

JUSTICE AND SOLICITOR GENERAL OUTSTANDING QUESTIONS STANDING COMMITTEE ON PUBLIC ACCOUNTS

1. Question (PA-55):

Mr. Feehan: Is there any way, in reading the report, that I can have an understanding of what kind of resources are put toward, particularly, working with indigenous communities and, particularly, to reducing their involvement and preventative work? I do of course see that there's \$10 million working with the three communities, and that's fine, but in a billion-dollar budget I imagine there must be more than \$10 million spent on indigenous communities given the overrepresentation. I'm just wondering about methods for me understanding how you're doing this work.

Mr. Bosscha: If I may, what we can likely do is that we could probably pull together some of the information across the different divisions that would give you a sense as to the different programs that are in place and how they're working and what resources are dedicated both within the government and then what we draw on from our partners.

Answer:

Indigenous programs/initiatives are managed by the various divisions highlighted below:

Resolution and Court Administration Services (RCAS)

- The ministry is currently working on a partnership with Siksika Nation. The proposed partnership with the Nation is to address the systemic issue of high volumes of administration for justice offences involving Indigenous peoples. This partnership will rely upon a coordinated effort between the ministry's divisions, other justice stakeholders, and existing community resources to address both the administration for justice offences and the corresponding incarceration rates. The development of a framework will help to ensure a proportionate response while allowing individuals to succeed at adhering to court-imposed conditions. This will help to decrease the overrepresentation of Indigenous persons in the justice system. RCAS provides support to the initiative through the use of its Strategic and Business Support Branch resources. Other divisions in Justice and Solicitor General (JSG) are providing resources to advance the initiative.
- The ministry is in the final stages of an eagle feather initiative which will see eagle feathers placed into Alberta courtrooms. The introduction of the Eagle feather into Alberta court rooms will symbolize the recognition of Indigenous peoples beliefs and culture. The sacredness of the Eagle feather increases the potential for Indigenous court users to have a more culturally reflective experience in the court system. Resources were provided by RCAS, Strategic and Business Support Branch and included funding, employee hours, and coordination with Alberta's Courts.

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Public Security

Indigenous Policing Services

The Alberta First Nations are policed by the RCMP Provincial Police Service unless another arrangement is made under the *Police Act* of Alberta. The First Nations Policing Program (FNPP) provides the First Nations with two other arrangement options in Alberta. The cost ratio for the FNPP is 48 per cent Alberta and 52 per cent Canada, with Alberta's investment being \$11.7 M.

The first option is a Self-Administered Policing Agreement with a stand-alone police service. Currently, there are 53 police officers providing day-to-day police services to 5 Alberta First Nation communities within the three Self-Administered Policing Agreements.

The second option under the FNPP is a Community Tripartite Policing Agreement. The RCMP are provided additional police officers to provide an enhanced level of policing services to the First Nations. At the present time, there are 57 police officers providing this service to 21 First Nations in Alberta.

Alberta has taken further steps to enhance policing services to Indigenous communities. Currently, Alberta and the Metis Settlement General Council have a Memorandum of Understanding that provides 8 police officers providing an enhanced level of policing services to the eight Metis settlements. The cost-share ratio for this program is 70 per cent Alberta and 30 percent Canada and is funded by Indigenous Relations.

Alberta has also previously provided additional funding to cover the total cost of a school resource officer and a crime prevention coordinator for each of the three Self-Administered Police Services.

Presently, JSG has three resources dedicated to Indigenous Policing.

Indigenous Victims Programs

- Alberta Missing and Murdered Indigenous Women Initiative
 - Funded by the Government of Canada; and
 - Alberta agrees to implement a consistent, culturally safe victim services approach for family members of missing and murdered Indigenous women. JSG will provide oversight to the administration of two staff positions to coordinate this initiative. The project will include the provision of resource guides, training, an annual family gathering, a consistent mechanism for victim services referrals, a common definition and understanding of what 'missing' means, and access to additional supports and resources for impacted family members. JSG will also host an annual family gathering in which family members, friends, community workers, law enforcement and support workers of missing and murdered

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Indigenous women can come together to honour their loved ones and support one another.

- Family Information Liaison Unit (FILU)
 - Funded by the Government of Canada; and
 - JSG Victim Services will establish a FILU to provide coordinated information and assistance to families of missing and murdered Indigenous women and girls. The FILU will liaise with service providers to develop culturally safe and trauma informed support plans to address families; needs. Alberta will also establish an Indigenous Elders Advisory group (HUGG), which will inform the FILU model and family safety plans, ensure that the FILU is culturally safe, foster trusting relationship between the FILU and Indigenous communities and will inform and participate in cultural gatherings and ceremonies.

Alberta Crown Prosecution Service (ACPS)

- Siksika Administration of Justice Offences Pilot Project:
 - A subcommittee of the Alberta Criminal Justice Summit is planning a pilot project with Siksika Nation that will examine specific community factors contributing to the number of administration of justice offences and will attempt to develop unique solutions;
 - The proposed partnership with Siksika Nation is to address the systemic issue of the high volumes of administration of justice offences involving Indigenous peoples and the corresponding incarceration rates;
 - A working group was formed which includes representatives from Siksika Nation and local members from every impacted justice area (e.g., local Crown, local RCMP, local probation, local judge); and
 - Funding: In-kind to this point.
- Crown prosecutors across Alberta work with local Indigenous communities to build relationships and support restorative justice practices:
 - In the Lethbridge area, the Kainai Peacemakers Program provides a restorative justice approach to the Blood Tribe community. A similar program called the Piikani Peacemaker Program has recently begun on the Piikani reserve. In the Wabasca/Desmarais area the Crown office has been working with the Bigstone Cree Nation to develop a restorative justice program that involves community elders;
 - The Calgary Rural and Regional Response Office (CaRRRO) hired a Crown prosecutor to work on the Tsuut'ina reserve. The Crown often attends meetings with judges and stakeholders from the Morley area, which includes the Stoney Nakoda First Nation. In addition, the Edmonton Rural and Regional Response Office (ERRRO) has met with the Chief and Council of the Alexis Nakoda First Nation to discuss justice concerns; and

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- Dedicated funding is not specifically identified as Crown prosecutors work with local Indigenous communities as part of their role.
- The Provincial Court of Alberta opened an Indigenous Court in Calgary in September 2019:
 - Accused persons who identify as Indigenous will have the option of having their bail hearings or sentencings heard in the Indigenous Court, for all offences other than s. 469 offences (murder and other serious offences);
 - The Court endeavours to incorporate Indigenous-based sentencing principles such as restorative justice;
 - Judges with a background and knowledge of Indigenous-based sentencing principles sit in this Court;
 - Stakeholders involved in the development of the Court include: the ACPS, the Criminal Defence Lawyers Association, Legal Aid, the judiciary, E.Fry, Homefront, the Calgary and Area Child Advocacy Centre, Native Counselling Services, Calgary Legal Guidance, the Indigenous Friendship Centre, Probation, Corrections, Calgary Police Service, the RCMP, and Sheriffs; and
 - The Court is funded through in-kind support.
- ACPS established an *Indigenous Justice: Cultural Competency, Law and Practice for Prosecutors* course:
 - The course provides prosecutors with a practical and multi-disciplinary view of Indigenous justice issues. Topics include: cultural competency and unconscious bias, intergenerational effects and ongoing societal impacts, addictions, FASD, Indigenous victims, communicating with Indigenous people, juries, restorative justice, corrections, and wrongful conviction of Indigenous people;
 - The course was held May 15-17/19; 64 ACPS staff attended; and
 - Funding is through in-kind support.

Justice Services

Within the Strategic Program Services branch of the Justice Services Division (JSD) is the Indigenous Initiatives unit, which increases access to justice for Indigenous communities through the delivery of Indigenous specific justice services and the piloting of new services to better meet the needs of Indigenous Albertans.

Overrepresentation of Indigenous people in the justice system is a priority of justice and its stakeholders. Programs delivered by the Indigenous Initiatives unit supports Indigenous people and communities across the province and align with the government's priority of making life better for Alberta's Indigenous Peoples.

Indigenous Initiatives administers three programs, the Indigenous Court Work Program (ICWP), the Indigenous Justice Program (IJP) and the Gladue Report Program. These

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programs seek to facilitate and enhance access to the justice system for Indigenous people involved in family, youth or criminal court and to ensure they receive fair, equitable and culturally sensitive treatment and services.

The ICWP provides services to Indigenous people of the 48 First Nations in the four regions of the province. Five Indigenous non-profit organizations deliver the ICWP through contracts with the province.

The JSD budget supports for indigenous programs includes:

- \$4.6 M is for contracts with Indigenous Service providers delivering ICWP.
- \$960K for Gladue Report Writers/4 FTEs.
- The Criminal ICWP program is cost shared 50/50 with the federal government.
- The Family ICWP is not cost shared and is funded by the province.
- The IJP is fully funded by the federal government, with matching funds completed through in-kind resources from provincial programs.

Gladue Reports - The Supreme Court of Canada has indicated they will overturn lower court decisions if the court cannot demonstrate that the unique circumstances of Indigenous people was taken into consideration during sentencing. The R. v. Ipeelee (2012) decision indicated the preferred format for the presentation of these unique circumstances is in the form of a written Gladue Report.

JSD is responsible for the management and oversight of the Gladue Reports, and the roster of lawyers contracted with the department to deliver the reports. These writers are specialized in that they are connected to the communities they serve, are required to meet with the Indigenous offenders and related parties that are identified, and then develop the report for review by the department to ensure it aligns with the requirements of the courts. In 2018-19, the courts ordered 926 reports.

Correctional Services Division (CSD)

CSD funded a variety of indigenous spiritual programs/activities, for example:

- Indigenous Spiritual pipe ceremony and healing circles/ Sweat ceremonies; Drumming/Smudging - Elder attends and smudges with inmates, prayer is said with the pipe, which is then lit and prayed with and passed around to the inmates. The Sweat Lodge will begin preparations at 8:00. Inmates will help with the making of bannock, setting up of the fire pit and cleaning out the lodge from the previous sweat;
- Healing Through Art - Inmates are offered opportunity to paint or sketch in a low structure environment and have quiet time with the APC or Elder;
- Individual counseling - To assist Indigenous youth with personal and family issues and coping strategies; Indigenous Release Planning - It focuses on preparing Indigenous inmates for their upcoming release back into mainstream society; Traditional Parenting - Traditional Parenting helps women to connect with Indigenous parenting customs and

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traditions and helps them to use their culture to foster healthy development of their children;

In addition, Community Corrections also contract out services to three reservation community agencies:

- Kainai Transition Centre Society \$436K
- Tsuu T'ina Nation Band - Stoney Corrections Society \$289K
- Yellowhead Tribal Community \$378K

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2. Question (PA 56-57):

Mr. Feehan: I would also like to ask about some specific issues with regard to the number of people who end up in jail as a result of nonpayment of fines. It's a large issue in the indigenous community, and I'm just wondering about strategies that you are using or some analysis that you maybe have done about how to reduce people ending up in jail— very expensive for us in this province – if it's an issue of nonpayment of fines. I understand there was some work that was done in the last while.

