



STANDING COMMITTEE ON HUMAN SERVICES

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**STANDING COMMITTEE ON HUMAN SERVICES
2006**

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Mr. Peter Prebble
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Mr. Milton Wakefield
Lloydminster

[The committee met at 15:05.]

**General Revenue Fund
Community Resources
Vote 36**

Subvote (CR01)

The Chair: — I call the meeting to order and welcome the minister. Our first item up for business on the agenda is the consideration of estimates for Community Resources and that's vote 36 found on page 39 of your budget book. Welcome to the minister. You can introduce your officials. And you've been here before so I'm sure you don't have a statement to make, right?

Hon. Mr. Belanger: — Thank you, Madam Chair. First of all I want to introduce my officials. Before I do that — there are quite a few here — I just want to point out to the folks that may be listening in the fact that I want to commend and I want to defend and I want to support the many fine people that work in the Community Resources department. There are thousands of people that have worked for us and they've done a tremendous job. And I just wanted to point out to many of them out there that as a minister, I'm very proud to serve as their minister. And there are many, many good folks that work for the department and they do some fantastic work. And certainly as a minister I couldn't be prouder of some of the staff that have done a tremendous amount of work.

With me to my immediate left is Duncan Fisher, who is our deputy minister. And with us to the back of me is Shelley Whitehead, who is the assistant deputy minister of policy. We also have Darrell Jones, assistant deputy minister for housing and central administration; Bob Wihlidal, who is the assistant deputy minister for client services; Don Allen, executive director of finance and property management; Larry Chaykowski, who is the executive director of the housing program operations.

Lynn Tulloch, who is the executive director of income assistance division; Gord Tweed, who is the associate executive director of income assistance division; Betty West, executive director of the community living division; Andrea Brittin, the associate executive director for child and family services; and Janice Krumenacker — I hope I didn't destroy her name here — director of post care services, child and family services. Thanks, Madam Chair.

The Chair: — Thank you, Mr. Minister. To the officials, when you speak first at the mike will you introduce yourself for the ease of the Hansard recording. Questions then?

Mr. D'Autremont: — The member for Cannington, Dan D'Autremont.

The Chair: — Mr. D'Autremont, yes. You're a strange face at this committee, Mr. D'Autremont.

Mr. D'Autremont: — Thank you, Madam Chair. I would like to welcome the minister and his officials here today. We also believe that the civil servants working within the department work very hard at their jobs and do a good job with what they have to work with.

I think a lot of people though across Saskatchewan have a great deal of difficulty though with the policies being put forward and the manner in which the government wants them implemented when it comes to social services. And because of that, we have questions that we need to ask of the minister and the department in relationship to those policies and how they're being implemented. While those questions should not reflect on the performance of the people working within the department, rather they reflect on the inadequacies of the government.

So, Mr. Minister, one of the issues of concern in my area, in Cannington constituency, deals with the residential school known as the Glenn McGuire School in Oxbow. This is a residential school for people that are severely handicapped. Most of them are in wheelchairs. They attend the Glenn McGuire School even though that they don't normally reside in that community. Rather they are resident within the community of Oxbow at the school during the week — Monday to Thursday — arriving Monday morning and going home Friday afternoon.

Up until now they have received some support from social services, I believe, in aiding with that area. At the present time the school board along with the Department of Learning is proposing to build a new school in Oxbow. That will mean the elimination of the current Glenn McGuire School. The teaching aspect of it will be incorporated into the new school.

From my understanding of the people in the community that the Glenn McGuire School will cease to operate as a school this coming fall. Yet the parents with children in that school don't wish that to happen. They're looking for avenues of support from government to support that particular residential component of the schooling.

Does DCRE [Department of Community Resources and Employment] offer support for children who are in those kind of circumstances and not resident in their home community and not resident with their parents?

Hon. Mr. Belanger: — Thank you very much for the question. One of the points that I want to raise before I ask Ms. West to respond to you is that, as you are aware, there are things that we always have to be cognizant of in terms of trying to make Saskatchewan a very caring, compassionate province. And in keeping with the Premier's theme of no one left behind on the path to opportunity, one of the key responsibilities that we have as a minister is to ensure that the people that have some challenge of some sort, whether it's a disability or some other problem area, that we look at them and certainly try and incorporate them and provide to them a quality-of-life service and then to work very closely with them. And to also above everything else is to respect them.

So we have first and foremost on our mind trying to make sure

that the people with special challenges and needs in our province are not forgotten. And we will continue having them first and foremost in many of the decisions and some of the discussions that we have in the department. I'm going to ask Ms. West to elaborate on your specifics, and then we go to the next question.

Ms. West: — Yes, good afternoon. Betty West, community living division. We are certainly aware of this situation in Oxbow. And our staff have been working with the families and with Learning as part of their strategy to make some changes to the Glenn McGuire School.

In any circumstance where we're working with families, we look at what the needs of that child are and what the needs and wishes and desires of the family are, and try to bring to that some choice in terms of resources that might be available to those families. I'm not familiar with the exact circumstances of all of the children and youth in that school and what the planning is, but I do know that we bring to those families what we bring to other families in the province.

And some of those options are some supports in the home if that's indeed still an option for that family, or if they have family members who may be living close enough to that school that their children can continue to access it. We also will look at out-of-home placements if the families desire that and if service providers are available to them.

Mr. D'Autremont: — Well under the current circumstances there, the service providers are in place at present. I believe that there is between 8 and 12 children currently resident in the Glenn McGuire School. Or at least I think about eight are resident and there's an additional four from within the community that attend the school, you know.

So the facility is there. The people are there. They wish to continue to provide that service. There was a public meeting there I think about 10 days to two weeks ago. The parents that were there certainly wanted the service to continue. And yet with the changes on the school boards, that has become a problem. And the parents were told initially that with the amalgamation of school boards, that that wouldn't engender any change of programs within the system. And yet the amalgamations took place on January 1, and the school was slated for closure this coming fall with the discontinuation of the residential portion of the program.

If the children were still resident in the community, they could access the Glenn McGuire School on a one-day-at-a-time sort of a thing. Those that were not resident in that community though however had to access a school in their own location, which up until now hasn't had the facilities to provide that service. So the parents' concern is that if the residential component is discontinued, then how do those children continue to attend the school in Oxbow and receive the benefits of staff that have been in place for a long time? This school's been operating for 35 years now so that's . . . I mean the staff hasn't all been there for 35 years. But the staff is in place. They understand the needs and how to deal with children with those circumstances.

The community itself is used to having these children within

their environment and are used to dealing with them and recognize them as important contributors to the entire social structure in the Oxbow area.

The children on the playground are used to them and so it's not a strange atmosphere either side from the people from Glenn McGuire or from the other students in the school. So it's a comfortable environment for everyone.

The parents that I've talked to feel this is a very worthwhile program for their children. In fact is there's this one lady that is concerned that this school gives the rural special children of Saskatchewan a safe place to learn and they fit in. In some cases the only friends these children have ever known are the other children in their school.

So it's a special place for these children and it looks like they need some support from Learning certainly. And Learning will allow the school to continue to take place. The problem is the residential component. From that aspect though, there is a need for this department to participate with the parents to ensure that that opportunity's available for them.

Ms. West: — Yes, just to respond again to your question. Certainly, I mean, as you have stated, the plan in Oxbow is for the closure of the residential part of that school. And that's something that, a decision that was made by the school board and folks involved in the education field.

For this department, our responsibility is working with the families and the children or youth who are attending that school who are not resident of that community, and assisting that family in finding some options that work for them, whether that is attending school somewhere else or whether it's trying to support them residentially in the community of Oxbow. And that's the responsibility that we have and are working with those families to do that.

Mr. D'Autremont: — If there was a group home circumstance, and Redvers has a number of group homes for adults. And I'm not sure if there are different rules and regulations when it deals with children because these children are generally ranging in age from 10 to 12 up to, I think it is 21 or 22. If they were in a group home circumstance, what kind of support would DCRE offer them?

Ms. West: — Children who are below the age of 18, generally speaking, are not in group homes in the province. Our strategy as a department has been to support families to continue to care for their children at home in their home communities.

