the Whole Bill 14 and Bill 18; and third readings as per the Order Paper. Of course at 8 p.m. under Committee of Supply committee D will review the estimates of science, research, and information technology in the Assembly, and committee C will review the estimates of Public Works, Supply and Services in room 512; thereafter as per the Order Paper.

On Tuesday, March 30, at 4:30 p.m. under Committee of Supply reporting for the Executive Council and then, if time permits, second reading on bills 17 and 20 and as per the Order Paper. At 8 p.m. under Government Bills and Orders Committee of Supply Assembly reporting Intergovernmental and Aboriginal Affairs estimates, Justice and Attorney General estimates, and Energy estimates; second readings as per the Order Paper.

Wednesday, March 31, at 8 p.m. in Committee of Supply Assembly reporting Treasury; Labour; Agriculture, Food and Rural Development; and Economic Development; second readings as per the Order Paper.

On Thursday under Government Bills and Orders and Committee of Supply of course we'll review the estimates of that department so designated by the Official Opposition.

THE SPEAKER: Hon. Member for Calgary-Buffalo, on your first point of order.

Point of Order Allegations Against Members

MR. DICKSON: Thank you, Mr. Speaker. In the exchange between my colleague from Edmonton-Ellerslie and the Minister of Environmental Protection I heard that minister say, among other things, that she didn't vote against Bill 15 at second reading. The authorities I'd cite would be Standing Order 23(h), "makes allegations against another member," and *Beauchesne* 408(2), which requires that "answers to questions should" among other things "not provoke debate."

The minister knows full well, Mr. Speaker, that the MLA for Edmonton-Ellerslie has consistently opposed Bill 15 inside and outside this Chamber. Bill 15 has passed second reading and has been the subject of much discussion both inside and outside this Chamber. It passed second reading over objections with two speakers standing, trying to get the chair's attention.

The gratuitous comment made by the Minister of Environmental Protection and the implication that the Member for Edmonton-Ellerslie has not been consistent in her opposition is unfair. It's a slander on that particular member. It must be addressed, and I'd request, Mr. Speaker, that you require the minister to withdraw the comment he made.

Thank you very much.

THE SPEAKER: The hon. Minister of Environmental Protection on this point of order.

MR. LUND: Well, Mr. Speaker, the comments that the hon. member

just made are the ones that are slanderous. It's a matter of record that the hon. member did not vote in second reading, and as far as other members standing, I mean, *Hansard* clearly shows that the Speaker asked the hon. member from the opposite side to continue the debate. And what happened? They did not continue. Then the Speaker asked this hon. member to rise. I find absolutely nothing wrong with what happened today. The hon. member, if stating what is a fact and was on public record – this is the first time I've heard that you're not allowed to do that in this House.

THE SPEAKER: The hon. Member for Edmonton-Ellerslie on this point of order.

MS CARLSON: The Minister of Environmental Protection is clearly misrepresenting my position by his comments, and he is referencing a vote in this Legislature at which I was not present, which is something that he cannot do according to Standing Orders.

THE SPEAKER: The hon. Government House Leader on this point of order.

MR. HANCOCK: If you please, Mr. Speaker. The matter of the vote and who voted and how they voted is a matter of public record. If there is any import taken from that, the members can clearly clear that up in any event. It's all there as part of the record. [interjections]

THE SPEAKER: The hon. Government House Leader has the floor. [interjection] Okay; I'm going to recognize the hon. Member from Edmonton-Meadowlark after I recognize the hon. Government House Leader on this important point of order that will take us through to 5:30, I'm sure.

3:00

MR. HANCOCK: Thank you, Mr. Speaker. I don't wish to get back into the events of the evening of Wednesday, March 10, with respect to when this bill was dealt with. We have *Hansard*, and clearly there was a division on that vote. The public can read and the members of this House can read who voted on that bill at that time. They can make their own inferences as to why somebody did or didn't vote at that time. The record is there in terms of who was voting on that bill. I think anybody reading *Hansard* that's interested in this topic might well read further in the debate on this matter, and they'll be able to see from that debate where members of the House stand, if they've expressed their views.

Members will have the opportunity, undoubtedly, to express their views in Committee of the Whole, and I fully expect that we will hear from members in Committee of the Whole. So I don't think anybody's reputation or their position has been besmirched in any way. My colleague the Minister of Environmental Protection merely made a statement which is verifiable by looking at the records of the House.

THE SPEAKER: The hon. Member for Edmonton-Meadowlark on this point of order.

MS LEIBOVICI: Mr. Speaker, the statement that the minister of the environment made is one that contorts the realities. The reality is that a member was not present in the Legislative Assembly when the standing vote was taken. In order to make the inference that the minister has made, he has to refer to the fact that that person and other persons whose names are not recorded on the record were not in the Legislative Assembly. That is clearly not allowed.

The other inference, if we want to take it that one further step, is that every member on the government side of the House who is not recorded in that vote must in fact be against the bill. Because if you are to take the logic of that particular minister in stating that our member's name not appearing in the standing vote means that she isn't for the bill, then every member on their side of the House must be against the bill, Mr. Speaker. Obviously it makes no sense, and obviously because of the manipulation of the process it ensured that that vote occurred on that particular night.

So I put before the Speaker that in reality the point of order rests on whether or not that member, the minister, can make reference to the fact that an individual is within the House when a standing vote takes place and, if that individual is not in the House, whether any Member of the Legislative Assembly has the right to then make inferences as to how that individual would vote. Obviously, that cannot be the case.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Mill Creek on this point of order.

MR. ZWOZDESKY: Thank you, Mr. Speaker. Having served this Assembly in a number of capacities and having worked in both caucuses, I wanted to just give a perspective to this. I think it's unfortunate when we have these misunderstandings occur in the House. I don't personally believe there is any cause to find a point of order here today.

However, I would say that it is a matter of tradition that critics normally do oppose certain bills, and that's their job in this Assembly, Mr. Speaker. Whether they are here or whether they are not at the critical time that the actual vote is taken is certainly another matter. I think some points have been raised in that respect, which don't need to be repeated, that we always, traditionally at least, have tried to abide by.

Nonetheless, it doesn't take away from the fact that certain members are, on occasion, able to disagree with party lines or caucus whips or whatever, because we're all pursuing free votes in this Assembly. How the hon. member would have voted had she been able to be present at that precise moment only she could really tell us. I don't think the hon. House leader of the hon. opposition is in any better position to tell us what she was thinking than anyone on this side of the House is able to tell us.

So it's clearly just a matter of misunderstanding and something that has to be taken with the ebb and flow of the House, and I would suggest that there's other business of a more pressing nature that could be moved on with, Mr. Speaker.

THE SPEAKER: I heard the hon. Member for Spruce Grove-Sturgeon-St. Albert. I heard the hon. Member for Edmonton-Glenora. I heard the hon. Member for Edmonton-Riverview. I presume you all want to participate in this point of order.

The hon. Member for Spruce Grove-Sturgeon-St. Albert.

MRS. SOETAERT: Well, I wasn't going to, Mr. Speaker, but I just want to add that we don't oppose everything.

THE SPEAKER: A citation would really be helpful at this point.

MRS. SOETAERT: It will be very helpful. We don't oppose everything, but I'll tell you we are opposing Bill 15. That's no secret, and this hon. Member for Edmonton-Ellerslie has been very, very vocal about that inside and outside this Assembly. And for the minister to infer that on TV was misleading.

I also want to say that we did support bills 1, 2, 3, 4, 5, 6, 8, 9, 10, 13, 19, and 11.

Thank you.

THE SPEAKER: The hon. Deputy Government House Leader on this point of order.

MR. HAVELOCK: Well, thank you, Mr. Speaker. I realize it's critical to democracies throughout the world that we resolve this.

MRS. SLOAN: Don't be sarcastic.

MR. HAVELOCK: Well, I am being sarcastic, because quite frankly, Mr. Speaker, there is no point of order. We spend a lot of time in this Legislature, unfortunately, debating things that don't mean a hill of beans to Albertans generally. They don't care.

The bottom line is that this is a matter of public record. The minister simply stated that the hon. Member for Edmonton-Ellerslie did not vote against the bill in second reading. He did not say that she was not in the House. He simply stated that she did not vote against the bill at second reading. *Hansard* clearly supports that statement. It's simply a statement of fact.

When we talk about misleading statements, the opposition should not be throwing stones, because during question period, as is the tradition, you try and frame the question in such a way that your point is made and you try and embarrass the government. And when you're responding, you're trying to react to that. So really, Mr. Speaker, this is something that happens in the debates generally, a little give-and-take, and quite frankly the member across the way and the hon. Opposition House Leader should not be so thin-skinned.

There's no point of order.

THE SPEAKER: Okay. I think the hon. Member for Edmonton-Glenora wanted to participate. No? The hon. Member for Edmonton-Riverview? Does anybody else want to participate on this point of order?

Beauchesne 481(c) has been referred to, and 481(c) in *Beauchesne* says, "Besides the prohibitions contained in Standing Order 18," meaning the federal House of Commons' Standing Order 18, not ours, "it has been sanctioned by usage that a Member, while speaking, must not . . . refer to the presence or absence of specific Members." That has been alluded to and was raised by the hon. Member for Calgary-Buffalo in pointing out that the hon. Minister of Environmental Protection had violated that rule by indicating that the hon. Member for Edmonton-Ellerslie did not vote against second reading of Bill 15.

Now, before coming to what I'm going to say in terms of a ruling or conclusion with respect to this matter, the chair was going to rise and rule the question out of order. Bill 15 is on the Order Paper. Bill 15 is in fact in Committee of the Whole, and one of the traditions of this Assembly, which has been pointed out now on several days, is that the question period must be used to deal with immediate business. What we're doing is in fact getting into a lot of debate in the question period, and it was on that basis that the chair was going to rule, but the chair did not. So he apologizes for not doing that, which has now led us to the situation where he has to now make a ruling with respect to the situation at present.

Beauchesne 481(c) is very clear in that it says that an hon. person must not refer to the presence or the absence of an hon. member in the Assembly at a given time. In listening very carefully to what was said by the hon. Minister of Environmental Protection, the hon. Minister of Environmental Protection seemingly was rather skillful

in not talking about the presence or the absence of an hon. member, just simply referred to the fact that a certain hon. member had not voted against a particular bill when it was done.

The chair has reviewed the *Hansard* himself – in fact there was a division with respect to this – and sees some names and sees some other names. Skillful stretching – and it certainly led to a debate. So let us all try and become a little more conscientious with respect to our words in the future.

Now, hon. Member for Calgary-Buffalo, you had a second point of order.

Point of Order Speaker's Rulings

MR. DICKSON: I did indeed, Mr. Speaker. The authority this time is Standing Order 13(2). You have been very forthcoming with respect to explaining why you chose to intervene. I'm referring to the exchange between the Member for Lethbridge-East and the Minister of Economic Development. My question to you, sir: would you be good enough to explain why you elected to deny the MLA for Lethbridge-East his opportunity to ask a supplementary question when that member, at least in my observation, did nothing other than sit politely and respectfully listening to the minister's response? Since this is the second time in this session when an opposition member has been denied a supplementary question for things that may be happening extraneous to what that member is asking, I was hopeful we would get some direction from you in that respect.

