

EVENING SITTING

COMMITTEE OF THE WHOLE

Bill No. 47 — The Psychologists Act, 1997

Clause 1

Ms. Haverstock: — Thank you very much. I hope you had a nice dinner, if you had one at all. Let's just pick up where we left off, and I'm hoping that I'm carrying on the same train of thought here.

But I want to go back to the second of the two questions that I was asking you about the Association of State and Provincial Psychology Boards. And that was, what exact steps did your department take to examine the implications that the proposed changes would have on Saskatchewan's reputation at large?

Hon. Mr. Cline: — We were more concerned with portability within Canada than we were with the issue that the member is raising, Mr. Chair.

The Chair: — Why is the member on her feet?

Ms. Hamilton: — I ask for leave to introduce guests.

Leave granted.

INTRODUCTION OF GUESTS

Ms. Hamilton: — Thank you, Mr. Deputy Speaker, and I apologize to the member from Greystone; although I am sure that I will not be breaking her train of thought on this piece of legislation as I do the introduction. But I do appreciate that she's given me leave to do so in the middle of her questioning.

It's my pleasure this evening to introduce to you and through you to all members of the Assembly, a woman I met at an East Indian banquet, who comes to Regina from Thornleigh, Australia, a subdivision of Sydney. Ms. Rhonda Wilson is seated in the Speaker's gallery and is going to go on a tour with me shortly.

She came to Regina about January 2 in the middle of an Australian summer. And the kind of things she can say about that is that it's been an experience, but she has a few more months before she returns to Australia.

Her work here is in the school of journalism at the University of Regina. She's working in the registrar's office. And her counterpart from Regina is working in the same capacity in the University of Sydney — a wonderful time to get away from a Saskatchewan winter.

But I would ask all my colleagues to join in a warm welcome to Rhonda Wilson from Thornleigh, Sydney, Australia.

Hon. Members: Hear, hear!

COMMITTEE OF THE WHOLE

Bill No. 47 — The Psychologists Act, 1997
(continued)

Clause 1

Ms. Haverstock: — If I just may make comment. You were saying that your primary concern was within Canada. The association of course is both provincial and state, so it's inclusive of the United States and Canada. And having said that and given your comments, I just want to bring your attention again to the memorandum by Agnes Sawchyn, and her comments regarding the Canadian register of health service providers in psychology.

This is explicit to Canadian provinces as well as the territories. It was established in 1985 to do the following, and I will give you a direct quote: "To identify psychologists who meet basic criteria for the provision of health services." I want you to know that this constitution has been ratified by all 10 provinces and the Northwest Territories.

The eligibility criteria for listing with the Canadian register of health service providers in psychology include having a doctoral degree and two years of supervised experience, at least one of which must be post-doctoral. And exceptions are made for master's level individuals who meet stringent grandparenting criteria.

I think what's noteworthy is that at their annual meeting as recently as January 7, a motion that would have allowed master's level psychological associates in Ontario to be registered with this organization was defeated on the grounds that these individuals are not fully trained psychologists. And as was pointed out in a previous letter to all of the members of this Assembly by Agnes Sawchyn, psychological associates in Ontario are only permitted to perform authorized or controlled acts, including diagnosis, if delegated as competent to do so by a doctoral level registered psychologist.

So I'm interested in your comments on that, given that it is a particular position given by a Canadian organization which is considered very high in its standards and agreed to by all people in every province.

Hon. Mr. Cline: Well I appreciate the member's comments, and also respect her point of view.

I understand that the Association of State and Provincial Psychology Boards has a model Act for the licensure of psychologists, and their view is that only people with a doctoral degree in psychology should be licensed as psychologists.

We were aware of that point of view before we drafted the legislation. And basically our view is that most of the psychologists doing clinical work in the province of Saskatchewan are master's level psychologists. We believe they should be licensed and regulated. And we don't believe we can fairly say to those people that they cannot refer to themselves as psychologists. And that's what the issue seems to boil down to.

So I understand and respect the member's point of view in that regard. But it is not the policy choice that we've made, and we've made the policy choice that we have arrived at with the support of the Psychological Society of Saskatchewan, and the Saskatchewan educational psychologists education, the health districts, the association of health organizations, many of the school boards, and some of the other professional organizations.

That's the choice we've made. I understand that that choice is not agreed to and I regret that. But nevertheless, balancing all of the interests, we've decided that we should license and regulate all psychologists practising in Saskatchewan and we've decided that it's fair to refer to them as psychologists.

Ms. Haverstock: — Mr. Minister, I would just like to make comment on something that you stated regarding the Association of State and Provincial Psychology Boards because I think the information you've been given is erroneous.

Perhaps what is necessary is just expanding a bit on it because it's the position of this particular organization that the training provided in master's degree programs is insufficient to adequately protect the public's interest unless the services are supervised, okay? And it doesn't say that they shouldn't be able to do it, that they're poorly trained. It means that in order to be fully capable of carrying out a wide range of everything, that if they're supervised for a particular period of time, that they could probably practice in anything.

So the question I guess I must raise again . . . but I have to preface with one more comment. You have stated on numerous occasions that this is about the licensing and regulation of master's level psychologists. I agree with that. The Saskatchewan Psychological Association agrees with that. We have no question or concern about that. We've supported it for years, and I supported it for years. The points being made are, the people to whom you've gone and the organizations that support unequivocally no supervision, no kind of boundaries or restrictions or anything else, come from bodies which are not regulatory bodies, have never been regulatory bodies, and have never dealt specifically with standards. So what we're really talking about here are standards, particular kinds of standards for people receiving services in this province and people providing services in this province.

If you'd like to make comment on that, I'll sit down and let you make comment. Otherwise I'll just move on because we seem to be going on a little treadmill here. Is that all right? Would you like to comment?

Hon. Mr. Cline: — Well just to say that I fully understand that the Psychological Society of Saskatchewan and the Saskatchewan educational psychologists association are not licensing and regulatory bodies. The objective of this legislation is to make them, along with the SPA (Saskatchewan Psychological Association), a licensing and regulatory bodies and to bring everybody under a regulatory regime. I'm well aware of the fact that they don't license and regulate people at the moment. That's the problem that we're attempting to deal with.

Ms. Haverstock: — I know that you have spoken with people from the department of psychology at the University of Saskatchewan, and I know that you've actually been speaking with a broad range of people. But I wish to, just for the record, read to you a letter from the head of the department, Dr. Cheesman.

I write to express our opposition to The Psychologists Act. The department of psychology, in a meeting yesterday (and this is dated April 25), endorsed the unanimous support of the following motion:

Whereas the recently introduced Psychologists Act (a) registers persons as psychologists and licenses them to practice with either a master's or a doctoral degree; and

(b) makes no distinctions between psychologists with master's or doctoral degrees except requiring that, in written communication, the title "psychologist" must be followed by the abbreviation for the post-graduate degree held by that member; and

(c) makes no distinctions in the scope of practice between those with master's and doctoral degrees.

And whereas the clinical psychology program is a doctoral program;

And whereas the department does not believe that a master's program provides adequate training for the independent practice of clinical psychology;

Be it resolved that the department of psychology is opposed to The Psychologists Act for the reasons cited above.

The department of psychology believes that the Act is not in the best interests of the profession of clinical psychology, nor is it in the best interests of the people of Saskatchewan.