When youth reach the age where many youth are planning to leave home at 18 or 21 or 22, for people in that age range or older, the group home services that are available are needs generally that are identified by communities. And they may be group homes that can support three or four or six people. And as you mentioned, there are some in Redvers and there are also some in Estevan, in that part of the country.

Now we have not, to my knowledge to this date, been approached by that community for a group home development there, to my knowledge.

Mr. D'Autremont: — Under a group home type of situation . . . I know that children leave home at various ages, sometimes sooner than we want. And is there a bottom age limit when a child leaves home that DCRE provides support for them or doesn't provide support? So if they left home at the age of 14, would DCRE provide financial assistance for them to be resident in some other location?

Ms. West: — Our first strategy is to try to support that child in the family home and that youth in the family home. We do not have a specific age limit that says anyone below a certain age cannot access a group home but it's certainly not generally the preference. It's not the preference of families and it's certainly not our preference either. For the most part our young adults when they come into group homes are in the 21 and beyond age range. We have and our agencies have supported some young adults younger than that but very few.

Mr. D'Autremont: — Yes. In this particular case the parents believe that it's in the best interests of their children that they have more of the group home during the school day; that if a circumstance, whatever it may be, happens during the school day they have their residence right there to be able to go back to for whatever necessities and reasons they may involve.

And over the period of time, the 35 years that this residence has been functioning, the parents that have been involved . . . And there was parents at the meeting that I attended that had had students in there and were no longer in there; they had gone on. And there was parents there that had current students in that school.

And the parents that were involved in this felt that this was the best solution for their child and their family, that this provided a learning experience that they hadn't been receiving in their own home communities because the staff were not as familiar with the needs of these children and the other children in the school weren't as familiar with the circumstances of that particular child. And so that's why these parents feel that this is a valuable resource to have available for them and their children.

So I would like to encourage the department to work with the parents on this and see if some kind of a amiable solution can't be found to work out with the parents, DCRE, and Learning and the school division to make this happen.

Hon. Mr. Belanger: — Yes, I would certainly encourage my officials to look into the matter and to report to your office as to the findings of that discussion, and some general direction as to what people are feeling that we need to go so we can take that direction fairly quickly.

Mr. Toth: — Thank you, Madam Chair. Mr. Minister, and to your officials. Mr. Minister, is the Department of Community Resources still responsible for licensing daycare spaces?

Hon. Mr. Belanger: — No.

Mr. Toth: — And when did the department relinquish that responsibility?

Hon. Mr. Belanger: — The transfer occurred on April 1 and it went to Learning.

Mr. Toth: — Thank you, Mr. Minister. So therefore the question I have to raise before you today would be to have been totally . . . have fallen in the purview of the Department of Community Resources and Employment.

And last fall I had an issue brought to my attention — I believe my colleague may have even raised this issue with your department — from the Oxbow area regarding a daycare licence. And I'm not sure if you received a letter from the daycare. I'd asked the individual I'd talked to to send letters to both Learning and your department. However as I observed yesterday when this daycare licence was being discussed, it would have been basically under your purview.

It was an incident that happened last fall where a family had somebody from Community Resources and an RCMP [Royal Canadian Mounted Police] officer show up at their home and close down their daycare. Within a week the RCMP officer had basically closed down the investigation, had gone to the families, said there was nothing to substantiate the allegations against the family. However no attempt or effort was made to address this issue, and it just dragged on and on. And it dragged the family through a very serious situation in their community.

I would like to know what the process is in DCRE when allegations of this nature are brought against, whether it's a family with a daycare licence or an individual — doesn't really matter to me — how DCRE and community and family services addresses these issues, and why you would allow something like this to drag out, especially when there's been an investigation even conducted by the RCMP and they have basically come to the conclusion there's no reason to pursue this matter any further. And you let it drag on.

Mr. Fisher: — In response to your question, I would suggest that if you have some additional details . . . We're not familiar with the case and don't have any information with us today regarding this particular case. But we would be more than willing to work with Learning and have a report come back to you — for further information — come back to you about the specifics through Learning in specific answer to the question.

Mr. Toth: — Thank you, Mr. Minister, and to your officials. As I understood just from a moment ago you indicated the transfer took place April 1.

Mr. Fisher: — Right.

Mr. Toth: — The information — and I would have hoped that you would have received a copy because I had asked originally for this letter to go to both your department and the Department of Learning because at that time we were already informed that the transfer had taken place.

But what the information we have here indicates that when the couple had applied for — and there's both the letter from the husband and the letter from the wife — they actually went through an extensive process, screening process. Long hours of work, extra insurance and many other requirements needed to be met. And they were also given the assurances that if there were any problems or any circumstances arose that there would be someone there to give them a hand, that child and family services would be there to help them.

Unfortunately when allegations against their daycare came forward, there was no one to help them other than someone showing up at the door, originally when the allegations were made, and just telling them that we're shutting down the daycare. Their son happened to be taken in for an interview with the RCMP. I don't think that's normal without having someone there to represent them. They understood child and family services or somebody would be there to represent or be with their son so a proper investigation or proper procedures would be followed. Unfortunately there seems to have been a real breakdown.

And so I guess the question I have to the minister and the department is, what is the normal process when an allegation is made and the follow-up procedures? What follow-up can daycare personnel expect? What kind of support mechanisms are available to people with daycare licences as a follow-up if an allegation of this nature comes forward? And how quick can anyone in it with a daycare licence expect to have a response back from the department and, especially in this case, where even a police investigation indicated there was no reason to pursue the matter further and yet it dragged on and on?

Because as you can appreciate, Mr. Minister, in a small community especially, people's lives all of a sudden are just put on hold. And the turmoil . . . And in fact you will see as you read the letter, it raised real turmoil in the family. It created some divisions between the husband and wife. I'm not exactly sure today, but last I chatted there was a separation, whether or not they're back together. But these are serious allegations and it creates serious problems for families in this situation. So what is the normal process and what can people expect to receive as far as support from child and family services in situations of this nature?

Hon. Mr. Belanger: — Thank you very much for the question. What I want to point out — and it's not an excuse or anything — but we took over the portfolio in February of this year and the transfer happened April 1 to Learning. And I can certainly appreciate your frustration when you say, we sent this letter seven or eight or nine or ten months ago, you know; I haven't had much of a response.

What we want to make sure is that we put a response in place for you to answer all the questions that you do have. And certainly I haven't had the privilege of looking at the letter and, you know, I certainly will look at it. And I will be moving this issue forward to Minister Higgins. And we will make sure that we have an appropriate response and work on this issue.

I think I want to point out as well, the second part of your question was, when do we get involved with investigations of some of the allegations against harm to children? I want to defer that to my ADM [assistant deputy minister] and Shelley will basically explain what happens in this instance. But clearly Minister Higgins has the portfolio for Learning and Learning is now licensing daycares, and we will make sure that she has a response to you in your original letter of several months ago.

Ms. Whitehead: — Hello. Shelley Whitehead. The mandate of child and family services is to look after the safety and investigate allegations of abuse and neglect amongst family members. So in a situation such as what's described here where

there's an allegation of abuse in a child care centre, the child and family services does not have a mandate to investigate those situations. They are referred to the police or the RCMP who have the mandate to investigate those kinds of situations.

Mr. Toth: — Well thank you. Unfortunately what I understand, I was told child and family services were the holdup here. The RCMP had released their report shortly after and it indicated there was no reason for any further follow-up. And everything was as . . . The family felt, well then if that's the case, the RCMP had investigated, the report had been sent to child and family services. And while Learning now is responsible for the licensing, it's my understanding that child and family services still conducts the investigation when it comes to an allegation of this manner.

And while I'm looking at a specific one, I'm thinking of the overall picture as to how do families deal with this if, well they may receive the licensing, they still have to conform to the requirements under the licensing. And the final say, as I understand here, is child and family services had to give the clear or the red light if you will — or the green light, pardon me, for the licence to be reinstated by Learning.

And so my question to you is: where do the communications stop? Or what happens if communication . . . There seems to be a communication foul-up here because if, as I indicated, the RCMP had cleared it through their investigation, said it was closed, then why did child and family services delay the notice to Learning to allow the daycare licence to be reinstated? And the fact that it was delayed as long as it was, this family had basically been left in the position where their names are . . . basically they've been smeared and they have no recourse other than a lawsuit.