3:10

THE SPEAKER: I would be delighted. I would be absolutely delighted to provide the reasoning with respect to this particular request, because it is under the Standing Orders and this chair has traditionally said that he would welcome such questions for interpretation.

Number one, hon. Member for Calgary-Buffalo, the chair did not deny the hon. Member for Lethbridge-East a chance to raise his third question. The hon. Member for Lethbridge-East did raise his third question. He absolutely did raise his third question, and at that point in time there tended to be rather a disruption of support with respect to that, at which point in time the hon. Minister of Economic Development stood up and said that she did not hear the question. At that point in time the chair intervened and said: enough of this; let us move on.

Now, earlier this afternoon the chair already indicated that the chair had received notification from 13 hon. members in addition to the three that would normally come reserved for the Leader of the Official Opposition and the one question reserved for the hon. leader of the ND Party. Thirteen additional private members.

The chair takes the view that all hon. members in this Assembly are equal, and the chair's job is in fact to ensure that the greatest number of hon. members have an opportunity to raise their questions if an hon. member chooses to notify the chair of their interest to raise a question.

If the rules of the Assembly had been abided by, if – if – the hon. Member for Lethbridge-East had not premised his third question with a preamble, which violates the House leaders' agreement, if the hon. members in the Assembly had not violated the time-honoured request for decorum in the House, then the hon. Minister of Economic Development presumably would have heard the question, and everything would have happened. In this case there were two things that caused that to happen, and the chair was motivated by the desire and the intent to allow all hon. members to raise their questions.

Now, he's already apologized to four hon. members for failing in his duties. He was derelict in his duties by not affording them an

opportunity today to raise those questions. So regardless of any lists given to the Speaker on Monday, the Speaker will proceed to recognize those four hon. members first of all with their questions, after the traditional four are given, to ensure that the greatest degree of integrity and openness and fairness is provided to all hon. members of this House. This chair sees no difference where a person sits or what titles they may have. All are hon. members of this Assembly. All are hon. members.

Now, if hon. members don't like that interpretation from the chair, the Speaker would invite the leaders of the three caucuses to meet and determine who among the 82 are more equal than others, and the chair would ask for that submission so that the new realm of democracy in Alberta would be understood by all people.

head: Motions under Standing Order 40

THE SPEAKER: I do believe we're now going to recognize the Leader of the Official Opposition under a Standing Order 40 proposal.

NATO Military Action in the Balkans

Mrs. MacBeth:

Be it resolved that the Legislative Assembly recognize the service of Albertans in the present North Atlantic Treaty Organization action in the former Yugoslavia.

MRS. MacBETH: Thank you, Mr. Speaker. There are currently at the NATO base in Aviano, Italy, six Canadian CF-18s, 12 pilots, and 120 support staff. The Canadians currently engaged in the NATO military strikes are from the Bagotville base in Quebec. However, 40 personnel from Cold Lake are now in Aviano preparing for the arrival of the main body of personnel from Cold Lake to arrive. Two CF-18s will depart from Cold Lake for Aviano tomorrow morning, and four more CF-18s will depart on Sunday. Ninety personnel will depart Cold Lake on the 3rd of April.

Mr. Speaker, I raise this matter – and I welcomed the statement of the Member for Calgary-Lougheed in terms of the private member's statement and the notice that the Government House Leader had sent a letter to the base commander here in Edmonton. I think it would be fitting for the Legislative Assembly to join together and send our best wishes to these people who are heading overseas in a very difficult combat.

As we meet, Mr. Speaker, the second round of fighter aircraft are targeting the military and strategic targets. Certainly I would assume that all members' thoughts and prayers would be with not only those servicepeople who are participating in the strikes from Aviano but that also our thoughts and prayers would be with their families who remain here waiting for them.

Mr. Speaker, I would invite all members of the Assembly to join in sending notice to these Albertans who are in this very difficult situation defending our country. I would assume and ask for the support of all members of the Assembly to send notice to them along with our prayers and thoughts for their safe return.

Thank you, Mr. Speaker.

THE SPEAKER: Hon. members, pursuant to Standing Order 40 the hon. Leader of the Official Opposition requests leave that we adjourn the ordinary business of the Assembly to discuss a matter of urgent and pressing necessity. Would all hon. members in favour of this request please say aye.

SOME HON. MEMBERS: Aye.

THE SPEAKER: Will all hon. members opposed to this request please say no.

SOME HON. MEMBERS: No.

THE SPEAKER: The request is denied.

head: Orders of the Day

head: Committee of Supply

[Mrs. Gordon in the chair]

THE DEPUTY CHAIRMAN: I would like to call the meeting to order.

head: Main Estimates 1999-2000

Justice and Attorney General

THE DEPUTY CHAIRMAN: I would ask the hon. minister and Attorney General if he would lead off the debate.

MR. HAVELOCK: Yes. Thank you, Madam Chairman. Committee members, it's a pleasure for me to be here once again to continue our discussion about the main estimates for Alberta Justice.

I'd like to introduce some people who are joining us in the members' gallery today from my department. We have with us the director of corporate support services, Randy Petruk. We have Shawkat Sabur, who is the director of financial services, with us. We have Dan Mercer, executive director, corporate services division. I have my two EAs, Hazel Cail and Jack Janssen. I thought Doug Rae was there, the assistant deputy minister, civil law. Is he hiding behind the post? Maybe he could move so I could see him. Oh, he's down below. Thank you very much. Good. That's what happens when you have an eye operation, Madam Chairman.

3:20

Madam Chairman, during our last meeting, on March 22, I outlined to the members the environment in which the Justice ministry operates, relevant aspects of the summit on justice, our budget estimates, and what's new and improved with respect to our goals, strategies, and initiatives. Since I went over that material in some detail at that time, I don't believe it's necessary to repeat that information this afternoon. However, I would like to elaborate on a couple of details that I mentioned on Monday night that were of obvious interest to the committee.

The hon. Member for Calgary-Buffalo raised some good points when he suggested that alternative dispute resolution, or ADR as it's called, offered us some opportunities to help Albertans gain more access to the province's justice system. Members should know that Alberta Justice is currently involved in several ADR efforts in our court system. For example, mediation is available for participants in disputes before the Provincial Court, Civil Division, in Edmonton. That occurred on January 2, 1998. We also implemented a similar program in Calgary commencing on September 1, 1998. An evaluation of the Edmonton program is currently under way, and the initial data suggests that it is working very well. I can't confirm this with the numbers in front of me right now, but I understand the success rate is approximately 70 percent, from what I've been led to believe.

We also offer judicial dispute resolution, which is provided by our judges. They assist in the settlement process by providing information as to what is likely to happen if a case proceeds to court. This

resolution mechanism is provided at pretrial conferences, where appropriate, and at settlement conferences and minitrials requested by the parties. It may also be provided at case conferences for long trials.

Our judges also conduct case management. This involves meeting with lawyers to discuss cases that are likely to lead to long trials, monitoring the progress of cases, and canvassing the settlement of cases or of as many issues as possible.

The parenting after separation program is another success story provided by Alberta Family and Social Services and Alberta Justice. This program is mandatory for parents litigating child custody, access, and support issues. The purpose of the course is to provide parents with information about the harmful effects of family litigation and the use of mediation as an option while at the same time reducing recourse to full court proceedings that are costly and time consuming.

Custody and access mediation is also available for those involved in cases in either the Court of Queen's Bench or the Provincial Court, Family Division. This service is provided through the mediation and family court services division of Alberta Family and Social Services. The mediations may also deal with maintenance and property issues, which again serve to reduce demand on the courts.

In regards to criminal matters either the police or Crown prosecutors may refer cases involving adults or youth to the alternate measures program. Cases may only be referred if the person charged takes responsibility for their actions. Different consequences may follow, depending on the case, and may include receipt of a cautionary letter, payment of restitution, and counseling.

The ministry's civil law and court services divisions, together with the Provincial Court, Family Division and Alberta Family and Social Services and defence counsel, are working to expand the use of mediation in child welfare matters. Mediations are carried out by the mediation and family court services division of Alberta Family and Social Services.

Finally, Madam Chairman, Alberta Justice will be reviewing various ADR initiatives arising from the recommendations coming out of the summit on justice. We will also be exploring the possibility of additional ADR initiatives with the courts. Collectively these initiatives serve to increase access, reduce costs, and reduce the time it takes to resolve conflicts. We are proud of our progress in this area, and our business plan supports further growth in this regard.

As I stated on Monday night, as a result of the summit on justice Albertans want us to, one, make the most effective and efficient use of our justice system and community resources; two, identify challenges, issues, needs, innovations, and opportunities; and three, identify and establish priorities for change and future directions. Alternative dispute resolution offers up many avenues to accomplish these goals. I am confident, Madam Chairman, that the recommendations coming out of the summit on justice will open more windows of opportunity.

One such opportunity that I didn't mention previously is the impact that information technology can and clearly is having on providing worthwhile public information. We have recognized that we must make a significant improvement in how we use information technology and the use of the Internet in particular. Our present web site clearly isn't meeting that need right now. However, we are working to change this situation, and we intend to do it as quickly as we possibly can. But as I mentioned Monday night, Madam Chairman, I am committed to only making representation for more funding for this department when we can demonstrate a need and a clear business case for reinvestment.

Madam Chairman, with this additional background information I

should think that our time could now be best used to hear any additional thoughts or questions that committee members might have regarding the department. I found that the exchange on Monday evening was quite useful. I was able to respond to many of the questions and specific issues that were raised. I'll try and respond to as many as possible today. However, perhaps our time could be better spent in affording opportunity to members of the House to pose their questions to me. If I can't answer them today, I'll certainly get back to them in written form.

Thank you.

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

MRS. SLOAN: Thank you, Madam Chairman. I'm pleased to rise this afternoon to offer some additional questions to the hon. minister with respect to the Department of Justice and the Justice estimates this year. My questions are not going to be generalized to a specific program area and are linked to a degree with some of the questions that I raised in the previous estimates debates this week. One of the areas that was lacking – and I made this reference previously – was with respect to any analysis of the demographics within the Justice caseloads. So I would ask again on the record whether or not the Department of Justice has done any analysis of the socioeconomic demographics of the inmate population in Alberta, any analysis with respect to the socioeconomic demographics of the young offender caseload. What overlap exists between child welfare and young offender caseloads? Has the department done any analysis of, again, the socioeconomic demographics of those caseloads and the overlap?

Another area that is not singular to Justice is the variety of appointed appeal panels that exist within various departments in this government. The citizens' appeal panels which are in existence in Social Services include SFI, AISH, child welfare. Similarly, we have a variety within the Department of Health. There is not a substantive reference made in any of the departments' business plans about the operations of those appeal panels. They serve as a quasi judiciary for the administration of appeals in those departments. Certainly from the experience within my constituency on a variety of social services issues I know that there are questions sometimes about how the decisions of those panels are made and whether or not they follow due process.