Dr. Cooley: It's certainly an issue that we're very much alive to, particularly on whether that's fines or not being able to address bail. It's an issue that we're looking into both with respect to the First Nation population as well as the non First Nation population. The idea is that we want to reserve our most expensive resource, which is custody, for those who truly need to be there because they're a danger to society and a danger to the communities and in danger of reoffending. It's something that we're looking into. We can certainly provide additional details if required.

Mr. Feehan: Is there an outcome associated with reducing the number of people who go to jail as a result of nonpayment of fines in your work?

Dr. Cooley: Right now we're at the exploratory stage for both of those, and we want to do some fact-finding and then provide some additional outcome measures.

Answer:

Bill 9 (2017) (Enforcement of Provincial Offenses - Warrant Reduction Project) came into force May 01, 2017. We have attached the last available report with statistics (Attachments 2 & 3).

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3. Question (PA-58):

Mr. Rutherford: I just want to follow up on the data centre aspect of it. Was that just for the crime prevention team that was set aside, or was that a broader strategy across the province?

Mr. Sweeney: Province-wide, yeah.

Mr. Rutherford: Okay. Does that continue to be properly – has it been properly funded?

Mr. Sweeney: We've not received any complaints from the RCMP. In fact, I can provide the committee with some specific information: they are giving us feedback that it's saving road time in the vicinity of 30 or 40 RCMP members for a full year.

Mr. Rutherford: Do we know how many reports that data centre has taken in? Then, to follow up on that, if that data centre report ends up becoming a criminal charge later on, have there been any issues with the witness testimony that it's gone from an RCMP officer to a data centre and then making it to the courts?

Mr. Sweeney: I have not heard of any problem or complication arising in the courts, and I do have that data that I can provide to the committee.

Answer:

According to the RCMP, from June 21, 2018 when it was introduced until July 31, 2019 the Police Reporting and Occurrence System (PROS) Data Center has received 20,152 calls from frontline officers. This has resulted in approximately 7,439 hours of front line officers data entry time being saved, or the equivalent of 6.2 General Duty Constable workload years.

There have been no issues in relation to the transcription of Officer information by the data center within the courts. It should be noted that the investigating officer must always review the information entered on their behalf by the data center for accuracy and to adopt the same as their report.

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4. Question (PA-58):

Mr. Rutherford: One of the outcomes the Justice and Solicitor General committed to achieving was that vulnerable Albertans would be safe and supported during interactions with the justice system. On page 32 of the 2018-19 annual report, performance measure 3(a), the percentage of people who agree that fair and impartial service is provided to prosecute people fell from 83 per cent to 70 per cent, not meeting the 2018-19 target of 84 per cent. As this drop signifies a significant shortcoming in the achievement of this target justice side?

Mr. Rutherford: Now, is there a particular question within that survey that scored significantly lower, or is it just across the board that confidence dropped, or is there a specific aspect where it fell considerably relating to this drop in satisfaction?

Mr. Tolppanen: I'm afraid I don't know the specific questions that were asked that led to the results that we're seeing. I don't know if there's information with respect to that that we can provide in that regard.

Mr. Bosscha: We can certainly take a look at that and provide that information if it's available with respect to that.

Answer:

The question on the survey referenced here measures the percentage of Albertans who agree that JSG provides a fair and impartial service to prosecute people charged with a crime.

In 2018-19, many Albertans (70 percent) agreed that JSG provides a fair and impartial service to prosecute people charged with a crime. This is 14 percentage points below the target of 84 percent and is down 13 percentage points from the previous survey.

The result is impacted by a variety of factors. From 2008-09, (when this measure was first introduced in the business plan), to 2016-17, the percentage of Albertans who agreed that JSG provides a fair and impartial prosecution substantially increased. The decrease from the previous survey may reflect the media coverage of major trials around the time the survey was administered and high-profile prosecutions that occurred outside of Alberta. Furthermore, at the time the survey was administered, the federal government legalized cannabis. This decision may have influenced survey results as Albertans attempted to predict the impacts of legalization, such as possible challenges associated with detecting and enforcing cannabis-impaired driving, and potential court delays resulting from the processing of cannabis-impaired driving cases.

The measure is also responsive to policy and program intervention by the ministry including prosecutions, public education and information programs and initiatives. The ministry has undertaken a number of initiatives to improve the efficiency and effectiveness of prosecution

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and court services, including: eliminating warrants to enforce minor infractions, using Court Case Management Offices to reduce pressure on the system, and using remote courtroom scheduling for defence counsel.

Many projects pursued by the ACPS have the concept of proportionality at their core. This involves the use of resolution options such as alternative mechanisms and streamlined processes to address less serious matters outside the formal court system, allowing courts to focus on more serious and violent criminal matters. The public may perceive that traditional, formal court processes are necessary. As less serious matters are diverted from the courts, public perception of prosecution services may be negatively influenced.

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5. Question (PA-59):

Ms Hoffman: I think this flows from the question my colleague Ms Rosin was asking when she was talking about charges not proceeding, though, so if we could have an estimate as to what it would have cost, the non-prioritized cases, I guess, what the financial implications would have been or other things. I imagine that somebody has done that work to make the decision to prioritize other cases because of the implications. So if there are documents that relate to that could be shared with us so that we understand what role those decisions played in making this final decision.

Mr. Tolppanen: We do track the number of cases that don't go through the whole court process as a result of having to prioritize serious and violent cases, so we can certainly provide that information.

Ms Hoffman: That would be helpful and at a later date through tablings would be more than sufficient.

Answer:

On a monthly basis, Crown offices provide a list of cases that are stayed or withdrawn because:

- A prosecutor is unavailable to prosecute the matter; or
- The matter could not be resolved in another fashion and a Crown prosecutor needed the time to prosecute a serious/violent offence.

Fewer than 50 cases met this criterion in 2018, compared to almost 500 in 2017.

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6. Question (PA-59):

Ms Hoffman: I want to pivot a bit now to the public guardian and trustee and just start with that I think there was a rolled-up number of 18,000 trust accounts managed by the trustee during the '17-18 year. I'm hoping that we can get some more details in terms of the breakdown. How many of those were minors? For example, I know that I've met some while I've been out in the community that definitely have raised some concerns about the way their files have been handled. How many were minors, and how many were on behalf of represented adults?

Ms Martini: The minors total is approximately 9,500, and the represented adult totals are close to 8,000 that have a guardian and a trustee, a public guardian and/or trustee. I don't have the specific breakdown for you of just trustee, but I could get that for you.

Answer:

As referenced in the OPGT's Annual Report, 2017-2018, the OPGT managed and protected the assets of 9,478 minors (Page 10). The number of people with a public guardian and/or trustee was 7,832. The total number of trusts were 18,438.

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7. Question (PA-59):

Ms Hoffman: What’s the intake process like? What’s the wait time? These are some of the things I’ve heard, when I’ve been talking in the community, around timeliness and the ability of the staff. People certainly haven’t been blaming the staff. They’ve just been saying that case volumes are too large and that the access is not sufficient for their desired hopes.

Ms Martini: With the trustee applications or referrals to us: it will depend on how much information comes in with the referral and how much time it takes us to go out and verify assets, verify liabilities, and then make the application to go forward to court. We would prioritize, and if it’s an urgent situation, we’ll attend to that first or in sequence. But those circumstances and that information are sometimes beyond our control, and we work as quickly as we can to get that. We can’t go forward for court application until we have that information.

Ms Hoffman: Would it be possible – I don’t expect you to have it here – to give a bit of, you know, maybe going back a number of years, sort of what caseloads look like at different points in time and what response rates look like just so we have a bit of a historical analysis?

Ms Martini: Yes. We can put that together for you.

Answer:

Please find below a table on caseloads over the past five years.

Year	Minors’ Trusts	Represented Adults	Deceased Estates	Total Number of Trusts as March 31 each year	Staff FTEs
2018-19	9,412	7,989 (RAs with a PG and/or PT)	546	18,037	256
2017 -18	9,478	7,832 (RAs with a PG and/or PT)	650	18,438	279
2016-17	9,600	7,056 (RAs with a PG and/or PT)	790	18,494	289
2015-16	10,100	6,300 (RAs with a PG and/or PT)	900	19,195	288
2014-15	10,418	4,917	932	19,715	289

Trusteeship Services Response times:

Recurring transaction functionality enables the consistent disbursement of funds monthly, weekly, bi-weekly, quarterly or even more frequently if required. This ensures clients have predictable access to their money through electronic funds transfer to their external accounts

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via established secure banking networks. The majority of client transactions are managed through recurring processes.

The client can also receive cheques by mail or pick the cheque up at reception during business hours.

In emergencies, the client can receive a cheque the same day. This option is seldom required due to good planning and use of recurring transaction functionality.

For non emergency purchases over three hundred dollars, quotes or appropriate supporting documentation must be submitted to the Trust Officer for review and approval within the individuals personal budget parameters. The time factor to receive approval is dependent upon volume and resourcing.

Guardianship Services response times:

Court appointed guardianship services for decisions or consents are available during regular business hours and an afterhours provincial emergency response system is in place to ensure timely personal decisions are made during after hours, weekends and holidays.

Mental Health Decision Maker of Last Resort. When there is no legal decision maker or family available to make a Mental Health Treatment decision, a psychiatric treatment facility may contact the Office of the Public Guardian and Trustee for the guardian representative to make that decision. Response times vary between same-day and three days, depending on the nature of the need.

Specific Decision Making is made under the Adult Guardianship and Trusteeship Act for health care treatment plan or for temporary placement within a facility. Response times vary between same-day and three days, depending on the nature of the need.

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8. Question (PA-64):

Ms Hoffman: ...The first one was around the OPGT report that was mentioned earlier. I'm wondering if that can be shared with our committee as well as a fee schedule that ties to the initiatives that they provide.

Mr. Bosscha: Certainly.

Answer:

The Office of the Public Guardian and Trustee (OPGT) is conducting a review of its fee structure and policy, which we expect to finish in 2020. Under the current policy, the OPT charges fees pursuant to section 40 (1)(a) of the *Public Trustee Act*, which states that:

- *The Public Trustee may charge a client a fee that the Public Trustee considers to be reasonable for any service, including legal services that the Public Trustee provides to the client or for a task or function performed by the Public Trustee for the benefit of the client.*

The Public Trustee Act section 40(4) states that:

- *The Court may review any fee charged to a client by the Public Trustee under this section.*

Fees have not changed since 2005, and are substantially less than other professional trustees, such as trust companies.

We provide copies of the OPGT Fees Policy and the OPT Fees Procedure, upon request.

Attachment 4 provides the OPGT administrative fee schedules, which include:

- A. Represented Adult Fee Schedule
- B. Deceased Estates Fee Schedule
- C. Minors Fee Schedule
- D. Life Interest Fee Schedule
- E. Monitoring Minors Trusts Fee Schedule
- F. Missing Person Fee Schedule
- G. Missing Beneficiary Fee Schedule
- H. Recovery of Funds from General Revenue Fund
- I. Investigation Fees Chart
- J. Schedule of Selected Legal Costs
- K. Public Trustee Income Tax Fee Schedule

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9. Question (PA-64):

Ms Hoffman: Then in terms of the remand section in the annual report and accompanying documents, I know that there was some expansion of treatment, including methadone and Suboxone in remand and, I think, maybe in other detention facilities as well. I'm wondering if we, looking backwards, of course, can have information about those measurable outcomes and what some of the implications were on behaviour and other things that were identified, again, in the annual report.

