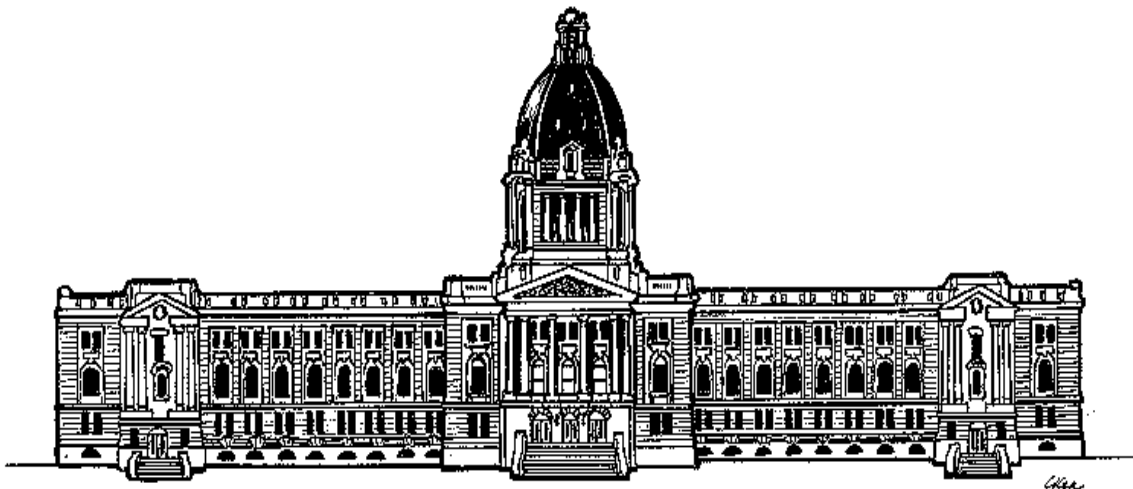




# **STANDING COMMITTEE ON HUMAN SERVICES**

## **Hansard Verbatim Report**

**No. 7 – June 3, 2004**



**Legislative Assembly of Saskatchewan**

**Twenty-fifth Legislature**

**STANDING COMMITTEE ON HUMAN SERVICES  
2004**

Ms. Judy Junor, Chair  
Saskatoon Eastview

Mr. Ken Cheveldayoff, Deputy Chair  
Saskatoon Silver Springs

Ms. Brenda Bakken  
Weyburn-Big Muddy

Mr. Lon Borgerson  
Saskatchewan Rivers

Hon. Joanne Crofford  
Regina Rosemont

Mr. Glenn Hagel  
Moose Jaw North

Mr. Don Morgan  
Saskatoon Southeast

The committee met at 15:00.

**Bill No. 25 — The Adoption Amendment Act, 2004/  
Loi de 2004 modifiant la Loi de 1998 sur l'adoption**

**The Chair:** — The first item of business is Bill No. 25, The Adoption Amendment Act, 2004. I'll recognize the minister and have her introduce the officials.

**Hon. Ms. Crofford:** — Good day, Madam Chair. The Department of Community Resources and Employment is pleased to be present today for discussion of the proposed Acts. And we have today, on the legislation, two department officials in attendance to assist, Shelley Hoover to my right, the assistant deputy minister, and Janice Krumenacker on my left, director of post-care services.

**Clause 1**

**The Chair:** — The clause 1, short title, agreed?

**Hon. Ms. Crofford:** — Now I have some opening comments if you want me to run through them.

**The Chair:** — Oh yes, go ahead then. Sorry.

**Hon. Ms. Crofford:** — And this will just give a little overview of the Bill for the benefit of the committee members and any who may be listening in. These amendments are designed to ensure the best interests of the child in adoption planning and voluntary committal processes by addressing the rights of birth parents in a more equitable way. And I'm not sure if we mentioned that the actual Bill we're reviewing is The Adoption Act, 1998.

The amendments reflect a more inclusive approach to birth parents' involvement in planning for their child. The definition has been broadened to include all biological fathers, regardless of their circumstances in relationship to the birth mother. The birth mother and birth father definition are aligned together to reflect equity in being assessed as a birth parent.

The amendments represent a recognition of the rights of birth fathers in planning for their biological child. The definition as it currently exists allows for a process where birth mothers can exclude birth fathers from planning. This is ultimately not viewed in the best interests of the child.

The Supreme Court of Canada ruled in the case of Trociuk versus British Columbia Attorney General in spring 2003, where the court ruled that to give a birth mother the absolute discretion to unacknowledge the birth father is a violation of the Canadian Charter of Rights and Freedoms. We believe that children have the right, to the extent possible, to know their paternal and maternal ancestry including vital information about health matters and family background.

Over the past few years, many adult adoptees who have received post-adoption services have expressed significant frustration or hopelessness at their ability to access information about their paternal ancestry. Adult adoptees have been quite critical of any legal provisions that do not ensure both parents

have equal opportunities to be involved in adoption planning.

Circumstances where it would not be appropriate to have a birth father involvement, such as sexual assault, safety issues, stalling on planning, or birth father declared as unknown, will be subject to the dispensation process where a court assesses the circumstances and decides accordingly.

In addition to the amendments noted above, we have proposed some housekeeping amendments including upgrading the provision addressing confidentiality to ensure the highest standard possible — and this ensures clarity regarding the preservation of records and information as well as authority to administer and provide services — altering the definition of birth mother to reflect that definitions of both parents should be the same, and the remainder of the housekeeping amendments also retain the intent of the provision while adding clarity.

So that's just a general overview of the Bill.

**The Chair:** — Thank you. Ms. Eagles.

**Ms. Eagles:** — Thank you, Madam Chair. Madam Minister, one of the most significant changes in this Bill is that portion that deals with the changing of the definition of birth parents to include all biological fathers regardless of their circumstances and relation to the birth mother.

And while we are in favour of keeping the adoption process as open and equitable as possible . . . and we're also aware that adoption agencies are in favour as well, since these proposed changes reflect the values and principles of the open adoption process. However, just for purposes of clarification, do you anticipate that these proposed changes might actually delay the adoption process in some cases?

**Hon. Ms. Crofford:** — I have asked that question, but I'm going to ask . . . Who would be most equipped, Janice Krumenacker, to answer that so we're sure that we're clear?

**Ms. Krumenacker:** — You know, with respect to timing in adoption planning, what we predict is that birth parents will have opportunities to provide input into planning for their child. Now it'll depend on when a birth mother approaches, you know, either a lawyer to start to engage a private process or the department to start engaging a process within the department. If she approaches at month seven, you know, of her pregnancy or earlier, we'll have time to determine a birth father and where he sifts and sorts out in the process.

If she gives birth in the hospital and then, you know, makes a decision for adoption planning, there will be some time to consider what will occur. Firstly we'll be recommending that she place her child temporarily in care, to think about, you know, quite a decision that she'll have to make. You know, we'll want to be doing counselling. Regardless of the birth father's involvement, we do not want her to rush into a decision. So, you know, we would recommend, say, a two-week placement at least to take some time to think about it.

In that time, we will also be sifting and sorting out where the birth father is. Who is it? And, you know, if she does not know

who it is and the reasons are compelling enough that we would then engage legal processes for preparing for a dispensation order in court, that will be done timely and promptly.

So, you know, I think it's fair enough to say it's a bit unpredictable. It depends on a case-by-case basis really what will happen and what the circumstances of the birth father are. If she identifies right away that the birth father is who he is, she particularly likes him or doesn't like him, he lives here or there — it's a matter of then, you know, getting him included, advising him of the information. If he's stalling on planning, not providing with alternative . . . I mean, that is again, you know, compelling circumstances to then proceed to court, serve him and say, this is the plan for adoption. And unless he comes up with an alternative plan, then it will proceed.

I don't anticipate lengthy delays. That's not in the best interests of the child. And that is in the best interests clause as well around timely permanency planning for children. It's in the Act.

**Ms. Eagles:** — Thank you. If there are delays or other problems do occur, Madam Minister, are there any specific measures in place that might help to stream the process, not only for the birth parents but also for the adoptive parents?

**Hon. Ms. Crofford:** — Maybe it would just be best if I go through this, because it basically outlines the kind of legal counsel that the parents are or aren't entitled to, depending on their particular circumstances.

The counselling provided to birth parents is outlined, and the adoption legislation requires that birth parents be informed that they have the right to independent legal counsel on all voluntary committal and adoption matters. Both parents may access this service through Legal Aid if they qualify. If they do not meet the criteria for involvement with Legal Aid, they must consider their options regarding legal counsel.

In Crown ward adoptions completed by the department, where it's identified that a birth father should not be involved due to circumstances, the department provides legal services. In agency adoptions, the agency provides legal services for dispensation as supported through a fee-for-service structure applicable to adoptive parents.