3:30

Now, I noted and I would just make reference specifically to concerns that were raised in the Mental Health Patient Advocate report of 1998, which members of the Assembly have just received this week. On page 6 of that report the advocate states:

Probably the most prevalent service routinely rendered by our office is a detailed accounting of rights provisions for patients seeking such information in relation to their own specific situations.

Now, while the advocate goes on to say that they do not view themselves as a replacement in that office and they do not presume to offer legal advice in these instances and refer these people to Alberta Justice, I'm wondering what initiatives the department has taken to ensure that vulnerable populations are in fact informed of the rights they have and I guess the reality that many of these types of offices are playing that role.

Further, the office of the mental health advocate raises the point that

a wide range of concerns was presented to the office for resolution again in 1998. Typically, many captured a legalistic flavour. A few entailed unauthorized treatment administered in the absence of patient consent or the appropriate legal documentation for valid surrogate consent . . . In at least one case a formal patient was

refused a hearing before the Review Panel because his certification documents were found to be invalid. The patient's Admission Certificates were not completed within the prescribed [period of time], and new committal documentation was required before the Panel had jurisdiction to hear an appeal. Hospitals detaining and treating patients under the supposed authority of invalid certificates can be potentially liable in civil actions claiming unlawful confinement and/or battery.

In other instances formal patients have been informed just before a scheduled Review Panel that their certificates had been withdrawn. After the canceled hearings would have been held the patients were certified again or told that if they attempted to leave the facility they would be re-certified. These actions are usually viewed as manipulative and unfair by both patients and this office.

I'm wondering whether or not the minister and his department have examined these concerns as articulated by the mental health advocate.

Further in that report, on page 7, there is reference made with respect to the Legal Aid Society, and the observation is made that there are regional differences in terms of service in the province. While the advocate has made this observation clear to the Legal Aid Society itself, I'm wondering, in the interests of achieving equitable justice across the province, whether or not the department has examined that particular area.

Moving now, I would suggest, to perhaps a bit of a health focus on corrections, I would like to ask a variety of questions with respect to what services these facilities offer with respect to emergencies. I would question and ask the minister, because this is not provided for in the business plan, if all facilities have emergency response teams and how they are equipped. Are these teams made available on all shifts? What has been the incidence of emergency response teams being called on duty in the past fiscal year? How are the emergency response teams trained? What qualifications do they have?

Related to that, I would ask how many violent interactions have occurred with guards in prisons in the corrections sector in the last year. How many riots occurred and how many near riots occurred within the last fiscal year? I would think it would be a performance measure that the department would utilize, but I don't believe that is in fact something that's provided in a published form.

Also in a health sense, we do not have any accounting in the business plan of how many homicides or suicides occurred in the jails in the last year. What is the incidence of HIV, hepatitis A, B, or C among inmates? How often are inmates tested for drugs, and what is the incidence of drug use within the corrections sector? All of those things I would propose are useful, not in a punitive sense but in a constructive sense, for the Justice department to examine what preventative initiatives can be undertaken – perhaps not in their own department but perhaps through the children's initiative, through the Department of Health, or through the Department of Family and Social Services – to contribute to a healthy population as that applies to the population within the corrections and justice system.

Those are the additional comments, Madam Chairman, that I wanted to make this afternoon with respect to Justice, and I thank you for the opportunity to bring those items forward.

THE DEPUTY CHAIRMAN: Thank you, hon. member.

Hon. minister, do you wish to answer the questions as we go along?

MR. HAVELOCK: Well, I'll try, Madam Chairman, and perhaps I'll just play it by ear. If I think I can respond at the conclusion of a member's questions, I will. If not, I'll simply allow another member to stand up and ask some questions.

The hon. Member for Edmonton-Riverview did raise the issue of demographics, any social or economic demographics, and have we done an analysis in the department? I can't tell her what specific analysis we have done. Certainly there is a lot of sharing of information amongst departments in government, and if this type of analysis has occurred, typically it would occur in Health or Social Services for example. But if we have any type of analysis on our population and it doesn't create a problem releasing the information from a privacy perspective, I'm sure we can provide that to her.

The hon. member spent quite a bit of time on appointed appeal panels and was quoting from I think the Mental Health Patient Advocate report. Is that right? While I recognize there are some justice issues associated with that area, it's really not something that I or my department are directly involved in. Those appeal panels fall within, for example, the Department of Family and Social Services or the Department of Health. If any legal issues arise, we certainly give advice. I'll certainly take the questions she's raised under notice, but probably I'll refer those to those departments because they are responsible for the operation of those panels. I'll see if I can get her some information on that.

If I understood her question regarding emergency response teams, I assume that addresses potential unrest or disruptions which occur in our prison facilities. Is that correct? [interjection] Medical? Okay; medical emergencies. Yes, we actually have a protocol in place with respect to providing adequate health services to our prison population, and I can get her some information on that specifically. We're usually very successful at getting the health care treatment that our prison population needs. We are required by law to ensure that our prisoners have a safe and secure environment, and that includes the provision of good health services, so I can get her some information on that.

Regarding how many riots or near riots occurred in our prisons, well, I'm going to hazard a guess, but I don't think we've had a riot in our facilities since I've been Justice minister. I can recall one issue which arose I think about a year and a half ago regarding some sausage being undercooked, and I think some of the prisoners decided they didn't want to eat. We resolved that issue by making sure we cooked the sausage appropriately, so that was how we managed to head off that issue. I'm really not aware of any significant disruption which has occurred in our facilities.

Now, quite often we'll have some disruption occur with a very limited portion of the population, and those have been dealt with. In the event that a disruption occurs which our staff feels they cannot respond to, we have a very good relationship with the police departments throughout the province. They have highly trained and equipped emergency response teams, and if we feel it's necessary, we do have access to those teams and they will come in and assist.

3:40

Statistics on homicides or suicides in our prison facilities. If I'm not mistaken, whenever that occurs, there has to be a fatality inquiry held. I can certainly get her some information if she would like to indicate to us what period of time she's looking at. I can try and get her some statistics on that. I believe we do keep those. Again, my understanding is that when it occurs, according to legislation we are required to have an inquiry in any event, so I think I can get that information for her.

How often inmates are tested, preventative health measures. We do have a program in place with respect to ensuring, again, that our prison population is healthy and safe. I don't have the specific details on how often they're tested. Again, so long as it doesn't create a problem with respect to releasing the information, I'll have the department prepare something for her in that regard.

[Mr. Clegg in the chair]

One thing is interesting. We have been able to maintain a very high level of health services for our prison population, and regardless of where our facilities have been located, we've been quite pleased with the level of service provided by the local health authorities. We have had the odd situation come forward where a prisoner has felt they were not adequately cared for. We've taken a look at those. We've discussed it with the prison officials to make sure that they were receiving adequate care. If there's ever been a problem, then we've rectified the problem. But to date I don't think I've seen any difficulty in making sure they have adequate health care provided to them.

With respect to the specific testing issue, again I'll see if we have anything on that, and I can provide it.

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

MR. SAPERS: Thanks. Thanks, Mr. Minister, for providing those answers. I want to start off my remarks by thanking you and the men and women in your department for the ongoing co-operation that I receive. It doesn't go unnoted. It's also, unfortunately, not common across the entire front bench.

It's a particularly challenging time for your ministry. I know that you've just been joined by a new deputy and you're still in the process of recruiting for the ADM corrections job, so it probably puts a little bit of extra stress on your staff at this time of year when we pepper you with questions and demand immediate responses. And I look forward to getting those immediate responses.

I want to start off with a couple of questions that flow from the business plan performance measures. Hopefully I'll have time to cover some detailed questions as well about program 3. When it comes to the performance measures, I notice that you are relying on some public satisfaction and public perception measures for a couple of the key performance measures. I'm wondering if you could include, particularly pursuant to the Auditor General commentaries on performance measures, some description of the methodology employed when you gather the public perception statistics. I would like to know about the sampling method, the reporting method, the time of year the surveys are done, those kinds of things, and whether or not your plan includes doing surveys after critical incidents that arise. You know, very sensational things happen that affect the public mood about crime and justice issues in this province, so it's always interesting to see how public perceptions shift based on how those sensational incidents are reported.

Without having that kind of information, the public satisfaction measure, which I'll note is not glowing to begin with . . . [interjection] Well, I note that in the business plan the '95-96 baseline indicates public satisfaction of 49 percent. The '98-99 target is 55 percent, and the most current reported measure is 52 percent.

Now, I know you also have the survey that was released on the eve of the justice summit that you might want to talk about, but the ones in your business plan do show this 3 percent growth, which is going in the right direction. And knowing criminal justice issues the way that I do, I'm not sure that you're ever going to satisfy more than 50 percent of the population anyway. Still, I need some of the details so I can come to some conclusion about the validity of the measure.

The same with the one about public perception of safety, which I'll note is much more positive. Well over 90 percent of Albertans consistently report that they are feeling at least safe in their own home, and that measure ranges from "somewhat safe" to "very safe." I think that's something that reflects the true state of affairs, that

Alberta society is still a relatively safe and peaceful society, and I don't think we reflect on that enough.

Mr. Minister, another one of the performance measures that I have a query about is the collection figures for the maintenance enforcement program files. The indicator that's used is a surrogate measure of the amount of dollars per file collected. When are we going to get a more meaningful measure? As you know, this is probably one of the most sensitive and problematic areas for everybody in the Assembly. I don't think there's one man or woman elected in this Assembly who doesn't have a thick file in their constituency office of maintenance enforcement issues.

The next one has to do with provision of legal aid services. It's on page 236 of the business plan. It's the one where you indicate that a target isn't really applicable. The rationale for saying that there will no target around legal aid volumes is because we rely on legal aid board policy, and because that policy can change, it may not be applicable for the government to be setting some targets or for the Department of Justice to be having some expectations. Well, I guess I challenge that. It's certainly true the Legal Aid Society of Alberta board will set policies, but, Mr. Minister, surely you could put into a target a measurement that had to do with all of those who were eligible and the timeliness and fullness of the legal aid services they received. So even though the policies may change from time to time, you would still be able to have a measurement regarding those who were eligible and whether or not they received services at all, and if they did receive services, did they receive services that were adequate to meet their legal needs as their cases proceeded through the system?

One of the enduring concerns, as you know, is the general inability of people to receive legal aid in either administrative law matters or in appeal matters. While legal aid policy may change, I think it's still incumbent upon you as minister to report to Albertans what the record is in that matter.

There are some performance measures that aren't included in your business plan, and I'd like to suggest a couple to you that you may want to work on. These mostly relate to – in fact, I think all of my suggestions relate to corrections, correctional services, that part of your portfolio. There does not appear to be any measurement of caseloads, particularly for community corrections. What would optimum caseloads be? What would the optimum number of contacts with community corrections clients be? What kind of severity mix is a particular community corrections officer faced with? Are they dealing with very serious offenders? Are they dealing with relatively less serious offenders? So any measurement about caseload and caseload activity.

3:50

I also noticed that there is no measurement of recidivism. I'm not suggesting here that you would be able to have insight greater than that of anyone else in the universe regarding the best way to measure recidivism, but it might be useful to have some recidivism measure, either returned to contact with the criminal justice system in Alberta for a previous offender or maybe returned to incarceration within a particular time frame. None of these measures would be absolute or perfect, but they would be helpful.