As you will see in the letter, if they'd have been charged they could've gone to a court of law to clear their names. They have no place to go other than a lawsuit. So, Mr. Minister, and to your officials, where do people go when situations like this arise? And why should it take so long after, as was indicated just a moment ago by one of your officials, that the RCMP when they've completed their investigation may move forward?

Mr. Fisher: — Again we do not have all the details of this particular case here. We're more than willing to get the details and provide information back to you in conjunction with the Department of Learning. As I said, we don't have the full case specifics here and given the nature of this, of this circumstance, I'm certainly not trying to avoid the issue and will get back to you. But we do have some concerns regarding the identity of these individuals and the children they serve from a confidentiality point of view. So I would again make the offer that we're willing to get the details from you and get back to you in conjunction with Learning with a specific response to your individual requests.

Mr. Toth: — Thank you. Can you give me a rundown of what would be the procedure that would be followed if an accusation is brought forward? And what procedure is followed, whether there's an investigation required by police forces, a follow-up through child and family services? And then the process that would be followed and how you would come to . . . the process you would follow in arriving at a final decision in regards to an

accusation coming forward.

Mr. Fisher: — In terms of an overall accusation — not this specific case — if accusations are made, as was pointed out we would refer them to police for investigation. And then upon the conclusion of the investigation, charges would be laid or not.

Mr. Toth: — And if charges aren't laid and through investigation by police they would indicate there's no reason to proceed any further, how quickly then would the department move in ensuring that responses or communication is made with Learning and that Learning should proceed with the reinstatement of a daycare licence?

Mr. Fisher: — Again we are not responsible for the licensing process at this point in time. And the investigation would be done by the RCMP. And so if Learning, taking the information from the investigation, decided that there were no reasons to prevent licensing, then that decision would be up to them. But again I hesitate to speak on behalf of the Department of Learning because I am not familiar with the full case and have not had any discussions with them to this point in time. And again I would offer to do that and respond to the questions through Learning and get you a more precise and specific response to this particular matter.

Mr. Toth: — I thank you. The reason we're here is because Learning sent me here too. And because of the ties to child and family services and that's . . . So I guess the question I have to you then, an accusation of this nature, are you telling me then that the child and family services has no more involvement if an accusation is brought forward of this nature? Regardless of where it comes from, that it's strictly between Learning as the granting of the licence and the police? Or does child and family services get involved in an issue of this nature?

Mr. Fisher: — Generally speaking, child and family services would get involved if the parent of the child is putting the child at risk. In a situation where there's an institutional setting or daycare setting, if it is a caregiver other than the parent putting the child at risk, we don't have that involvement and we would refer it immediately to the RCMP for investigation.

Mr. Toth: — Well, Mr. Minister, it sounds like there's certainly been a breakdown of communication and a lack of understanding how the whole process works.

I will appreciate the fact that unfortunately it appears the department didn't get the letter as it had been requested by me to go to your office as well. I'm not going to pursue it further. However I will ask this of you, Mr. Minister, is that you have your department go through this information very carefully and get back to me as to what was the responsibility of the department in this specific file and why there wasn't a follow-up quicker.

And as well, if there could be some communication with the couple in regards to what happened in this file, and why there was no support mechanism. As I think as you read the letter you will . . . The letter is fairly clear in what their understanding was and their lack of information. And for example, when I first raised the question back in, I think, late February or early March, a phone call was made from daycare branch stating that

they would reinstate the licence and that they would mail out the licence.

And as you will see, it's here in the letter. The people involved said there wasn't even the courtesy of coming and talking to us. All of a sudden we just receive a phone call. And as far as everyone else is concerned, we're guilty of something and we don't know what.

And while this is a specific case, my concern is about other daycare centres and the fact that we need to have something very clear in place so that people's lives aren't just put through the wringer because of an accusation. So I'd appreciate a follow-up once you've had a chance to closely scrutinize the letter. And I thank you.

I'd like to move on to one other question before I turn it back to my colleagues here. Last night I had the privilege of attending a concert put on by Teen Challenge as they're raising money for a facility to address the issues of drug addiction and treatment.

And I have a question, Mr. Minister, when it comes . . . Would your department consider allowing funding to follow an individual? Say someone is under the care of the department or is receiving funding from Community Resources and Employment; they've got a drug problem and they decide they want to kick the habit, and they would move into a program such as the program Teen Challenge is providing. Would your department allow funding to continue to follow that person while they're in the program, to assist with the costs of feeding and housing of that individual?

Mr. Fisher: — I'll start off by saying that I think that the primary responsibility for addiction services would be Saskatchewan Health, but there may be a couple of instances where Community Resources could get involved. The first . . . Well both instances would involve a child in care. So if there was a child in care who as part of their care plan needed addiction services, that would be considered, assuming that the program was one that was supported by Saskatchewan Health as a viable treatment program in the province.

The second instance would be a youth leaving the secure care, the youth stabilization unit that's just been put into place. If they needed support with income to access the program, then that would also be considered by the department. But generally speaking the first response for the majority of youth would be through the addictions program supported by Health and the regional health authorities.

Mr. Toth: — So if I heard you correctly, if a person under your care or support under Community Resources and Employment — and I'm talking here now of an adult — because like under the welfare program, if they've got an addictions problem and they choose to enter a treatment centre to address that problem, you would then . . . Automatically they would move from your area of responsibility to community living. Is that what you're saying?

Mr. Fisher: — No. If there is a child under the age of 18 in the care of the minister, needing addictions services, and if it was necessary to arrange services for that child, that would be considered. If there's a youth who is coming out of the secure

care detox program that required income support to . . . who was not in the care of the minister, then again another example of how we may be getting involved with that individual through the income security program. But nothing to do with community living.

And in terms of your question, if there's someone over 18, you know our primary mandate is for children and youth so if it's an adult seeking the service, then generally speaking we would not get involved then. We would be looking to Health to provide those addictions services.

Mr. Toth: — Even if that adult happened to be receiving assistance from community services?

Mr. Fisher: — The income support services?

Mr. Toth: — Well even assistance, what's it called? SAP [Saskatchewan Assistance Plan]. The SAP program, I guess.

Mr. Fisher: — Yes. If you're an adult over 18, you're correct. We would provide basic needs through SAP. But that would involve things like shelter and a basic living allowance. If there were certain special needs, those would be considered as well. If the individual chose to use that to enter a residential program then we would be involved through that mechanism.

Mr. Toth: — Thank you. One further question and I'm still . . . [inaudible] . . . didn't get a chance to do a follow-up with the minister's office but . . . And I won't use it specifically but should . . . The question I'm going to is kind of a general sense. Concern was brought to my attention by grandparents regarding an issue — actually parents of an adult person who's had some addictions problems as well as some health and mental problems, and children being placed back in the home.

What is the normal process of review where children are placed back in the home where a person has been in some treatment, whether it's mental issues or detox? And yet I guess what's basically happened here is when the person's back in the home, really hasn't addressed the issues, and yet the children are placed back under the responsibility of that parent. What does the department do in addressing concerns that may be raised by neighbours — or in this case, by family members — in ensuring that the children are being cared for properly?

Ms. Brittin: — Andrea Brittin, with child and family services. I can address this question generally speaking in terms of the risk assessment that we would complete when we're returning children back home. I don't know the specifics of this case, but it sounds like that children had been removed.

Before we would place a child back in the parental home after removing the child for issues of child abuse or neglect, we would need to complete a risk assessment. And that risk assessment would include things like the assessments that may have come from whatever addictions counselling or detox or whatever sort of treatment the family or parents had been receiving. There would be a follow-up on whether the issues that led the child to come into care had been addressed — whether it be mental health problems, whether it be addictions problems — and ensuring those problems have been adequately addressed so that children can be placed back safely in the

home.

I think it's important to note that at times, particularly when parents are struggling with addictions issues, that children may be back and forth a few times into care. Addictions issues are addressed. We can monitor the situation, return children home, and hopefully they can remain at home with some family supports. At times it may be necessary to remove the children again as the parents struggle with addictions or mental health issues.

Hon. Mr. Belanger: — Thank you.

Mr. Toth: — I thank you too.