Currently birth mothers proceeding with an independent, private adoption who cannot access Legal Aid and do not have the resources to hire a lawyer contact the prospective adoptive parents whom she has selected for the adoption of her child. The adoptive couple will offer to pay for legal services, for a lawyer of the birth mother's choice. This may be seen as a conflict of interest; however the birth mother and the adoptive family typically have mutual interests. And in step-parent adoptions, birth mothers and their spouses involved fund the entire cost.

So I highlighted that just from the point of view of making every effort to make sure that financial resources aren't a limiting factor in getting this work completed.

I think it would be helpful if Ms. Krumenacker could try to give us some sense of how long an adoption would normally take and what the maximum amount of time this additional

procedure may or may not delay it.

**Ms. Krumenacker:** — In Saskatchewan we have various ways that you can proceed with an adoption, and one is through the department. One is through independent . . . independently with lawyers involved facilitating it. So I'll just give you the scenario of an independent, formerly known as private adoption.

A birth mother may give birth in the hospital and have already made a selection. She's made a choice that she wants to give it to her aunt and uncle or a friend of her aunt and uncle. And so that's already arranged. And the department may not necessarily know of this information at this time. She may not have contacted the department at all for the legal counselling required, so she places in a private custody agreement with the prospective adoptive parents. So they know that, you know, they want to proceed with an adoption plan, and they've taken the risk of it, accepting the infant when really there is no papers or procedures done yet. And that is typically what does happen in an independent adoption . . . is that the baby is placed privately first and then the procedure moves along.

So with respect to the changes here, in the proposed amendments, what will have to occur is that the lawyer handling the . . . with the adoptive parents will say, by the way, we have birth father legislation, and we have to ensure that the birth father is dealt with. So, you know, who is the birth father? And we're hoping, you know, provided in the context that it is . . . and she needs to attend to the department for legal counselling. And that'll be part of ours that we do right now, you know, sensitively and with empathy — we do discuss many things including, you know, that the birth father has rights to be involved. And sometimes they like to hear that and sometimes they don't.

So we will provide that counselling. The lawyer will be assisting her with that, through that as well. And if she's forthcoming with the information, things come together very quickly. I mean, you know, he's contacted. He's advised. He's okay with the plan. He consents. You know, after it's gone through the counselling through our department first . . . I should say that, first, you can't consent till you've completed legal counselling with our department. That's signed off. So they're fully informed of their options, both of them. Then they go and get the consent signed, and then they come back to our department for independent advice.

So this procedure is happening now. Many birth fathers are involved, and it moves along. If she's not as forthcoming with the information, if she says I know him but I don't want to name him, you know, it will . . . we'll have to do more counselling around that, you know, about why, why is that. You know, if there's safety issues, if there's compelling reasons that would prepare a case for court, then whether it's in the private sector or whether it's with our department, that's what we would do.

If the reasons are such that, I don't like him and I don't like his family and I don't want him involved, you know, we'll have to . . . she'll have to be advised that we understand that, you know. However he is required to have involvement and be informed. You know, it's possible he could be informed, and he's not interested. It's possible he's not interested, and he's willing to

sign consent just to get out of the picture, or he's not interested and he refuses to sign the consent. Then again you can proceed with dispensation proceedings.

Or another case scenario will be, he is interested, and by the way he has an alternative plan that he wants considered too. And that may be a placement with an aunt and uncle on his side that have been wanting to adopt for years. So then it becomes a situation privately where the birth mother and the birth father have to work out what that plan will be.

So that's a scenario, you know, from the private sector. And it largely would be similar in the departments. Do you want me to proceed with what that would look like if we were handling the adoption or . . .

**Ms. Eagles:** — Yes, if you could do that.

**Ms. Krumenacker:** — Okay. If birth mother gives us very late notice — and often they do, maybe on the 11th hour in their pregnancy, in the ninth month they're thinking of adoption — so we right away again encourage that she will need some time to think about it because we firmly believe you can't make an adoption plan in seven days. And many of them want to. Many of them want to sign the papers and get it done with and over. You know, we work with them quite a bit on what it means for such a serious lifelong decision.

So, you know, we would anticipate in a late notice of birth that the child would be placed into care temporarily. She would be very involved in that process, meet the foster parents, continue meeting with the child if she wished. And we would work with her to sort out what the issues were around the birth father. Again very forthcoming, it's straightforward. It would be the same scenario as I pointed out in independent adoption. It's a case-by-case circumstances.

You know, we have worked with birth mothers who have deliberately sat on information that have been forthcoming eventually. And we've had very well-meaning birth fathers come forward and get involved and provide the history and the necessary information and even be willing to consent.

We've also had the odd one that's not willing to consent and has, you know, a plan as well, so that all has to be sorted out. And we keep in mind that we're going to make decisions, you know, for the best interests of the child. Does that . . .

**Ms. Eagles:** — Thank you very much. Madam Chair, to the minister, it is our understanding that Saskatchewan is on the leading edge of this proposed legislation, and in fact that it's one of the first jurisdictions to implement these changes.

Prior to this Bill coming forward, what kind of consultation and review occurred? And secondly . . . or pardon me, specifically, did you consult with any of those jurisdictions that already have this in place?

**Hon. Ms. Crofford:** — The consultations that took place included consultations with the Law Society of Saskatchewan, the family law judges, the Children's Advocate, the adoptive support centre of Saskatchewan — now that includes adoptive parents, applicants, birth parents, adoptees, and professionals —

Christian Counselling Services agency, Youth in Care Network, the adoption program staff within our own department, review of adoption law in Canada with other provinces and territories, review of master's thesis completed on birth fathers' adoption experience in Saskatchewan in 2002, and Saskatchewan Justice.

Are you interested in the results of those consultations?

**Ms. Eagles:** — Yes. If you could keep it brief, sure.

**Hon. Ms. Crofford:** — The overall results yielded approximately 55 per cent in favour of the amendments — as you can realize this has been territory that's been largely owned by the birth mothers to this date, so it's a bit controversial — whereas approximately 45 per cent were either definitely against any change or acknowledged that present provisions were inadequate but were not totally willing to endorse changes due to potential risks to the process. And I think those are questions you raised over timeliness.

The results of the consultation were predicated to be mixed in opinion. Adoption is sometimes viewed in a traditional context where birth mothers should have more rights than birth fathers in planning for the child. And one would not consider that a ringing endorsement. I guess what further suggests that we should still proceed is, first of all, the court case in BC (British Columbia) that ruled that the birth father does have rights.

And the second part would be my view, I think — obviously shared by the department as they brought this forward — that there's some wisdom in children being able to, when they're adults, determine who their birth parents were. And certainly I've seen kids who remain very lost and damaged throughout their life by not knowing who their parents are, their birth parents, because it's that sense of rootedness. You know, they still relate to the people who adopt them and raise them as mom and dad, but there's issues around knowing where they came from and whatnot.

So personally I feel strongly that the court case, combined with the recommendation to move ahead and the 55 per cent who are in favour, I think, probably the amount of support for it will depend on the ability to keep the processes timely and to resolve issues.

But it is a change, and there's no question that we're going to have to be careful how we move forward to deal with the sensitivities here. But I think timeliness will be one of the big questions that we have to evaluate constantly as we go along to make sure that we have the best process to not delay the, for the benefit of the child, the most permanent placement possible.

**Ms. Eagles:** — Thank you, Madam Minister. You indicated that the frustrations and disappointments of adult adoptees going through post-adoption services are what prompted these changes in that they often had extreme difficulty in accessing information about their birth fathers. At the same time, it's our understanding that with the change to the definition of the birth father, there is also a grandfather clause being included, essentially saying that no adoption decisions made prior to the Act coming into force will be legally challenged.

So just to clarify, what is the . . . while it was past episodes that

precipitated these amendments, individuals who endured these episodes will also be prevented from benefiting from these changes. Is that correct, and is it in line with what other jurisdictions do?

**Hon. Ms. Crofford:** — Would you like to answer that again?

**Ms. Krumenacker:** — Could you just clarify for me, you mean individuals who've endured episodes, what . . .

**Ms. Eagles:** — Well that have been through situations in the past before the, you know . . . the way the Act . . .

**Hon. Ms. Crofford:** — Whether it will benefit birth fathers who predate this Act.

**Ms. Krumenacker:** — Oh, okay. With respect to what is called the grandfathering clause, that just confirms that all adoptions have been finalized. No party to that will be able to challenge in court that, you know, they weren't a party to it prior to this legislation and they would like the adoption nullified, so whether it was one that happened in 1999 or 1992 or whenever. And so we felt that was prudent of course because you don't want to disturb what has been going on.