And to go beyond the motion, the department of psychology, he states, has repeatedly expressed its opposition to this Act to the Minister of Health over the past one year. None of our concerns have been adequately addressed in this Act. The department of psychology at the University of Saskatchewan represents 23 full-time faculty, 35 part-time faculty, 73 graduate students, and over 600 undergraduate student majors. The department of psychology will be voicing its strong opposition to this Act to our students and to the public.

Now we had spoken on other occasions, Mr. Minister, about the fact that this is one particular department at the university of which all of us in this province have been extremely proud. And one of the reasons, it was very unusual for a department such as this in a province this size to be accredited not only by the Canadian Psychological Association but by the American Psychological Association.

It is perceived by many — not just throughout Canada, not just in the United States, but throughout the world — as an absolutely class act as far as departments of psychology and the training of clinical psychologists are concerned.

And I guess I would like to hear your views and concerns, if you have any, about the letter written to you by Dr. Cheesman.

(1915)

Hon. Mr. Cline: — Well of course I have a great deal of respect for the department of psychology at the University of Saskatchewan, and in fact I know some of the people that are members of that department. And of course it concerns me that they don't support the legislation and I very much regret the fact that they don't support the legislation.

But I want to say that many people who have doctorates in psychology do support the legislation, and two psychologists' organizations in the province support the legislation. And I'd like to say to the department of psychology at the University of Saskatchewan that nothing in the legislation prevents them from continuing to concentrate on turning out only psychologists with doctorate degrees. In fact I think that's their intention and they don't intend to train people at the master's level any more. They want all psychologists to have a doctorate.

And I think in the future that may happen, but the situation that we're dealing with is a situation that exists in our province today and trying to meet the needs of the public for psychological services. And unfortunately Saskatchewan, like other provinces, has a shortage of doctoral psychology graduates and so we have to rely on master's level people. I think that eventually, as with teachers, the standard of training will be increased so that there are more and more doctoral level people operating. The legislation will not prevent that, nor will it interfere with the views and practices of the department of psychology.

So we very much regret that the academics, unlike most of the clinical practitioners in our province, do not support the contents of the legislation. We'll look forward to having their involvement and dialogue under the new legislation, and listening to their advice in terms of how people should be licensed and what qualifications they should have, and what scope of practice people trained at various levels should have, because, as we discussed this afternoon, that won't be the same for everybody.

So we're aware of their concerns. I'm sorry they feel that their concerns haven't been addressed. I think there have been some changes to the Act as a result of consultations. I regret that they can't support the legislation, but I believe, and many people in the province agree, that the legislation is in the best interests of the people of the province.

Ms. Haverstock: — Earlier this afternoon, Mr. Minister, you made reference to the transitional council and stating that there would be great opportunity for people at that juncture to get together and to basically map out, strategize, be able to come to some conclusions, hopefully.

I guess one of the things that's been of great concern to me is that there were many people who tried to participate in a process where they really did feel that they were going to have significant impact. And right up until this particular Bill was

introduced in the House, I had calls from people who were extremely optimistic that differences between master's level organizations . . . or rather organizations where the majority of people are master's level trained and SPA were being reconciled.

Then of course this was introduced in the House and they were astonished, because they really did think that they were coming to some culmination after having been able to work out some differences.

Now I find it rather interesting that there can be people whose job it is to understand nuances, whose job it is to deal with human behaviour, whose job it is to pay attention to all different kinds of communication, whether that be verbal or non-verbal, and yet these people were told that they were totally wrong, that they absolutely had it wrong; that there wasn't going to be any kind of coming together of these differences at all; that in fact these people had misinterpreted what had been able to be achieved up to that point.

And I'm wondering how that can be explained away — that we have a group of people who really did believe that they were making major contributions, that these were being heard, that the other side was contributing and they were being heard; that they were coming up with solutions to differences that have existed for a long time, and yet in one day one group was told they were totally wrong, that all bets were off and that they might as well just go along their merry way because the other group was going to get what they wanted. And I'm wondering how you respond to that because I most certainly didn't have any responses for them because I don't understand it.

Hon. Mr. Cline: — I want to assure the member and the House, Mr. Chair, that all attempts were made to reach a compromise position and deal with the members of the SPA to attempt a compromise. I want to say to the House and to the member — and I'm sure the member knows — that attempts have been made for 20 years to bring this legislation about — not one year, 20 years. And unfortunately we have never been able to have the various organizations of psychologists come to an agreement on some of the basic elements of the legislation.

This particular draft of the legislation has been under active consideration by the department and by these organizations for the last four years. And I think it would be stretching it a bit to say that this matter was being rushed or rammed through or proposed without consultation or consideration.

This has been ongoing for 20 years. And I have to say that I regret the fact that all of these groups were unable to come to an agreement. I'm not blaming any of them. But I'm saying that as a matter of public protection and in the public interest it's my responsibility to finally bring this matter to a close and proceed with the legislation.

It hasn't been rushed. There has been extensive consultation. Some people may not feel there's been consultation when there's no agreement. They do not agree with all aspects of the legislation. But I can assure the member that every effort has been made to listen and to talk and to consult. But after 20 years it is now time to act and that's what we're doing.

Ms. Haverstock: — Well, Mr. Minister, I have never questioned that there's been consultation, and I have never once while on my feet either this afternoon or this evening stated that there was not consideration. So we don't have disagreement on that either.

What we do have some concerns about, what I have some concerns about in things that have been raised with me, is that the transitional council is going to be so dependent on working in good faith. And what I have raised with you this evening is that some people don't feel that they were dealt with in good faith.

So here we have a great deal dependent upon how well this transitional council can work toward standards; can work toward any kind of way of differentiating between what one person should be able to do with a certain kind of training versus another person with another kind of training — all of these kinds of things which are quite specific in nature and very personal to a lot of people.

And my concern remains that there were people who felt very good about where this process was going. They didn't feel that great about it before, but they most certainly were coming to a point of feeling reassured; of feeling that their participation was meaning something. And now they feel that those things were false. They were told that their impression wasn't right at all. So that leaves them a little disconcerted, if you will, about entering into another phase of what's called discussion, consultation, arriving at conclusions and so forth, in this transitional council when they don't believe they've been dealt with in good faith in this last part.

And I'm not talking about people who were discussing this 20 years ago, or 10 years ago, or 5 years ago; I'm talking about the people who have been active participants in this over the last year. And I'm wondering if you can provide some reassurances to them, that in fact the feelings that they've had about what's transpired very recently — in the last few weeks, if you will — that in fact that that won't be repeated; that they should be able to walk into a situation, albeit the transitional council or whatever, and be able to feel that they really will be full participants in this process.

Hon. Mr. Cline: — Well I'd like to give them every reassurance that they need not feel afraid of the process. The process involves people from the SPA (Saskatchewan Psychological Association), the doctorate level psychologists, who . . . many of whom, most of whom perhaps, do not support the legislation; the Psychological Society of Saskatchewan, which does support the legislation; and the educational psychologists, who support the legislation. All of them will have representation on the transitional council and there will be some representatives appointed by the province as well.

And I can only say that if they're feeling afraid and insecure about the process, then I'm very sorry to hear that. But I think that in time if they proceed in good faith and if parties cooperate with one another, they will be provided with the reassurance that nobody is out to harm them in anyway.