Another measure, which I have seen in the past in annual reports and I think is absent from annual reports now, which is actually something that I think you could be proud of, is success rates on TAs, temporary absences. Alberta probably continues to have one of the best and most successful TA programs in the country. So if you were looking for some good news to put in as a performance measure, you could probably count on that one, and I would encourage you to do so.

Perhaps not so good news, though, might be if you included a performance measure that had to do with inmate/staff ratio in Alberta correctional centres. I would request, if you do pursue that, that you break it out: security staff versus program staff. This relates to one of your measures where I believe you talk about number of offenders "involved in meaningful activities." Now, Mr. Minister, there are some good things that happen in Alberta Corrections, and there are some not so good things that happen in Alberta Corrections, but having a performance measure that says that 99.1 percent of all offenders are "involved in meaningful activities" is a pretty meaningless performance measure.

We expect that offenders are involved in some form of programming in correctional centres, and I do note that you note that these programs are voluntary. Mr. Minister, they're in jail. How voluntary is their participation? You and I both know the reality of the culture that happens there. So when you present a statistic that says that 99.1 percent are "involved in meaningful activities" and that's a performance measure, we both know that the lily is being gilded. Could we maybe take a look at the kind of program activities, maybe some better definitions of using program outcomes, linking perhaps to recidivism and linking perhaps to staff ratios? That would give us, I think, a much more meaningful set of performance measures.

Another one that I would really like to see because I've had some concerns expressed to me about this – and you and I have actually had a chance to talk about this – is the number of assaults in jails involving both inmates and correctional staff. I think it's very important that we ensure that jails are a safe place to work and a safe place to be incarcerated. So I would be interested in seeing some year-over-year comparisons in that regard.

Also, complaints to the Ombudsman would be an interesting measure to present and some targets set there. I understand that they are actually going down, so if my understanding is correct, that might be another good-news performance measure that you could sneak into your business plan. If they are going down, I think that that's important to know.

Also, I don't think that we've done enough in Alberta to implement some of the recommendations of the now-growing-old Caswey report regarding aboriginal staff recruitment. While we have made great strides in First Nations corrections in the province and have done some rather unique and nation-leading things involving aboriginal communities in the criminal justice system, I don't think we've done as much as we could in terms of reflecting the inmate population in our staff mix within our mainstream correctional programs.

Another performance measure I'd be interested in, Mr. Minister, is the number of inmates released at their earliest eligibility date. That would be a measure of program effectiveness and would also help us better understand whatever recidivism measure you do use.

I'd be interested in seeing a performance measure that dealt with the utilization rates for contracted services, in particular the percentage of bed days used in halfway houses, the number of empty or filled spaces over the course of a year for beds in open-custody facilities for young offenders, those kinds of utilization rates.

My final suggestion for an additional performance measure would be a measure of staff involvement in professional development activities or involvement in professional associations. There are a number of activities and associations. I know that if we were to take a profile of Alberta Justice staff today and compare it to Alberta Justice staff of a decade ago, I daresay that we have a better prepared, better educated, better trained workforce now, but I'm not sure about the encouragement that the men and women in your department receive for involvement in professional activities. I'd like to encourage that involvement. I think it's important, and I

think that a performance measure would underscore that importance.

Mr. Minister, a couple of general comments, as well, about the correctional services program, program 8, in your department. I have an analysis that's been prepared showing inflation-adjusted spending across your department. While we could look at almost any of the departments and come to the same general conclusion, while I'm talking about corrections, I want to take a look at institutional and community correctional services and just make the general observation that on an inflation-adjusted basis – and you may be interested to know this if you haven't crunched the numbers yourself – you're only spending three-quarters today, adjusted for population, of what you spent in 1991-92.

Now, I suppose you could trumpet that as a success and say that for 75 cents on the dollar we're getting the job done, but I think that when you take a look at some of the performance measures that I've suggested you look at, you may find that there are some consequences of what I would consider dangerously low funding, particularly on the institutional side. The major cost driver in a correctional centre is staff, and I'm afraid that the staff are being squeezed to the point of not being able to provide the best-quality work, given the environment that they're in.

On the community correction side, Mr. Minister, you're doing a little bit better. It's about 90 percent of what was being spent in '91-92. I want to point that out in a positive way. Given the budget cuts that all government departments endured and given that the so-called reinvestment has happened in those more high-profile and more socially acceptable departments, if I could put it that way, I think somebody has done their job very well to maintain spending at least at the 90 percent level. I'm glad to see that, but one of the concerns that I have even within community corrections is that when it comes to young offender services, it's barely maintaining at the 80 percent level.

If there's one area of public concern – and, Mr. Minister, you've said it many times yourself – it is surrounding the perception and the reality of young people that come into conflict with the law. We know that the best way to deal with young people in conflict with the law is in the community and that it is all too often lost opportunities for success if we wait until these young people are incarcerated.

So, Mr. Minister, while in general community correctional services is still maintaining 90 percent – and of course I'd like to see it at 100 percent of where you were before the big cuts occurred – I do see some particular storm clouds around the fact that you're barely over 80 percent, or 80 cents on the dollar, for young offenders. I would encourage you to try to address that the best you can, given the resources that you have.

4:00

The last general area that I have a concern about. This may just demonstrate my bias for those not-for-profit, community-based agencies that have such a long, proud partnership with not just Alberta Justice but also with the federal government. I will note that under the general element of purchased community services, Mr. Minister, you're at about 69 percent of where you were. Now, one of your performance measures is one of community partnerships, and in fact you claim some bragging rights about the growth in community partnerships in your performance measurement tables. I guess when I see your department's reliance on the community, which I think is a positive thing, I would hate to think that that reliance and that sense of partnership is in any way being exploited. What I mean by that is that you are going to the community groups and asking them to do more for less, to take more responsibility yet not pay them.

I can tell you from personal experience that it costs money even

to run a charity, and adjusted for inflation and then adjusted for population, again using 1991-92 as the baseline, in 1998-99 you're predicting to spend only 69 percent of what you were in '91-92. By the end of the decade, Mr. Minister, you'll be spending far less than two-thirds. If the budget projection holds true, you'll be spending barely 60 percent. That seems to me to run contrary to your business plans and your stated preference to engage the community more and more in the provision of community-based correctional services. So I hope that you'll find the time to sit down with your departmental officials and pursue that matter as well.

Mr. Minister, under program 3, looking at lines 3.3.1 to 3.3.3, I do have some questions for you. In particular, I am interested to know who evaluates the private-sector compliance costs with proposed legislation and regulations. I'm thinking, for example, of the recent changes to the Surrogate Court rules which resulted in a \$400-plus disbursement charge for photocopying alone to process an application. About 2 percent of the dependent adult's assets were spent on the application at that time.

THE ACTING CHAIRMAN: The hon. Minister of Justice.

MR. HAVELOCK: Thank you, Mr. Chairman. I do appreciate the hon. member's initial comments. The department has tried in the past to respond quickly to any concerns that he has raised, although I think that's also due to the fact that we had such a good working relationship when we were opposing House leaders, and it just spilled over into the response. I'm going to try and go through . . . [interjection] So now we won't work with you anymore. No.

I would like to respond first of all to your comments regarding the measurements that we have in the business plan. You started with public satisfaction. I'd like to generally indicate right off the bat that I'm not entirely satisfied with this measure because there can be so many different things affecting a person's perception of how the system is working. If we were to do the survey after a sensational event, for example, then I think that the perception or the responses would be quite different. It might also depend on the sentence that was given in a very high-profile case. So if we were to try and target that, I don't think we'd be getting an accurate assessment from people as to how happy they were generally with respect to the system.

My understanding is that we typically do this at the same time each year. I believe it's at the beginning of each year or at the end of the year. We hire an independent company to do a survey for us. I know that it's statistically accurate, so we try and make sure it's within certain percentage points on either side of the final results. Could we include some descriptions of the methodology in getting the information? I'll talk to the department, and I'll see if we can get you some further information on that. I don't personally have a problem with getting you that information, and we'll see if we can put that together.

I would avoid trying to survey after specific events because I think we're going to have a skewed result. Quite frankly, I could go ahead and have surveys done after events occurred which were very supportive of government initiatives. One would be, for example, prisoner voting, where most Albertans were happy with the direction we took. They'd indicated 75 percent support for that initiative. If I had surveyed them right after that legislation had passed in the House and there was a lot of coverage, I might have got a skewed answer.

I understand you're having difficulty hearing my responses. Well, perhaps the chairman would bring some order to the House, if the chairman were paying attention.

THE ACTING CHAIRMAN: Order.

MR. HAVELOCK: Just a little quieter, that's all, Mr. Chairman. Thank you. I think most of the noise is coming from your table.

THE ACTING CHAIRMAN: You'll get more order, hon. minister.

MR. HAVELOCK: Thank you.

You indicated the perception of safety on page 231. Yes, I think that's actually a good measure of how people feel within their community. Again, if you were to measure whether people felt safe in their homes in a small community where a particularly offensive crime had just occurred, you'd probably get a different result, but we're happy with where we're at on that one.

You mentioned our measures pertaining to maintenance enforcement on page 235. I'm not particularly happy with the measure that we have. For example, the amount collected per file I also agree is not a particularly meaningful measure, because if you're owed \$20,000 on the file and you're getting \$3,000, that would not indicate good performance to me. However, if you're owed \$20,000 and the individual does not have the capability of paying that but is paying as much as they can, then the program's probably effective in that regard.

What I think is likely the better measure is the first one that we're proposing there: "The amount collected by the Maintenance Enforcement Program on court orders as a proportion of the amount the Program is legally entitled to collect." That's probably a better measure, but again you're going to run into some difficulty where even if there's a court order in place, some individuals may no longer have the assets or the cash flow or may not be working, where you can't collect. We are trying to get some better measures in place there. That's one of the reasons why we went to the client satisfaction measure, because we felt: well, look; let's see how people feel.

Now, maintenance enforcement, you indicated, is the most sensitive area that we deal with. I know it is. My department responds to more correspondence from members in this House and from Albertans relating to maintenance enforcement than any other issue. That's one of the reasons why we undertook the general review that was headed up by the Member for Calgary-Lougheed. Her committee came forward with some good recommendations, and some of those relate to how we can actually improve the services that we provide to both the debtor and the creditor. Typically, if you were to ask someone if they were happy, most debtors aren't happy that they're having to pay; most creditors feel they should probably be paid more. We're never going to, I think, achieve a really high satisfaction level in that area. Nevertheless, we need to improve our service delivery, and I know that our new director in that area is working hard in that regard.

Legal aid services. You suggested measuring all those who were eligible and whether they received legal aid services. I guess we could do that, but again, that's based on the parameters established by the board, and we do not interfere in how Legal Aid actually administers its money. I wouldn't want to see the government quite directly being held accountable for a program that's not directly administered by government, but we'll take that into account.