Hon. Mr. Belanger: — I would point out in terms that the, you know, the challenge, because obviously we take the role as minister responsible for some of the youth and children in the province very seriously and we don't want to see any children put at risk. And any evidence or any case that people are worried about that it's important that, you know, that we take the appropriate steps to diminish that potential risk to a child. And that's kind of the balance because obviously we want the child to be with the family as much as possible. It's amazing how many children, despite the challenges that they grow up, have incredible love and they desire to stay with their parents.

And while I'm not a qualified social worker, I can tell you that many of the social workers have a . . . this is one of the most challenging aspects of their work is to try and keep the family together yet deal with some of the problems. And the child is bouncing back and forth. I would just say that from my perspective is that any evidence or any problems that we see in terms of putting a child in danger, that is something that we take very, very seriously.

And the other aspect of course is the allegations that could be made because there's allegations made all the time. And this is where I pay special tribute to some of our front-line staff that have to make some of these determinations. They have to use their judgment. They have to assess each case on a case-by-case basis. They have to look at the history. It gets fairly complex and you have to be well-trained for that.

But certainly from my perspective as a minister, to any children in my care, I certainly want to make sure that they're well-protected, nurtured, and loved and supported as best they can. And this is why I think any allegations of abuse are taken seriously. And sometimes there's misunderstandings and sometimes there isn't. Sometimes there is evidence of that.

So I think from the perspective of where we're going on the whole child care stuff, I just wanted to reiterate, we appreciate the question but to point out clearly that the seriousness of what we're trying to do there is there. And much of the pressure and the credit should go to the staff that are front-line on this battle.

Mr. Toth: — Well thank you, Mr. Minister. I look forward to the response to the letter as well as I'll continue to follow up with your office in regards to kind of the particulars around this most recent issue. And hopefully we can come to resolve on that as well. Thanks.

The Chair: — Mr. Merriman.

Mr. Merriman: — Thank you, Madam Chair. And welcome to the minister and all his associates. I appreciate your coming in and we certainly do appreciate the work that's done there. I would certainly like to get into the drug addiction side that we just talked about but I would need another two hours.

In our last meeting we had talked, and the number given to me was that the Department of Community Resources had been reduced by 265 full-time employees. Is that number still valid?

Mr. Fisher: — The number was 253.

Mr. Merriman: — Thank you. Of that 253, in looking through the budget numbers, where would the reduction — just based on a quick calculation of about \$40,000 a year, that's \$10 million — where would that reduction be in the salaries outlined in this budget today?

Mr. Fisher: — The positions that were transferred, there were two groups. There was a large group that was basically our career and employment services folks. And those were transferred to Advanced Education and Employment. And then there was a smaller group that were the early learning employees which were transferred to Learning.

Now in looking at the budget documents this year, the budget would be restated. So when you're comparing our budget from this year to last year you'd be comparing with the transfer already made. So you'd be comparing apples to apples.

Mr. Merriman: — I understand that. How many new employees has this department added which would be in addition to the new areas and not the two areas that were released to Learning?

Mr. Fisher: — There would be an additional 57 positions included in our figure this year. Fourteen of those positions are within the housing area in the Energy Share program.

We have an additional 38 FTEs [full-time equivalent] recorded in our budget related to Valley View Centre. But those are not new employees. Rather they are recognition for FTEs that have already been there but they have been formally provided in our budget document this year. Finance has recognized them to account for changes in how FTEs have actually been calculated as a result of changes in the collective agreement. So over time our figures grew out of whack and this just recognizes the actual number of people that are working there now. So there were 38 positions involved in that correction.

And then we had six positions that we have added to the department's complement that are focusing on quality improvement initiatives. Some of the things that were talked about in terms of strengthening our focus on our internal audit, changes . . . [inaudible] . . . the quality management program, both within income assistance and child and family services.

And so you'll notice that that adds up to 58 positions. And we transferred one position out to the Department of Health. And so our net increase this year was 57.

Mr. Merriman: — Thank you. Two supplementary questions. The housing Energy Share program . . . And I may be wrong in this but I'll ask the question anyways. With the federal government now announcing that they're no longer going to continue on with their energy program, is this separate to that or will this affect that if it's a cost-shared program?

And my second question. On the 38 FTEs, were they previously people under contract or part-time, or what I'm classifying as part-time, or contract workers that are now full-time employees?

Mr. Fisher: — No, they were not contract workers. Again these were positions that were always within the establishment at Valley View Centre. And over time, due to changes in the collective agreement, the way the hours were calculated and applied to FTEs, we were out of whack. And we needed recognition of the 38 just to be accurate and reflect what was actually going on at Valley View Centre in terms of the number of employees that were there.

So we reached an agreement in the budget this year to recognize those 38 FTEs but there are actually no new bodies on the floor at Valley View. They are existing employees, employees that have worked there over time. They were members of the staff of CUPE [Canadian Union of Public Employees] 600 and were not contract workers or anything of that nature.

Mr. Merriman: — The other one was on the energy.

Mr. Fisher: — You're correct that we have received some bad news from the federal government that they will not be participating, as we had hoped, in these programs. So the FTEs are there. We need those to run and administer the program, but we will be going ahead with the program without the federal dollars, just with the provincial allocation. So it'll be a scaled-down program but it will go ahead.

Mr. Merriman: — It's not sinking into me with these 38 FTEs at Valley View Centre. So where were they in previous years? Were we understating the amount of employees we had by 38?

Mr. Fisher: — Yes.

Mr. Merriman: — So how many of these do we have in other areas throughout the department that we're not counting now?

Mr. Fisher: — I believe our budget through this adjustment actually reflects the employees that we have working in the field. Now given that we are a department with close to 2,000 employees and given that there's a certain dynamic or fluidity in the amount of work, we do bring staff on if we are seeing additional work in certain areas. But overall we generally run very close to the 1,900 or we will run very close to the 1,935 employees that have been approved as our FTE complement.

Mr. Merriman: — Thank you. So we'll just take that number and assume it's true — 1,935 FTEs. How many additional contract employees do we have within the department that are not FTEs but contract employees?

Mr. Fisher: — Generally speaking, we use contract employees only when there would be some sort of expertise that we would

require and would not normally be found within our staffing complement. One example that I can think of offhand is that over the past years we've from time to time hired programmers, IT [information technology] folks on a contract basis, for a specific expertise on a specific project.

But generally speaking, you know, when you look at our major areas of housing, child welfare, income assistance, and the programs for persons with disabilities through community living division, the normal course of business would not be to hire contract employees. So I'm not aware that we've got any new ones on staff at this point in time but I don't deny that from time to time we do engage consultants or contract employees on specific projects where we need specific expertise.

Mr. Merriman: — I appreciate the answer. Just so we're both on the same . . . I understand if you have a technology issue that you would bring expertise in. That's understandable. I'm really trying to get to how many consultants and contractors would you have outside of those unique areas where you wouldn't have the expertise. Do you hire consultants and contractors to provide some of the services that you deliver sort of as a CBO [community-based organization] to different parts of your agencies?

Mr. Fisher: — Again, for the main functions that we provide as a department, no. We would not hire contract child protection workers, for example. We would limit our involvement with consultants or contract employees around very specific projects for very specific needs that our general staffing complement couldn't provide us.

Mr. Merriman: — Thank you. I didn't have the number, 57 positions, but when I went through the budget line item by salary increases, we had some significant ones in community inclusion for an example. That's up almost \$1 million. It would seem just, and I did a quick calculation, that it's somewhere between 5 and 20 per cent increases in some of these areas in salaries. I understand there would be the normal salary increase due to contracts, but some of these seemed quite large. If you look at employment supplement and income assistance, that's up \$400,000, which is fairly significant.

Mr. Fisher: — If you are looking at the community living program where we had the . . . there's a \$979,000 increase. Is that the line item you're referring to?

Mr. Merriman: — Yes. There was two. That's approximately \$1 million. And the other one which was under (CR03), which is the employee support and income assistance, which is up in proportion significant dollars.

Mr. Fisher: — Within the \$1 million item, the community living item, the majority of those costs are related to . . . Well all of those costs actually are related to the Valley View Centre, I believe. There's an increased operating costs — those would be non-salary items — at Valley View of \$150,000. The collective bargaining increase to recognize the union agreement at Valley View, the cost of that for this fiscal year would be \$859,000. And then there's a slight downward adjustment regarding the pharmacy services provided at Valley View, for a net increase of \$979,000 or almost \$1 million.