Ms. Haverstock: — Well let me put on the record, Mr. Minister, I don't think they're afraid of being personally harmed

in any way. The concerns that they've raised have been professional in nature. The concerns that they've raised are about the standards of the practice of psychology in Saskatchewan. The concerns they've raised have been about public safety, and they've also been about the protection of a profession. They have not had individual personal concerns for themselves of which they are feeling afraid to go into a meeting. I think they've been very justified in the things they've raised and quite frankly we should all be thankful that they're that concerned about their profession and the people that they serve in the province of Saskatchewan.

One of the things that we had touched on was your impression of what this transitional council should be made up of. And I'm wondering if you could state that for the public record tonight. I was interested in what you said and it made me more hopeful in fact about the transitional council.

Hon. Mr. Cline: — Yes, I have written to at least two members of the SPA about the transitional council and I have said that they will have two of the nine members from the SPA. So those will be people with doctorates in psychology. I will ask the PSS (Psychological Society of Saskatchewan) and the educational psychologists each to appoint someone . . . one of their two members to the transitional council who has a doctorate, so that you would have at least four people out of nine who have doctorates. And I will be appointing three people to the transitional council myself and I'll give consideration to appointing a fifth person with a doctorate. So the objective being that the doctorate level psychologists will be very well represented. And I'm certainly open to that and have said so in letters to people; so therefore have said so publicly.

The other thing is, as I said to the member from North Battleford on Friday, this professional legislation, like some other pieces of professional legislation, says that the minister has to approve of the bylaws that are arrived at by the council. And he was asking me why that was, and I said, it isn't unique to this legislation; it's something they're putting in some of the newer pieces of professional legislation.

But one thing it does do, is if any particular group tried to dominate another or make rules that were not in the public interest, then the minister could disallow the bylaws. And I won't go into some of the fears that have been expressed and that I tried to respond to in the last response I gave, but if somebody tried to abuse their position of authority — let me put it that way — then I would be prepared to use my office as Minister of Health to ensure that that didn't happen.

So I will both try to work with them in terms of having the other organizations appoint people with doctorates, if that will provide some reassurance; I'll look at that myself in terms of my own appointments, and I'll be prepared to examine the bylaws very closely.

And I truly believe that once this legislation — or if this legislation is passed, if I could put it that way — once the parties begin in earnest to make a sincere effort to prescribe the kinds of qualifications that one should have to perform the various aspects of psychology, including the question of when one should be supervised, I believe all the parties in due course

will find that they can make this work; not only in their interests but also in the public interests. I truly believe that.

(1930)

Ms. Haverstock: — Well I'm . . . believe it or not, remain an optimist. You kind of wonder why after my life. But I really do agree that there is an opportunity here but that opportunity very much is consistent . . . contingent upon the sorts of vision that you have for the make-up of this transitional council. And I know that people would feel much more assured if this weren't . . . we'll simply encourage this to happen.

You can well imagine the feeling if out of a body of nine, that there are two placements for people who have been the primary keepers of the standards of psychological practice and regulation in the province of Saskatchewan. Two out of nine isn't very reassuring.

And it's great that one can say we, as government, will oversee the bylaws just in case something really bad happens. But heaven forbid if that would ever have to be put into practice. What one would want instead is that the highest possible standard is placed by these nine individuals from the beginning, that they all feel a need to look over the literature, to look over the standards that are not just considered now acceptable in Saskatchewan but across the North American continent. I don't know why it is we would want to lessen our standards, Mr. Minister. I see no reason for Saskatchewan to ever lower its standards. I think we should be either working toward maintaining, as you speak to every day in this House, trying to maintain a certain level, a certain standard if you will . . . Whether by stating I've back-filled this or we've done that, you're trying to maintain a particular standard.

We should be working towards elevating our standards. Why we would want to do anything but that I don't know. And I think the people need to have some reassurance. Not just SPA, but those people who are receiving services in this province, they want to know that we have outstanding standards. And I think that they would want to know as well that those people who have been primarily concerned with standards for our province for years as a regulatory body, that they in fact are assured of having at least an equal number.

Now if it's simply I'm thinking about putting a PhD level person on there or I'll simply suggest to PSS to have a doctoral level person there, I don't think that's going to make them feel very secure. If in fact they know that there will be five doctoral level people out of nine, then I think there's a much greater opportunity here for ensuring that there will be some agreement on different standards and especially the issues that they're facing. I'll let you comment.

Hon. Mr. Cline: — You know I'm not going to repeat the answer I gave before. But I've said that I'm going to attempt to get doctoral level people nominated by the other organizations; and I have the authority myself, if I've failed in that regard, to appoint people to the council. So I'm going to work with all three groups to ensure that the doctoral representation on the transitional council is more than the two. I've stated that publicly. I've stated it tonight, and that's what we're going to

endeavour to do. At the same time, I'm going to cooperate with these other two organizations.

But I want to say to the member and the House that I agree with the member. We do not want to diminish our standards. But this legislation increases standards — I would argue — for the vast majority of people, in the sense that we presently have most people receiving psychological help from people who are not licensed and not regulated. That is the reality.

This legislation will license and regulate everybody in the public interest, make people more accountable, make them susceptible to professional discipline, for example. And in the public interest, as a matter of public protection, that's what we need to do.

So I understand and respect the member's views in this regard. But I want to assure the member that the effort being made here is not to diminish standards; it is to — across the piece — raise the standard of everybody by bringing everybody that practises psychology into the professional tent, if I can put it that way.

And I think that that's a vast improvement; I know the member agrees that that's a vast improvement. There's some disagreements about some of the parts of the legislation but I don't think we're diminishing standards or weakening the system. I think that we're strengthening it in a very real way.

Ms. Haverstock: — Mr. Minister, I do think I understand your intent and I don't question your intent. I have concerns about its implications. And have all of the different component parts been explored? The majority of the people to whom you refer — in other words those who are going to be brought into this tent of the profession of psychology — the majority of those individuals, sir, they work for the government.

They are already in a situation whereby they have close contact with numerous other health professionals. These are people where their level of performance can be seen on a day-to-day basis by their own colleagues. These are people who play an integral role, particularly in rural Saskatchewan; everybody can know their name, they know who they've served, they know all these different things. We're not talking about that.

We're talking about the fact that this kind of legislation can ensure that an individual trained at the master's level, who is not working for government, can end up going out and saying, I'm a psychologist and I'm working as an independent person. The question raised by so many people is, if every other group that deals with regulation and licensing, of what they consider to be fully trained psychologists say that's not good enough without supervision if a person's going to do that, why is it that we're finding it acceptable?

Hon. Mr. Cline: — Well I would just point out to the members, the member knows that if somebody wants to set up a counselling service or a therapy service now, whether they have a master's degree or maybe no degree, they can do that now. So this legislation — yes, we'll say that if you have a master's degree and a certain amount of training, which will be determined by the professionals themselves, then you can call yourself a psychologist.

I would argue that's a good thing, that that isn't a dangerous thing. What is dangerous is the situation we have now where people can in effect set up shop, practise what is psychology — regardless of what they may call themselves — with perhaps no training at all, let alone a master's degree in psychology, and we don't license or regulate that practice. So that the public is susceptible to people counselling them who are not qualified or competent to do so.