You'll see that the numbers vary. In fact, they increase substantially between '96-97 and '97-98, by almost 7,000. Well, I guess it's going to vary based on the cost of the certificates, the complexity of each case that comes forward. I think it's also changing because, for example – and I'll get to this later – over the past few years the crime rate has been going down in this province. Perhaps there's been less of a drain on those services and allowed more money to be freed up for some other people who are coming forward.

[Mrs. Gordon in the chair]

Now, you suggested a pile of new measures. The hon. Member for Calgary-Buffalo, who's taking your attention away from my answers – but I know you're focused. I know you are, as is the Member from Spruce Grove-Sturgeon-St. Albert, who hopefully in the future will have her name shortened so that we can say it a little faster.

The hon. Member for Calgary-Buffalo suggested a number of performance measures on Monday evening, and I asked him to put those in writing and get them to us, because if there's a better way to measure our performance in the department, I'm more than happy to do it. We have tried to change the measures since I became minister. Again, I'm not entirely happy with all of them, and I know we can do better. I know the department is very supportive of considering anything that would make some sense.

4:10

Your suggestion regarding corrections caseloads, corrections clients: how often are they contacted; the client/officer mix. I do know from some of the visits I made very early when I was appointed minister that we try to balance the client mix for each departmental member who's working with the clients. Of course you don't want to put all of the severe or difficult cases with one or two people because, one, they'll burn out, and two, likely over the long run they won't be able to address them or spend the time that's necessary. So we try to provide a balance. Again, if it won't get us into trouble, perhaps we can give you some information on what that caseload balance is per officer.

Whether it would be a performance measure or not. I think the better performance measure – and it's difficult. You mentioned recidivism. I know at a national level there's been work going on in trying to develop a measure in that area, but the difficulty we're faced with is that there are so many other things out there which cause individuals to reoffend which really are out of the control of our department, yet if you're measuring that, you're basically suggesting that the justice system is failing, when likely what has failed is the systems that are in place prior to the offender becoming part of the justice system.

I think we need to spend more time at the front end. We also need to spend more time and resources when individuals are actually released from our facilities, because you find a lot of young people will reoffend because they're going back into the environment in which they were offending in the first place without adequate support. I've been working with the Minister of Community Development on a couple of programs which have been very successful. Again, we're subject to budget constraints in that area, and we're doing the best we can.

Recidivism, which you raised as an issue. I did mention that as a performance measure very early in the game with the department, but there's really some difficulty in trying to come up with a good measure that, quite frankly, would have some national relevance, but I know they are working in that area.

Success rate on temporary absences. Well, I don't believe that we removed that as a measure since I've been minister. It was in there likely before, but we can certainly take a look at that.

Inmate to staff ratio. Again, I guess we could give that information, but to me that's simply measuring where you're spending your money. The better measure is, one, the recidivism, and two, whether there are a number of disturbances within our facilities that we're able to react to appropriately. Perhaps we need to look in that area.

It wouldn't impact on the staff ratio, but when you talk about correctional services generally and our spending, as I indicated

earlier, the crime rate has been going down the last few years, but this past year we've seen it moving back up. I don't know if that's due to economic activity or people coming into the province or whatever, but as the crime rate has been going down, of course our expenditure in the corrections area and in the formal corrections area – I look at the formal facilities – has also been decreasing. We try to respond to the population that actually is winding up in our facilities, so you'll see it going down or being relatively stable. As crime rates go up, as more people are convicted for serious offences, then likely you'll see the amount go up.

Also, we've put in place a lot of diversion programs, that you're well aware of. We're very supportive of alternative measures, youth justice committees, for example; alternative measures for adults, trying to get them back into the community. In the past we have been shifting some resources from formal corrections to that area. You indicate we're spending at about the 90 percent level of what we spent in '91-92. Again, recognizing that there was about a 20 percent reduction in Department of Justice spending at that time, also recognizing the crime rate going down these past few years, that's probably why we're spending at the level we are. Now, had it been increasing, you likely would have seen higher numbers. So I think those two factors have contributed to the decrease. It is certainly our intention, whenever we can, to divert funds from the formal prison system to the community system we're trying to develop, because we feel that for less serious offences, that's where they should be dealt with.

Complaints to the Ombudsman. I don't think looking at the number of complaints that go forward is a good measure because you then need to determine whether or not those are legitimate complaints. Perhaps the better measure is, one, how expeditiously those complaints are dealt with and, two, what proportion are found to be legitimate, and what do we do with respect to those claims? [interjection] Right. And we can certainly take a look at that, although again we'd probably only be able to give out general figures because there would be a privacy issue associated with releasing specific numbers.

The Cawsey report. That was one of the recommendations that came out of the summit on justice. We need to take another look at that report and make sure we've implemented all we can. I stated publicly time and again that our present system is not as sensitive to the needs of the aboriginal community as it should be. That's why you look at the aboriginal community making up 3 to 4 percent of our overall population in Alberta yet 30 to 40 percent of our prison population. The system isn't working for that community. That's why we've looked at the tribal court proposal at Siksika. That's why we're reviewing aboriginal policing. The Member for Athabasca-Wabasca I think did a very good review, and we're going to be coming out with some recommendations in that area. Right now we're working with the aboriginal communities in that regard.

We had aboriginal issues as one of our key issues at the justice summit. We received a lot of recommendations in that area from the summitters and will be releasing the summit report in the near future, and hopefully we'll be releasing the government's recommendations in response to that prior to the end of May.

I've also established a Metis advisory committee, where I will sit down regularly with members of the Metis community to discuss justice issues specifically. I have been trying to establish one with the aboriginal community, but we're still trying to have treaties 6, 7, and 8 come together so that we can move forward. Part of the challenge we face in Justice is having the treaties also work closely together. We need to have them all onboard with us before of course we can get that moving forward.

Another measure you suggested: the number of inmates released

at the earliest possible release date. I don't know if that's a good measure. If you're trying to determine whether or not the rehabilitation program has been successful, I don't think that's a measure at all. It's simply, I guess, a measure of how many are qualifying for early release and we're letting them out. [interjection] I can't hear you. Perhaps when I've concluded, you can – I know you're not restricted. I don't believe the member is restricted from standing up again; is that right, Madam Chairman?

THE DEPUTY CHAIRMAN: Right. The hon. Member for Edmonton-Glenora can ask a question.

MR. HAVELOCK: Okay. Thank you.

DR. TAYLOR: Keep talking, Jon. Keep talking. I love to hear your velvet tones.

MR. HAVELOCK: Thank you.

The utilization rate of contracted services, open-custody facilities. Again, that's going to go up and down based on the crime rate. It's going to go up and down based on what resources are actually pushing in at community services. [interjection] And release rates; absolutely. I believe we can get you some information on that.

Whether it's a reasonable performance measure or not, for me the better performance measure should be whether they're released, whether they're in our formal facility or in our open-custody facilities. For example, are they turning back up in the system? That measures how successful we are when we have them in our facility.

Getting back to that problem, we could do a great job in our facilities. In fact, it's been pointed out to me that for a number of young people in our facilities it's the most structure they've ever had. We try and provide them with a safe and secure environment, three meals a day, some good programs, yet they turn back up in the system because they go back to an environment which is conducive to them offending.

Measure of staff involvement in professional development activities or professional associations: I think I can get you some information on that, certainly professional associations, unions. I think most of our staff is unionized, so that would probably be as effective a measure as the number of prisoners "involved in meaningful activities" every day.

MR. SAPERS: That's why you said union.

MR. HAVELOCK: That's right; you said professional. But we can take a look at that one.

You did speak at some length about correctional services generally. You mentioned the inflation-adjusted spending. The point I was trying to make there is that while it is down, again what's going to impact our spending in the formal facilities is how many offenders are being diverted to the less formal system, the alternative measures programs. That of course will then take resources from the formal facilities. We try to drive them into that area, which is one reason why we're spending at the 90 percent level that we are in that area. Again, the crime rate has had an impact in that area.

4:20

For example, the young offender services: you mentioned it's at about 80 percent. We've really focused our attention, and in fact the federal minister indicated that with respect to incarceration rates, Alberta is third lowest in the country with respect to young offenders, and that's because I think we've been very successful in supporting and establishing youth justice committees, alternative

measures. Some of our less formal youth camps have great success rates. So I think we've been able to take moneys which we were spending in a very formal setting and divert them to less expensive and more effective facilities.

I would also like to point out – and this is a bit of a hobbyhorse for me – that while the federal minister has indicated that we may be receiving additional dollars in light of the new youth justice legislation, which has been passed, right now in Alberta we're offsetting about 59 percent of the costs associated with young offenders, whereas the feds are picking up 41 percent. Of course, when they brought this out, they had committed to a 50-50 cost share. Now, had they committed to the 50-50 cost share and stuck with it, the resources that we have been spending in trying to make up for their shortfall likely could have gone to improving young offender programs, especially at the alternative measures level.

Community-purchased services: can we increase that? Well, I certainly encourage our department officials to use community services where appropriate. Again, if the crime rate is going down, if you have less offenders for whom it would be appropriate, that's going to have an impact. I won't spend the money if we don't see a need. We do try and support the community services as best we can.

Now, you were getting into some detailed questions on 3.3.1 to 3.3.3. Your question was: who evaluates private-sector compliance costs when we bring in regulations, et cetera? I'm assuming that that was a general question for government as opposed to my department, or it could be. Speaking from a Justice perspective, we try to bring through as few regulations or as few pieces of legislation as possible. Well, maintenance enforcement is a good example. While we're trying to improve that service area, we're also looking at trying to have those who quite frankly we're having to spend a lot of resources trying to secure maintenance support from to actually offset some of the costs that we are incurring. That will enable us to provide resources in other areas.

We do keep in mind what impact our regulations and legislation will have on the private sector. All of our regulations are reviewed internally by caucus to ensure that we need them, because we are an antiregulation, antilegislation type of government. So we try to keep out of the faces of people as much as possible.

I guess that concludes my remarks. I've been beeped. Thank you.

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

DR. PANNU: Thank you, Madam Chairman. The minister has been very diligent in answering questions in detail, so I'll try to be brief and try not to repeat the questions that have been asked. So let's start.

Mr. Minister, I was looking at your business plan. I think that this point has been made, but I guess it needs repeating. You are already concerned about what you call public approval being "unacceptably low" insofar as the justice system is concerned. I wonder: is the public satisfaction measure the performance measure for it? How do you conclude this? "Public satisfaction" comes under: "work with stakeholders to improve the service delivery of Justice programs." That's where you put public satisfaction, so I just wondered whether that is a performance measure for public satisfaction. I hope you will clarify this.

Also, I want to make a couple of observations since I was part of that committee that went around the province undertaking public hearings, which I thought was a very, very educational and rewarding process for me. There are lots of things that we heard, but I recall two dominant impressions that I had. One was the accessibility problem. Lots of people complained about having to wait a great

deal as they go through the court process; having difficulties with the prosecutorial staff, that there simply weren't enough perhaps of the prosecutors around and they weren't hearing from them when they needed to; delays in the written communications. So accessibility certainly was one primary concern of Albertans, and this directly is related, I think, to public satisfaction with the system.