Mr. Merriman: — I guess my comment is that we said we already had these 38 people. They were already there. They were already part of last year's budget. They were already there. They were already part of last year's budget. They were already on staff. We just made a correction in them. Then your comments would lead me to believe that we were not capturing those salaries last year then.

Mr. Fisher: — No, I believe that the — and I can ask Don or Betty to provide some detail on this if we have it — the collective bargaining increase would be the price of implementing whatever cost of living adjustments or other adjustments that were included in the collective bargaining agreement at Valley View.

Mr. Allen: — That's correct. Don Allen, executive director of finance. Valley View has a payroll in excess of \$20 million, so even a small change represents a significant amount of money. What happened in 2005-2006 budget was, enough was provided for what was included in the collective bargaining agreement as known at April 1, 2005.

When changes were made mid-year, that budget was no longer adequate to fund the entire collective bargaining agreement. And then there were additional changes that took place on September 1, the full impact of which don't come to bear until 2006-2007. So there were some changes mid-year in 2005, as well as the remainder of the collective bargaining agreement as originally negotiated when it was settled two years ago.

Mr. Merriman: — So just to clarify that I understand correctly that that \$1 million or \$997,000, 800-and-some-odd thousand dollars of that is just the salary increase as agreed under the collective agreement. Is that what we're saying? And that was in the prior budget. The only difference was when the 0, 1, 1 was gone, that was captured mid-year and then this is the cumulative effect of that. Is that what we're saying?

Mr. Allen: — The cumulative effect of that plus the 0, 1, 1 at the original agreement. So there's the setting aside of 0, 1, 1 and the additional increase there as well as the effect of the original 0, 1, 1 mandate in that collective agreement.

Mr. Merriman: — I'm just trying to be assured in my mind and yours that we have captured these people and we're not moving.

Okay. I'd like to move on to another subject because my time is limited. And I'd like to go into a subject that is sensitive, and I appreciate it's sensitive and I will be sensitive with my questions. But it's questions I think need to be answered, because, as the minister has stated, it has to do with children and the deaths of children.

In reading the child's advocate report both from 1999 and the most current one released, that we have in the year 1991 and the year 2000-2001 and we'll work with the current year, 23 children death reviews that are done. And in reading the report and in discussions with the auditor this morning, and the discussions we had, I had some major concerns that we were not filling the gaps on information that flowed from the Child Advocate office to your department and back, and that there seemed to be a reluctance to get that information there for

whatever reason.

And my major concern is that if we don't ID [identify] this, and we don't get to the bottom of the process, this continues on. If I look back historically, we had the similar numbers the two years previous. And if we're working, and I think the minister would agree, and we're doing what we can do with the systems right, those numbers should be coming down, not staying static.

Hon. Mr. Belanger: — Thank you very much. Certainly in terms of the information being fresh on our minds as a result of the Children's Advocate releasing their report yesterday, I just want to point out that I sincerely thank you for the question, but I also want to thank the Children's Advocate for, you know, all of the reporting that he has done. And as I've indicated in the Assembly, and we certainly want to reiterate that today, is that we certainly share the Children's Advocate's primary goal of ensuring the safety and well-being of children and youth.

And as we've indicated time and time again, the child welfare system in Saskatchewan serves thousands of children and youth successfully and safely. I think I want to reiterate that, and that's one of the comments that we made at the outset in terms of recognizing that there is a lot of success and there's a lot of committed staff that have done a tremendous amount of work. And we have been, the department staff has been recognized by the former children's advocate and the Provincial Auditor for actions that they have taken to make improvements to the child welfare system.

So all the good work that has been done, I just want to make sure that we reiterate and we emphasize that. It should be pointed out that from our perspective as a department in co-operating with the Children's Advocate, there's no question in my mind that we have similar goals and similar objectives. It surprises me that the child's advocate is not getting information from our department, and we will certainly look into that.

I would point out, as we pointed out to many other interest groups, in terms of our particular staff that are involved with the child welfare system — and I know it's a fairly long answer, but it is an important part of the answer that we have to give — is that the work that they do is complex. It is very challenging. It requires tremendous judgment every day. And knowing when to intervene in a situation is always, as I mentioned before, a delicate balance of making sure we do not intervene with the family too early or too late.

So I would point out in reference to the Children's Advocate's perspective that we are going to work very closely with the Children's Advocate on what he wants to do in terms of reviewing all child deaths in the province. I certainly look at the fact that although we are primarily involved with the safety of children while in the care, there's other aspects in other departments that would have other situations where there's a child's death that may occur. It may be an accidental death or a death as a result of illness. And certainly in terms of our department's involvement, there's also, you know, there may be occasions when we want to or we are involved.

So I would just want to point out that it's surprising that the Children's Advocate has not indicated that there is good information back and forth. But if there isn't, we'll certainly

make the corrective steps. And I just want to reiterate that we will have a very solid relationship with the Children's Advocate and try and do all we can to support some of his valued work.

Mr. Merriman: — Thank you, Mr. Minister. I have a lot of supplement questions on this. Could you give me the numbers for the year 2002-2003 as the number of deaths, 2004-2005, please.

Hon. Mr. Belanger: — Certainly. I'm going to ask my official, Andrea, to just basically give us those figures in terms of the amount of deaths in the years that you requested. And I believe that the deaths that she's going to be giving you reference to are the deaths of the children that we have some involvement with.

Mr. Merriman: — That's what I wanted.

Hon. Mr. Belanger: — And some of the deaths are accidental and some of them are health-related but she'll give you the detail.

Ms. Brittin: — Thank you. You had requested — I'm just going to refresh my memory on the years that you had asked for — 2002 and on?

Mr. Merriman: — Correct.

Ms. Brittin: — Okay. In 2002, the total provincial that our department reviewed was 23. And in 2003, there were 12; 2004, 22; and 2005, 11.

Mr. Merriman: — Thank you for those numbers. You know, Mr. Minister, I'm not doubting your sincerity on the issue but I have to ask the questions. In the auditor's report, he talked about stale-dated information. By the time he got to it in reading through, and I can't find the exact page here but I have read it, that where in some cases it took up to three years I believe to get the information.

I, you know, for the life of me can't understand why this would take so long to get information to a person whose job it is to protect the lives of children. Can someone answer why in these cases he would feel information was stale-dated by the time he got to it? And why would it take so long to get him this information?

Hon. Mr. Belanger: — Yes, I'm going to get Andrea to give us more detail. But I just want to preface some of Andrea's detailed answers with just the comment that it is not in our interest to prolong the whole notion of trying to get to the cause of the child's death and make it very public because obviously the unfortunate death of a child similarly affects everybody and none of us want to see it. And if there is the occasion where there is a child's death, you know, to review the circumstances behind the death and determine what lessons we could learn, the quicker we do it the better I think it is overall in terms of trying to get valuable lessons from that.

The Children's Advocate spoke of the need for us to improve the timeline in which we get all the information and get the information back to him. I've accepted the, as I mentioned in the Assembly, I've accepted the fact that we need to work very closely with the Children's Advocate.

And we should be specific in a sense. The Children's Advocate is asking for all the child's death in the province, not just the ones that my department's involved with. So I think there's other departments that would be involved. And perhaps there's maybe natural deaths as well.

But I would point out that the whole notion . . . As we are a brand new ministry so to speak, we have got a brand new deputy minister, we certainly have a need for us to reconnect with different groups, for lack of a better word. And the Children's Advocate is clearly asking us to do that. And we'll accept it. So I'd like to ask Andrea to give us more details as to your question.

Ms. Brittin: — I just want to reiterate that the department certainly does take every child's death very seriously. And we do have a very comprehensive review process, a very thorough review process. And the first step of that is a review that's completed at the regional level where the child's death occurred. So that is a complete fact-finding exercise, analysis from the regional perspective.

There's also a step where central office program expertise, people with expertise in that program area, review the child death as well. And there are a number of considerations in the review process: the circumstances of the child's death; all the issues related to the service that we provided — whether it was good service, whether there's things that we could have done better — as well as any of the implications for our provincial programs and provincial services.