We're trying to stop that, not promote it. So it's true that if somebody's licensed under this Act, they can practise psychology. That's okay. The bad situation is what we have now, that you can in effect practice psychology without being licensed at all. And we have to put an end to that situation.

Ms. Haverstock: — I would agree, but you're not going to put an end to that situation, Mr. Minister. Any single person in the province of Saskatchewan today, tomorrow, or if this is passed, will be able to put up a sign on their door and call themselves a therapist, or call themselves a counsellor, or do . . . you name it, they could do it.

And this isn't going to change anything at all if that's the case. I mean in part, what you're saying is that people should feel protected because a master's level trained psychologist who can now put psychologist up on the door, that people will feel more secure because they are registered. And what you've just said is inaccurate.

If people want, as a part of being trained as a social worker or someone who's gone to Adult Children of Alcoholics for a long time and decides that they are now an expert — any of these people could put a sign up on the door and say, I'm a therapist; come to me. They do now, and they can tomorrow, and they'll be able to do it after this legislation. So tell me in what way this legislation protects the public from them.

Hon. Mr. Cline: — Well section 23 of the legislation states that:

An authorized practice is the communication of a diagnosis identifying, as the cause of a person's symptoms, a neuropsychologically-based psychotic, neurotic or personality disorder,

And then the next subsection says:

No person shall perform an authorized practice in the course of providing services to an individual unless the person is a practising member authorized by council.

Now there's another, actually a House amendment I'm going to propose — it has been agreed to by the three organizations — dealing with what an authorized practice should be.

But in any event, with respect to that — and it doesn't deal with all aspects of counselling and therapy — at least you have to be a registered, licensed person in order to conduct that kind of counselling business. And I guess what I would say is the public will have to consider whether one is registered and licensed under The Psychologists Act or not. And presumably,

hopefully, like in other professional areas, if a person isn't licensed or registered, that will mean something to the public.

And the profession of course, any profession in this kind of instance, promotes that to the public too. They try to educate the public that there's a difference between somebody calling himself or herself a therapist or counsellor and somebody who is a registered, licensed member of a profession.

So I think that that's a considerable improvement over the situation we have now, and I think even those who don't like every aspect of the legislation agree with that — that it is better to try to bring people within the profession, and that's what we're trying to do. There are some aspects of it that aren't to everyone's liking. But in the main, I think that main thrust that we're going to regulate and license people is an improvement with respect to psychological services in the province.

Ms. Haverstock: — Mr. Minister, on Friday you were posed questions by the member from North Battleford. And what I want to do is to quote the member's question to you, and then I will state your response. And then I have a statement and a question.

The member from North Battleford:

May I ask the minister: obviously every profession is going to have the odd practitioner who is going to be a problem, but does our experience here or in (any) other provinces indicate there is more cause to be concerned with a master's level practitioner versus a doctoral level practitioner?

The hon. minister's response:

No, there hasn't been any suggestion of that and we don't have any evidence to suggest that.

And that's the part with which I have some interest here. The requirements that are stated in this legislation — that in written communication a psychologist is to list his or her post-graduate degree after the title "psychologist" is, I understand, considered an important requirement — the only part of this Act that allows the consumer of psychological services to distinguish between a master's and doctoral trained psychologist.

Now I ask you, Mr. Minister, and your official. I'm sure that you will know already that a Ph.D. degree may be purchased for approximately \$400 U.S. (United States) from any number of mail-order degree mills in the United States and Britain.

So my question is this. Does this Act prevent the following shameful scenario? A person with a master's degree in psychology becomes duly licensed to practise psychology by the new college of psychology under this Act. This psychologist then buys a \$400 mail-order Ph.D., lists the Ph.D. degree after his or her title, "psychologist," and refers to him or herself as Doctor So-and-so. Now what in this Act prevents such a sham?

Hon. Mr. Cline: — What would prevent that kind of sham would be that the bylaw-making power of the governing body would allow it to do two things.

First of all, it would allow it to decide who could be registered and what their qualifications would be. And obviously they wouldn't accept the doctoral degree from a mail-order university, as no other professional organization would do that either.

The member says, well what if somebody with a master's was admitted and registered, and then they got a mail-order degree. Well the answer to that would be that the professional body, like other professional bodies, would have the power to regulate its members. And if any of its members tried something like that, I'm sure that would be considered conduct unbecoming the member. And the member would be disciplined and suspended or removed from the profession, if the member did that.

(1945)

So I appreciate the question, but I don't think there's any serious danger that any serious professional organization would tolerate that kind of behaviour. It simply wouldn't be tolerated at all. If it was tolerated and a real danger, then it would occur in any number of professions which today license people to practise within them, whether they have a doctorate or not.

And we see that for example with the registered nurses' association, which accepts as registered nurses people with a degree or people with a diploma from SIAST (Saskatchewan Institute of Applied Science and Technology) most commonly. Or we see it in the legal profession, where you don't need to have a doctorate in law to be registered to practise. You can have a doctorate or a master's or a bachelor's degree.

I think if any member of those professions tried to promote himself or herself with a mail-order doctorate degree, any responsible profession simply would not tolerate that.

Ms. Haverstock: — Well how come I'm not surprised that you people don't know about this? I have raised about the Association of State and Provincial Psychology Boards earlier, late this afternoon, and that seemed to come as some surprise. I then talked about the position of the Canadian Register of Health Service Providers in Psychology and that came as a bit of a surprise.

Now I'm talking about something that indeed is not just some pie-in-the-sky scenario, Mr. Minister, it's a major problem being faced by our next door neighbours in the province of Alberta. This isn't something we've just made up as a possibility, this is a downright reality that's going on as we speak.

This growing problem in Alberta and other provinces that license psychologists at the master's level is where this is occurring most frequently. There are 27 such Dr. Sham cases right now in the province of Alberta. Now this Act, as it stands, provides absolutely no protection for the public against impostors.

And I would like to ask why this Act has been introduced when the government obviously does not know at all about this

particular situation and has not provided for protection against such impostors? And would you, Mr. Minister, refer your own family to members who could possibly do such a thing? I mean people of a group that not only have done it, they are doing it.

Hon. Mr. Cline: — And they will undoubtedly be disciplined by their professional body or they should be. Today we wouldn't have the authority to discipline people that did that because they're not members of the profession.

But I would refer the member to section 20 of The Psychologists Act, which says that the council — which will be the governing body, the psychologists — may register a member and issue a licence to a person who has a master's or doctoral degree in a program that primarily consisted of psychology classes from an educational institution recognized by the council.

So in other words, the profession will only grant admission to people from universities that are recognized by the profession. This is common to professional legislation; it isn't unique to this legislation.

In terms of the member saying that we are taken by surprise by reference to the organization you referred to earlier, we are well aware of that organization and their model statute. This is not a surprise. We simply do not agree with everything they say. But that doesn't mean that we are not aware of them or that we're surprised by what the member is saying. In terms of the danger of people getting doctoral degrees out of Cracker Jack boxes or through the mail or in any other method, we are aware of that.

The legislation is drafted to take that into account and to allow the profession to discipline people who act in an unprofessional manner. And certainly anybody that gets a sham degree and calls himself or herself a doctor of psychology on that basis is acting in an unprofessional manner. And any profession . . . this has happened sometimes with the medical profession. It can happen unfortunately, but those people will be dealt with by any responsible professional body.