The second impression that I continue to carry in my head has to do with the matter that you already, in answering the questions from the Member for Edmonton-Glenora, have drawn attention to, the relationship of the First Nations and Metis communities and persons with the justice system, and you are certainly quite aware of the problem.

So these are two, and I'm going to focus my questions to you related to these two issues. In passing, I should certainly note that here in your business plan, on page 226, you recognize that "fairness and equity are cornerstones of the social fabric" of our society, so in drawing up your business plans, you take these two important values and concerns into account.

Looking at the public satisfaction targets that you have there, you certainly are not seeking a great deal of improvement over the next two years. You're targeting at 55 percent. Certainly one can relate it to 1995-96 figures in this province, but it would be helpful if we had some comparative information here, in a footnote form perhaps, on the national average or if you know the interprovincial average on this so that we get some measure of how well or poorly we are doing relative to other provincial jurisdictions. It certainly would help us assess ourselves as to whether we should be satisfied at 55 percent. Or we may be doing already a lot better than anyone else, so we don't need to worry about that. That's one suggestion there.

The other suggestion that I have is that this global measure is obviously based on surveys that sample the Alberta population in general. I assume I'm right on this. We know that the First Nations and Metis communities and individuals with origins in these communities experience the justice system dramatically differently from the rest of us. The incarceration rates you just referred to I think demonstrate my point here. So I would ask you this question: do you think it would be in fact the right thing to do to have a separate satisfaction measure for those communities? We need to gauge our performance in relation to how poorly or well we do in addressing a whole lot of concerns that, as you yourself just mentioned, were expressed at the justice summit, and certainly they came very strongly through in our public hearings across the province. So that's both a question and perhaps a suggestion, that in order for us to improve our performance in our relations with members of those communities, we need to have a separate measure that will help us monitor the situation more closely.

On crime rates, you know, you have a certain sort of performance measure or targets at least, page 231, at the bottom of that page. Again, I notice that our crime rate has hovered in the range of about 9,000 plus, whereas the national rate, which you report here, which is very helpful – it at least helps us address in relative terms where we stand – this measure is 8,354. So we are considerably higher. Any explanation of that? Would you comment on this to help us understand why we are so much higher than the national Canadian average?

4:30

Moving along to page 234 of the business plan: "Improve access for Albertans to the court process." This is one target that continues to both bemuse me and baffle me. You seem to be targeting increasing the time that it takes between the first and the last appearance in the courts. Maybe you are perhaps impressed with the absolute numbers alone; you know, the larger the number the better

it is sort of thing. I would have thought I asked you that question last year as well, but you have bested yourself since last year. You are going up because you want to be close to the national average. That's an interesting competition. I don't know why you would engage in this.

My question is: will it increase public satisfaction? One of the things that we heard during the public hearings was that people want this period reduced, not increased. So it seems to me you're working at cross-purposes in terms of your performance indicators and targets. On the one hand, you want to increase public satisfaction. On the other hand, you also seem to be determined to increase the waiting period, the period that it takes to conclude trials. So I would really like to get some good, clear answers from you on this. Otherwise, I'll remain very confused, impressed but baffled by your mathematics.

The second part here has to do with a minor thing. You know, you might know your stats better than I do. I'm about 40 years away from the time that I took my last course in stats, descriptive stats. Why are you using the median here rather than the mean? The numbers that you have here are reflecting the median rates, not the mean, not the average as we know it but the mean. The three types of averages are the mean, median, and mode. I want to ask you: why did you choose median here rather than mean? That's a minor teaser, I think. You'd like to answer this, I'm sure.

The next page, page 236. I'm asking these questions more out of, I guess, my lack of knowledge of how the legal aid system works and how the program support that you have budgeted works in relation to that. You are saying "not applicable" and "not applicable" anymore. You don't want to have any targets. I read the marginal notes there, and the statement that is made there doesn't really tell me all that much. I'm reading from the text on page 236.

It is inappropriate to set a target for this measure because numbers can be modified by a change in board policy . . .

But isn't that the case in every area?

. . . and it is not clear whether government should be moving toward more or fewer persons receiving legal aid.

Why is it not clear? The government just doesn't know or doesn't want to know or what?

Since you are not setting any targets, you are kind of paralyzed in terms of making a determination as to how much dollar aid you want to commit to it. I notice that between 1997-98 and 2001-2002 the amount is the same; it's frozen. I take it that the number of homeless, the number of poor people are increasing. I also understand that there is some relationship between the incidence of lawbreaking activities and income status or employment status or whether one lives in a home or doesn't. So I would think that the demand for this kind of aid would be greater as we move through time from '97-98 to the next two, three years. Yet the amount that you have allocated in your budget is exactly the same over these five years from year to year.

Since this issue does relate to fairness and equity and accessibility – and you commit yourself on the first page of the business plan to these two principles – I'd like you to help me understand how your refusal to set targets and your decision not to increase legal aid support in terms of dollars relate to your commitment at the same time to fairness and equity, which, as you say, are very much a part of the Alberta social fabric. I think these might contradict each other, so it would be very helpful if you would kindly give some lucid answers to this, not just answers but lucid ones.

Generally, I have a couple of other things that I want to just go over very quickly. I've been looking at the numbers in the detailed estimates. I notice that in many cases the budgeted amounts are about the same as they would be this year and as they will be, say,

next year. For example, under 2.2.5, family and youth court operations, Calgary region, the amount is only marginally greater: from \$2.5 million to \$2.59 million. We're trying to expedite things for youth. We're trying to, of course, also experiment with new ways of dealing with youth crime. How would you explain the relative sort of stagnation of resources related to this effort?

Court reporters. Again, you have reduced the number, as a matter of fact. Another thing that we learned during the public hearings was on court reporters and that getting the transcripts off them becomes very expensive for Albertans. That, again, I guess increases public dissatisfaction with the justice system. I wonder if the reduction in the amount here would add to your problems with respect to not being able to increase public satisfaction with court operations.

The criminal justice division. There is going to be some increase here. It's item 3.4.3, general prosecutions. One of the major complaints that we heard during the public hearings was about the overload on and shortage of prosecution staff. So it was taking longer therefore for the cases. Hearings were being postponed from one day to the next simply because the prosecution staff because of the overload of work weren't able to deliver. I wonder: with some increase here, about \$500,000 or \$600,000, I think, in your budget in this category, are any more prosecutors going to be hired? How many? Where else might this money go rather than to the hiring of these people?

Child support initiatives. There is a considerable drop there, about a 30 percent to 35 percent drop in the budgeted amount there. This is item 3.6.1. I just need some explanation of this. Why do we need less dollars and at that scale – you know, 33 percent less – for this?

One other inquiry that I have is just that I was curious as to what's happening here. I think in your estimates you report – at least it appears from the figures given – that the police force is using more justices of the peace in Calgary and Edmonton to meet the increased workload in rural areas.

MR. HAVELOCK: What line?

4:40

DR. PANNU: I'm afraid I can't give you the line. I don't have it in my notes. My mistake.

So given this, does it mean that there would be more justices of the peace appointed in the rural areas? How are you hoping to address this issue of workload on justices of the peace?

I think that's all the questions that I thought I would ask, so I will sit down. Thank you, Madam Chairman, for the opportunity.

THE DEPUTY CHAIRMAN: Edmonton-Centre, the minister is going to answer the questions, and then I'll recognize you.

Hon. minister.

MR. HAVELOCK: Thank you, Madam Chairman. The hon. member raised the issue of public approval being "unacceptably low." As I indicated to the Member for Edmonton-Glenora, yes, it is unacceptably low, but the difficulty is that so many things happen within the system, so many things that are really outside our control, I don't think you'll ever see a rating that's very high. Now, we're not trying to aim low. Our target was the mid-50s, yet this past survey indicated that we were at 61 percent satisfaction. I'd love to be able to tell you why it went up nine points, but when they're asking the question . . .

DR. PANNU: Public hearings, I guess.

MR. HAVELOCK: Yeah. It was the justice summit; that's right. Well, that may have had an impact, because one of the reasons for holding the summit was to educate Albertans generally as to what was happening in the system. I think that probably had an impact and a positive impact, because we produced some good documents and had those distributed throughout the province. So I think that may have been one of the reasons.

The only way you could, I guess, have an accurate measure as to why public satisfaction rose is you'd have to ask the same people each year why they changed their opinion. They would be able to give you those reasons. Of course, if you're asking a different set of people each year, you don't have a baseline to measure as to why their satisfaction level increased. It's not the best measure. I've asked the department to try and think of other measures. In fact, there was some discussion as to whether we should even use the measure itself because of the difficulties associated with it. But at the very least it's provided us with a baseline. The question is the same each year, and at least we're going in the right direction.

We don't want to set, of course, our goal too high, because when it was at 49 percent, the goal was: good grief, let's at least break even on this and get it to 50. I like to set reasonable goals for our officials to obtain, because there's nothing more frustrating than having a goal that you know you won't be able to reach. I'd like to have it change somehow. If the hon. member has any ideas on what would be a better measure, please, I'd be happy to accept them.

You mentioned the public accessibility. [interjection] I'm sorry; do you want to clarify that?

DR. PANNU: On First Nations.

MR. HAVELOCK: No, no. I have that later; don't worry.

The public consultation. You mentioned accessibility, prosecutors not being available, for example, delay in written communication. We recently appointed a new assistant deputy minister of the criminal division, Mr. Terry Matchett. We sent out a memorandum, both the new Deputy Attorney General and myself, to all members of the criminal division, to all prosecutors, indicating some of the goals we hope to attain, some of the initiatives we would like to undertake to try and actually improve the level of service to the general public, because we need to focus more in that area. If there are any changes we can make that will enhance accessibility, of course within existing budgets, certainly we'll do so.

On the civil side, I indicated in my introductory remarks that there are a lot of ADR initiatives out there: court mediation, case management, the court officers themselves, the judiciary, for example, trying to settle cases before it goes much further into the process. We are supportive in that area, but we're also looking in the department right now at some specific initiatives that perhaps we can take hold of and start to push forward as being our initiatives associated with alternative dispute resolution. Most of these have been generated within the legal and judicial communities, and that's very positive. We're very supportive of that, but we'd like to assist further.

You mentioned the aboriginal community. It is a concern. You mentioned the fairness and equity issue. As I indicated earlier, our system is not working as well as it should for that community. I don't have any answers at this time, which is one of the reasons why we established some advisory committees, so that we can have face-to-face contact and discuss these issues. But of course they go well beyond justice issues. Some of the conditions on the reserves for the aboriginal peoples are unacceptable. That leads to criminal activity. I can recall the Member for Athabasca-Wabasca basically saying: the best way to eliminate crime is to ensure that the aboriginal community has meaningful employment, that they have some

positive direction in their lives. I think that's where we need to be focusing. Of course, the federal government has a significant impact in that area because they are primarily responsible for the reserves.