In addition I just want to note that there's also some aspects of that review that involve other service providers, other professionals in the community. So we have health professionals who may have provided services to the child, may have done some reports that will need to become part of the child death review. We have the work with our provincial coroner in terms of classification of the child's death. So that's a bit of the process involved as well in the child death review process. There's possibly school professionals that have worked with the child. And then in terms of the criminal investigations, there may be police that may have information that needs to be included in the report.

So I guess some aspects of the review process are within our department's control; other aspects are not. But certainly our department is examining ways that we could expedite this process while still allowing for a thorough and complete review of these children's deaths.

Mr. Merriman: — You know, thank you for your question. And you know, I know none of us take this lightly, but I have to say that since I've been here I've been looking at this and talking about this since the first report of 1998. And you know we say, well there's other government departments, there's other agencies involved. There is one government. Period. And it is the minister's responsibility, and I know he accepts that, to have those other departments meet those needs. And it's great to learn lessons, but if we don't implement those lessons, we'll be sitting here next March talking about the same thing.

If you read the auditor's report — not the auditor, I'm sorry, the child's advocate report — where he is saying that these reviews

involved with children and their deaths found that DCRE placed children in resources without adequately evaluating issues within the resources that compromise the care and safety of children.

We talked about this today. I'm not being critical. I am asking the question, are we putting enough emphasis on this to guarantee these resources will be done? Will we have proper goals and objectives that we can all review and we can say we did a good job? Because without the measurable goals and objectives that we're going to see success and that this is given the highest priority because there is no other priority to get this done that we're not going to meet there. And I know the minister would concur with me on this. And what we need to know is . . . We need to stop this it's another department — it's Health, it's Justice, it's Education. It's kids, and I don't accept that.

So my question is: will the minister assure me that he will implement these recommendations of the child's advocate, and that we will not have the words, stale-dated reports on any other report coming from the advocate? Thank you.

Hon. Mr. Belanger: — Thank you very much for the statement. What I would point out is that, as I mentioned, we're fairly new at the portfolio, as our deputy minister's fairly new, and as the Children's Advocate is fairly new. And there's no question in my mind we do not want to give the impression that we want to skirt the issue and say this is a departmental or Health department's problem or maybe Justice's problem. No. Clearly from my perspective, the Children's Advocate has asked for a greater involvement in reviewing all the child deaths in our province. We accept that. And we applaud that effort.

What I would point out is the previous auditor actually commended our department for doing some wonderful work and making some improvements into the process in which we look at children's deaths in general. So she commended our department and there was a really good, positive, work environment in terms of trying to make progress on that file.

The second point I would make is that in the sense of the auditor or the Children's Advocate, he's indicated that of the 25 recommendations that we've had, there are two of them that we have not resolved. The 23 have either been resolved or there's a resolution being worked towards. So he made that comment in the sense of saying, we're pleased that the minister's working with us and has agreed to work with us. We're fairly new at this job in terms of the Children's Advocate's role being new to the file. But of the 23 recommendations that we have had progress on, we'll continue building on that.

The clear point that I have instructed my officials today is exactly what the Children's Advocate wants, is to . . . our full blessing and full co-operation and our full leadership on the whole issue of working with him to review every child's death in this province. We have assured the Children's Advocate of that and my department will ensure that happens.

And one of the changes that we've made — and I'll get, certainly, Andrea to explain a bit further on this — is when you have a different Children's Advocate come forward, they have a different style. They have different schedules. They have

different processes. And while we had a good, successful relationship with the previous advocate, this is a new advocate, and we're certainly going to listen and heed what he has to say.

And I accept the challenge as you pointed out, that this is an important . . . And you can't have stale-dated information. I accept that criticism. What we won't accept is having the same old, same old process established from here on in. We take the matter very seriously, and we will work with the Children's Advocate on that front.

So I'm going to get Andrea to just elaborate some of the differences, and some of the points and some of the progress we've made, and to do it as succinctly as she can.

Ms. Brittin: — Mr. Merriman, you mentioned ensuring that — I think you mentioned — ensuring the checks are in place for all types of placements that we make for children. And so I just wanted to make a few points around the safety checks that we have in place when we're placing children with extended family or with foster parents, that we do ensure that there's a history check done, that there's criminal record checks, and that a safety plan is in place even for short-term placements with extended family. In addition to that we ensure that there's a home assessment done that evaluates the home safety and the standards of care, and that that's completed within a month of the child being placed. And that's in placements with extended family.

So a part of your earlier comment was around ensuring that children are safe with whatever placement they are in, and I just wanted to clarify what checks the department does do before placing children in those placements.

Mr. Merriman: — Thank you. Mr. Minister, I understand what you're saying but, you know, my main concern is if you're not the minister next year, here we are again dealing with it. This has been your government's problem for a number of years. You know we can't slight it that you're new. It's been around. And in response to the lady's comments, in reading the auditor's report for checks in 2005 — 20 per cent, no checks; inadequate home studies, 13 per cent; inadequate contact with children, 35 per cent; no agreement with foster care provider, 13 per cent. So you know we've still got a ways to go.

I only have one question left because my colleague wants in and I'd like to talk about foster care and the emergency . . . two centres that we have in the city of Saskatoon. I had asked the minister the questions in the House. I want to know, of the two homes there, the total number of children per home please.

Hon. Mr. Belanger: — Well first of all I just want to, while my officials are getting the information together, the approximate figures certainly is probably the best they can do at this stage.

I just want to point out just a quick update. Since we've assumed the file — and we've been working very hard with the foster families association — the objective as you are aware is to try and find another 150 foster families. And we've started a campaign to recruit more foster families. And I'm pleased to say today that since the campaign began — it's a six-month campaign — that we've had 170 inquiries which we deem as serious and of the 170 I believe 35 to 40 of those 170 inquiries

have moved along the process quite well. So the campaign, though we kicked it off a few short weeks ago, it's really taken off.

And now we understand that the foster families association has also embarked on another radio program and I believe Richie Hall, who's with the Saskatchewan Roughriders — I think he's the defensive coach — he was also asked or has accepted to become a spokesperson for supporting the foster families that are out there in recognizing their role and in appreciating them, and to also point out that if anybody out there is interested in becoming a foster family that their role would be certainly appreciated.

So I just wanted to share that update because one of the premise behind the recruitment of more foster families is to try and avoid some of the overcrowding happening in some of the foster homes. We are also as well engaging the First Nations and the Métis folks to try and help, not solve just this specific problem, but other problems as well. They can help on this front. They are also keenly interested in coming on-board to try and find more foster homes as well in the First Nations community as well as the Métis community.

So between the efforts of the foster families association, the campaign that we embarked on, the involvement and enrolment of the Métis folks and the First Nations folks, that there is some genuine really good progress happening.

Again I reiterated to the media and I'll say it here again that there's about 10 per cent of our homes that are overcrowded. And the two that you made reference are extremely overcrowded, but we have provided a lot of extra supports. There's been a thorough assessment of whether the home is able to sustain that number of foster kids, and the answer obviously is yes. When we talk about extra support systems for the family that has taken in all these foster kids, the size of the house is good. They have babysitting services. They have respite services. They have extra services that they may need. We're certainly working with them very, very closely. And the case file manager as well as the supervisor and many support staff in the city that have these homes are acutely aware that they do need the extra attention.

So it's a good start to what we hope to have and that's a continual effort to recruit more and more foster families. It's working well and we want to keep the heat on and the effort needs to be continual. So Andrea, you want to add to the update on the home.

Ms. Brittin: — Sure. I can tell you that in one of the emergency homes there are nine children and in one 12. This is information as of the end of the April, so circumstances do change day to day on these.

Mr. Merriman: — Thank you, and thank the minister for his monologue. You know, Mr. Minister, you know and I know that prior to your announcement of your advertising campaign, you never even consulted this foster families association because you and I have had that discussion. So I don't want to allude that you had incorporated them. And with 34, that's tremendous. I congratulate you on that. And I hope that they come to fruition, that they all become foster families and we

can reduce this.

I have major concerns about the security and safety of 12 children in any home; that the age range could be, you know, from infant to teenager. We could have issues in those homes with children that have emotional needs, drug needs, whatever. And that's too many children for the home.

On the home of just the 12 children, just one last question on that. What would be the monthly income from that home they would receive for having 12 children?