Ms. Haverstock: — Mr. Minister, I think you understand why, when we met earlier today, I was saying that we don't want to use the province of Alberta as a model for what we should be doing as far as our own standards for licensing and certification in the province of Saskatchewan. Somehow this has been held up and said, well this is a model that we can base this on. We're ignoring Ontario; we're ignoring the fact that Quebec, with the largest number of master's trained psychologists, is now changing their standards; they're beginning to be completely worried about the direction that they went in and they're modifying it.

Part of the concern here is to make sure that at least there's the anticipation of problems that are occurring presently, and for people who are concerned about standards, especially those in SPA who have spent an inordinate amount of time dealing with ensuring that people adhere to ethical behaviour, that they hold the highest possible professional standards and so forth, these people are very concerned about things that they've seen happen elsewhere and they want to ensure that changes that are going to occur in this Act are going to at the very least

anticipate problems.

If in fact there are people unfamiliar . . . who sit on a transitional council and they are not aware of what has transpired in other provinces and in states in the United States, if they have not been directly involved as a regulatory body in the past, if they have not spent inordinate — not just hours — but days and months and years examining the issues of professional standards and ensuring that their entire profession is something that they can hold in the highest esteem based on particular kinds of standards, then there's going to be I think, a longer period of time of being able to reach a consensus. And I'm encouraged by your saying that there will be people who will participate in this process who perhaps have had good cause and needed to be able to look at these things in the past because of what they were required to do just to achieve their own credentials.

I want to reiterate before I close — I'm sure you're going to be relieved to hear that — that first of all the greatest concern here is to ensure that the public is going to receive the best possible services and be safe; that they're going to receive services from people who are not only well trained, but be able to be regulated in a way that can make them feel secure in what they are receiving.

As a professional body, people want to ensure that standards are not ever lowered. And one of the things that is of great concern to many people in the profession is to ensure that supervision is part of this process. A lot of people, as I stated earlier, at the doctoral level continue to receive supervision. This is not a practice that's engaged in nearly as often — in fact I would cite very infrequently — by master's trained psychologists. It's done frequently by doctoral level trained psychologists. And I ask you, I wonder why that is. I find that a rather curious thing.

And I think that one of the things that needs to happen here is an encouragement on the part of the government that supervision be part of this transition to grandfathering or whatever it is we want to call it. And I think that it's a good thing. It's not only healthy for the people who are participating in the profession of psychology, it's actually an exciting process that can make people work far better, not just as professionals but as a team.

I'm going to be moving some amendments, and I certainly hope that you will give these due consideration because I think that they would be a very good sign for the people of Saskatchewan who have raised concerns about this legislation.

Hon. Mr. Cline: — I just want to say, Mr. Chair, while I think it's important to involve the doctoral trained people on the transitional council, as we've discussed, I also believe that the master's level people and the educational psychologists are competent, skilled people and they have something to bring to the table. They are professionals and they want to come to the table with the public interest in mind as well.

I agree with the member that the kind of interaction that you can have in any profession . . . some people dealing with people that have more experience or training can be beneficial not only to the public but to the professionals concerned. And I have every confidence that regardless of the level of educational attainment

of the individuals practising psychology, they will all have an interest in wanting to ensure that there is an appropriate level of training and supervision.

And frankly, I was glad to hear the member say she was an optimist. I am an optimist too and I believe that when people are working together, some people will be surprised at the level of agreement that there really will be between the various parts of the profession. So I join the member in being optimistic about the process and I'm sure that people will give it a chance. And in a few years will see that it works . . . working fairly well as well.

Ms. Haverstock: — Mr. Minister, I want first of all to thank your official with you this afternoon and this evening, Mr. Johnston, and thank you as well for being patient and entertaining the things that I've asked of you today.

One final comment. I know that if people feel that the process is going to be fair, that in fact they're going to be equal in representation, that they will participate in this with a great deal of optimism too.

Mr. Toth: — Mr. Chairman, to the minister and to his official, a couple of questions regarding this Act, and coming back to the couple of comments made by the member from Saskatoon Greystone.

In the second reading speech, the minister responsible at that time, I believe the Minister of Agriculture, talked about the fact that this Act is going to give the college the authority to ensure psychologists have proper training and practise within their area of expertise and in accordance with any standards of practice the college deems appropriate.

Now I understand from one of the letters I have received, one of the concerns that was raised, and I think the member from Saskatoon Greystone raised this as well, the fact that the proposed Act as it presently reads, they talk about significantly lowering the standards.

Now I'm not exactly sure whether they're specifically talking of the fact that certainly there's a difference between the master's level and the Ph.D. level as far as the number of years of training, but the Ph.D. level as well does have a year of supervision included, whereas I don't think, if I've read things closely, that the master's level has any supervisory time period before you receive your certificate or whatever to recognize that training.

And I guess the question I have for you, Mr. Minister, is, has any consideration been given to a supervised period of training for a master's level psychologist?

Hon. Mr. Cline: — It may be a good thing to require that kind of supervision. It's not a decision that the government would make. It's a decision that the governing body would make when it enacts its bylaws. And that would be true not only for The Psychologists Act and the psychologists council, but really any kind of professional body. So that for example the legal profession, with which I'm more familiar, requires that you have a year of supervision which is called articles of clerkship,

and that's what they do.

But that's more a requirement of the law society than the government, the idea being that the government will set up the self-governing profession, in this case the psychologists, and say to them, you decide how people should be educated and trained; we think you're better equipped to do that than we are. And so they may come up with that kind of bylaw, but that would be entirely up to the professional group as opposed to our prescribing that in legislation.

(2000)

Because if we were going to prescribe that in legislation, for example, then we may as well prescribe everything else. And that really as a matter of self-governance of a profession is not a very workable model. But that doesn't mean that the idea of supervision is a bad idea.

Mr. Toth: — So what you're saying then, Mr. Minister, this new governing body that's going to be partly appointed and I believe partly elected — or is it totally appointed to start with and then elected — will have the authority then to set down the guidelines which may include, if you will, at the master's level, a year of supervised training before you would receive your certificate as psychologist with a master's level of training.

The concern I have, Mr. Minister, is when we talk . . . and I think the debate we have, that's been taking place, that certainly has been between our caucus, and I'm sure as well government members, is between two levels of expertise here, if you will.

We've seen it with the nurses. We used to have a two-year diploma program for nurses, then it went to three. SUN (Saskatchewan Union of Nurses) basically moved and forced everyone into a four-year degree program before you could receive your nurses . . . not certificate but your degree program.

One of the concerns I would have is that down the road the doctorate level may have the opportunity to influence and force that full four-year plus . . . or what is it? Four years plus four years . . . a year's supervised training for all psychologists in the province of Saskatchewan.

And I think if we looked throughout the province of Saskatchewan, the number of individuals who are currently practising today, some with a number of years of experience, to add another two or three years of training will not really necessarily make them better or more qualified to provide the service that they are providing.

I personally believe that there is room for the two levels. And I think if I hear a number of the psychologists correctly, they want the public to be aware of the fact that there are two levels of training and that when the public comes and is looking for a qualified psychologist, they want to be able to know that when they refer to themselves, that they either have the master's level of training or the Ph.D. level.