Now, to get into your public satisfaction issue specifically. One, you mentioned: are there any national numbers we compare to? I don't know if other provinces do this type of survey. I guess the only way we could compare it is if they were asking exactly the same questions and using the same process. I can tell you that a national survey was conducted by Angus Reid sometime ago which indicated very high levels of support for the police and the RCMP and lower levels for the court system, very low levels for youth justice. That was, I think, done a couple of years ago. I can have my department provide those numbers for you. At this stage we don't have anything where we can look at our public satisfaction rate and measure it against how other provinces are doing. If they are doing anything similar to what we are, then department officials will provide you with that information, if we can get it ourselves.

You mentioned: should we survey the aboriginal communities specifically? We could do that. I guess I'm always a little wary of that because of the sensitivity of the issue. I don't want to single out a particular community either when we're trying to assist them with some of the concerns and problems they're facing. We have a very good relationship with the aboriginal community. I'm trying to expand that at this time. We can certainly take that matter under advisement to determine whether or not they'd like us to take a look at something like that.

Crime rates. We are above the average, yes. Why are we higher? I don't have an answer for you. I will get you some specific information on that. We would like to see the crime rate go down, but perhaps part of the reason is due to the high level of economic activity in Alberta. Unfortunately that does tend to attract some activity which we would rather not have, and a good example of that is some of the moves by organized crime into the province which have occurred the last year or two.

You referred to page 234: "Median Elapsed Time from First to Last Appearance." You indicated you were impressed but baffled. I'm glad I impressed you. Why are we using the median as opposed to the mean or eoney, miney, mo or whatever you had referred to? I can tell you I took statistics in my first year of commerce at the U of A, and I think I scored 56 percent, so I'm going to have officials give you some background on why we're using that measure in that way. I will tell you, though, that I'm not particularly happy with this measure either. I discussed it with department officials. What we're doing is setting ourselves to actually move to the national average. Now, I think it's good for us to be below the national average, and that's where we should always try to be. But it's almost like we were doing a good job before and now we've decided: well, let's restrict our resources and move to a higher level. So we'll take a look at that. I have discussed that with officials before.

4:50

Page 236, legal aid. You've asked why we've taken that approach. Well, it is important to recognize that we don't establish the policies for the board of Legal Aid. They establish the guidelines under which individuals, for example, can qualify, and that will have an impact on the number of certificates that can be issued in any one year and the number of people that can be served by Legal Aid. As I was discussing with the hon. Member for Edmonton-Glenora earlier, perhaps the better measure is the number of people who applied for legal aid and qualified for it yet were unable to obtain legal aid. We may want to take a look at that, but again, you'd be measuring then the government when the government actually is not directly responsible for operating the program.

That's something we'll have to take a look at. I think one of the reasons the certificates went up, though, is that, again, the crime rate was going down, as I indicated earlier, and perhaps there were fewer certificates being issued under the criminal law side. That freed up some dollars to serve more individuals perhaps on both the civil and the criminal sides.

You mentioned the homeless and the poor increasing. I have to take issue with that. Although I don't have the statistics in front of me – I'm not the Minister of Family and Social Services – we have the highest job creation rate in the country. Recently Legal Aid have changed their guidelines, so it will actually expand the number of people that could qualify to come forward for legal aid. One of the challenges which we've had in legal aid is that quite often an individual doesn't qualify, that they fall slightly outside the budget guidelines, yet another person would qualify. This happens in a lot of the civil cases, so you have one individual who basically has, subject to the legal aid parameters, access to unlimited legal resources with respect to a particular issue battling someone who has very limited funds. I've asked Legal Aid to take a look at that, but it's a difficult issue, not an easy answer.

We also have one of the most effective legal aid systems in the country, and in fact, if I'm not mistaken, I believe Ontario was taking a look at what we had done at one stage. They were going through some changes in their program.

You raised some specific budgetary expenditures. If you'll give me a moment, I'll find those. You were looking at 2.2.5, family and youth court. Yes, it has increased half a million. As I indicated earlier, though, what we're trying to do is divert as many young people and adults, quite frankly, from the formal court system. Our youth justice committees are working very well. We're looking at family group conferencing. The issue of restorative justice is something that was discussed at some length at the justice summit.

The trend I would like to see is expenditures continuing to decrease on the court side, which is a very formal process, and hopefully take those individuals out of the system who can better be dealt with in the less formal process. Also, what's impacted that, as I mentioned earlier, is the crime rates decreasing, so there have been fewer cases moving through the system. Now, unfortunately it has turned around and gone up, so it may well be that we will see some increases in the courts in the future. But I'd much prefer to divert those moneys to community programs, because quite frankly the community also has to take part in addressing the problem.

Line 2.2.6, court reporters. We are average for the country, when you look at what we charge per page. I think it's \$2.50, \$2.60, if I'm not mistaken. The Member for Calgary-Bow actually asked this question in the House a week or two ago, and she was concerned about the costs of the production of transcripts. I did say at that time that we would take a look at how we can restructure that, because it is an issue associated with access, and that's one of the things we have to ensure as the Justice department, that we provide access.

Line 3.4.3, general prosecutions. You mentioned whether we were looking at hiring more prosecutors. We did accept many of the recommendations that were made. I can't remember the group, whether it was KPMG or another professional company, that had actually reviewed the entire area of Crown prosecutor salaries. We hired a number of new prosecutors. Actually I think there was approximately a million dollars in the budget for the hiring of new prosecutors when I became Justice minister. The previous minister had secured those funds for that purpose, and we did hire new prosecutors. We have also increased the salaries.

The difficulty we're faced with, of course, is that I don't believe we'll ever be able to pay salaries at a level to prevent people from going to the private sector. We have some of our senior people who

have left for the private sector. Nevertheless, generally I think we do a very good job in that area. I know they're working very hard. At this stage I don't have any increase in the budget in place to hire additional prosecutors at this time. By the way, the increase for prosecutions: that's the provision for cross-government general salary increases, so we are, again, trying to increase the salaries of both our general and special prosecutors because we want to retain them within the public service.

You mentioned 3.6.1, the child support initiatives. This program is funded by the federal government, and the funding has declined each year since implementation and will actually be discontinued March 31 of 2001. So that answers why it's going down.

You mentioned resources for JPs, although you weren't able to give me the specific reference in here, and I haven't been able to find it either. I would assume that's under court. [interjection] Yes, that's right. It's not set out as a specific amount here, at least that I can find. Why don't I give you a brief breakdown on where we're seeing the increase in the courts of \$11.155 million? Judges' salaries and benefits due to the Wickman decision, which we're implementing, is \$6.838 million. Justices of the peace salaries and benefits: again, we've had to restructure justices of the peace to have sitting, presiding, and nonpresiding. We are looking at salaries and benefits increase in that area of \$450,000; presiding justices of the peace and support staff, \$867,000; and there are some other costs incorporated into that \$11 million amount, but they don't relate to the question that you asked.

What we had to do with respect to the justices of the peace is ask Judicial Council what level of qualification they felt justices of the peace should have in order to be both sitting and presiding. It was determined that they had to have five years of legal experience. Prior to the Wickman decision, we had a lot of justices of the peace throughout Alberta doing a lot of work, but in light of that decision, it isn't practical for us to have sitting or presiding JPs in every community in the province. So we had to create a category of nonpresiding. The sitting and presiding require judicial independence. That was the direction of the court. The nonpresiding will be doing primarily administrative functions.

Nevertheless, to address the need in rural Alberta, we established JPs in Calgary and Edmonton to take inquiries and to process various documents that are produced in rural Alberta, particularly by the police, and we are looking at increasing and providing additional resources for those JPs so that we can provide 24-hour service to rural Alberta. I believe that's starting April 1. Hopefully that answered your query regarding the JPs.

I think that covers the questions.

THE DEPUTY CHAIRMAN: Edmonton-Centre.

MS BLAKEMAN: Thank you, Madam Chairman. All of my questions are going to focus around vote 3.5, maintenance enforcement. As the minister knows, I am very keen to assist this program to become more efficient. Given the time, I understand that it may be difficult for the minister to respond, and I would appreciate getting written responses to the questions that he doesn't have the time to be able to answer now.

So having said that, off we go. One thing before I start. I'm wondering. I've had a look at the Justice web site and the violence web site, and lots of information and lots of good things are said there, as appropriate. Sorry; this is around: if you're a victim of violence. The one thing the web site doesn't say is that if you're being abused, call the police. You might want to have a look at the web site, because there are all kinds of very helpful information there, but it's missing the obvious point. So just a helpful hint.

5:00

Now, the legislative proposals are before the House, and there are other times to discuss those, so I'd like to concentrate my questions on areas that are not covered specifically by the legislation.

One of the points that was suggested in the MLA review but that we did not in fact see in the legislation was the special investigations unit working on the chronic defaulters. I'm noticing that under vote 3.5 there is an increase of almost a million and a half dollars, \$1.485 million, and I'm sure the minister will be able to answer for me whether this money is indeed being used to implement the recommendations that came forward from the MLA review chaired by the Member for Calgary-Lougheed. I am wondering what happened to that special unit. Were there legislative reasons or judicial reasons why that couldn't be implemented in the legislation? If it can't be, then is it going to turn up in some other way or be implemented in some other way through policy or something else? Okay, that's that question.

One of the sections of the maintenance enforcement program has been staffing: the level of staff, the disabilities, a number of staff that are off on stress leave or long-term disability. That's been, from what I can tell, pretty much a chronic problem in this department. So I have some questions around that specifically.

Can the minister confirm whether the full complement of enforcement officers are employed, and if they're not, what's the number of people that are off on some sort of leave or disability leave? What plans are in place to make sure that there is a full complement of people? Is there a reserve corps of workers that can be brought in as replacements in order to keep the program operating with the maximum number of required employees? Because if you have people off on long-term leave for extended periods or even stress leave for two weeks at a time, all of a sudden you don't have as many officers in there as you thought. I think at one point there was something like 19 people in collections when it should have been 36. Now, maybe there's been a reassignment of people in different divisions or a restructuring. Could the minister share that?

Recommendation 3 under the MLA review, that "client relations become . . . fundamental objectives." I understand that there was a plan that a customer service strategy would be developed, and I'm wondering what the progress on that has been. This has fairly wide-ranging repercussions: "improvements in communication, staff training/development," et cetera. Also, where is the department with developing "a system to track and analyze complaints"? I know that there are internal mechanisms to do that at this point, but I'm hoping that they can become a bit more open and transparent.

The staff development programs. What's happened there to introduce new "procedures, technology, and customer service modules"? Also, the "routine client reports will be sent at tax time." Is that happening, or will that be implemented in this fiscal year of '99-2000? So a year from now, then, the information would be sent at tax time. I think, if I might voice an opinion, that it would be more helpful if these notices were sent on a more regular basis than just annually. I mean, someone could be significantly in arrears after a 12-month period, and I think it would be more helpful if those were on a more regular basis.

"Client status change reports will be sent to creditors when there is a change in the payment amount along with the reason for the change." Has this been implemented? If it hasn't, when can we expect it? And how is that working into the changes that are supposed to be happening with the program?

The complaint procedure and how quickly complaints are dealt with, whether they're in writing or by phone. What's happening with that?