But at the same time with respect to post-adoption services, birth fathers . . . there'll be more flexibility with respect to birth fathers. So say an adoptee could approach our service and say, I would like to have contact with my birth father, and there could possibly be the name of the birth father on the file as provided by the birth mother.

And within the context of what we have right now in the existing definition of birth father, he wouldn't fit the definition and couldn't be provided services. But within the context of the broadening of the definition and interpreting it more by biological, he would be, you know, interpreted as the best lead towards the biological birth father, and we would then pursue whatever the request was for service from the adoptee. And if that was a search and reunion for the birth father, we would then conduct that and determine as per our legislative requirements whether the birth father concurred that he was named as such and whether he would be willing to proceed by providing consent to proceed. It is providing more flexibility and a level of openness, you know, higher than before.

**Ms. Eagles:** — Thank you. What is the significance to that section of the Bill where three days is being changed to 72 hours? To most people this is one and the same, and why the need for this seemingly inconsequential amendment?

**Hon. Ms. Crofford:** — I'm not sure what specific problem could result, but the interpretation of a day can change significantly, and the 72 hours just makes it clearer from a point of initiation. A day . . . does a day start in the morning? Is it the whole 24 hours? You know what I mean. So I think it just gives a little more clarity.

**Ms. Eagles:** — Okay, thank you. It's our understanding that:

. . . an order of adoption made pursuant to section 16, 23 or 24 . . . is (considered):

(a) final and irrevocable; and

(b) (is) not subject to question or review in any court by way of any action or proceeding.

Yet 29.6 indicates that appeals may in fact be made to the court. Could you clarify under what circumstances an appeal would be considered, and explain why these two parts of the Act are not contradictory to each other.

**Ms. Krumenacker:** — You're referring to 29.6 of the present Act?

**Ms. Eagles:** — Right, right.

**Ms. Krumenacker:** — 29.6 . . . sorry, what, what . . .

**Ms. Eagles:** — 29.6, and in comparison with 26, pardon me, 16, 23 or 24.

**Ms. Krumenacker:** — I'm sorry, of the proposed amendments or of the existing legislation?

**Ms. Eagles:** — Of the existing.

**Ms. Krumenacker:** — I don't have a 29.6 in the existing legislation. You're referring to 29.6 in the proposed amendments.

**Ms. Eagles:** — Yes, I'm sorry. Yes, yes, that's right. Yes, I found it.

**Hon. Ms. Crofford:** — The one I've got is laid out according to the existing provisions.

**Ms. Krumenacker:** — This provision was not changed; it was moved around. So this is the same provision that exists in section 22 of the existing provisions . . . pardon me, for the exception of substituting a word, person, for child, just to accommodate adult adoption.

The appeal procedure is such that if there was . . . if the procedural requirements for legislation weren't met, this is a process that . . . this is the basis of which an appeal can occur.

**Hon. Ms. Crofford:** — Just to be clear, at what point in the adoption process would the appeal occur? Is this . . . I think that's the important question here.

**Ms. Krumenacker:** — It says an appeal from a fiat or a decision to grant an order. The fiat is issued 30 days prior to the order of adoption. Just to give you a timeline, I mean people apply for an application to court on 16, 23, and 23 anywhere up to a year after papers are signed, consent papers are signed. So we have up to a year to finalize.

When they bring it to court, if the legislative requirements have not been met, if there's something that one party is observed as not needing, there is the ability to appeal that.

I should just comment as well, like this, it is . . . you know, in kind of solidifying birth parents' rights in adoption ultimately provides a high level of positive . . . sorry, it completely

minimizes the legal risk for adoptive parents. You know, once you deal with each birth parent according to the legislation and you don't have one birth parent unilaterally excluding another birth parent in the process, you know, there won't be the potential for a birth father to come up any time in the year coming up to court for finalization or perhaps even after finalization if she provided false information to the process.

So this ultimately gives a high level of . . .

**Hon. Ms. Crofford:** — Legal certainty.

**Ms. Krumenacker:** — Yes, legal certainty to the adoption process and to the adoptive parents and to the child in the adoptive arrangement.

**Ms. Eagles:** — Thank you. And my final question is: is it your intent, Madam Minister, to proclaim this Act as soon as it's passed, or are there plans to allow for a transitional period? If you could just give us an idea of when it might be proclaimed?

**Hon. Ms. Crofford:** — I guess I might start out by saying I think that for some time we've been moving in this direction as far as practice goes. As to the exact proclamation date, I think it would follow the procedures of the House and be proclaimed in the next round of proclamations that occur on Bills that we've passed.

**Ms. Eagles:** — Thank you, Madam Minister. Thank you, officials.

**The Chair:** — Further questions? Seeing none, then clause 1 agreed?

**Some Hon. Members:** — Agreed.

Clause 1 agreed to.

Clauses 2 to 13 inclusive agreed to.

**The Chair:** — Then that Her Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows: The Adoption Amendment Act, 2004.

Could I have a motion to have the Bill reported without amendment? Mr. Hagel, so moved. Agreed?

**Some Hon. Members:** — Agreed.

The committee agreed to report the Bill.

#### **Bill No. 26 — The Adoption Consequential Amendment Act, 2004**

##### **Clause 1**

**The Chair:** — The next item of business before the committee is Bill 26 which is an Act . . . is The Adoption Amendment Act, consequential amendments. The minister has new officials to introduce, or no?

**Hon. Ms. Crofford:** — The same officials will be with us, Madam Chair.

**The Chair:** — Do you have an opening statement?

**Hon. Ms. Crofford:** — No, I don't.

**The Chair:** — Then questions of this? Ms. Eagles.

**Ms. Eagles:** — Thank you, Madam Chair. Madam Minister, it is our understanding that the changes proposed in this legislation will essentially bring other Acts in line with the changes proposed in the previous Bill No. 25. And could you confirm that?

**Hon. Ms. Crofford:** — Yes, that's an accurate understanding. It's to make sure that what occurs here isn't contradicted in another area.

**Ms. Eagles:** — And I note that there are a number of Acts being amended in this Bill: The Child and Family Services Act, The Freedom of Information and Protection of Privacy Act, and The Ombudsman and Children's Advocate Act. It looks like some of the changes were brought about due to the proclamation of The Adoption Act, 1998 in April of last year. And in some instances, explanations are changes in numbering or titles, and I'm assuming that these are just housekeeping?

**Hon. Ms. Crofford:** — Housekeeping.

**Ms. Eagles:** — Housekeeping. Okay. Is there a reason why these specific amendments weren't brought forward last year during the previous session?

**Hon. Ms. Crofford:** — Well I think when we make . . . sometimes housekeeping amendments are kept until there's a substantive change, and this is a substantive change that's occurring with this Bill. The main definitions that would be being brought into line would be definitions of birth mother, birth father, and I do believe there's also coming forward from Health a change to The Statistics Act as well.

**Ms. Eagles:** — Okay. And that's all the questions I have, Madam Chair. Thank you, Madam Minister.

**The Chair:** — Okay. Then seeing no more questions, Clause 1 agreed?

**Some Hon. Members:** — Agreed.

Clause 1 agreed to.

Clauses 2 to 6 inclusive agreed to.

**The Chair:** — Bill No. 26 that Her Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows: The Adoption Consequential Amendment Act, 2004.

Could I have a motion to have the Bill reported without amendment?

**Mr. Borgerson:** — I so move.

**The Chair:** — Mr. Borgerson. All agreed?

**Some Hon. Members:** — Agreed.

The committee agreed to report the Bill.

**General Revenue Fund  
Community Resources and Employment  
Vote 36**

**Subvote (RE01)**

**The Chair:** — The next item of business before the committee is the estimates for the Community Resources and Employment beginning on page 37 of the Saskatchewan Estimates book. The first item of business is vote 36, subvote (RE01) administration.

Does the minister have new officials?

**Hon. Ms. Crofford:** — I do. Brand new. Thank you very much, Madam Chair. Today I have with me seated to my right, deputy minister, Bonnie Durnford. Behind me, Shelley Hoover, assistant deputy minister; Darrell Jones, who you've met before from housing, assistant deputy minister; Bob Wihlidal, assistant deputy minister. Don Allen . . . I'll just have to ask people to give a little wave, because otherwise I'll hurt myself turning around. Don Allen, executive director, finance and property management; Larry Chaykowski, executive director, housing program operations; Marilyn Hedlund, executive director, child and family services; Phil Walsh, executive director, employment and income assistance division; Betty West, executive director, community living division.

**The Chair:** — Thank you. Do you have any opening statement?

**Hon. Ms. Crofford:** — No, we did that last time. Although I do have one correction to make from last time. And I'm pleased to mention that in this correction as in the previous one provided, the results are actually better with the correction.