And so I think it's important that we recognize that there are individuals who are certainly qualified with a master's diploma or degree to practice. And I'm not exactly sure, but I think the

way this legislation is coming down, down the road it opens up the door for the doctoral level to take over and then to set a standard which basically forces everyone into that level of training. Isn't that true?

Hon. Mr. Cline: — It could be true. I guess if you use an analogy, one could talk about the teaching profession, in the sense that it used to be you could teach if you had one year of normal school and then there was a standard A certificate which involved maybe a couple years of education at university. And then finally you needed to have your Bachelor of Education degree, which is now the standard.

And what they did is they said, you know, at one time, well we're raising the standard, but if you're already teaching and qualified with the old qualification we will — they used to say grandfather you, but now the politically correct term is grandparent you, which is fine — so we'll grandparent you and you just keep teaching. But anybody new coming in has to have the new qualification.

And so with the psychologists, it's quite possible that what will eventually happen is that the psychologists governing council may say okay, well let's consider the psychologists that are practising today with a master's degree. I don't think anybody seriously will say that they shouldn't be able to carry on with their work or that they should have to go back to school or do something in particular to continue to work.

I think most people think they should be grandparented and they should be members of the association and licensed and registered. But the faculty at the department of psychology at the University of Saskatchewan, which does not support this legislation, doesn't want to any more train people at the master's level. They only want to train them at the Ph.D. level. To which I reply, that's fine. They and the other universities too are going to only train people at Ph.D. level as clinical psychologists. You're not going to have any master's graduates at some time in the future.

And what I would say to them is this legislation will not stop you from doing that. You can go ahead and do it and eventually, as we have more Ph.D. psychologists, which we don't have enough of today, which is part of the problem we're trying to deal with, they'll come into the profession and eventually some day all of the psychologists practising clinical psychology will be Ph.D.s, and the master's and the educational psychologists perhaps won't be trained any more and won't practise any more. But the ones that are there now will.

So yes, you may have that kind of change in the long term, and that change will come about as a result of the decisions made by the department of psychology at the University of Saskatchewan, and I think they're entitled to make that kind of change that they're making and other universities are.

But what we're trying to do today is deal with the situation we have, which is that most of the psychologists that practise in Saskatchewan are not doctors, they're master's degree and educational psychologists. We want them to be able to practise, but we want them to be licensed and regulated.

But if the profession eventually moves to some higher standard, that's fine, and the legislation won't prevent them from doing that. And so yes, that could happen and we think that that's a matter for the profession to work out as well.

Mr. Toth: — Unfortunately, Mr. Minister, what I see happening in this profession as we've seen it in education and certainly in health, is down the road as you allowed the teachers and the teachers basically had the requirement of a full degree program versus the two-year diploma, the cost when it came right down to it there was the dollars and cents. With a degree, you basically set yourself at a standard up here. It didn't mean you were more qualified to do a better job in the classroom, but we see now the Department of Education has got fewer dollars to work with because they've got people at higher salaries.

Take a look at the nurses. As soon as you move from the two- to the full four-year, next thing you know the Department of Health has problems. Your own department, there's only so many because you're looking at a higher level of salary. And I guess if people choose to take a two-year program and do a good job at that level and if that's their choice . . . but you're correct, as the college of psychologists themselves say no, we're only doing the four-year program, you'll have no alternative. In the meantime, it becomes a greater cost to the taxpayer.

And there are a lot of excellent people. I just hope that at the end of the day, those who have chosen to and do have a master's degree, are not looked down upon because that's the level of training and yet they're doing a quality job in the field. And I would hope that we would recognize that. Down the road, as the demand . . . and the fact that colleges will not recognize . . . and are basically just promoting the four-year training or not even offering the master's, then certainly it's going to put everybody into the Ph.D. level. And that's something we don't really have any control over. That's their choice if they choose not to do the training.

But I guess it's important that we recognize that individuals who are out there right now are certainly recognized for their expertise and the care and the concern they are giving to the public. And I just think it's important that that is recognized versus maybe saying to someone who's maybe just had five years experience doing a quality job.

But we've seen that in the educational field. The pressure was on to go back and upgrade to the Ph.D. level versus continuing, if you chose, to stay at that master's level. So I think it's important that people be made aware of it. I think the public themselves, at the end of the day, will choose. They'll make a choice. And if they feel that a person with a Ph.D. level is serving them better, that's where they'll choose to go. And the individual down the street who's currently sitting there with a master's degree will say, well it's obvious this is the choice of the public; I better upgrade myself if I intend to continue to practise here. So it's just those concerns I have.

The other question you had . . . or there was another issue raised this afternoon, Mr. Minister. And I was just . . . I'm wondering what you mean by the term "counsellor" when you talked about being recognized as a counsellor or a person being able to, say

hang up their shingle and say that they are a counsellor.

The reason I raise that is because there are many people out in society right now in different professions that people turn to for some counselling if they've got a problem, such as, say pastoral personnel throughout the province or throughout society may be looked to, or teachers or even principals students may go to for some counselling.

And the question I raise, Mr. Minister, is when you used the term "counsellor" this afternoon, does that take away from individuals such as pastors or educators to still act as counsellors in their area or profession when people come to them to seek some guidance?

Hon. Mr. Cline: — No. The simple answer is no it does not. The only thing this would prevent is referred to really in section 23 of the Bill which talks about the question of authorized practice. It says it is:

. . . the communication of a diagnosis identifying, as the cause of a person's symptoms, a neuropsychologically-based psychotic, neurotic or personality disorder.

So that if you were doing that, then the legislation restricts that to people that are licensed and registered. If you're going beyond or if you're outside of that and just doing the kind of counselling the member is talking about, the Act doesn't have any implication.

Mr. Toth: — Mr. Minister, clause 54 talks about the minister as Lieutenant Governor in Council having the ability to . . . basically where you're going to be appointing a number of . . . or appointing the positions on the council to start with, if I'm not mistaken. And in clause 2 you talk about the fact that there will be representatives from the different levels of Saskatchewan educational psychologists, Saskatchewan Psychological Association and society of Saskatchewan.

What I'm wondering, Mr. Minister, I think you indicated a moment ago that the council first of all will be made up of appointees — you will appoint them all. What I'm wondering is why wouldn't it be possible to allow the three different organizations that are recognized here in this piece of legislation to bring forward names themselves and basically appoint or elect the two representatives that you're listing down here and start off right from day one with partially elected coming from the representatives and then three chosen by yourself or are . . . Lieutenant Governor in Council rather than just you as the minister appointing all of these members to start off with, Mr. Minister?

Hon. Mr. Cline: — Yes. I may have inadvertently misled the member in the sense that section 54 does say that the transitional council will be two representatives recommended by the Saskatchewan Psychological Association; two recommended by the Saskatchewan Educational Psychologists Association, and two recommended by the Psychological Society of Saskatchewan. So these people would have to be recommended or they couldn't be appointed within the terms of this section.

And then it says three public representatives chosen by the Lieutenant Governor in Council. So the cabinet could choose those three people on the recommendation of the Minister of Health.

And then it goes on to say in subsection (9) of section 54 that those people would pass the necessary bylaws because their job is to make the bylaws for the organization so that they could have an election among their membership to once they . . . the first thing they have to do I suppose, is decide who the members will be; so they have to decide who can be admitted — licensed and registered. And once they do that, eventually they would have an election and the people would be elected. But in the first instance, six of them would be recommended by the professional organizations and three of them would be appointed by the cabinet.