Mr. Bosscha: Yes. We can certainly provide that.

Ms Hoffman: Materiality. I'm hoping that you can tell us a little bit about what your materiality was in producing these documents and your financials that you submit so that we have confidence in their reflecting the overall costs and the audit, essentially, that we do internally as government to ensure that we are aware of that.

Mr. Bosscha: I would think we can provide that. Yes, we can.

Answer:

In response to the Alberta Opioid Crisis and the July 2018 Minister's Opioid Emergency Response Commission's Recommendation #32, opioid agonist therapy (OAT) initiation and maintenance, combined with other harm reduction strategies, is being facilitated at operational capacity at all adult provincial correctional centres.

In partnership, Alberta Health Services (AHS) Corrections and the Correctional Services Division also deliver psycho-social and intervention programming opportunities combined with OAT medications providing inmate-patients an overall therapeutic intervention environment.

Also pursuant to Recommendation #32, AHS Corrections provides inmate OAT patients with post-discharge transitional support to community OAT prescribers, or through the Alberta Opioid Virtual Opioid Dependency Program which provides province-wide OAT access from a proven clinical team.

The need to initiate, maintain, and stabilize inmate-patients on OAT prior to, and upon correctional centre transition to the community is supported by Corrections history data provided in the July 2019 Opioid-related deaths in Alberta in 2017: Review of medical examiner report which highlighted: "41 per cent of individuals who died from opioid poisoning in AB in 2017 had contact with either custody or community corrections within five years of death." Furthermore, "81 per cent of these individuals had been admitted to provincial custody within five years of death."

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Although correctional centre OAT outcomes cannot be measured due to high inmate-patient turnover and short –term stays, OAT has reliably and consistently proven effective in treating opioid dependency. OAT also reduces illicit opioid use, criminal/other high-risk activity, HIV and hepatitis transmission, deaths from overdose, and assists in providing safer correctional environments. Patients stabilized on OAT medications are able to live functional and productive lives.

Many studies have shown that OAT has a number of other direct benefits to both the patient and the community including increased employment, improved family stability, and overall improved health.

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10. Question (PA-65):

Mr. Feehan: I just have a few more questions, and I know that you were kind of cut off the last time, but I will wait for the report to get some of the information that you are providing. I noticed that you had mentioned earlier that there is about a \$7 million set of administration fees that have not been collected through your ministry, that it was sort of assessed that they existed, but you haven't actually gathered them up yet. I'm just wondering what the reasoning for not collecting them is.

Ms Martini: Some of it would be the value in the client's account, us not wanting to have an individual go less than \$7,000, a represented adult. For additional information, I would like to take that back and make sure I can provide you a fulsome response in writing.

Answer:

The OPGT is conducting a review of its fee structure and policy, which we expect to finish in 2020. Under the current policy, the Public Trustee collects fees for each of the client types that OPGT supports (see below). For Represented Adults, if a client has less than \$7,000 in their account at the time a charge would normally occur, fees are calculated but not levied against the account. They are entered as a liability.

Charges will be collected when sufficient funds are in the account, over the \$7,000 threshold, but will not result in the assets falling to below \$7,000. There are approximately 1,600 represented adults who have assets of less than \$7,000.

Other fees (for Official Guardian, Estates or Life Interest) are charged as per the table below.

The authority to collect fees comes from the *Public Trustee Act*. If a person has concerns about fees charged, there is always the opportunity when their trusteeship order is reviewed in court, to ask the Court of Queen's Bench to review the calculation of those fees and to examine if they were appropriate for the services that the Public Trustee provided.

Estate Administration Fees Payable to the Public Trustee

Represented Adults	\$2,791,012.36
Fees charged annually when sufficient funds (over \$7,000 in account) are available	
Decedent Estates	\$2,557,458.52
Fees charged upon (interim/final) distribution of funds	

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Official Guardian	\$1,184,692.18
Fees charged annually on anniversary date	
Life Interest	\$87,727.43
Fees charges in December of each year	
Missing Persons	\$59,717.51
Fees charged annually on anniversary date	
	<hr/>
	<u><u>\$6,680,608.00</u></u>

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11. Question (PA-66):

Mr. Stephan: You had mentioned in the past that you're developing an overtime plan to be more efficient, to have that not occur. If you could provide to the Public Accounts Committee that plan, we'd like to see it. I think that would be beneficial.

Answer:

Adult Centre Operations Branch (ACOB) has a large manpower budget, a portion of which is spent on overtime to ensure essential posts are filled as required and unpredictable operational events are staffed appropriately. With adequate staffing these operational demands can be covered through straight time resources wherever operationally feasible. Without adequate staffing, these requirements are often covered by permanent full time staff at overtime rates.

Over the past seven years, ACOB has seen fluctuations in overtime expenditures. In response to increasing overtime costs, Correctional Services Division (CSD) conducted a data analysis on the key drivers of overtime spending and has identified several initiatives aimed at reducing overtime costs. This analysis considered both business process and structural factors affecting overtime expenditures.

With respect to business processes, CSD analyzed whether absenteeism and training were impacting the increase in overtime expenditures.

- While absenteeism was found to be a contributor to overtime spending in general, absenteeism rates across ACOB for the first quarter of this fiscal year were comparable to rates at this time last fiscal year, demonstrating that absenteeism was not contributing to the increased overtime expenditure and accrual in the first quarter of 2019-20.
- Training requirements are also a potential contributor to overtime spending in general, as they often require backfill to accommodate the time away from the worksite, or staff are required to attend on days off at overtime rates. Training accounted for a moderate increase in overtime in the first quarter of the current fiscal year.
 - Last fiscal year, centres were asked to delay non-essential training and, in some cases, chose to delay essential training until cover-off was available. In the current fiscal year, centres have been advised to continue with essential training and recertification requirements to ensure safety and security in our centres.
 - Further, in November 2018 master agreement provisions changed, requiring the employer to pay overtime rates for training scheduled on a scheduled day of rest, rather than at straight time (17.05 (b)).
 - With respect to structural factors, CSD analyzed the permanent active head count for ACOB between the first quarter of this fiscal and the first quarter of last fiscal, and conducted a historical analysis of staffing levels and overtime at Edmonton

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Remand Centre (ERC). Examining vacancies as a driver to overtime is critical for ACOB as there are some frontline positions in the GOA that could remain unfilled and lead to a reduction in service levels, but this is not the case with Correctional Peace Officers (CPO) and Case Workers (CSW). Frontline positions in centres are required to be filled for safety reasons (OH&S, post ratios, etc.).

- The vacancy analysis demonstrated that a reduction in permanent staff is the primary driver to the overtime increase in ACOB between the first quarter of last fiscal year and Q1 of this fiscal year. In the first quarter of 2018-19, ACOB's active head count of all permanent employees was 1,676, which decreased to 1,597 in the first quarter of 2019-20 (-79). The net reduction in frontline CPO and CSW employees between those two quarters was 63. Based on the analysis, if those 63 frontline positions were filled at the beginning of the first quarter, it is estimated that a minimum of \$1,010,650 in overtime costs could have been avoided.

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12. Question (PA-66):

Mr. Stephan: I'd also like it if you could please provide to the committee, in terms of the legalization of marijuana, a report on whether or not the legalization has increased or decreased costs in the justice system and where it shows in your actual financial results.

Answer:

Upon implementation of the policy and legislative framework supporting cannabis legalization, the lead on the cannabis file was transferred to the Minister of Treasury Board and Finance (TBF), as the Minister responsible for the Alberta Gaming, Liquor and Cannabis Commission (AGLC).

As part of its commitment to protect the health and safety of Albertans, TBF will review the efficacy of the Alberta Cannabis Framework to ensure that the province is achieving the four policy objectives outlined in the Alberta Cannabis Framework:

- promoting safety on roads, in workplaces and in public spaces;
- protecting public health;
- limiting the illegal cannabis market; and
- keeping cannabis out of the hands of children and youth.

Given the recent implementation of the regulatory framework, and upcoming changes with the legalization of cannabis edibles, extracts and topicals later in 2019, it is premature to attribute any additional costs or savings to the justice system due to legalization of cannabis. Government will continue to monitor events as they unfold.

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13. Question (PA-66):

Mr. Stephan: Finally, the Attorney General had asked for the department to develop a business plan for the \$75 million victims of crime fund. If we could please be provided with that business plan, that would be great.

Mr. Bosscha: I think that we can certainly do that.

Answer:

On February 10, 2016, the Office of the Auditor General (OAG) released its report on the Victims of Crime Fund (VOCF). The OAG report recommended that the ministry:

- develop and approve a business plan with measurable results for the VOCF program;
- publicly report on the results of this business plan; and
- determine the best use of the VOCF accumulated surplus.

In response to the OAG recommendations, Alberta Victims Services developed a VOCF 2019-2022 Business Plan. Releasing a VOCF business plan separate from the ministry business plan will not only meet the OAG's requirements, but will also allow the ministry to profile the important work underway to support victims of crime in Alberta.

Alberta Victims Services worked hard to develop appropriate outcomes, strategies, performance indicators, and measures that will ensure victims of crime have a full range of resources and supports to assist them through the criminal justice system and support their recovery and well-being.

The VOCF 2019-2022 Business Plan will be reviewed following Budget 2019 finalization and subsequently, the approved plan will be publicly released.

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14. Question (PA-67):

The Chair: All right. We now proceed to the lightning round element of our proceedings today, which is three minutes for reading questions or requests for undertakings for the department to provide to the committee.

Ms Phillips:

- 1) How many FTEs for quality assurance are in the office of the public guardian and trustee to satisfy the recommendation around file management and sort of controlling for risk of errors and so on;
- 2) if we could be shown some evidence of how the surplus management recommendation has been met by the office of the public guardian in response to the AG's recommendation;
- 3) if we could be provided some information around the training for OPGT staff, and report to us any analysis around turnover in staff due to stress or other factors;
- 4) if the OPGT could share with us the timeline for the IT implementation changes for the 35-year-old system that was referenced and the approximate costs for such an undertaking, given that a straight line was drawn between the IT turnover and the disposal of the surplus assets.

Answer:

1) How many FTEs for quality assurance are in the office of the public guardian and trustee to satisfy the recommendation around file management and sort of controlling for risk of errors and so on;

OPGT relies on a layered system of quality assurance. Line staff are trained and equipped with checklists to ensure quality in their own work. Supervisors have specific review functions of line staff's work, and the OPGT processes use a risk matrix to incorporate specific quality assurance checks and balances in day-to-day operations. Within OPGT branch, we have 1 Manager, 1 Supervisor, and 3 QA Specialists, all of whom are dedicated to running and improving the OPGT QA assessment system. OPGT is housed in the Justice Services Division, and they have 8 positions assigned to Divisional Assurance; this group provides monthly checks of OPGT disbursements against policy as an arms-length quality assurance function. Lastly, OPGT enjoys regular audits by the Corporate Internal Audit Services and OAG.