Madam Chair, I'd like to correct the information that was provided to the Standing Committee on Human Services when our estimates were considered on May 19, 2004. The information that needs to be corrected relates to the amount of child benefits available to families in 1997 compared with 2004. The information provided indicated that families were eligible for \$160 for child benefits in 1997. The maximum combined federal-provincial child benefit in 1997 was \$210.12 for one child for a family on provincial assistance, and \$190 for a family not in receipt of social assistance.

And we apologize to the committee that the response understated the amounts available. It was a matter of someone looking at a chart that wasn't quite up to date.

**The Chair:** — Thank you. And before any officials answer we will again have them introduce themselves at the mike before they speak, if they are answering. Questions then? Mr. Toth.

**Mr. Toth:** — Thank you, Madam Chair. Madam Minister, a couple of questions. First of all with Sask Housing, and in issues related to access or gaining access to housing, and especially for seniors. As I have indicated and, Madam Minister, just shared with you just in conversation about a

couple of letters of request that have been coming forward.

It appears to me, Madam Minister, that maybe there is a lack of proper communication in regards to what assistance might be available should a — and this case is both, it's elderly couples — where one individual may find themselves in a wheelchair or needing easier access to a facility. They are continued to reside in their own home and have upgrades, need upgrades to allow access to that home. And in both cases, unfortunate, that have been brought to my attention lately, both individuals have indicated that they found out after they had proceeded with some changes that they would have qualified or might have qualified for some assistance in that regard.

Madam Minister, I guess the question is, what opportunities are available or how do we communicate the opportunity or the availability of assistance? And where do we go in situations where people find out after the fact as . . . What has your department done in the past? I know we'll be certainly extending, making requests in regards to the two situations.

But it just . . . this is kind of a general question, so that hopefully by having proper communication and education available out there we may save ourselves some of the problems of dealing with questions like this after the fact.

**Hon. Ms. Crofford:** — Before asking Darrell Jones to provide a response, I'll just mention that I think it's useful that you're asking. Because hopefully by virtue of asking, more seniors will become aware that they're entitled to apply for renovation dollars — assistance with renovation.

And we did just recently sign an agreement that extends this program again for several years into the future. And we're very pleased about that because it is a federal-provincial program and it was our understanding that it was coming to an end, but it has been renewed. And with that I'll turn it over to Darrell Jones to answer your specific question.

**Mr. Jones:** — Yes, Darrell Jones with the department. There are a number of programs that are available for people with disabilities in order to do enhancements. And one of the criteria of the program is that they do apply, make application for the program, prior to undertaking any sort of renovations.

Where situations arise where they find out after the fact, it does create a challenge for the department to deal with that situation because bills have already been paid, renovations have already been done. At that point, we don't know whether they've been done necessarily to standard and so forth. So we do run into particular circumstances along those lines. So we encourage individuals to try and determine what is available through Housing. And we have literature that is available — brochures, pamphlets, fact sheets — to try and make the population as aware of these as possible.

The programming that we have available is the home adaptations for seniors independence, which is a \$3,500 grant that is available to households. We also have a home modification for disabled program — which is another grant which isn't targeted specifically to seniors — which is \$2,000 per household.



And we also have the residential rehabilitation assistance program for disabled, and I believe we've reported to the committee before the allowances that are available under that program.

**Mr. Toth:** — What means is there available to communicate that this information is available? For example, I think in many cases people may find that they're visiting doctors' offices as a result of changes in health and the requirements. Are there any areas or means of communicating that this information is available and this possible assistance might be available? And how would individuals go about being informed of the programs that are available?

**Mr. Jones:** — One of the means in which we do have communication is on the department Web site. We have the information relative to all of the renovation programs, along with any of the other initiatives that have been announced under the HomeFirst programming, combined with brochures and fact sheets that have been made available to the public.

**Hon. Ms. Crofford:** — If I could just add, Madam Chair, I think that, you know, from time to time when I do my MLA (Member of the Legislative Assembly) newsletter, I'll send out information of what programs are available so people know. And normally these pamphlets are also provided to MLA offices. Now if that's not the case in this situation, we could make sure that you have copies of the information so people can provide it.

Generally we find that seniors' organizations — but it depends; if the senior's more isolated they may not be connected with seniors' organizations — but they generally know about all these kinds of programs. And perhaps Mr. Jones could, or one of the staff could give some indication of who we normally provide, aside from the Web site, who we would normally provide pamphlets to.

**Mr. Jones:** — We have agents that assist with the delivery of the program. In the city of Regina it is the city of Regina itself that acts as agent for delivery. And we also contract with the Provincial Métis Housing Corporation to undertake delivery. And so they do some distribution of brochures and pamphlets when they're in the field undertaking the delivery of the program. Of course the corporation also has a toll-free number which is available to the public to make inquiries relative to any of the programming available.

**Hon. Ms. Crofford:** — And that would be in the phone book.

**Mr. Jones:** — Yes, and on the Web site.

**Hon. Ms. Crofford:** — That handy item in the phone book.

**Mr. Toth:** — Well thank you, Madam Minister, and to your officials. The problem with the Web site I think will be though, when we're talking of elderly people, not a lot of elderly . . .

**Hon. Ms. Crofford:** — May not use that.

**Mr. Toth:** — . . . people are really in tune with the new technology and that may be a problem. It would seem to me outside of seniors' offices and seniors' centres and certainly

MLA offices . . . We have that information and we've been able in the past to inform people as to where to go and make application. But when people are not aware of it . . . And it would seem to me that maybe one of the areas, and I don't know if a lot is done through medical offices — it may not be necessarily a physician, but maybe a receptionist as well — as a person leaves an office and realizes that they're going to need to have some sort of refurbishing of a step or access, wheelchair, that some of these offices maybe through the receptionist could hand out information.

And I'm not sure, Madam Minister, if that's an avenue that's been pursued or if that's one that is available where that type of information is given.

**Hon. Ms. Crofford:** — Again I think one of the little problems we ran into is because we thought the program was winding down, there wasn't a big push in the last couple of years to, I guess, raise expectations. But now that we've signed a new agreement and we have the new HomeFirst program we'll certainly take your suggestions as we distribute the pamphlets for the new program.

**Mr. Toth:** — Thank you, Madam Minister. Moving on to another area, and this is going back to a question that arose last year, and in general I'm going to approach the question. This case we're talking of an individual on assistance, two young children and unfortunately one with a disability, hearing disability. At the time the young child had a — I'm not exactly sure of the term — cochlear implant. I'm not sure if that's the appropriate way of calling it. And as the mother here mentioned, she was pleased for the funding of that implant.

Unfortunately there were other costs afterwards that fell at her feet and she found, being on assistance, that it was very difficult. Apparently the department doesn't fund that level of health need and care and . . . however there seems to be an overlap here. And I understand from the letter and from the response from the department that generally Health would pick up some of these costs.

I guess the question is: when a person on assistance finds himself in situation like this, and when there's an overlap of the Department of Health actually picking up or would pick up these types of costs, what does the department do to work with a person on assistance in ensuring that their needs are met? As well as, if there's an area where health needs should be covered under the Department of Health of working with that client or that individual to ensure that those costs are covered with the department rather than just saying, that's the Department of Health's responsibility; you go and find out how to access those costs.

**Hon. Ms. Crofford:** — I'll start out with a general answer and then I'll get Phil Walsh to give a more specific one. Generally, I would say that we've done a number of things to enrich the health benefits that are available to people both on assistance and low-income people off assistance who are now eligible for health benefits that cover the children. As to the relationship between Health and social . . . the Department of Community Resources and Employment in its social assistance, I'll get Phil Walsh from the income security branch to talk about that relationship.

**Mr. Walsh:** — My name is Phil Walsh. As you've noted, there often are overlapping responsibilities between Health and our department. And quite often this comes into play in individual situations. Certainly the first point of trying to resolve the case would be at the local level between our regional folks and folks from Health. If that doesn't resolve the situation, then we do elevate it to the central office policy people to try and attempt to find a resolution, either on individual cases or on particular policies. And quite often we are able to do that.

We also do certainly, as part of that, identify gaps in coverage where people may fall through the cracks in coverage of some of the services. And we'll attempt to try to change policies as well to cover those gaps. Perhaps the best . . . what we have done in the past is taken individual cases, if they're referred to us, and tried to follow up on them and see if in fact they can be resolved.

**Mr. Toth:** — Thank you, Phil. The letter I have here basically says . . . it advises the individual that the department is unable to cover these expenses, which we recognize. And mention about going to the central office and the person wasn't totally satisfied. I guess the question I was coming to was, that it would seem to me that a person working with their worker if . . . where there's situation where there's an overlap, that that worker might be able to give some assistance in following through with another department to . . . rather than saying, well it's not our responsibility; you have to go to another office.