Mr. Fisher: — Well I don't have a specific figure for you today. But in a home that has 12 kids in it, the rates would vary, the foster care rate. The basic maintenance rates for example would vary by age of the child, and so they would vary from approximately \$423 for a basic maintenance rate to a maximum of \$654. So that would give you a sense of what the range would be for basic maintenance of that number of children.

Hon. Mr. Belanger: — And I would also add to that that the two particular homes, from the information that we have, is that there isn't a case of a two-year-old being in the same home as a 12-year-old — that these are homes designed for older youth. So we try to keep them in that consistent age group.

Mr. Merriman: — Thank you for your answer. I'll turn it over to my colleague.

The Chair: — Mr. Elhard.

Mr. Elhard: — Thank you, Madam Chair. Mr. Minister, to you and your officials, about four years ago now an all-party committee on the sexual exploitation of children was undertaking the writing of their final report. And as a result of that report, I believe there were 49 recommendations that were brought forward to the provincial government, to your government at that time.

And there were questions raised last night in the Department of Justice estimates as to how many of those 49 recommendations had been acted upon to date. The Minister of Justice at that time indicated that there was movement on many, but he was only prepared to speak about the recommendations that specifically fell to the responsibility of the Justice department. He wasn't prepared to speak to the issue as it related to other departments.

So I would ask the minister if he could address that particular report and what role his department has played in the fulfillment of the recommendations that were put forward by the all-party committee on child sexual exploitation.

Hon. Mr. Belanger: — Okay. Thank you very much for the question. I just want to point out that how I'd like to answer the question is . . . we're trying to be as short as we can in the answers but there is quite a lot of activity that we've undertaken. And I'm sure if the member wants that, we can go through greater detail but we'll try and give the highlights as best we can.

As we've indicated, we certainly appreciate the work of the committee. There's no question that our provincial strategy to address sexual exploitation of children and youth is sound. As

you pointed out, it includes legislation, it includes funding for outreach, new residential services, strengthened partnerships with the community and with First Nations and Métis groups, as we've indicated.

And as you can certainly appreciate, engaging this population of youth is extremely challenging. Serving these youth to meaningful connections to their cultural identity and community is viewed as an integral part of their potentially successful exit from the sex trade. And our department will continue to strengthen community partnerships to ensure that the strategy is linked and integrated with other youth initiatives.

I would point out that there are some specific figures and specific programs that we put in place and I'll ask my deputy minister to briefly go through them because it's important that you get the full picture of what has been done to date.

Mr. Fisher: — Well I think just to give you a brief snapshot on the current status and then I'll jump into some of the specifics. Certainly we're seeing market reduction and activity in the stroll areas. We've got regional intervention forums occurring regularly on a monthly basis in the three major centres of Regina, Saskatoon, and Prince Albert, and these have led to increased coordination amongst the various service providers that are involved in this issue. There is regular staff training occurring for all service providers, including community resource staff.

And the issue that we've been most closely aligned with is providing more safe places available for sexually exploited children. I think the original target was around 30 spaces and I think before the suspension of activity, temporary suspension of activity, at Oyate, we were up close to 41.

So specifically we do, Community Resources chairs the intervention committees that regularly meet in Regina, Saskatoon, and P.A. [Prince Albert]. As I mentioned, the purpose of those committees is to promote coordination between the various service providers and those would include child and family service managers and supervisors, outreach and mobile crisis workers, First Nations and Métis representatives, and police. They do provide the local leadership required to keep the strategy going, and as I mentioned, to ensure that we coordinate services as much as we can.

Starting in '99, DCRE partnered with First Nations organizations to develop safe houses in Regina and Saskatoon. Saskatoon Tribal Council has operated the Saskatoon safe house since '99 and Treaty Four urban services has operated Oyate. And as you're aware, operations there have currently been suspended, and we're working in partnership with the First Nations to try to get that back up and running as quickly as possible.

As I said, 41 spaces designated in specialized residential and adolescent group home programs as priority resources for sexually exploited children and youth, up from 30. And these homes provide 24-hour care, supervision, and counselling for children in crisis, and a range of services from emergency care to care and safety to longer-term treatment options.

Just as a note, in '05-06 there were 239 children and youth

admitted to those 41 spots. And of these, 81 placements were confirmed to have participated in the sex trade, while 158 were children and youth who were suspected or were at high risk of becoming involved.

So that would be a quick summary of some of the things we've been involved in and some of the progress that we've made.

Mr. Elhard: — Your answer identified sort of the specifics as to what you're doing in the various areas. But if we look at the 49 recommendations — I believe it was 49 — that came out of the report, has your department assumed ownership of a dozen of them or 15 of them? Can the minister or his officials say that out of that entire report, these are the areas that this department will take control of or take action in? And can you identify which of those recommendations are those that this department has assumed responsibility for?

Mr. Fisher: — I'm afraid that if you would you like a specific answer on each of the 49 recommendations in terms of which specific ones we've been involved in and what specifically we've done with regard to that individual recommendation, I'll have to get some information pulled together and get back to you on that. But I can commit to do that.

Mr. Elhard: — That would be fine, if we can accept your promise of performance for another time. If you would be good enough to do that, identify the action taken by this department in regard to the 49 recommendations or the ones that are pre-eminently in the domain of this department, in written form, that would be adequate. And we would appreciate that.

Mr. Fisher: — And it would likely be the latter situation. We'll focus on the ones that we're taking a lead or primarily responsible for and provide you information on where we've been and what we've done.

Mr. Elhard: — That's appropriate to the question I'm asking. Because last night the Department of Justice said that they only had purview or only took responsibility for a certain number of the recommendations. They wouldn't speak or comment on other recommendations that might more adequately be addressed by other departments.

And I think that what we're trying to do is piece together the overall response to those recommendations by this government to find out where the lead is coming from on any given recommendation that the commission put forward. And I think that's important. We need to know the overall response. But it seems like departments have individually taken responsibility for certain parts of the report. And I'm not sure that the information is crossing from department to department. It's not going laterally, maybe, so we're trying to find it out over the top. And I would appreciate you responding as you indicated you would. Thank you.

I'd like to move to another area, if I may. Just a couple of weeks ago I brought up in the House the fact that there were 70 employees of your department, Mr. Minister, who were walking a picket line in Saskatoon. And some of the language reported in the press of the concerns of the individuals involved in that protest was not very complimentary. I think in response to our questions, Mr. Minister, you indicated there was a process that

was in place, and the concerns of the employees of your department would be addressed through that process. Would you elaborate for us, please, at what stage that process is at?

Hon. Mr. Belanger: — Well just to point out that as you probably are aware, the ministers don't hire or fire. Ministers don't supervise staff. There's appropriate mechanisms in place, and there's the appropriate personnel in place to do that. I think it's important that we basically take the minister out of the whole notion of hiring and firing and being involved in the human resource management of his portfolio.

I would point out that obviously, as I mentioned before there, you know, managers are allowed to manage and workers are allowed to work in a safe environment. And obviously when those two issues are at odds, and there's processes in place that have been negotiated through their bargaining and those processes are in place, and as a minister it wouldn't be proper for me to inject myself into that. So I would like to defer the question to my deputy to give more clarification.

Mr. Fisher: — On this specific case, this has been discussed between union and management at the union-management committee in the Saskatoon . . . or in the centre region on a couple of occasions.

The current status of the issue is that the individual union member has filed a grievance. And so that will be working through the normal union-management channels. Hopefully we will see a successful resolution of the issue. But I can't speculate on what the outcome of the grievance process would be at this point because I believe we've just embarked upon it.

Mr. Elhard: — You indicated in your response that there was one grievance that has been filed. There were 70 people involved in the picketing, as I understand it according to media reports. So am I to believe that there were 69 people who supported the complaint or grievance of one person? Or are you anticipating additional grievances?

Mr. Fisher: — The grievance centres around an individual.

Mr. Elhard: — And the process of this nature, you said it's just now under way. How long do you anticipate a resolution of this type of grievance to take?

Mr. Fisher: — Well initially in a situation like this the affected employee has to decide whether or not they see progress being made and want to initiate a grievance process at all. As I mentioned, in this case that has been done.