2) if we could be shown some evidence of how the surplus management recommendation has been met by the office of the public guardian in response to the AG's recommendation;

The objectives of the OPGT Common Fund are:

- to preserve clients' capital;
- to provide sufficient liquidity for
 - payment of clients' regular and irregular expenditures and liabilities; and

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- repayment of clients' guaranteed account balances at the conclusion of their relationship with the Public Trustee or as otherwise required
- to generate returns to allow interest to be credited to clients' guaranteed accounts as per the legislation at competitive rates, or higher;
- to provide funds for payment of compensatory payments to clients as provided by section 35 of the *Public Trustee Act*; and
- to provide funds for transfers to the General Revenue Fund to be applied to the cost of administering the Act, as provided by section 32(4) of the Public Trustee Act.

In order to address the OAG recommendation of improving how the fund is managed, OPGT sought expert advice from industry experts. The OPGT retained the services of AON Hewitt to perform an Asset and Liability Study of the Common Fund and surplus. The Common Fund Investment Advisory Committee accepted the recommendations of this study and an implementation plan was created in consultation with the Investment Manager, Philips Hager & North. This plan has since been implemented.

To provide more detail, AON Hewitt performed a study of our fund and made a recommendation that it would be prudent to retain a threshold of 18% in the accumulated surplus of our common fund. This 18% rate may vary depending on market factors or large projects of benefit to the clients in administration of the Adult Guardian and Trusteeship Act (AGTA).

The study focused on strategies with the following objectives:

- Stable interest crediting over time;
- A stable surplus that can withstand adverse conditions;
- Insulation from market fluctuations;
- The cost assumptions needed to replace the 35 year old legacy computer system (see table below); and
- And, a low probability of a deficit within the fund.

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<u>\$ million</u>	<u>Expenses</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2025</u>	<u>2040</u>
Operating Fees: \$620K annual fee plus errors and omissions (0.15% of the Common Fund Balance annually)	annual	\$0.8							
IT System Replacement	one-time	\$1.1	\$1.0	\$5.1	\$4.8	\$2.4			
Annual System Support commencing 2021	annual						\$0.7		
System Enhancements Every 5 years starting 2025								\$1.0	
Full system Replacement starting 2040	one-time								\$28.0

OPGT also has a 10 member Investment Advisory Committee (IAC). This expert advisory panel provides advice and recommendations to the Public Trustee at quarterly meetings on the management of our funds. Managing the surplus fund is a standing item for discussion at each meeting. The panel members include:

Barb Martini	Executive Director, OPGT
Johanna Looby	Assistant Public Trustee, Finance, OPGT
Sharon Vogrinetz	IAC Public member, experience managing pensions
Virendra Gupta	IAC Public Member, experience managing pensions
Sheldon Wagner	TB & F Director, Debt Operations & Corp Finance
Jasmine Nuthall	JSG Director, Financial Compliance
Curtis Marcotte	IAC Public Member, CFA, banking executive
Rod Babineau	IAC Public Member, former TB & Fstaff
Cheryl Fix	Public Trustee, OPGT
Bob Heinrichs	IAC Public Member, former banking Vice President

OPGT will be using part of the accumulated surplus to purchase a new information management system to replace the Public Trustee Information System (PTIS). PTIS is the trust accounting software the Public Trustee has used since the 1980s. It is a 35-year-old legacy application built on outdated technology.

OPGT has been approved to contract with a vendor to implement a current solution to handle the OPGT's trust accounting and case management needs and enable future integration with document management.

An amount of \$8.4 million has been approved to be spent over the next two years with additional costs in further years, for a total estimated cost of \$15 million over five years. An

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additional \$28 million will be spent on the build for the out years, projected until 2040. The IAC's May 29, 2019 meeting was held to consider investment results for the quarter ending March 31, 2019.

Summary as of March 31, 2019 - Based on audited Financial Statements

Common Fund Assets (includes Surplus) (\$millions)	Start Fiscal Year	End Fiscal Year	Fiscal Year over Year Change	As of March 31/19	Avg yld GoC 5 yr Bond over last 5 years
Common Fund Assets					
Tracking Portfolio	434.8	438.0	3.2	2.61% yield	1.34%
Diversified Portfolio	75.6	79.0	3.4	5.94% annual return	
Cash Accounts	6.7	8.2	1.5	1.87% yield	
Total Common Fund Assets (includes Surplus)	517.1	525.2	8.1		
Audited Financial Statement Surplus	77.8	74.6	(3.2)	16.8%	
Client Guaranteed Accounts	433.3	443.5	10.2		

All materials and information requested by the OAG related to this matter has been submitted for their review. We anticipate our final meeting with the OAG to sign off on this recommendation to be later in the fall, scheduled at their convenience.

3) *information around the training for OPGT staff, and report to us any analysis around turnover in staff due to stress or other factors;*

Training:

An important step taken to meet the OAG recommendations was to hire full-time trainer/educator.

Over 2018/19, training was driven by our policies and developed and provided to staff by this trainer. The priorities for training are identified through a variety of ways, including Errors & Omissions root cause analysis, risk-based file reviews, and other risk management and quality management methodologies.

The following are additional training topics that we have offered to our staff.

- Insuring assets properly,
- Fiduciary responsibility,

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- Asset Management and Investigations,
- Investment and Financial Planning,
- Account review for inheritance acceptance,
- AISH and maximizing eligibility by modifying their asset mix,
- Corporate Security and Fraud, and
- Trust Administration for Supervisors

Pre and post training surveys and analysis for continuous Improvement have been conducted for each training.

Staff Stress, Vacancies and LTD

OPGT has a lean staff component of 242 staff, 11 managers, an Executive Director and Public Trustee. As of September, 2019, there are 18 staff away on Long Term Disability (LTD), with temporary staff covering in some cases. There are additional staff on short term illness and currently 25 vacancies that are not able to be filled due to the hiring restraints, with temporary coverage or staff rotating through vacant positions on a monthly basis in addition to their own.

To manage stress, all staff have access to Morneau Shepell, the GOA Employee & Family Assistance Program. Since staff have joined Justice and Solicitor General, one of the resources available to staff is access to peer support program mentors. Trained peers are available to listen to our staff and make basic referrals. This confidential service has been anecdotally well received by our staff.

Supervisors and have also received training called “Working Minds: Mental Health for First Responders” – a day long course, based on Canada’s Commission on Mental Health’s, Mental Health Continuum Model. Our staff have also been offered the opportunity of a four-hour course, tailored to their needs. This course has raised awareness of stress in the workplace and provided hands-on opportunities for Supervisors and Managers to address these situations with their staff.

4) *What is the timeline for the IT implementation changes for the 35-year-old system that was referenced (OPTIS) and the approximate costs for such an undertaking, given that a straight line was drawn between the IT turnover and the disposal of the surplus assets?*

OPGT will be using part of the accumulated surplus to purchase a new information management system to replace the Public Trustee Information System (PTIS). PTIS is the trust accounting software the Public Trustee has used since the 1980s. It is a 35-year-old legacy application built on outdated technology.

OPGT has been approved to contract with a vendor to implement a current solution to handle the OPGT’s trust accounting and case management needs and enable future integration with document management.

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An amount of \$8.4 million has been approved to be spent over the next two years with additional costs in further years, for a total estimated cost of \$15 million over five years. Additional costs are projected to September, 2040, with an estimated amount of \$43 million in total.

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15. Question (PA-67):

Mr. Feehan: On behalf of Member Renaud, who sent in the question, she just would like to know a little bit more about what happens if an individual has less than \$7,000 and they're not taken on by the office of the public guardian. Where are they referred, and what resources are available for assisting them?

Answer:

If an individual has less than \$7,000, they may still have the Public Trustee appointed and be taken on as a client of OPGT. The reference to \$7,000 was with regards to the threshold of a client's account for which no fees would be charged. The OPGT is conducting a review of its fee structure and policy, which we expect to finish in 2020. Under the current policy, if a client has less than \$7,000 in their account at the time a charge would normally occur, fees are calculated but not levied against the account.

Clients who are not taken on by the OPGT, may have a private trustee appointed and be offered assistance with referral options for informal trustees.

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16. Question (PA-67):

Mr. Feehan:

- 1) I also myself would be interested in knowing what data you collect on the number of employees in your departments that identify as First Nations, Métis, or Inuit.
- 2) I'm particularly interested in whether or not we have members who are on the Human Rights Commission representing those individuals, prosecution, and officers.
- 3) And I would like to know a little bit about any efforts you're making toward recruitment of indigenous people to participate in the various departments that you have.

Answer:

1. Provide the number of employees within the department that are identified as First Nations, Métis, or Inuit.

- The first time the GOA collected this information was in 2018 through the employee engagement survey. This data is from a particular point in time (June 2018) and the numbers are based on the individuals who participated in the survey and self-identified. JSG had 3820 respondents for an overall participation rate of 55%.
- 149 employees within JSG identified as Indigenous. 148 employees responded to the sub-category questions:
 - First Nation: 44
 - Inuit: 0
 - Metis: 85
 - Yes, but sub-category not included: 8
 - Yes, but prefer not to answer: 11

2. Whether or not JSG has members who are on the Human Rights Commission representing those above individuals, prosecution, and officers?

- Individuals who meet the requirements of the position may be appointed at the discretion of Cabinet. Alberta's public agencies do important work on behalf of the government. Public agency boards are comprised of individuals with diverse backgrounds and the desired skills and competencies.
- The government's recruitment website, <https://www.alberta.ca/alberta-boards.aspx>, makes it easier for Albertans to search and apply online for opportunities with agencies, boards, and commissions. The goal is to ensure that all Albertans have an opportunity to participate in governance and that board appointments reflect Alberta's diverse population. It is recognized in Alberta as a fundamental principle and as a matter of public policy that all persons are equal. Diversity and inclusion are valued and supported on the boards of Alberta's public agencies.

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3. *Summarize any efforts you're making toward recruitment of indigenous people to participate in the various departments that you have.*
- JSG has implemented a number of strategies to support a diverse and inclusive workplace:
 - **Action Plan:** "[We are the APS: Diversity and Inclusion Action Plan 2019-2022](#)" is a three-year action plan for the APS that was developed to continue our support of a healthy, positive, diverse and inclusive workplace. The plan's commitment to action is to:
 - Support an inclusive and respectful workplace that retains employees and builds engagement
 - Recruit a diverse workforce and address recruitment barriers faced by underrepresented groups
 - Build the capacity of all employees to succeed
 - Enable evidence-based decision-making and measurable progress.
 - **Training includes:** [Unconscious Bias in the Workplace and Unconscious Bias in the Workplace for Managers, Supervisors and Human Resources](#), and introductory [Indigenous training](#).
 - **Grassroots Committees:** Diversity and Inclusive Committees further support diversity and inclusion in the APS. They are an opportunity for employees to share ideas, experiences, and expertise. In addition to the APS Grassroots Committee, which all volunteer members are a part of, department committees support the unique needs of departments.
 - **Job Postings (GOA ROLES):** We have also incorporated an employer statement commitment on all job postings
 - "The Government of Alberta is committed to a diverse and inclusive public service that reflects the population we serve to best meet the needs of Albertans. Consider joining a team where diversity, inclusion and innovation are valued and supported."