And I think for most people, their difficulty is trying to manage a household . . . well now, what's the process? And I guess the question is, what can a worker do in assisting their client in approaching, say, the office of the Department of Health to cover these, to see to it that these costs are covered, whatever is available?

**Hon. Ms. Crofford:** — Again I'll have to get Phil Walsh to ask whether the common practice is for the worker themselves to make that contact, or whether it's to provide the contact information to the person in question. And certainly if you pass that letter along to me we'll look into it as well.

**Mr. Walsh:** — I think it would depend probably on the individual situation. I think many workers would attempt to resolve the situation at a local level if they're aware of . . . The individual situations are usually quite different and our workers may not always be familiar with what is and isn't covered through health programs, so they would attempt to, I believe in most cases, try to resolve it at the local level.

If that doesn't work then they would normally elevate it to the central office to see if we can make some resolution with the Health department. But we do actually deal with quite a number of cases like this on an ongoing basis, so we certainly do try to resolve those as best we can.

**Mr. Toth:** — Thank you, Mr. Walsh. Madam Minister, I'll definitely . . .

**Hon. Ms. Crofford:** — I'll be waiting for your letter.

**Mr. Toth:** — I'll have a letter off to you because I'm interested in seeing what actually happened as a result of some of the

inquiries in the past. And I to date haven't received anything to indicate what was finalized on this situation.

Madam Minister, this afternoon in question period we raised some questions regarding these assault cases, and certainly we are quite well aware of the Martensville situation. And a recent article in *The StarPhoenix* and, Madam Minister, a number of comments, in fact the letter from your office and the Justice office and the minister, Mr. Quennell, and taking to task some of the comments that were made by the department at the time . . . pardon me, not the department but questioning some of the comments that were made by *The StarPhoenix* in regards to "Kids' families have rights too", and it would seem to me that the individual who did this article was doing it sincerely and was raising some very legitimate concerns.

And the article in question deals with a situation that I've raised on a number of occasions with a number of different ministers, because this goes back a few years. And what we see and what was raised this afternoon is the concern that families' lives are really put in jeopardy when issues of this nature come forward, and especially when we're dealing with situations of FAS (fetal alcohol syndrome) and FAE (fetal alcohol effects), and the concerns.

And I guess I would be concerned even for the department if foster families are finding that they are finding themselves in a situation where they end up before the courts. And there seems to have been some failure to really recognize the effects of FAS or lack thereof. And as a result families' lives have really been on hold and some cases pretty well destroyed. And unless you had the financial wherewithal to follow the process through, you're really put in a difficult position.

Madam Minister, I think it would . . . behooves us to come up with some areas of how we can indeed ensure that the lives and the safety and well-being of children is cared for as well as recognizing that families' rights should be protected and families' lives shouldn't be destroyed as a result of accusations that may come forward. Which may not . . . may in the end prove to have been possibly . . . well in most cases not necessarily malicious, but were unfounded and in the meantime while you go through this lengthy process, you really put families at risk.

And I'm wondering, Madam Minister, what is your department doing to ensure that we do not have these types of circumstances arising. As you indicated earlier, you have a lot of cases come before the department on an ongoing basis, and I realize each one is different. But I have some major concerns as to how we have dealt in the past and the fact that some of these cases, if at the end of the day the family has the wherewithal, it could be fairly costly to the department, the Department of Justice, in pursuing as a family has their case vindicated before the courts and then costs implied to basically try to address the wrongs that came about as a result of these accusations.

**Hon. Ms. Crofford:** — Yes, I think the best way to go at this is . . . I would say that everybody shares the concern that these matters are acted on fairly, both in regards of a child and in regards of the adults that are involved.

The first case that you refer to is 12 years old, and a lot has

taken place since then to improve procedures and protocols and how these things are handled. And certainly there is the requirement that, first of all, there has to be a reporting of this. In the particular instance we are talking about, there was two credible external reports that were made by upstanding members of the community that were not any part of the families involved.

This did go through three levels of judges and was found by them to be worthy of moving forward. These judges did not criticize the actions of the police, the prosecutors, or the social workers that were part of the earlier process. It went through child court and then through two subsequent judges.

In the actual practice itself, the federal government — and I forget what year it is — removed the need to corroborate evidence because so often when abuse occurs, there is only those two people in the room — the abuser and the abused. So I mean there aren't photos; there aren't witnesses. And so it then depends on the best possible interviewing techniques that you can achieve. And given the fact that you're dealing with children and people of all ages, you're dealing with people of all abilities. You know, you might have someone who's Down's syndrome child or autistic. You have a number of cognitive challenges you're dealing with when dealing with these kinds of situations.

There is a requirement that both the police and the social worker be present for the investigation, and so that the interview . . . or the interview I should say, so that it is witnessed, and there's two independent views of the interview. Both of those parties are trained in the cognitive aspects of interviewing to be able to identify at what level the person is understanding the question, at what level they're able to comprehend what they're involved in. A lot of work has gone on over the past 10 years in not asking leading questions, in not trying to suggest an outcome to the person being interviewed.

That being said, as I mentioned there's 4,800 reports that are looked into every year and because of the fairly high standards, I think there are not more situations in which difficulty arises. That being said, every time we have a situation where the high standard of fairness to all parties hasn't been met, it results in revisions to the protocol so that we can have an ever higher standard of making sure that both children and others involved in the process are protected.

Now I don't know whether Marilyn Hedlund wishes to say more or whether we could wait as you ask more questions.

**Ms. Hedlund:** — Marilyn Hedlund. Perhaps I'll just speak to your comments around support for the family. Whenever there is a report of abuse made, of course our obligation is to investigate that and to interview the children and other witnesses in terms of whether the allegation is founded. It is a joint investigation.

But I think it's important to state that there are really two processes going on, and one is the criminal investigation, and the other is the child protection matter. So for the child protection hearing which is our responsibility, we need to ensure the child is safe. And the first question would be, are there services and supports that can be offered to the family that

would allow safe care within the home? If that's not a reasonable plan, then you would look at an alternative through the courts to obtain an order of care.

As the judge reviews the evidence presented, the question is before the judge as to whether there is enough information here to substantiate that the child is in need of protection. And if there is a requirement for more information, that can be called for within the context of the court. If there is any option for continuing to work with that family, that is also tabled before the court before the final determination is made.

Once a child is placed, if the family should wish to appeal, they can apply to vary an order. So there is still that option available to them if they disagree with the decision made.

**Mr. Toth:** — Okay. When information is placed before a judge, is all the information placed before the judge, when you've gone . . . or is selective information that might lead into moving a case forward? Like I think some of the concerns raised here is how the information is presented and ensuring that all the . . . Oh my, let's see, I'm not sure if you want to use the word evidence or just the information that's been gathered is presented, so the judge can weigh all of the facts. And in those cases as well, would the family have representation at that time to ensure . . . And that their legal representation has been properly informed of the type of information that's been put forward so that there's adequate information available to ensure that fairness is certainly seen in the process?

**Hon. Ms. Crofford:** — It's my understanding that Bonnie Durnford, the deputy minister of the department, is going to respond to that.

**Ms. Durnford:** — Certainly. Firstly with regard to your question around representation, parents in all of child protection's proceedings, if we remove the child, we are obligated to give the parents a notice that we've removed the child and the basis, the reasons, why we've removed the child from the care, and to make it very clear and what the legislative authority is for the removal of the child. Parents always have the right to be represented in the hearing then that would proceed to court.

Part of our obligation in that process is to provide full disclosure of the information that we have in our possession that would be relevant to the case, and in front of the judge. So the direction that we provide to all of the lawyers that represent us, that represent the department in a child protection hearing . . . they are obligated to provide information to the parents or to the parents' lawyer if they're represented. There's a judge involved in the process that makes sure that disclosure, appropriate disclosure, has happened. And so we have pretty strict rules and requirements around disclosure.

Numbers of times, cases are settled before they actually get to a hearing. And that would be done between negotiations or discussions between counsel, lawyers for the department, and potentially lawyers for the parents. And if people are able to come to an agreement on what the plan should be for the child, whether that's to remain in foster care for a period of time or to be returned home with some conditions attached to it . . . to be returned home. Sometimes we're not able to resolve them, not

very often. But at times then we have to go to an actual trial and a hearing that's held before a judge.

And then both the department and the parents have an opportunity to present information and evidence in front of the judge. Each would have an opportunity to cross-examine witnesses and basically make sure that all of the information that each party considers to be relevant and in the child's best interests is placed before the court. And then the judge has a choice to make about what order he or she may choose to make under The Child and Family Services Act.

**Mr. Toth:** — Ms. Durnford, you mentioned that all the information is made available.

**Ms. Durnford:** — Yes.

**Mr. Toth:** — And in the article we have here, regarding the psychologist's report, was anyone from Social Services made aware of the contents of the report in time of the accused's trial? A psychologist testified that she often discusses her reports informally with the Department of Social Services before submitting them, but couldn't recall whether she'd done so in this case. So that's why the reporter is saying question is still valid.