The redevelopment of the computer system. Now, I think there

have been five different computer databases that have been in this department, and knowing how quickly computers become almost obsolete now, what is the status of this? Is there money in this '99-2000 budget to revamp the entire system, or will it be another patch on to the system that's there? Because it seems that in some cases files can't be read by one section when they've been generated by another section, and I'm wondering what's happening with that.

I'm also wondering what's happening with the extension of the office hours. My understanding is that staff have been sort of - I'm wondering what exactly was implemented there, because it looks to me like people are sort of working the hours that they choose, but that doesn't necessarily address what was intended, I think, under the MLA review, which was that the phones are open and staff are available to deal with people after hours, you know, till 6 or 7 o'clock at night. That seems to shift, and I'm just wondering if there can be some consistency there.

The review of staffing levels. Has that been done? Has it been achieved, whatever the results from it were? And I'm also wondering what procedures were put in place to ensure staff safety. I'm aware that over the years a couple of staff have been assaulted and certainly death threats have been received by them, and for staff working in a very high-stress environment, where everyone seems to be angry with them no matter which side they're dealing with, I'm sure that is a lot of stress, and they need to know that they're in a secure environment. That's not a point that you often hear brought up, but I'm sure that the minister would understand the repercussions of this and the effect it would have on the staff. So I'd like to find out what's happening there. Great; we're just roaring along here.

The practices and procedures for default hearings were to be reviewed in conjunction with the legislative changes. Where is that at? Has that happened? Will it be implemented in this fiscal year?

The waiting period. What's been done to cut down the waiting period on the banking days, especially where we have creditors and debtors that have a proven record of reliable payments? I think it was down to eight days. It's now, I've heard, seven. We still should be able to get this down to three or four days given that banking is almost instantaneous. Can I look for an improvement in that? By when?

There is also something here about the internal paper flow, with perhaps a suggestion of document scanning. Is that equipment being purchased out of this budget? Is that something that we can look forward to there?

Reciprocal enforcement tools. What's being done under the new structure for reciprocal enforcement tools and also the electronic interface to improve contact with Justice Canada on federal garnishes and licences. Now, that was targeted for November '98. Did that happen, or is that part of what's happening in this fiscal year that we're examining here.

5:10

I'm returning to the staffing levels again. I know that at one point a couple of years ago the staff were working with sometimes as many as 1,500 files each, which is an enormous number and of course contributes to the frustration of both the creditors and the debtors. Of course, if there's anything at all out of the ordinary with the file, I'm sure it gets put off into an I-have-to-look-at-this-more sort of pile, and there is a slowdown on it. So what is the number that is expected under this new structure? What is the target level of cases that any collections officer is expected to be dealing with, and what is the expected time before a new file is received and there is some action that's taken on it or the officer begins working on it? I'm assuming you're looking at that. No? Okay. Written answers are fine.

The garnishee process is successful where it is able to be used. I don't know what percentage of files that's in, but I suspect it's fairly

low. There always seems to be a frustration – if it's not a straight-forward case like a garnishee, then they're into more complicated things, and you and I have talked about reciprocal agreements and all of those other complications. What is going to be done under a new structure to try and move along all those other files that aren't easy to get, that either aren't paying or there's not a ready solution to it? There isn't a garnishee available.

What is the status or how will the complaints procedure be worked? At times I think the staff have felt pressured to work on the cases that have complaints flagged on them. What is the procedure that's followed regarding the regular work list, and is that going to be improved under the money in this new budget?

Also, there was a customer relations section in the recommendations. Can the minister talk about what that improved customer relations is expected to be and confirm that it is good customer relations for both the creditors and the debtors?

What happens when – and I'm assuming this is possible – an employee of the program is in fact also someone that has a maintenance enforcement order, either for them as a creditor or against them as a debtor. How is that? Are there conflict of interest guidelines that exist? Is that something that's being looked at again under this fiscal year? How does that work?

Okay. Now, information packages that were to be developed to help people understand exactly what this program would do for them and not do for them, where is that at? Is that being developed, and is it possible to get from the minister a breakdown of how much of the increase in the budget is going directly to satisfy the requirements or the recommendations that came out of the MLA review.

My colleague the Member for Calgary-Buffalo has several times raised the suggestion, which I think is excellent, of having an investigator available to work with the master on the default hearings.

You know, earlier I was talking about if there's a garnishee available for a nonpaying debtor, that's an efficient and fast route to be securing money. If that isn't available, then you're wandering off into a whole bunch of other territories with possibly self-employed people. And it's almost impossible, if somebody appears before you instantly and the master may not have a chartered accountant's certification as well as a judicial certification, for the information to be adequately shared and understood at the default hearing. I think there could be some real help offered there. Has the minister looked at that inside of this budget? I think that is one suggestion that would be very helpful in clarifying it. Expense-wise I think the helpfulness to both the clients about the debtors and the creditors would far offset the expense of any investigator that was available.

Just a few questions before my time runs out. I think I already asked about the system that was to be implemented to track and analyze complaints, but if I haven't, I'm on record for it now.

Oh, what is the education and research function of the maintenance enforcement program? Does that exist anywhere? If so, how many resources are dedicated to it? Is it part of a new restructuring? What is the emphasis that will be put on this, and what is the analysis or monitoring that would be done to evaluate whether this was a useful part of the program?

That pretty much concludes all of the additional questions that I had specific to vote 3.5, maintenance enforcement, under the Ministry of Justice. I know that I've asked very detailed questions of the minister, and I would appreciate getting written responses. I don't expect him to do an oral response at this time, because I am looking for the detail.

Thank you very much, Madam Chairman.

THE DEPUTY CHAIRMAN: Hon. minister.

MR. HAVELOCK: Thank you, Madam Chairman. I'll try and give just some very general responses. Based on the report which was generated by the MLA review committee, we're looking at implementation strategy for MEP which identifies three areas of emphasis. There's the customer service emphasis, which flows through much of the detailed questions the hon. member asked. There's staff development, business process improvements, and of course, then we have the legislative amendments which are presently before the House.

Just to briefly summarize, we're looking at the expansion of provision relating to denial of motor vehicles, reporting of a default to the credit bureau, a number of . . . [A bell sounded] Oh, that was a fast 20 minutes.

THE DEPUTY CHAIRMAN: It was the fastest 20 minutes. Right, hon. minister?

MR. HAVELOCK: Well, I heard it go off the other day in question period, Madam Chairman, and it was the wrong one.

But anyway, what we're trying to do through the legislation is enhance the ability of the program to basically secure moneys from those who should be paying.

Now, the member asked some specific questions relating to the increase in the budget, and I will get you the detail, but more than half of the increased funds will be directed towards customer service improvements which are recommended by the review, including the creation of a special investigation unit and a complaints review unit. We're also going to be improving client communications and service levels. The remaining funds will be directed toward business process and systems improvements and staff development. So we're trying to focus our efforts on the customer service side. I think the special investigations unit is a critical part of that, because as you pointed out, there is pressure on our staff to basically respond to those files where there are complaints being made. It really directs resources away from, quite frankly, managing the vast majority of the files. So that's why the special unit is important.

5:20

Just to deviate for a moment, I know the department heard your comment on the Justice web site, and I know they'll fix that right away. They're shaking their heads in agreement.

You mentioned staff off on stress leave. This actually relates to some of the written questions that you had raised in the House yesterday. This is a very stressful job. We know that, and I'll try to get you some information on that.

You asked about the routine client reports, the complaint procedure. Again, that's going to be up and running shortly, hopefully, but that's based on us getting the budget through.

If I'm not mistaken, in our three-year business plan we have set aside approximately \$8 million to address the computer issue with respect to maintenance enforcement. Three million? [interjection] Whatever. It means that moneys have been set aside to address the problem in the future – is that correct? Okay, is it less than \$8 million or bigger than \$8 million? It's less than \$8 million, so we are trying to address that problem.

Let's see. You asked some very specific other questions: information packages, status of development, customer relations. On the issue of customer relations, we're trying to improve it for both the creditor and the debtor, because it doesn't do any good if you have one side of the equation angry and the other one not. That includes regular reporting. It includes better information. I believe it includes clients being able to access their file on a 24-hour basis

by telephone. I think that's being implemented in the near future.

Now, I am running out of time, so if acceptable with the member, I'll simply take my seat. I know that you asked very detailed questions, and we'll get back to you as soon as we can.

Thank you.

THE DEPUTY CHAIRMAN: Deputy Government House Leader?
The hon. Member for Edmonton-Glenora.

MR. SAPERS: Sorry. We're still in committee; right? Good. Mr. Minister, thanks. There are a couple of things that I wanted to ask you. I don't need a response for it today. I'd appreciate a quick written response. It has to do with the sterilization settlements and that whole process and just trying to get clear on a couple of things. I've had some questions put to me that you can help me with. One is the number of law firms that are involved in that process.

MR. HAVELOCK: For both plaintiffs and defendants?

MR. SAPERS: Just involved. I've had some specific questions about the cost. So in the past, I think through a motion for a return, we requested a list of all of the law firms that received payments from the government of Alberta and the amounts. If we can get that information without going through the formal process of a motion for a return, I'd appreciate it.

The other thing that I'm interested in knowing, Mr. Minister, is the agreements that were in place prior to the point in time in which Bill 26 was withdrawn. I understand that there were contingency fee agreements in place. I'm wondering whether contingency fee agreements continue in the settlements that have been reached subsequent to the withdrawal of Bill 26. So in other words, is it the same agreement, and of course, since this is in estimates, what impact, if any, did that have on your current year's budget?

MR. HAVELOCK: Thanks. I can briefly answer that now, actually. With respect to the law firms, we do provide a list each year of those firms that have received moneys from the government for representing the government. I will not provide detail for each firm on a file-by-file basis as to what we paid them, but I think that's typically in public accounts in any event.

The contingency fee agreements which were in place before Bill 26 and after. Well, typically that's a matter for the for the plaintiff, not necessarily for government. I don't know if I can provide that type of information to you, because quite often the contingency fee arrangement is not disclosed to government. That might be a problem for me, but we'll see what we can do on that. Plus, any contingency fee payment that the plaintiff makes is not included in

our budget because, of course, that comes out of the settlement amount, typically.

THE DEPUTY CHAIRMAN: Deputy Government House Leader, I will recognize you.

MR. HAVELOCK: Yes. I'd like to move that the committee do now rise and report.

[Motion carried]

[Mrs. Gordon in the chair]

THE ACTING SPEAKER: The hon. Member for Dunvegan.

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

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

HON. MEMBERS: Agreed.

THE ACTING SPEAKER: Opposed? So ordered.

MR. HAVELOCK: Having regard to the hour, I move that the Assembly do now adjourn until March 29 at 1:30 p.m.

THE ACTING SPEAKER: The hon. Deputy Government House Leader has moved that the Assembly now adjourn until Monday afternoon at 1:30. Does the Assembly concur?

SOME HON. MEMBERS: Agreed.

THE ACTING SPEAKER: Opposed?

AN HON. MEMBER: No.

THE ACTING SPEAKER: The hon. member can stay. We'll let him; right?

Carried. The House stands adjourned until Monday afternoon at 1:30.

I thank you for your respect this afternoon and your indulgence. I think this afternoon went well. Have a good weekend.

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