Mr. Toth: — Thank you, Mr. Minister. Also in subsection (9) of 54, I think you mentioned the Lieutenant Governor in Council has the ability to determine . . . or to have the bylaw powers like it says here:

In addition to making bylaws for any of the purposes set out in section 15, the transitional council shall pass any necessary bylaws, including those mentioned in clauses 15(1)(f and (i) for the purpose of conducting an election to elect members of the council . . . conduct that election on or before a date to be set by . . .

When you're talking of having the power to set bylaws is that . . . in this provision here, you're just talking about having that power to set . . . are you setting the date, or are you setting the date in conjunction with conversing with the council to determine when that date should be set. Or why don't you just leave the council with the ability to set a date for this election without having ministerial approval?
(2015)

Hon. Mr. Cline: — The reason for that would be that the purpose of the transitional council is, you have to appreciate that the electorate is not defined to elect the people that will run the profession, because since most of the profession has been unregulated, you first need a transitional council that will make rules with respect to who gets to come in and vote. And one of the concerns that various members of the profession have is that if you don't have a fair process to admit people in, then you can in effect gerrymander the election.

And what we have to do as government, I think, in terms of setting the date, is make sure that the date is set at a time when all the people that should fairly have an opportunity to join the association and vote have been let in; so that it doesn't occur too early at a time when there are people that should be allowed to come in and vote, and that it isn't left too long, you know, so that you delay the election for too long.

And because of the transitional nature of the council, because it's a new profession that has to define its own constituency, if you will, I think it's necessary for the government to ensure that everything is done in a fair manner — almost as a returning officer would make sure that the rules were properly in place.

But having said all that, I have every confidence that the professionals involved on the transitional council will do things in a very fair and impartial manner. But it's like everything else, you have to write these things in such a way that you can ensure that everything is done in a manner that is really above reproach and is fair to everybody.

Mr. Toth: — Thank you, Mr. Minister. Mr. Minister, based on the time it's taken to put this Act together and the talk of, or your recommendation for, an election, when do you perceive there would be an election for this position — a year down the road? A year and a half down the road? As the council gets up and running and sets in place its bylaws, what are your perceptions in regards to this and what would you basically as a minister like to see? You've made a comment about the fact you really don't want it delayed for time and a day but you certainly want to see a time period, which would lead me to believe that there is a time frame you would hope that you'd be able to achieve. And what do you perceive as being a possible time frame for the selection process to proceed?

Hon. Mr. Cline: — I would hope within a year and a half to two years the elections would take place, the bylaws would be in place, and the profession would proceed. But it is a situation where it could be earlier or later because the decision would be largely out of our hands; it would be determined by the people on the transitional council. But that would be my hope.

Mr. Toth: — Mr. Chairman, I'd like to thank the minister and his officials for their response to the questions and if there's any other concerns or questions I guess would come up, certainly we'll raise them as we go through subvotes. Thank you.

Clause 1 agreed to.

Clauses 2 and 3 agreed to.

Ms. Haverstock: — Thank you, Mr. Chair. Given that I was in deep consultation with the minister of SGI (Saskatchewan Government Insurance), I would appreciate it if we could go back to clause 2.

The Chair: — Before I would go back to clause 2, I would have to have leave of the Assembly to do so. Is leave granted?

Leave granted.

Clause 2

Ms. Haverstock: — Colleagues, and Mr. Chair, I'd like to move the following amendment, and the amendment reads:

Amend clause 2 of the printed Bill by:

(a) renumbering the clause as subclause 2(1); and

(b) by adding a new subclause (2) as follows:

And that would precede where it states college.

“(2) The practice of psychology is the assessment of behavioral and mental conditions, the diagnosis of neuropsychological disorders and dysfunctions and psychotic, neurotic and personality disorders and dysfunctions and the prevention and treatment of behavioral and mental disorders and dysfunctions and the maintenance and enhancement of physical, intellectual, emotional, social and interpersonal functioning.”

I so move.

Amendment negated.

Clause 2 agreed to.

Clauses 3 to 13 inclusive agreed to.

Clause 14

Hon. Mr. Cline: — I'd like to move an amendment to:

Amend Clause 14(1) of the printed Bill by striking out “may” where it appears the second time.

It simply corrects a grammatical error.

Amendment agreed to.

Clause 14 as amended agreed to.

Clauses 15 to 19 inclusive agreed to.

Clause 20

Ms. Haverstock: — Thank you, Mr. Chair. I'd like to move the following amendment:

Amend clause 20 of the printed Bill by deleting subclause (a) and substituting the following:

“(a) either:

(i) has a master's degree in a program that primarily consisted of psychology classes from an educational institution recognized by the council and has successfully completed four years of supervised practical experience recognized by the council in accordance with the bylaws; or

(ii) has a doctoral degree in a program that primarily consisted of psychology classes from an educational institution recognized by the council and has successfully completed one year of supervised practical experience recognized by the council in accordance with the bylaws.”

Amendment negated.

Clause 20 agreed to.

Clauses 21 and 22 agreed to.

Clause 23

Hon. Mr. Cline: — Mr. Chair, I'd like to move an amendment to:

Strike out Clause 23(1) of the printed Bill and substitute the following:

“(1) An authorized practice is the communication of a diagnosis identifying, as the cause of a person's symptoms, a neuropsychological disorder or a psychologically-based psychotic, neurotic or personality disorder”.

Amendment agreed to.

Clause 23 as amended agreed to.

Clause 24

Ms. Haverstock: — Thank you very much, Mr. Chair. I'd like to move the following amendment:

Amend clause 24 of the printed Bill by deleting the words “use the title “psychologist”” where they occur in subclause (2) therein and substituting the following:

“use the title “doctoral psychologist””.

And while I'm on my feet, clause 24 of the printed Bill:

Amend clause 24 of the printed Bill by deleting the words “use the title “psychologist”” where they occur in subclause (3) therein and substituting the following:
“use the title “psychological associate””.

As well in clause 24:

Amend clause 24 of the printed Bill by deleting subclause (4) and substituting the following:

“(4) A member who is registered and licensed pursuant to section 20 or 21 and practices as an educational psychologist must, in written communication, use the title “psychological associate (educational)” followed by the abbreviation of the degree held by that member.”

I so move.

Amendments negated.

Clause 24 agreed to.

Clauses 25 to 53 inclusive agreed to.

(2030)

Clause 54

Ms. Haverstock: — Thank you, Mr. Chair. I'd like to move the following amendment:

Amend clause 54 of the printed Bill by deleting the words “two representatives recommended by the Saskatchewan Psychological Association” where they occur in subclause 2(a) therein, and substituting the following:

“four representatives recommended by the Saskatchewan Psychological Association”.

I so move.

Amendment negatived.

Clause 54 agreed to.

Clauses 55 and 56 agreed to.

Hon. Mr. Cline: — Mr. Chair, I move that we report item no. 15, Bill No. 47 with amendment.

And just before I sit down, Mr. Chair, also before we vote, I'd like to thank the members of the opposition for their very useful dialogue with respect to this legislation, and also Mr. Johnston for assisting us here today.

Mr. McLane: — Thank you, Mr. Chairman.