And while we're not getting into individual cases here, you're indicating that generally that's what happens. Is it possible in some cases it may not always follow the . . . or happen the way it would normally be expected to proceed?

**Ms. Durnford:** — Sure. Perhaps if I can respond to this particular issue. This goes back to comments that Marilyn Hedlund made. We need to distinguish the difference between . . . there can be two proceedings going along here at the same time. We can have a child protection proceeding going through court where the court is determining the safety of the child and determining whether the child should remain in foster care or should be returned to the parents' care. So that's one proceeding.

The second proceeding that can be occurring at the same time in a different court is the . . . is if there are any particular criminal charges that have come as a result of the child's disclosure.

So in those instances, in the particular reference that you make to the story, the reference in that part of the story is referring not to the child protection proceeding but to the criminal proceeding. And the psychologist report that was prepared for the child protection proceeding came to us in the department, and that information was then provided to the Crown prosecutor, and the Crown prosecutor disclosed that to the defence counsel as part of the criminal process.

**Mr. Toth:** — So, Madam Minister, you're quite confident that we have adequate checks and balances in place. And if we do have situations that arise where maybe, despite all the checks and balances, actions were taken that may not have been the appropriate ones, the court will be then allowed to or have to deal with those situations.

**Hon. Ms. Crofford:** — I guess in an imperfect world where we have humans who are administering things, I think there's

always a potential for judgments to be made one way or the other. Our intent is to provide the highest level of certainty that we can with full disclosure of information and with full disclosure of information before the actual ruling — not after the ruling, but before the ruling — in any circumstance.

And could we get it to 100 per cent? One would hope that you can get as close as possible. But again with the removal in the Criminal Code from the obligation to corroborate, you are very dependent on the testimony of the individuals involved, and that would be the basis on which the decisions would be made by the police to proceed with prosecution and by the judges in their rulings.

So the only thing I can see that we can continue really to work on here — because as I say, since 1987 there's been a number of improvements — is just to continue to ensure that as our knowledge grows of cognitive abilities, to keep training to the highest level we can on interviewing techniques and standards to make sure that we do the best we can there. There's even been huge changes in that over the years.

But you definitely want to have your best informed and very capable staff working in a highly sensitive area like this. And I have to say, when I met with the staff that actually do this work, I was very impressed by their level of insight and professionalism and commitment to the work they were involved in, which must be very difficult work.

**Mr. Toth:** — Thank you, Madam Minister. It would seem to me though, Madam Minister, even though the court has indicated that it's not necessary to follow up and corroborate the information, it would, just for the sake of your own department and the well-being of individuals, that it might not hurt just to be looking more in-depth and corroborating the evidence to ensure that parents' rights aren't infringed upon and children's lives destroyed.

In this situation I know that I've had and former ministers have had dozens of letters, in fact maybe hundreds of letters, from individuals who have seen the family, have seen how these foster children participated and excelled in many events, musically and different areas. And it would be interesting to see today where these children are and how well they're doing as a result of this situation in their lives.

And I guess my final comment would be, I think as you've indicated, our goals should be to find the perfect world I guess if we could do that, but certainly really make every effort we can to ensure that the well-being of individuals is not impeded as we try to ensure that we are doing the best we can to meet the needs of children.

**Hon. Ms. Crofford:** — When I . . . I better be clear on this issue about corroboration, because this has to do with somebody actually physically witnessing that the episodes . . . But there is work done on interviewing teachers — let's say — perhaps if the person was a church person, their pastor or priest. So I'll get Marilyn Hedlund to just give a little more information on this, but people are interviewed beyond the family itself.

**Ms. Hedlund:** — Yes, certainly you would look for

corroborating evidence through medical assessment or a psychological assessment, interviews with teachers and other service providers. Within the interview of the children, with the children themselves, you'd also look for confirmation that they are telling a consistent story and that there is consistency of their story over time, and if there's more than one child involved, between the stories that each child is telling. So there are different checks and balances in the assessment and interview process to determine the validity of statements that are being made.

**Mr. Toth:** — Thank you, Madam Minister. And I'm going to allow somebody else into the questioning now. I've got another committee I've got to attend to for a minute too, so thank you very much.

**Hon. Ms. Crofford:** — Thank you for your questions.

**The Chair:** — Ms. Eagles.

**Ms. Eagles:** — Thank you, Madam Chair. Madam Minister, thank you to you again. I want to move into the area of social assistance and specifically social assistance for disabled people. And what I would like to know is, when was the last cost-of-living allowance increase for people of disabilities on social assistance, and what was that increase?

**Hon. Ms. Crofford:** — I'll just start by making an opening statement. Since we established the disabilities directorate, there's been considerable work with people from the abilities community to talk about the range of improvements that are required in order to achieve full citizenship. So there's been a number of budgetary increases both for people on assistance, not on assistance to assist with special needs, but also to provide more supports in the education system and in the employment system, particularly in the nature of workplace adaptation and job coaches — all these range of things. So I just start by making that very general statement and then refer you to Phil Walsh for the details.

**Mr. Walsh:** — Yes, last year there was an increase of \$10 in the allowance for people with disabilities; that increased from \$40 to \$50. And in this budget round, there was also an announcement about a new shelter allowance supplement for people with disabilities that will come in to be developed this year and be implemented in April of next year.

**Hon. Ms. Crofford:** — The additional information I'd like to provide is, since the disability action plan began in 2001, there's been an additional \$11 million which included 2.9 million for paratransit vehicles; 500,000 to municipalities in improving their paratransit operations; 4.2 million to fund the array of employment supports I mentioned earlier; 1.87 million for early childhood development and early childhood intervention program, including child care spaces specifically targeted for children with disabilities; and 1 million to increase the Saskatchewan Assistance Plan which would be the amounts that Phil was referring to.

As well, in our HomeFirst program, we're targeting some of the new housing resources to build housing that is accessible. And as well, the renovation program has been renewed to provide improvements to make both rental and owned housing

accessible. In fact you might . . . I don't know if you're familiar with the old Social Services building on Albert Street but the whole place is being renovated to an accessible housing development. And that's something that's in process right now through the centennial affordable housing program. But those are . . . that's broadly speaking.

**Ms. Eagles:** — Okay. So when it was said that the allowance was up \$10, from 40 to \$50, that's per month of course.

**Hon. Ms. Crofford:** — That's in addition, actually.

**Ms. Eagles:** — And that's in addition to what a person without disabilities that was on social assistance would get? Am I correct in saying that?

**Mr. Walsh:** — That's correct.

**Ms. Eagles:** — Okay. What is the maximum allowance, including basic allowance, disability allowance, travel allowance, etc., that a person can receive, that a disabled person can receive, in social assistance for one month?

**Mr. Walsh:** — I'll just take a second to find out. Phil Walsh. A single adult would be eligible for \$195 in basic allowance, plus a disabled adult would receive an additional \$50 as I indicated. A person in the northern part of Saskatchewan would receive an additional \$50 per month for northern food allowance. In terms of shelter, a person with a disability, a single person, would receive an allowance of up to \$320 per month. They could also receive an allowance, a special need in excess of that if they had particular issues around mobility and access to shelter.

They would also receive the actual cost of their utilities each month. So that would vary from case to case depending on which utilities they had and what the cost of those utilities were. There would also be a variety of special needs available depending on individual situations. That could include transportation, could include special diets, could include special clothing, and there would also be coverage through health coverage for many needs that are related to disabilities as well.

**Ms. Eagles:** — Does the degree of disability matter in determining the amount of money that they would receive?

**Mr. Walsh:** — Just related to special needs, and that would be related to their particular disability and particular family situation.

**Ms. Eagles:** — Are there any special allowances made if a person has to be on a special diet. A lot of people have said that, you know, they're on a special diet and they . . . I mean, that type of food is generally expensive and they just can't afford it. And you know, they're finding it really, really tough to make it at the current levels when they need this special food. Is there any kind of consideration given in a circumstance such as that?

**Hon. Ms. Crofford:** — I was just going to say that yes, that is a change that was made recently to provide more flexibility with people on special diets, sometimes through the Department of Health and sometimes through ourselves. But again I'll get Phil to give . . . Phil Walsh to give you a specific.

**Mr. Walsh:** — Yes, there are various special diet allowances available. It would depend on the particular condition and the . . . related to the particular cost of whatever their dietary needs were.

**Ms. Eagles:** — Is there any allowance or assistance a person who is disabled that they would qualify for in regards to medical appointments or just going to the bank or just, you know, when they have to do errands such as that? Is there any special allowance for that?