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17. Question (PA-67):

Mr. Dach: I'm wondering if there's a process in place with respect to evaluation of the new IT system to ensure it's capable of doing what was intended, and if so, will the results of that evaluation be reported, and to whom will they be reported? Also, are there processes in place to alter or correct the system that's not doing what was intended, and if not, why is there not an evaluation process in place?

Answer:

PTIS is the trust accounting software the Public Trustee has used since the 1980s. It is a 35-year-old legacy application built on outdated technology.

OPGT has been approved to contract with a vendor to implement a current solution to handle the OPGT's trust accounting and case management needs and enable future integration with document management.

There is an overall project team who have been working on this plan. The team includes members of OPGT staff and external Information Technology (IT) and project management staff.

The below criteria has been used as a guide for designing the overall project and evaluation including:

a) Corporate governance

- OPGT executive and senior business stakeholders are visibly involved in key aspects of the project from key decision making, approving changes to business processes and services and providing oversight to the project to ensure risks to project failure are properly managed and mitigated.
- Roles, responsibilities and accountabilities are clearly defined for all staff and vendors involved in the project and in the business units affected by the new system.
- All stakeholders and project work groups are committed to the project.
- Sufficient resources are provided by management to ensure project success and they have the necessary skills and competence required for their participation.
- The OPGT committees are actively managing the project, receiving regular reports on progress and risks and meeting regularly to provide feedback on issues resolution and direction setting.
- A quality assurance health-check review is performed periodically to assess project progress and identify problems that can cause the project to fail.

b) Business change management controls

- Business process re-engineering is undertaken in parallel with or as part of the project.

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- The project scope, objectives, costs, benefits and impacts are communicated to all involved (impacted stakeholders and work groups).
- Project definition and scope are consistent with stated business strategies and objectives.
- All functional and non-functional requirements reflecting the necessary processes, organizations, people, application, data and technology are defined.
- Knowledgeable business users are involved in determining the gap-fit between existing business processes and proposed new processes.
- Business requirements are defined, agreed to by all relevant stakeholders, approved by project governance bodies and implemented in the new system.
- During the course of the project if any requirements are removed from the initial implementation, to either be addressed at a later date or deemed no longer needed, appropriate approvals are in place by the project governance bodies.
- Known system and business process control weaknesses are defined in the business requirements with appropriate resolutions defined and included in the new system.
- Business and IT systems and processes made obsolete by the new system are appropriately decommissioned.
- Automated and manual controls are well designed, documented and implemented in the new system and its supporting systems and processes, including but not limited to; access permission controls to ensure security roles are maintained and segregation of duties conflicts are avoided and data entry controls are implemented for critical fields to prevent duplicate or incorrect data entries.

c) Project management and Implementation readiness

- A testing strategy is defined with detailed test plans for system and user acceptance testing – testing criteria is defined and expected results are defined and all test results are documented.
- New system features are thoroughly tested and results approved by knowledgeable business staff who will be using the system once in production.
- Adequate training is provided to all staff to ensure they have the necessary skills to properly and effectively carry out their business responsibilities using the new system and its new business processes (if any).
- The implementation plan includes roles and responsibilities of service providers, any partner agencies, clients, the project working group and the business unit user community involved in the implementation.
- A ‘Go No-Go’ criteria is defined by the project’s governance bodies and communicated to all involved and impacted by the new system.
- A project communication plan is developed and includes progress reporting and implementation readiness plans and strategies.
- A Human Resources (HR) resourcing plan is developed to ensure that any changes to business unit organization to support the new system is defined and appropriately staffed.
- A data conversion and migration strategy is defined and includes verification testing procedures and business signoffs.

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- Data is converted from the old systems into the new system with no errors and omissions.
- Member accounts are reconciled to ensure that balances are complete and accurate.
- Formulas for calculated financial data are compared to original values to ensure they are working correctly.
- record counts and totals are reconciled between the old and new system components
- data integrity is maintained – data conversions are accurate, tested and approved before proceeding with implementation

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18. Question (PA-67):

Mr. Stephan: If you could provide us, you know, in a culture of continuous improvement, a listing of course corrections that Justice has made in furtherance of meeting its stewardships in respect of the Alberta cannabis framework policy.

Answer:

Upon implementation of the policy and legislative framework supporting cannabis legalization, the lead on the cannabis file was transferred to the Minister of Treasury Board and Finance, as the Minister responsible for the AGLC.

As part of its commitment to protect the health and safety of Albertans, TBF will review the efficacy of the Alberta Cannabis Framework to ensure that the province is achieving the four policy objectives outlined in the Alberta Cannabis Framework:

- promoting safety on roads, in workplaces and in public spaces;
- protecting public health;
- limiting the illegal cannabis market; and
- keeping cannabis out of the hands of children and youth.

Given the recent implementation of the regulatory framework, and upcoming changes with the legalization of cannabis edibles, extracts and topicals later in 2019, it is premature to attribute any additional costs or savings to the justice system due to legalization of cannabis. Government will continue to monitor events as they unfold.

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19. Question (PA-67):

Mr. Rutherford: 1) I would just like to know the percentage that the RCMP is fulfilling its contract obligation on personnel and whether or not it's fully staffed.

Answer:

The RCMP Provincial Police Service Regular Members and Civilian Members Full Time Equivalent Utilization in 2018-19 was 1,561.

Utilization currently is approximately 1,600 though that is a constantly moving and adjusting number and is subject to cadet intake plans, transfers, etc.

The RCMP is committed to fully meeting our funding CAP levels for the current fiscal year.

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20. Question (PA-67):

Mr. Rutherford: 2) if there's any data that has been collected on the mental health court, on the rates of recidivism and the breaking down of silos; is the program showing successes?

Answer:

A collaborative evaluation between the JSG Ministry, Alberta Courts and Alberta Health Services is underway to understand the functioning and impact of the mental health court, to help break down silos and help inform future models. It is anticipated that the evaluation will be completed in summer 2020

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21. Question (PA-67):

Mr. Gotfried: In reference to victims of crime I'd like to have a response to:

- 1) what steps are you taking to utilize the growing annual surplus to better serve those who need it, as there have not been any significant steps taken in this area since 2016 and some recommendations at that time,
- 2) What type of education and communications plans might you have in place so that those who are victims of crime are aware that there are some options and opportunities for them?

Answer:

- 1) In 2018-19, the Government of Alberta announced an additional \$4.5 million from the Victims of Crime Fund. The increase was directed to police-based victim services units in seven municipalities, support for domestic violence survivors, help for victims in court, restorative justice initiatives and expanding outreach services for Indigenous victims.
- 2) Police Services are responsible to refer victims of crime to police based victim service units or other specialized services. Victims service units provide victims of crime with community awareness and education to ensure that they are aware of the options available to them in order to get the support that they require.

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22. Question (PA-67):

Mr. Rutherford: The Mental Health Police Advisory Committee: your report talked about 250 people or personnel, first responders, who have received the training. Is there a plan to extend that across all first responders in the policing community?

Answer:

The work of the Mental Health Police Advisory Committee (MHPAC), including the provincial two-day “Police & Community Response to Mental Illness” training, strives for standardization across Alberta where possible; however, the MHPAC recognizes and supports community-specific response models based on local resources and capacity as necessary and effective. The MHPAC includes representation from critical health and police partners, such Alberta Health Services (AHS) and municipal, First Nations and RCMP police, and these partners work collaboratively to determine when and where to implement training sessions to maximize effectiveness and best respond to need. The current primary target group for the training is police, both frontline and supervisory, and Alberta Health Services staff, including frontline and supervisory Emergency Medical Services (EMS), Protective Services, nurses and physicians. To date, sessions have occurred across the province in Edmonton, Grande Prairie, St. Paul, Red Deer, Medicine Hat and Lethbridge, and future sessions in the Calgary area are under discussion. The MHPAC is also considering a provincial evaluation of the training to determine a structured, long-term implementation plan.

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23. Question (PA-67):

Mr. Stephan: I'd be interested in understanding what changes are being contemplated in respect of what's called catch and release to increase the public's confidence in the administration of justice in our policing.

Answer:

Duty Counsel from Legal Aid Alberta is available to represent accused individuals at bail hearings, ensuring they have proper legal advice prior to attending a bail hearing before a Justice of the Peace to determine if they will be released.

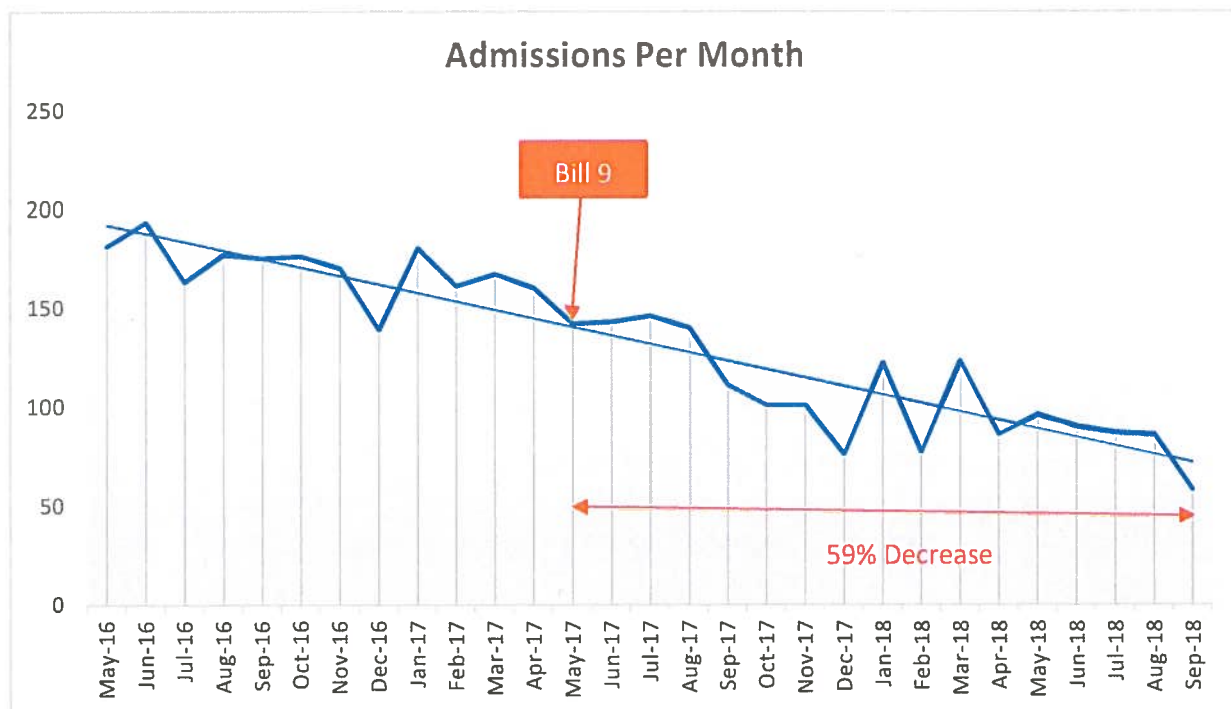
The UCP Government will be hiring 50 new prosecutors and support staff and will be looking at the following recommendations they have put forward in their Rural Crime Strategy:

- Develop a policy that deals specifically with repeat offenders in order to ensure they are dealt with consistently and effectively across the entire system.
- Encourage increased use of electronic monitoring of high-risk and repeat offenders.
- Establish a high-risk repeat offenders unit in each judicial district and dedicate resources to dealing specifically with these cases.
- Amend the Crown Policy Manual to require prosecutors to produce criminal records at bail hearings.
- Amend the Crown Policy Manual to require Crown prosecutors to ask judges to record the reasons for a case adjournment and provide the information to the public on an annual basis.
- When appropriate, oppose pre-trial custody credit in cases where bail has been denied due to a person's past record. (See sections 515(10)(b) and 719(3) of the Criminal Code.)
- Review Chief Justice Wittman's ruling requiring prosecutors to conduct bail hearings and explore whether an alternative model can be developed to maximize the productivity of resources.
- Lobby the federal government to make it a crime to breach the conditions of parole or statutory release, as is currently the case for bail or probation breaches.
- Lobby the federal government to amend the Corrections and Conditional Release Act to keep offenders that who breach parole or conditional release requirements behind bars by:
 - replacing presumptive statutory release at expiration of two-thirds of the sentence with earned parole for persons serving a second or subsequent federal sentence;
 - creating escalating parole eligibility delay consequences for offenders on conditional release that commit new indictable offences;
 - requiring the reporting of a breach of conditional release to the Parole Board for consideration of release revocation; and
 - requiring consideration by the Parole Board of past breaches and the availability of post warrant expiry supervision orders.
- Require crown prosecutors to consider vulnerabilities specific to rural areas when considering prosecution of property owners who acted in self-defence.