I would like to thank the minister and his official for answering the questions in a timely fashion, and I look forward to meeting with him again.

The committee agreed to report the Bill as amended.

THIRD READINGS

Bill No. 47 — The Psychologists Act, 1997

Hon. Mr. Cline: — Mr. Speaker, I move that the amendments be now read the first and second time.

Motion agreed to.

Hon. Mr. Cline: — By leave of the Assembly, I move that Bill No. 47 be now read the third time and passed under its title.

Motion agreed to, the Bill read a third time and passed under its title.

The committee reported progress on Bill No. 28.

COMMITTEE OF THE WHOLE

Bill No. 28 — The Family Maintenance Amendment Act, 1997

The Chair: — Minister, would you . . . I understand you have at least one new official. Would you introduce . . . No? No, I'm sorry. Would you introduce your officials, please.

Hon. Mr. Nilson: — Mr. Chair, I'm pleased to have with me

again Betty Ann Pottruff, director of policy planning and evaluation of the Department of Justice; and Susan Amrud, the director of legislative services of the Department of Justice.

Clause 1

Ms. Draude: — Welcome, Mr. Minister, and welcome to your officials. Mr. Minister, this afternoon it would appear that the system that we are all here to defend and to ensure works to the benefit of our citizens was broken down to the extent that the process came off the track — off the track because the agenda that was set out by the government was not followed.

Anyone who knows my colleague from Humboldt, and myself, will understand the fact that we do not necessarily believe that agendas make life run correctly. They just make life run like a train on a schedule. Well I learned, Mr. Minister, that the process will take precedence and it doesn't necessarily mean that the process will make life better for our citizens. It just means life will go on.

So, Mr. Minister, tonight this Bill will be passed as the process dictates, but my concern is that the people and more specifically the children of this province are not necessarily better off because we have chosen to deal only with the money part of children's lives. Money does not make the world go around, Mr. Minister. They say love makes the world go around, and dealing with this Bill that talks only about financial responsibility of people and not the emotional responsibility is a hollow Act. We have again forgotten what is really important in life.

We wanted . . . or what we wanted this afternoon was for the government to address all the concerns of our children, all the concerns of the children whose homes may no longer have the family unit as we knew it back in grandpa's days — concerns that dealt with money as well as the love of both parents who brought them into the world.

For the record, Mr. Speaker — or Mr. Deputy Chair — we are asking that the government consider children's rights and needs, as well as parents' rights and needs, equally. The needs that will ensure that children of Saskatchewan will benefit to the full extent of the law that we have in this province. Parents in divorce are not arguing over a piece of property — they are dealing with their children. Custody and access are terms used in the prison system to discuss chattels and property. They are not terms we should be using with our children. They are terms used in the days of slaves. Are these the terms we want to use when we describe our children?

Mr. Minister, our desire is to have both custodial and non-custodial parents treated equally. It is the government's responsibility to ensure that they do have their rights. And how can we do that? Is it a feasible suggestion that government pay for the application to courts to ensure accessible rights are upheld and paid for by the system? Governments enforce court orders for a custodial parent. Why must non-custodial parents have to pay up to \$2,500 to ensure that their rights, determined by the courts already, are upheld? I even question how non-custodial parents even know about the option of going to court to appeal, or whatever the term may be, to give the

non-custodial parent the right to fight.

Mr. Minister, we will be keeping our eyes on this Bill. We want to ensure that there are no adverse effects because of the legislation that causes hardship or animosity. We will then be urging government to amend the guidelines.

Mr. Minister, I do not question your intentions or your desire to ensure that children in Saskatchewan are treated with the respect and dignity deserving of all of our citizens. I am questioning whether you are using all your powers to guarantee that our children are protected financially as well as emotionally. I can only trust that you and your government will work at full speed with the only objective in mind to protect our children — setting aside politics, setting aside feelings, and setting aside life's mundane problems — and work to ensure that our children have the love and the nurturing and the caring of both parents.

Mr. Minister, I don't have any questions on this Bill and I don't have any questions on the motives. I just question how soon you will enforce your department's move on enforcing the access rights. And on behalf of all the non-custodial parents in this province, I ask you to hurry.

(2045)

Clause 1 agreed to.

Clauses 2 to 5 inclusive agreed to.

Clause 6

Hon. Mr. Nilson: — Yes, may I have leave to make a brief response to the comments made earlier before we proceed through the rest of them? I can make the comments as it relates to clause 6, if you wish.

Leave granted.

Hon. Mr. Nilson: — Yes, I very much appreciated your comments, especially as it relates, as you say, to the non-custodial parents who are caught in what they often feel like is a trap where many parts of the judicial machinery, if I can use that word, force them to pay, but they feel like they can't share in their children's lives.

And I agree — and I have for many, many years — that the terms that we use, of custody and access, often are part of the problem and that when you talk about shared parenting or parental responsibility or joint parenting, those kinds of terms speak more to what people really feel when they're involved in a relationship that breaks up and they're still trying to provide everything for their children.

And I guess all I can say is what I've said previously, is that we know that this is a concern that we have to address, and we're working at it. I think I can say without any doubt that we in Saskatchewan, as far as the legislation goes in The Children's Law Act, have some if not the most progressive legislation in this area in Canada. The only other province that has legislation with some of the provisions that we have is Newfoundland. And the reason they have it is that they copied what we did.

So I guess what I would say is, on the legislation part, we've done some things. But that doesn't mean that we're going to give up on some of the ideas that you've suggested or that we will not work in this area to see if we can't make sure that all children have the love and care of both their parents and extended families.

Clause 6 agreed to.

Clauses 7 to 11 inclusive agreed to.

The Chair: — I invite the minister to move the Bill without amendment.

Hon. Mr. Nilson: — Yes, just before I do that, I'd like to thank my officials who are with me today and who have been working on this particular issue I know for quite a number of years. Also like to thank members of the opposition for their questions and comments, and I do encourage them to monitor everything we do in this area to make sure that we get the best for Saskatchewan people. And with those comments then, I move that we report this Bill without amendment.

Ms. Draude: — I'd like to thank the minister and his officials. And I do know that we are all working towards a common goal in making sure that Saskatchewan is the best place to raise our children. So thank you.

The committee agreed to report the Bill.

THIRD READINGS

Bill No. 28 — The Family Maintenance Amendment Act, 1997

Hon. Mr. Nilson: — Mr. Speaker, I move that this Bill be now read the third time and passed under its title.

Motion agreed to, the Bill read a third time and passed under its title.

ROYAL ASSENT

At 9:10 p.m. His Honour the Lieutenant Governor entered the Chamber, took his seat upon the throne, and gave Royal Assent to the following Bills:

- Bill No. 24 - The Court Jurisdiction and Proceedings Transfer Act/Loi sur la compétence des tribunaux et le renvoi des instances
- Bill No. 23 - The Enforcement of Canadian Judgments Act/Loi sur l'exécution des jugements canadiens
- Bill No. 25 - The Gas Licensing Amendment Act, 1997
- Bill No. 39 - The Multiculturalism Act
- Bill No. 47 - The Psychologists Act, 1997
- Bill No. 28 - The Family Maintenance Amendment Act, 1997

His Honour: — In Her Majesty's name, I assent to these Bills.

His Honour retired from the Chamber at 9:13 p.m.

The Assembly adjourned at 9:14 p.m.

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