**Hon. Ms. Crofford:** — You go ahead with this, Mr. Walsh.

**Mr. Walsh:** — Okay, yes, there is special transportation considerations, again depending on patient circumstances and the costs related to their transportation.

**Ms. Eagles:** — When was the last time that was increased?

**Mr. Walsh:** — It's actually based more on sort of actual costs at the time. So there isn't necessarily an increase to a rate; it's more sort of as the cost of their particular transportation. If we're reimbursing them for their costs then, you know, it would increase from time to time as those costs increase.

**Ms. Eagles:** — Okay, so if they were taking a taxi, or a bus fare or whatever like that, just as long as it was a receipted cost, they would be reimbursed. Is that what you mean?

**Mr. Walsh:** — That's correct, if it's related to medical travel.

**Ms. Eagles:** — Okay. I'm going to get into a specific case that deals with a constituent of mine. And this person does have special needs; he's . . . and the family is not on social assistance. And I first learned of this through the Adopt an MLA program which was initiated by community living and was . . . is very worthwhile, and I think is an education to not only MLAs, but to everyone.

But when I visited the family that adopted me, there were a few issues raised. This family . . . I was dealing with the mother of the family. And her son is in his early 20s and he has Down's Syndrome and the family chose to keep him at home rather than have him live in a group home.

And I repeat, the family is not on social assistance, but he has had certain medical needs and his family has brought him to Regina to see specialists. And upon visiting the specialists, they have said that this young man would have improved speaking capabilities if he were to visit an orthodontist and get some work, dental work done. And he has had the required work done, or at least some of it, but the price tag for the family for the dental work alone was over \$3,000 — plus, of course, the cost of several trips to and from Regina.

Now when the family inquired about financial assistance, they were denied. And his parents were told if he was in a group home all his costs would be covered, but because he lives with his family, there is no assistance available. Now his family feels that they are being penalized because they chose to keep their son at home, and he would be covered if he were in a group home. All his expenses would be covered — his day-to-day living costs and everything else. And yet when they ask for

medical and dental coverage, they are denied. And I was just wondering if there was some explanation to why this happens.

**Hon. Ms. Crofford:** — Yes, I'll start with a general response first of all. Since we've had the disabilities directorate, we have been working a lot more closely with families in this community. And of course as you work more closely together, you find out more about what the real day-to-day circumstances are. I, like you, visited my family and had some things reinforced as well as some new thinking about what needs to be happening.

And one of the things that's going to be coming forward soon is the response to the disability action plan which will outline, I guess, a framework for how we think we should proceed into the future. Certainly we've seen instances where tax laws have been changed to assist families who are caring for more dependent family members and again, not always sure what all the solutions are. But with that rather general comment, and I'll turn it over. And don't forget to identify yourself before you speak. Yes, Betty West.

**Ms. West:** — Yes, Betty West. Excuse me. Children . . . I'm assuming this is a child that we're referring to, or an adult?

**Ms. Eagles:** — Twenty-four years old.

**Ms. West:** — A 24-year-old. That adult would certainly be eligible to apply for social assistance. And families who have their adult family member living at home are certainly entitled to apply for a level of care for them to provide support in looking after their family member. In terms of . . . And that adult would also be able to apply for assistance with medical transportation. I think Mr. Walsh described some of that earlier.

**Ms. Eagles:** — Okay. Now I must add that this young man, through the love, patience, and guidance of his family, he does hold down a job. And it's, you know, a part-time job. So, you know, he . . . I don't know if there's special allowances made in situations like that, would still, you know, allow him to get some assistance. But I mean the family, the family would be delighted if there was some help, even with the medical and dental, you know, aspects that they are dealing with. Because they find that it . . . I mean they're involved in agriculture and we all know what agriculture's like out there now.

So having said that, I would encourage, you know, for the review of situations such as this so that, you know, people like this can get the help that they so deserve. Because you know, they're looking after their children and it's really tough on them. So if the minister would, you know, review situations like that, I would certainly encourage it.

**Hon. Ms. Crofford:** — If the family is supportive of you doing that, you can certainly forward their name to myself and we'll look into it with them and make sure they're accessing everything they can.

**Ms. Eagles:** — Thank you, Madam Minister. I appreciate that. And I have another specific case issue here and this one is not a constituent of mine, it's a colleague of mine. So I will just pass on the information as I have here, and unfortunately, I don't know any more than I do have on paper.

But it's regarding a person at Porcupine Plain and for the last six months this woman has been looking after her brother who is disabled. And she says she just can't do it any more and she is trying to get him into the community living home in Porcupine Plain. And community living is requesting that they get a record from the doctor that he was disabled at birth. And this woman says that they have no way of obtaining those records. And she spoke to Kim Currey, the program manager at Porcupine Plain opportunity and she said that it was a social worker, a Mary Lou Hamilton, who is requesting this information.

Apparently the government has set stricter criteria on who they fund in community living and there are more criteria to get this funding. Mary Lou actually feels that this gentleman needs more supervision than the enhanced independent housing that the family is trying to get him into. And Kim has told the family about two approved homes that this gentleman could stay at and attend the programming at the Porcupine Plains opportunity program during the day. And this gentleman does get social services and this would cover his living expenses. And he has been attending vocational programming for one and a half months.

There are two openings at care homes in Porcupine Plain and they are looking to see if there are ways that this gentleman could utilize if they don't get the paperwork required to get him into community living.

Do you have any thoughts on that, Madam Minister?

**Hon. Ms. Crofford:** — No magic answers, other than again to bring the name forward and we can look at the individual circumstance and see whether that's an unreasonable request and whether there's a way to move forward.

**Ms. Eagles:** — Thank you, Madam Minister. And I will turn it to my colleague from Humboldt.

**The Chair:** — Ms. Harpauer.

**Ms. Harpauer:** — Thank you, Madam Chair. It's kind of interesting juggling between one committee and the other.

I have a question concerning a constituent of mine. It's a specific issue. He is a husband and father of young children. He's a farmer and he's suffering from Marfan syndrome which is a very rare disease.

The cost of his equipment and medication is over \$1,000 a month. I wrote a letter to the Minister of Health expressing the concerns of this constituency because the difficult thing that he's facing is that he derives his income from his farm. And when calculations are done to determine his . . . any program eligibility, items are included in his income that are not actual cash dollars that he has at his disposal to spend on his medical expenses, or living expenses for that matter.

The Minister of Health replied to my letter, sort of outlined the issues concerning the plans that are administered through the Department of Health. But he does qualify for some funding, I believe, under your department.

But when I accessed — now, just one moment — a letter that he received from your department basically outlining why he doesn't qualify for a program that's available, it lists his income at \$46,823. And there's a capital cost allowance that's added to that of \$15,137. There's also an optional inventory adjustment of \$27,250. And after subtracting utilities, it states his income at \$92,029.

Now I can assure you, and I'm sure you know, that this farmer does not have that kind of money at his disposal. And so the capital cost allowance and the optional inventory adjustments are not money that he can spend without jeopardizing his business. And yet he is still farming, actively farming with this disease, and still, you know, looking after his wife and children.

So I'm sure you can sympathize that over \$1,000 a month is fairly onerous. And his other option that he said to me is to cut back on the equipment that he needs, but that will jeopardize his health. Is there any way of looking at how we do the assessment, the income assessments, or the available funding for these programs?

**Hon. Ms. Crofford:** — It is very difficult when someone has assets, because of course if you were a regular social assistance recipient, you would be expected to pretty much be out of assets in order to receive assistance.

In this particular case, it would take some specific looking in to. He gets no benefit out of reaching his cap on his drug costs?

**Ms. Harpauer:** — I believe there is some; probably what I could do is forward the entire file to the minister because I have his permission to do so.

**Hon. Ms. Crofford:** — Yes, we'd have to look at the whole thing. This rings a bell though; I remember looking at this letter just recently.

**Ms. Harpauer:** — Okay. Because I believe the costs are even higher than that; what he is left paying is this little bit of it . . .

**Hon. Ms. Crofford:** — His portion.

**Ms. Harpauer:** — Yes, is over 1,000 which still is fairly astounding. And considering the length of time with this disease and complications thereof, I think he really would be not only jeopardizing his own personal health, which is the most important factor here, but it's going to cost us money in the long run if we have other procedures that we're going to have to perform in order to maintain this man's health.

So I will do that; I will forward the entire file to the minister, and thank her very, very dearly for taking the time to look into this.

**Hon. Ms. Crofford:** — I think the many cases that have been brought forward today illustrate the tricky world of deciding what support is able to be provided to people with a wide variety of needs.

**Ms. Harpauer:** — The second issue that I have isn't . . . or it is brought to me from a constituent, but it's not, I don't think, a very specific one such as the former. The parents of a child who

was born with some challenges, that child is now an adult. And she is living in community housing in Saskatoon and has a few hours employment at Toys “R” Us. And so is functioning as . . . actually very well on her own in a sense, but she will always need some sort of supervision and care.