Pure Fine Defaulters Provincial Statute or Municipal Bylaw Only, \$1000 or Less

Bill 9 (2017) (Enforcement of Provincial Offenses - Warrant Reduction Project) came into force May 01, 2017. The following data reflects admissions to Alberta's adult provincial correctional centres where the person was admitted solely for defaulting on one or more provincial statute or municipal bylaw fine(s) valued at \$1000 or less.



All Centres:

- Between May 2017 and September 2018, the number of persons in custody solely for defaulting on one or more provincial statute or municipal bylaw fine(s) valued at \$1000 or less has decreased by 59%.
- The average monthly number of admissions in the one year prior to Bill 9 was 170.
- The average monthly number of admissions between May and October 2017 was 131.
- The average monthly number of admissions between November 2017 and April 2018 was 98.
- The average monthly number of admissions between May and September 2018 was 83.

For individual centres, decreases are evident at the two largest remand centres in Edmonton (68% decrease between May 2017 and September 2018) and Calgary (53% decrease between May 2017 and September 2018). Changes at the smaller centres are difficult to interpret due to the small number of admissions (see tables and graphs below).

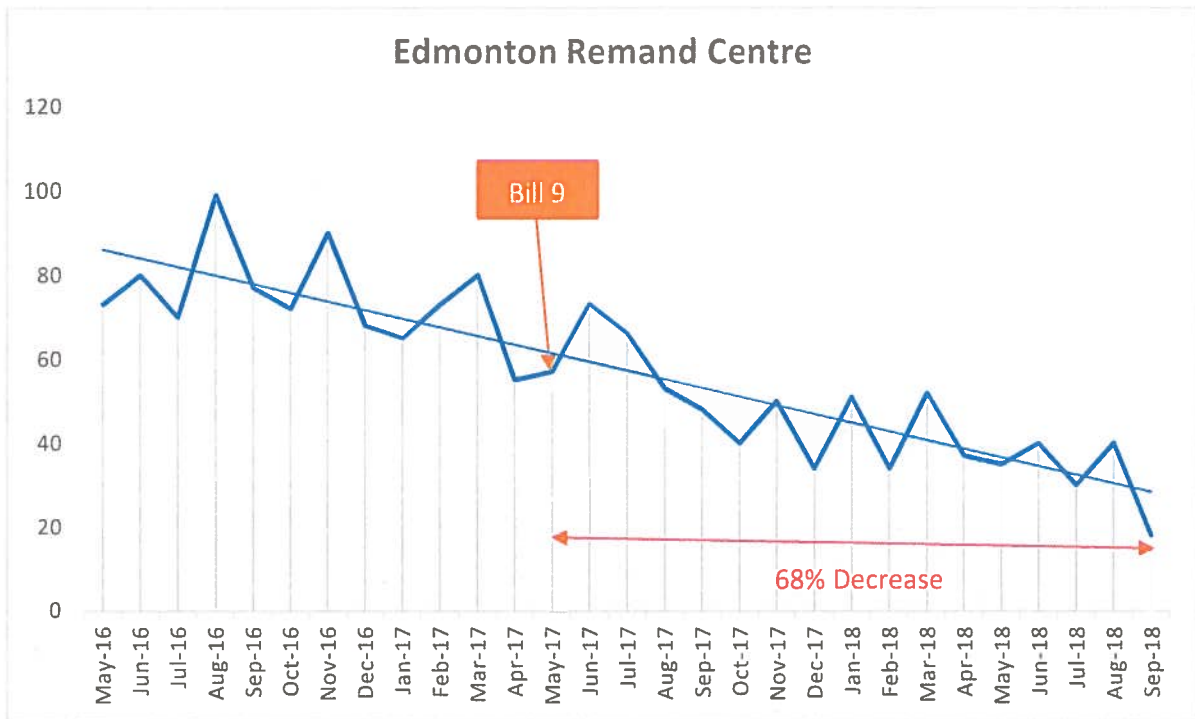
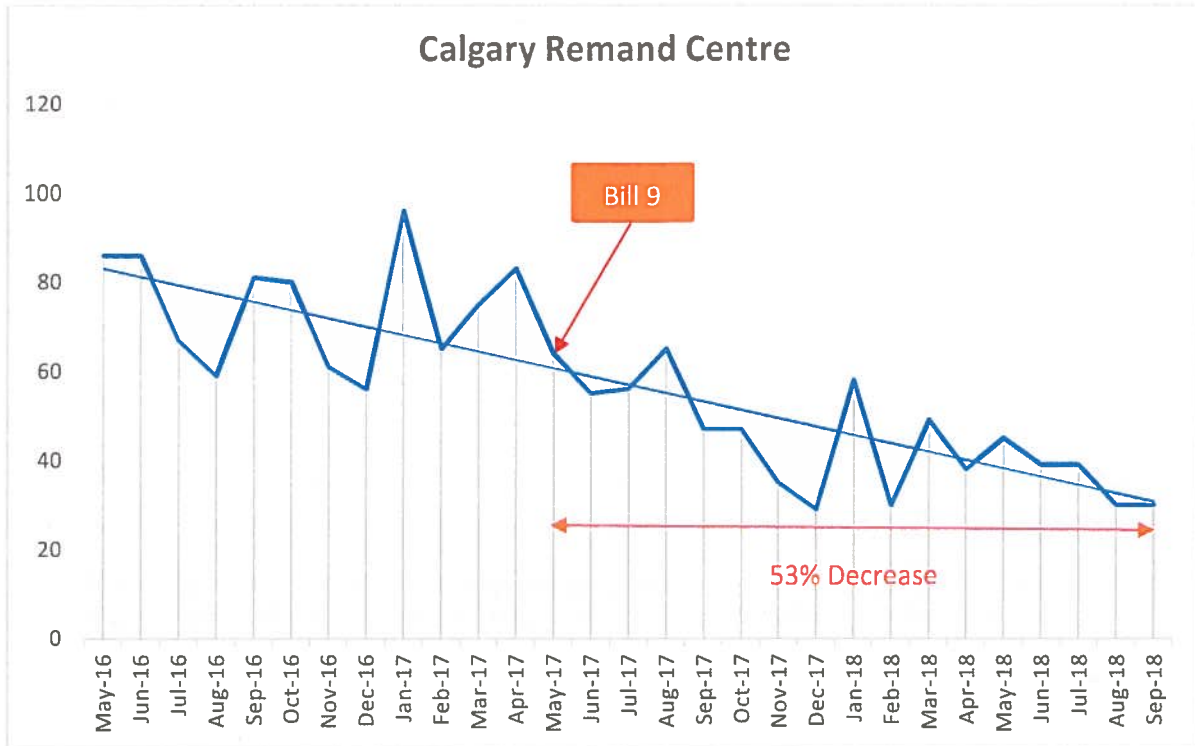


Table 1: Average Monthly Admissions per Month

Time Period	All Centres	Calgary Remand	Edmonton Remand	Medicine Hat Remand	Red Deer Remand	Lethbridge Correctional	Peace River Correctional
May 2016 - Apr 2017	170	75	75	5	7	8	1
May 2017 - Oct 2017	131	56	56	3	7	7	2
Nov 2017 - Apr 2018	98	40	43	3	5	6	1
May 2018 - Sep 2018	83	37	33	3	7	5	0

Table 2: Detailed Admissions per Month

Month	All Centres	Calgary Remand	Edmonton Remand	Medicine Hat Remand	Red Deer Remand	Lethbridge Correctional	Peace River Correctional
May-16	181	86	73	6	9	6	1
Jun-16	193	86	80	7	7	13	0
Jul-16	163	67	70	5	8	11	2
Aug-16	177	59	99	1	11	7	0
Sep-16	175	81	77	4	6	6	1
Oct-16	176	80	72	8	5	9	2
Nov-16	170	61	90	6	6	6	1
Dec-16	139	56	68	2	8	5	0
Jan-17	180	96	65	8	1	10	0
Feb-17	161	65	73	6	10	6	1
Mar-17	167	75	80	2	5	5	0
Apr-17	160	83	55	8	4	8	2
May-17	142	64	57	4	8	8	1
Jun-17	143	55	73	0	10	4	1
Jul-17	146	56	66	2	10	8	4
Aug-17	140	65	53	4	10	6	2
Sep-17	111	47	48	3	3	10	0
Oct-17	101	47	40	2	3	8	1
Nov-17	101	35	50	2	5	9	0
Dec-17	76	29	34	3	4	4	2
Jan-18	122	58	51	3	7	3	0
Feb-18	77	30	34	1	4	7	1
Mar-18	123	49	52	6	5	10	1
Apr-18	86	38	37	2	4	5	0
May-18	96	45	35	1	8	7	0
Jun-18	90	39	40	3	4	4	0
Jul-18	87	39	30	2	9	7	0
Aug-18	86	30	40	4	9	3	0
Sep-18	58	30	18	3	3	4	0

Prepared by: Christie Nicholson, Researcher, Correctional Services Division, Strategic Services Branch
 Source: ORCA Data as of Nov 01, 2018; SAS Program S:\SOLGEN\Solicitor General\Corrections\Head Office\Research Group\InfoSystems\ORCA\SAS-Programs\Fine-Defaulter-Admissions-2018-Analysis

% change from Mar 2017

Provincial -25.9%
 Municipal -73.9%
 Total -16.0%

Total Number of Outstanding Warrants				31-Dec-18	
	Federal	Provincial	Municipal	Total	
Arrest	115,786	27,556	5,050	148,392	
Witness	481	25		506	
Committal	1,211	14,706	3,719	19,636	
Total Warrants	117,478	42,287	8,769	168,534	