She has her income from Toys “R” Us, but of course she’s being subsidized through Social Services. Now the mother doesn’t live in Saskatoon; the parents don’t live in Saskatoon — there are no family members there.

So the question that I was asked is, with this young gal’s condition . . . It’s not going to change; this was how she was born and this is how she will remain. So apparently she has to fill out forms fairly frequently in order to receive her subsidized funding, and if that’s forgotten then she’s cut off. Well Heather isn’t necessarily capable of doing that and the parents, as I said, don’t live there. And they’re questioning why she needs to do this so frequently, and why we need to tie up a social service worker’s time with this particular situation, and I think there’s a number like it, where it’s fairly well established this is . . . this will be her living abilities.

**Hon. Ms. Crofford:** — Yes, I think I’m going to first of all take a broad sweep at this and then we’ll get more specific. We do have a Jobs First policy and, at the urging of the abilities community, do include people with differing abilities in our attempts to have people employed and, as I mentioned early, have put 4.6 million towards employment supports and job coaches and all of those kinds of things, and are doing a lot of work in developing employers. And it’s good to hear that Toys “R” Us are willing to participate and be an employer.

The other issue we’ve been dealing with is with the auditor and trying to determine whether people who are eligible for assistance are properly identified. And I think one of the things we’ve determined in that process is that some of the processes are overly complex and overly onerous. And so one of the things we’re doing as we go back through our file checks on people’s eligibility is looking at whether there’s some ways we might simplify these processes, and I think that’s what you’re speaking to today.

A lot of it has been done to satisfy audit requirements that people who are on assistance are eligible and that, as much as possible, we’re managing to employ people, whatever their abilities are. But it also should be reasonable. And that’s the process that the department’s involved in right now, is sort of re-looking how to meet the auditor’s requirements without creating a lot of paperwork, both for people receiving benefits but also for the department staff because it ties them up in a lot of paperwork.

I don’t know if you wanted to comment further, Phil Walsh.

**Mr. Walsh:** — No, I think you’ve covered it.

**Ms. Harpauer:** — Thank the minister for that and for the efforts, because this family is not asking for her not to be, you know, assessed at all or, you know, report at all. They’re just saying the frequency is kind of silly.

**Hon. Ms. Crofford:** — Again it might be helpful to us in our

review of our procedures if you might forward that actual name. Because then, you know, it’s always more helpful to look at a very specific circumstance than a generalized discussion. So that would be helpful to us if you could do that.

**Ms. Harpauer:** — Okay. With that file I would have to phone and get permission. So I will do that and tomorrow I will have the other file ready for you.

**The Chair:** — Thank you.

**Hon. Ms. Crofford:** — Thank you very much.

**The Chair:** — Ms. Eagles.

**Ms. Eagles:** — Thank you, Madam Chair. Madam Minister, earlier when the member from Moosomin was asking you questions, you had mentioned the HomeFirst program. And I would just like to know how much of the \$200 million HomeFirst housing program will the provincial government be paying.

**Hon. Ms. Crofford:** — I think I’m going to have to call on the assistance of Mr. Jones for that. Every single one of our housing programs has a different cost-sharing arrangement with federal government and municipalities. So I . . . And some of it we’ve actually financed with some of our own savings. So I think I’m going to get Mr. Jones to deal with that sticky wicket.

**Mr. Jones:** — Yes, Darrell Jones. The amount of funding that’ll come through sources from Saskatchewan Housing Corporation, the department, and municipalities representing the provincial contribution, is about 70 per cent of that or about 140 million of the 200 million.

**Ms. Eagles:** — The provincial . . . For the provincial government’s share?

**Mr. Jones:** — Yes.

**Ms. Eagles:** — What about . . . does the municipal governments have any input in that or what, what is the rest of it? Is it federal, federal dollars?

**Mr. Jones:** — Yes, there is some municipal funding included within that and that does vary from program to program. A rough estimate of how much that might equate to over the total 200 million would be in the neighbourhood of 5 per cent.

**Ms. Eagles:** — Does the private sector have any participation in the HomeFirst program?

**Hon. Ms. Crofford:** — The private sector would participate if they were a project proponent or project participant. And they would have to have the involvement of other parts of the community. But certainly, the private sector does come forward as proponents. They also come forward in response to RFPs (request for proposal), where we’ve made a decision to build something and then of course you go to the private sector to have it built. We don’t have builders ourselves, although I’ve been thinking that Darrell Jones could probably get out there and do some of that himself.



**Ms. Eagles:** — There you go. Thank you, Madam Minister. Regarding administration, is there going to be a new branch in the department or will it be operating out of existing branches with existing staff?

**Hon. Ms. Crofford:** — No. It's all out of the existing infrastructure in the branch.

**Ms. Eagles:** — What is the criteria for projects to receive funding under this program?

**Hon. Ms. Crofford:** — Now that I am going to have to turn over to Darrell Jones. It's going to be quite variable because it does depend on what the particular project is and who the partners are, and also what the . . . if it's a private proponent, what they're putting in themselves. But with that I'll have him provide the specific answers.

**Mr. Jones:** — There's a number of programs under HomeFirst and so the criteria will vary from program to program. Under the centenary affordable housing program, as the minister has mentioned, we do a proposal call, and we ask for expressions of interest from the private sector, from the non-profit sector, to make application to put forward proposals for housing initiatives.

And then those proposals are assessed to see if they do meet criteria. Some of the criteria is looking at need and demand, long-term need and demand for the particular proposal.

We have a strong focus on home ownership, creating opportunities for home ownership for individuals and families in the programming. And we also have a strong focus on inner-city neighbourhoods and northern Saskatchewan where there is high needs or low- to moderate-income families.

**Ms. Eagles:** — Are there specific amounts earmarked for specific areas like the major cities, the rural areas, northern Saskatchewan, and also are there priorities regarding northern residents, seniors, people with disabilities?

**Hon. Ms. Crofford:** — I would say that there is broad principles on which the program is based, and that would be the highest-need people in the highest-need locations. But aside from that, no, it depends on that community putting forward proposals in the instance of the centennial affordable housing program.

We do have aspects of our social housing where we look at the need community by community where we build social housing, and where we would make a decision and then we would put out an RFP and ask someone to build those houses. But the other process where people come forward is a more open process. And again the notion is high-need persons in high-need locations.

**Ms. Eagles:** — Madam Minister, in your press release it says that this program is designed for low- to moderate-income households. What is your definition of a low to moderate household? And I'm talking income range, of course.

**Hon. Ms. Crofford:** — Yes, and I am going to ask Mr. Jones to answer that one.

**Mr. Jones:** — Yes, for households with . . . On an individual basis the maximum income limit is 35,000. And for households with more than one person, maximum income limit is 39,500; and that's for southern Saskatchewan. Maximum income limit in northern Saskatchewan is 49,500, recognizing the variance in cost and market conditions.

**Ms. Eagles:** — Okay. So you've actually answered my next question too. Because I was going to ask you what the definition of a household was. But you've got that all looked after, I see. Could you tell me how many households will receive funding this year?

**Hon. Ms. Crofford:** — In the program we've set goals for the number of housing units that we hope to achieve over the four-year program. I don't have those numbers with me. Do you have them?

**Mr. Jones:** — I can maybe speak to that somewhat. Because of the flexibility of the program in terms of the proposal call nature and reliant to some extent on what proposals come forward — whether they're multiple units, whether they're single, detached type units — what we anticipate is we will have some variation from year to year in terms of what the take-up will be. I believe we've set a target of 2,000 units over the course of the five-year horizon of the HomeFirst initiative. And that will be what we'll be striving to achieve over that five-year period. And we should see some variance from year to year. Given that we've just announced it this year I anticipate the take-up won't be as high as what it will be in years 2, 3, 4, and 5.

**Ms. Eagles:** — All right. I think that answers pretty well all the questions we have on that and I'd like to thank the minister and her officials for all their help today in clarifying some of the details for us.

**Hon. Ms. Crofford:** — Thank you very much, and thank you to the officials. And I'll look forward to receiving mail.

**The Chair:** — I'll now entertain a motion that this committee adjourn its considerations for the estimates for the Department of Community Resources and Employment. Mr. Belanger, thank you. All agreed?

**Some Hon. Members:** — Agreed.

**The Chair:** — Agreed. And we need a motion then that this committee do now adjourn. Mr. Hagel.

**Mr. Hagel:** — I so move.

**Some Hon. Members:** — Agreed.

**The Chair:** — Agreed. And we're adjourned till 11:30 tomorrow morning in the same room.

The committee adjourned at 16:51.