Total Number of Outstanding Warrants				31-Mar-18	
	Federal	Provincial	Municipal	Total	
Arrest	108,317	23,721	5,824	137,862	
Witness	498	14		512	
Committal	1,316	12,776	4,657	18,749	
Total Warrants	110,131	36,511	10,481	157,123	

Total Number of Outstanding Warrants				30-Sep-17	
	Federal	Provincial	Municipal	Total	
Arrest	111,920	34,342	16,703	162,965	
Witness	729	15		744	
Committal	1,440	16,864	6,822	25,126	
Total Warrants	113,360	51,206	23,525	188,091	

Total Number of Outstanding Warrants				31-Mar-17	
	Federal	Provincial	Municipal	Total	
Arrest	107,772	39,520	26,169	173,461	
Witness	674	24		698	
Committal	1,479	17,559	7,493	26,531	
Total Warrants	109,925	57,079	33,662	200,690	

Schedule A

OFFICE OF THE PUBLIC TRUSTEE

**ADMINISTRATION FEE SCHEDULE
REPRESENTED ADULTS AND INCAPACITATED PERSONS***

On and after January 1, 2005

FILE OPENING FEE	\$75.00
FEE ON CAPITAL RECEIPTS <ul style="list-style-type: none"> ➤ Fee on bank accounts collected, proceeds of securities sold and pensions redeemed for their cash value ➤ Fee on sale of real property through an agent ➤ Fee on sale of real property by the Public Trustee ➤ Fee on all other capital receipts SEE Note 1. 	1% 1% 5% 2%
FEE ON REVENUE RECEIPTS <ul style="list-style-type: none"> ➤ Fee on interest on funds held by the Public Trustee ➤ Fee on securities income including bonds, GICs, Stocks (including dividends) and term deposits ➤ Fee on rental income collected by the Public Trustee ➤ Fee on rental income collected through an agent ➤ Fee on all other income 	5% 5% 5% 1% 2%
ANNUAL ADMINISTRATION FEE FOR CARE AND MANAGEMENT OF FUNDS RECEIVED <ul style="list-style-type: none"> ➤ An annual care and management fee of 3/8 of 1% of the gross value of the estate will be charged in circumstances where the estate is exceptionally complex 	3/8 of 1%
ADDITIONAL FEES <ul style="list-style-type: none"> ➤ In special circumstances, additional fees may be charged where extraordinary efforts have been required to administer the estate 	

OFFICE OF THE PUBLIC TRUSTEE

**ADMINISTRATION FEE SCHEDULE
REPRESENTED ADULTS AND INCAPACITATED PERSONS***

On and after January 1, 2005

<p>FEES ON DISBURSEMENTS > Fee on funds disbursed. SEE Note 2.</p>	<p>2%</p>
<p>OTHER CHARGES > Fee on postage, photocopies and faxes > Investigation fee</p>	<p>2% of total administration fee \$150 per ½ day</p>
<p>INCOME TAX FEES On and after February 1, 2015</p>	<p><u>Click Here</u></p>
<p>G.S.T.</p>	<p>On or after January 1, 2008, 5% of the total fee (including the postage fee)</p> <p>On or after July 1, 2006, 6% of the total fee (including the postage fee)</p> <p>7% up to and including June 30, 2006</p>

Note 1. There is no fee charged on

- redemption of investments made by the Public Trustee
- settlements received in respect of sterilization claims.

Note 2. There is no fee charged on

- final distributions
- purchase of investment made by the Public Trustee.

Note 3. Fees will be calculated and accumulated but not taken if a client has a trust balance at the Office of the Public Trustee of less than \$7,000, has an average daily closing balance for the last year of less than \$7,000, or if taking the fees will cause the client's trust balance to drop below \$7,000 (The \$7,000 amount does not include the value of assets listed in inventory).

OFFICE OF THE PUBLIC TRUSTEE

**ADMINISTRATION FEE SCHEDULE
REPRESENTED ADULTS AND INCAPACITATED PERSONS***

On and after January 1, 2005

Note 4. Accumulated fees will not be charged upon the discharge of the Public Trustee if a client's trust balance at the Office of the Public Trustee is less than \$7,000 as at the date the client is discharged. If the client has a trust balance of more than \$7,000, fees will be taken to the extent that the balance does not drop below \$7,000.

Note 5. Accumulated fees will be charged upon the death of a client.

*** SUBJECT TO CHANGE WITHOUT NOTICE**

Current to October 25, 2009

OFFICE OF THE PUBLIC TRUSTEE

ADMINISTRATION FEE RATES FOR DECEDENTS' ESTATES*

On and after January 1, 2006

FILE OPENING FEE	\$75.00
CAPITAL RECEIPTS a) INTERNAL TRANSFER FROM DEPENDENT ADULT/INCAPACITATED PERSON – CASH ON HAND 2% b) RECEIPTS OTHER THAN INTERNAL TRANSFER On the first \$250,000 of capital received 4% On the next \$250,000 of capital received 3% On the balance over \$500,000 of capital received 1.75% Bequest and in specie distribution of non-cash items will be added to the total Capital Capital Fees: Greater of fees calculated or minimum fee of \$500.00 (See Note 1)	
REVENUE RECEIPTS On revenue received 5% On rental income collected by an agent 1%	
LEGAL FEE (see Note 2.) On the first \$10,000 of capital received 2.5% On the next \$90,000 of capital received 2% On the next \$100,000 of capital received 1.5% On the balance over \$200,000 of capital received 1%	
OTHER CHARGES Fee on postage, photocopies and faxes 2% of the total administration fee Initial investigation fee \$150.00 per ½ day	

OFFICE OF THE PUBLIC TRUSTEE

ADMINISTRATION FEE RATES FOR DECEDENTS' ESTATES*

On and after January 1, 2006

<p>Income Tax Fee</p> <ul style="list-style-type: none"> • Terminal T1 Return • Estate T3 Return • Clearance Certificate • Adjusted Cost Base letter • In addition there may be a time charge of \$60.00 per hour for large estates. 	<p>\$25.00 - \$75.00 \$40.00 - \$75.00 \$30.00 - \$50.00 \$10.00</p>
<p>Fee for assets distributed in specie</p> <ul style="list-style-type: none"> • Transfers of Land • Vehicle registration • All other property distributed in specie, including transfers of share certificates 	<p>\$250.00 per transfer</p> <p>\$50.00 per vehicle</p> <p>\$35.00 per distribution</p>
<p>G.S.T</p>	<p>On or after January 1, 2008, 5% of the total fee (including the postage fee)</p> <p>On or after July 1, 2006, 6% of the total fee (including the postage fee)</p> <p>7% up to and including June 30, 2006</p>

Note 1. Legal Fees are not charged where the \$500 minimum capital fee applies

Note 2. Legal Fees will not be charged on an Election or a Ministerial Order.

***SUBJECT TO CHANGE WITHOUT NOTICE.**

Current to April 22, 2008

OFFICE OF THE PUBLIC TRUSTEE

ADMINISTRATION FEE RATES FOR MINORS' TRUSTS *

On and after January 1, 2006

FILE OPENING FEE	\$75.00
FEE ON RECEIPTS Fee on each receipt received on behalf of a trust	1.5% up to a maximum of \$1,000.00 per receipt
ANNUAL ADMINISTRATION FEE FOR CARE AND MANAGEMENT OF FUNDS RECEIVED Assessed for each complete year of management on the average of the cash balance at the beginning and end of the year from the anniversary of the first receipt date: On balances below \$5,000.00 On balances \$5,000.00 up to \$10,000.00 On balances over \$10,000.00 up to \$50,000.00 On balances over \$50,000.00 up to \$100,000.00 On balances over \$100,000.00 SEE Note 1	Nil \$50.00 \$100.00 \$175.00 \$300.00
FEE ON REVENUE RECEIPT Fee on interest on funds held by the Public Trustee	5%
FEE ON DISBURSEMENTS SEE Note 2.	\$7.50 per payment

OFFICE OF THE PUBLIC TRUSTEE

ADMINISTRATION FEE RATES FOR MINORS' TRUSTS *

On and after January 1, 2006

OTHER CHARGES Fee on postage, photocopies and faxes G.S.T.	2% of administration fees On or after January 1, 2008, 5% of the total fee (including the postage fee) On or after July 1, 2006, 6% of the total fee (including the postage fee) 7% up to and including June 30, 2006
INCOME TAX FEES On and after February 1, 2015 G.S.T.	<u>Click Here</u> 5% of the total income tax fee

Note 1. Fees will be prorated for a partial year.

Note 2. There is no fee charged on

- purchase of investment made by the Public Trustee
- final distribution and taxes paid.

*** SUBJECT TO CHANGE WITHOUT NOTICE**

OFFICE OF THE PUBLIC TRUSTEE

ADMINISTRATION FEE RATES *
LIFE INTEREST AND MISCELLANEOUS TRUSTS

On and after January 1, 2006

FILE OPENING FEE	\$75.00
FEE ON CAPITAL RECEIPTS Fee on each receipt (excluding internal transfer) received on behalf of the trust	1.5% up to a maximum of \$1,000.00
FEE ON ALL FUNDS HELD UNTIL DISTRIBUTED (A year commences with the date of the first posted receipt) Assessed for each year, or part thereof, of administration on the average of the net capital values at the beginning and end of the period from the anniversary of the first receipt date : (The final year will be determined from the anniversary of the first receipt date and the conclusion date. Capital means the sum of the cash balances and inventory less liabilities, if any.) On balances up to \$10,000.00 On balances over \$10,000.00 up to \$50,000.00 On balances over \$50,000.00 up to \$100,000.00 On balances over \$100,000.00	 \$50.00 \$100.00 \$175.00 \$300.00
FEE ON REVENUE RECEIPT Fee on interest on funds held by the Public Trustee	5%
FEE ON DISBURSEMENTS SEE Note 1.	\$7.50 per payment
OTHER CHARGES – G.S.T.	On or after January 1, 2008, 5% of the total fee (including the postage fee) On or after July 1, 2006, 6% of the total fee (including the postage fee) 7% up to and including June 30, 2006

Note 1. There is no fee charged on

- purchase of investment made by the Public Trustee
- fund distribution and taxes paid.

*** SUBJECT TO CHANGE WITHOUT NOTICE**

Current to April 22, 2008

OFFICE OF THE PUBLIC TRUSTEE

ADMINISTRATION FEE RATES FOR MONITORING MINORS' TRUSTS *

On and after February 1, 2006

<p>FILE OPENING FEE</p>	<p>\$75.00</p>
<p>For the initial review under Section 21(2)(a) of the <i>Public Trustee Act</i>:</p> <p>As soon as practicable after receiving notice that the trust has come into effect, the Public Trustee should obtain and review:</p> <ul style="list-style-type: none"> (i) a copy of the trust instrument, (ii) an inventory of the trust's assets as of the date the trust came into effect, and (iii) any other document or information that describes the trust's liabilities. <p>For each review under Section 21(2)(b) of the <i>Public Trustee Act</i>:</p> <p>The Public Trustee should obtain and review the following every year or such longer interval as the trust instrument may provide:</p> <ul style="list-style-type: none"> ➤ An inventory of assets and liabilities as of the beginning of the year; ➤ A statement of receipts and disbursements for the year; ➤ A separate statement of capital receipts and disbursements, if relevant under the terms of the trust; and ➤ An inventory of assets and liabilities as of the end of the year. <p>If so provided by the trust instrument, the Public Trustee should obtain and review from the trustee audited financial statements for the trust at intervals stipulated by the trust instrument.</p> <p>For anything done under Section 21(5) of the <i>Public Trustee Act</i>:</p> <p>If the Public Trustee determines that the trustee appears not to be carrying out one or more of their duties described in section 21(4), the Public Trustee may do any one or more of the following:</p> <ul style="list-style-type: none"> (a) request the trustee to provide any documents or information that the Public Trustee may require to make the determination; (b) request the trustee to take any action that the Public Trustee considers necessary for the trustee to carry out a duty referred to in subsection (4); and/or (c) apply to the Court for an order appropriate to protect the interests of the minor beneficiaries. 	<p>\$100.00 per hour for time expended by the Public Trustee to obtain and review the information and documentation.</p> <p>\$100.00 minimum fee plus \$100.00 per hour in excess of one hour that is expended by the Public Trustee to obtain and review the statements and information.</p> <p>A fee the Public Trustee considers reasonable</p>

*** SUBJECT TO CHANGE WITHOUT NOTICE**

OFFICE OF THE PUBLIC TRUSTEE
**ADMINISTRATION FEE RATES FOR MONITORING MINORS'
TRUSTS ***

On and after February 1, 2006

OTHER CHARGES	
Fee on postage, photocopies and faxes	2% of administration fees
G.S.T.	On or after January 1, 2008, 5% of the total fee (including the postage fee) On or after July 1, 2006, 6% of the total fee (including the postage fee) 7% up to and including June 30, 2006

*** SUBJECT TO CHANGE WITHOUT NOTICE**

Current to April 22, 2008

OFFICE OF THE PUBLIC TRUSTEE

ADMINISTRATION FEE RATES FOR MISSING PERSON TRUSTS *

On and after January 1, 2006

FILE OPENING FEE	\$75.00
FEE ON CAPITAL RECEIPTS Fee on each receipt received on behalf of the missing person.	1.5% up to a maximum of \$1,000.00
FEE ON ALL FUNDS HELD UNTIL DISTRIBUTED (A year commences with the file opened date) Assessed for each year, or part thereof of administration on the average of the net capital values at the beginning and end of the year from the anniversary of the open date: (Capital means the sum of the cash balances and inventory less liabilities, if any.) On balances up to \$10,000.00 On balances over \$10,000.00 up to \$50,000.00 On balances over \$50,000.00 up to \$100,000.00 On balances over \$100,000.00	\$50.00 \$100.00 \$175.00 \$300.00
FEE ON REVENUE RECEIPT Fee on interest on funds held by the Public Trustee	5%
FEE ON DISBURSEMENTS SEE Note 1.	\$7.50 per payment
OTHER CHARGES – G.S.T.	On or after January 1, 2008, 5% of the total fee (including the postage fee) On or after July 1, 2006, 6% of the total fee (including the postage fee) 7% up to and including June 30, 2006

Note 1. There is no fee charged on

- purchase of investment made by the Public Trustee
- final distribution and taxes paid.

*** SUBJECT TO CHANGE WITHOUT NOTICE**

OFFICE OF THE PUBLIC TRUSTEE

ADMINISTRATION FEE RATES* FOR MISSING BENEFICIARY TRUSTS

On and after January 1, 2006

FILE OPENING FEE Assessed when a new file is opened, no opening fee is charge when only a status code change takes place	\$75.00
FEE ON CAPITAL RECEIPTS Fee on each receipt received on behalf of the missing beneficiary.	\$0
FEE ON ALL FUNDS HELD UNTIL DISTRIBUTED (A year commences with the file was opened) Assessed for each year, or part thereof of administration on the average of the net capital values at the beginning and end of the year from the anniversary of the open date. : (Capital means the sum of the cash balances and inventory less liabilities, if any.) On balances up to \$10,000.00 On balances over \$10,000.00 up to \$50,000.00 On balances over \$50,000.00 up to \$100,000.00 On balances over \$100,000.00	 \$50.00 \$100.00 \$175.00 \$300.00
FEE ON REVENUE RECEIPT Fee on interest on funds held by the Public Trustee	5%
FEE ON DISBURSEMENTS SEE Note 1.	\$7.50 per payment
OTHER CHARGES – G.S.T.	On or after January 1, 2008, 5% of the total fee (including the postage fee) On or after July 1, 2006, 6% of the total fee (including the postage fee) 7% up to and including June 30, 2006

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Note 1. There is no fee charged on

- purchase of investment made by the Public Trustee
- final distribution and taxes paid.

*** SUBJECT TO CHANGE WITHOUT NOTICE**

Current to April 22, 2008

OFFICE OF THE PUBLIC TRUSTEE

**ADMINISTRATION FEE RATES*
FOR RECOVERY OF FUNDS FROM GENERAL REVENUE FUND**

On and after January 1, 2005

<p>FEE FOR FILE OPENING AND RECOVERY OF FUNDS</p>	<p>\$225.00</p>
<p>OTHER CHARGES – G.S.T.</p>	<p>On or after January 1, 2008, 5% of the total fee (including the postage fee)</p> <p>On or after July 1, 2006, 6% of the total fee (including the postage fee)</p> <p>7% up to and including June 30, 2006</p>

*** SUBJECT TO CHANGE WITHOUT NOTICE**

Current to April 22, 2008

Investigation Fees Chart

Date	Amount to be Charged*
From March 1, 1981 up to and Including April 30, 1985	\$25.00 per half day
From May 1, 1985 up to and including December 16, 1987	\$50.00 per half day
From December 17, 1987 up to and including May 31, 1992	\$75.00 per half day
From June 1, 1992 up to and including December 9, 1999	\$100.00 per half day
From December 10, 1999 up to and including December 31, 2000	\$120.00 per half day
From January 1, 2001 up to and including November 31, 2006	\$150.00 per half day
From December 1, 2007 up to and including October 31, 2008	\$50.00 per hour based on 7.25 hour day, then \$75.00 per hour for anytime exceeding 7.25 hours
From November 1, 2008 up to and including October 31, 2009	\$51.00 per hour based on 7.25 hour day, then \$76.50 per hour for anytime exceeding 7.25 hours
From November 1, 2009 up to and including October 31, 2010	\$52.00 per hour based on 7.25 hour day, then \$78.00 per hour for anytime exceeding 7.25 hours
From November 1, 2010 up to and including October 31, 2011	\$53.00 per hour based on 7.25 hour day, then \$80.00 per hour for anytime exceeding 7.25 hours
From November 1, 2011 up to and including the present date	\$54.00 per hour based on 7.25 hour day, then \$81.00 per hour for anytime exceeding 7.25 hours
From December 1, 2012 up to and including the present date	\$55.00 per hour based on 7.25 hour day, then \$82.50 per hour for anytime exceeding 7.25 hours

* If a contract investigator was used, no additional fees should be used.

SCHEDULE OF SELECTED LEGAL COSTS*

On and after October 30, 2009

<p><i>Dependent Adults Act</i> (See Note 1)</p> <ul style="list-style-type: none"> • Dependent Adult Initial Applications <ul style="list-style-type: none"> ○ Court Hearing \$600.00 ○ Desk Application \$425.00 • Dependent Adult Review Applications \$875.00 <ul style="list-style-type: none"> ○ Pay Agent \$525.00 and Public Trustee retains \$350.00 • Joint Public Trustee and Public Guardian Review Applications \$975.00 <ul style="list-style-type: none"> ○ Pay Agent \$625.00 and Public Trustee retains \$350.00 	
<p><i>Adult Guardianship and Trusteeship Act (AGTA)</i> (See Note 1)</p> <ul style="list-style-type: none"> • Desk Application \$425.00 <ul style="list-style-type: none"> ○ Original, review, conversion of Certificate of Incapacity and examination and approval of accounts (same as costs paid by Crown under the AGTA – see section 100 of the AGTA Regulation (AR 219/2009)) • Hearing \$875.00 <ul style="list-style-type: none"> ○ Original, review conversion of Certificate of Incapacity and accounting ○ Rate can be increased or decreased at the discretion of the lawyer 	
<p>Real Estate Transactions</p> <ul style="list-style-type: none"> • Base Rate \$500.00 <ul style="list-style-type: none"> ○ Rate can be increased or decreased at the discretion of the lawyer 	
<p>Administrator Ad Litem</p>	<p>\$500.00</p>

<p>OTHER CHARGES</p> <p>G.S.T.</p>	<p>On or after January 1, 2008, 5% of the total fee (including the postage fee)</p> <p>On or after July 1, 2006, 6% of the total fee (including the postage fee)</p> <p>7% up to and including June 30, 2006</p>
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Note 1: Policy re Legal Costs Payable for Appointment of the Public Trustee

In a court application to appoint the Public Trustee as trustee for a client, the Public Trustee will seek:

- (a) legal fees, GST and disbursements from the client's estate if the client has cash and liquid assets of \$7,000.00 or greater as at the date of the Court Order.
- (b) only reimbursement for disbursements from the Crown in right of Alberta if the client has cash and liquid assets of less than \$7,000.00 as at the date of the Court Order.

*** SUBJECT TO CHANGE WITHOUT NOTICE**

OFFICE OF PUBLIC GUARDIAN & TRUSTEE
INCOME TAX - FEE SCHEDULE
Effective from 1 Jan 2019

T1 RETURNS

	<u>O.G.****</u>	<u>R.A.</u>	<u>D.E.</u>
Simple return*	25.00	45.00	75.00
Non-Simple	50.00	50.00	75.00

T3 RETURNS

	<u>O.G.</u>	<u>R.A.</u>	<u>D.E./C.I.L./MIS</u>
Master Trust	25.00***	----	----
NR Master Trust	20% up to \$125.00 of Gross Income		
T3	40.00	----	75.00

GENERAL

Adjust Outside T1's	10.00
External Clearance	50.00
Letters - Adjusted Cost Base	10.00
- Canada Savings Bonds	5.00

Time Charge

For analysis of info & data of complex returns.	60.00/HR
Minimum one-half (1/2) hour charge	

Judgmental decision by tax officers to charge less or more--explanation to appear on PTIS fee input form.

*Simple: Please refer to attached sheet

***Gross income more than \$100- and no tax fee charge on less than \$100-

****OG refer to Official Guardian status code 051-079

*Simple Return

- Old Age Security – T4A(OAS)
- CPP/QPP-T4A(P)
- Social Assistance- T5007
- Interest income from OPGT
- Small amount of investment income (interest income) from financial institution-T5 or T3
- Disability Tax Credit applied
- Employment income – T4
- Two additional items from intermediate
- Usually not owing any tax or having a small tax refund
- Medical expenses

**non-simple Return

- Include basic return's requirement
- Pension- T4A
- RIF-T4RIF
- RRSP income and contribution (includes Home Buyer's Plan, Life Long Learning Plan)
- Overseas pension
- Employment income - multiple T4s
- Support payment
- Donations
- Dependents (children)
- Married/common-law
- May have tax owing or refund

Taxation officer can use their discretion to charge non-simple return at \$50-/return or adding time charges.