Depending on discussions throughout the various steps of the grievance process, again I would hesitate to speculate on how long that would take because some grievances are resolved early in the process; others go all the way to arbitration and that can be a lengthier process. So I can't really give you a more specific answer than that because we're not sure where this is headed.

Mr. Elhard: — Is there any explanation you can give me, sir, for the fact that this particular issue seemed to percolate beneath the surface and didn't receive earlier attention? It would suggest to me that to have 70 people actually leave their workplace and

take to picketing, that there was some buildup of anxiety or concern or maybe some frustration and if in fact that was the case, that this was not attended to in a timely manner. Could you give me an indication of how long this has been going on or what the prior knowledge of this might have been?

Mr. Fisher: — I can't really give a time frame around the entire issue. The issue centres around work location and assignment on various work locations. It's a management practice that is used in our regions to ensure that the various offices that we have — and in Saskatoon we have more than one location — that the various offices have appropriate staff coverage at all times. And so it is a common practice in the regions.

We have an instance where an employee has disagreed with that practice so we find ourselves in a situation that we don't enjoy being in the situation, but we're committed to working with the union through the appropriate process to try to seek some resolution of it.

Mr. Elhard: — Thank you. Earlier today there were a couple of additional cases of fraud that came to the attention of the committee of Public Accounts. And I think out of that particular revelation there are some questions that need to be asked in this committee today.

The fact that it was reported to the Chair of the committee is in keeping with the new process that has been established by the Minister of Finance, as I understand it, although it wasn't a moment too soon. It came to the Chair in a group of papers just seconds before the committee convened this morning. Can the department officials or the minister inform this committee as to when it became apparent to the department that there was something amiss?

Hon. Mr. Belanger: — Well we're asking Mr. Jones, who is our president of the Saskatchewan Housing Corporation because certainly he's got specific information. But I'll reiterate once again what I said in the Assembly and to the press, that the work and the rules that have been defined by the Minister of Finance are rules for everyone. And we take them very seriously because the fact of the matter is that this information is public. And as per the rules that the minister has set out . . . And this was of course the March 21 press release in which the Minister of Finance clearly indicated that there are a number of processes that we will be going through in the event that there is some financial irregularities.

And some of the points that they raised . . . And I want to quote the document clearly and the minister clearly. And this is something that we've followed is, and I quote:

“Transparency and financial accountability have been the hallmarks of the NDP government since the early 1990's,” Finance Minister Andrew Thomson said. “This Government is committed to safeguarding the money belonging to the people of Saskatchewan.”

The initiatives include:

- Improved training programs for managers and administrators;
- Enhanced internal audit functions;

Regular reporting of all incidents involving over \$500 by the Provincial Comptroller to the Public Accounts Committee; and
Partnerships with public accounting firms where an external opinion or review may be of benefit.

One of the things I think is very important is that we want to be open and accountable. And what I told the media and what I told the Assembly today is that we will follow the rules. We will do all we can to make sure that we fulfill the intent of the rules as best we can. And one mustn't forget that when we have allegations of any sort, proven or unproven, it does take time to respond in terms of doing investigations and doing the proper process. There's no question in my mind that this is something that we are going to absolutely, totally do, is be accountable.

So in reference to your question in terms of detail, I'm going to ask the president of the Saskatchewan Housing Corporation to elaborate.

Mr. Jones: — Thank you, Darrell Jones. First with regard to the one matter relating to a local housing authority. It came to our attention, through a operational review that we conduct of the local housing authorities, that there was some poor management practices that we brought to the board's attention in late fall, 2005. As a result the board took action and dismissed the contract manager.

Subsequent to that we undertook a more detailed analysis of the records. And our report was finalized late March as a result of that detailed review. And we, at that point, referred the matter to the RCMP and reported the matter to the Provincial Comptroller.

With respect to the other situation, relative to DCR [Department of Community Resources] employee, as a result of an internal audit of some expense claims we identified that there seemed to be financial irregularities, took these issues up with the employee, and as a result dismissed the employee of their responsibilities; reported the matter to the Provincial Comptroller and the Sask Housing Corporation auditors, external auditors, and have referred the matter to the police service.

Mr. Elhard: — Mr. Jones, I'm familiar with the rules that were put in place by the minister. I remember when the announcement was made about the rules coming into force because, if I recall, that was applied in March sometime. And I don't think anybody disputes the rules. I guess the question becomes one of time. Now you indicated that the first instance there was a contractor involved and his contract was terminated. Termination of contractors is different than termination of employees. That is handled, that's a process that's handled differently?

Mr. Jones: — Well I suppose it has some similarities in that the compensation for the performance is obviously terminated, and so certainly similar in that fashion. But typically there's termination clauses built into contracts as was the case here, and so it creates the opportunity to institute those clauses. And that's what the local board at that time did the responsible thing based on what they believe were breaches of performance and terminated the contract with their manager.

Mr. Elhard: — So in that instance the board would have determined that they weren't happy with the management style or capacity or capabilities of the individual involved. They would find a mechanism by which to undertake this termination and then they would ask Sask Housing to come in and do an investigation? Is that the process here?

Mr. Jones: — Yes. We, through our operation review process that we have with Sask Housing Corporation where we review the operations of local housing authorities, we were working with the board in identifying some of the weaknesses. Subsequent to the dismissal, that provided Sask Housing more exclusive access to review the records and make further determinations.

Mr. Elhard: — Can you tell me precisely when Sask Housing started looking for financial malfeasance in this particular instance?

Mr. Jones: — We undertook a review beginning in December and concluded the review of records in March 2006.

Mr. Elhard: — Was there a similar timeline for the second case that was brought to our attention today?

Mr. Jones: — With regard to the DCRE employee, we undertook an internal audit in January 2006 and our final report from the internal auditor was complete in late March 2006.

Mr. Elhard: — Thank you. One area of final questioning if I may. I would like to know from the . . . This is a different topic, entirely so. There is home care provided for individuals who obviously have health-related limitations. Is home care a program of Health or is it also a program of this department?

Mr. Jones: — Home care is specifically a program under the jurisdiction of the Department of Health and so all home care services are provided by that department.

Mr. Elhard: — If we had a client on some type of assistance program through your department who was qualified to get home care, is there limitations put on that home care by this department or would those limitations be imposed by the Department of Health?

Mr. Fisher: — I'll try to answer the question. Generally speaking the home care program is based on assessed need, so a home care assessor would speak with the client and determine what the unmet need of that client is. They would try to put in place a care plan that provided services, either professional care services or non-professional care services, that would try to meet that need.

Home care is an income-tested service, so there is a sliding fee scale for that individual. But I'm not aware of any situation where . . . The fee scale is quite flexible. It's very low for the first, I think it's 6 or \$7 per unit of service for the first 10 units up to a maximum of a couple hundred dollars a month. And certainly the home care programs do have some flexibility, if people are not able to meet the assessed need to waive a certain portion or all of the fee so . . .

Mr. Elhard: — I'm bringing these questions to the committee

because I have a constituent who has been limited to one and a half hours of home care a month. She is not . . . I guess maybe that's not the right way to put it. She is a client of your department. And her limitations are physical, not medical necessarily but physical. And I'm concerned about the fact that somebody who is very physically challenged can't qualify for home care for more than an hour and a half a month. And I'm troubled by that limitation. I mean, it doesn't seem very realistic or very flexible, frankly.

Mr. Fisher: — At the risk of falling back into the situation we were in before, I hesitate to provide further information because, you know, as Darrell has said, housing's not responsible for the home care program. But generally speaking the level of service, the amount of service provided would be a decision made by the local regional health authority through its home care program and not through Community Resources.

Mr. Elhard: — Thank you. That's all the questions.

The Chair: — Thank you. As it being now past 5 o'clock, the committee is recessed till 6 o'clock.

[The committee recessed for a period of time.]

General Revenue Fund Justice Vote 3

Subvote (JU01)

The Chair: — I call the meeting to order. We're now on the estimates and supplementary estimates for Justice, vote 3, found on page 103 of your budget book. The minister is here with his Justice officials. I won't comment on them any more about being older or young or the same. We'll start with questions I presume.

Hon. Mr. Quennell: — Yes, I discovered that our conversation about the officials yesterday is now part of the record. So I'm not going to comment any further about their appearance.

The Chair: — I discovered the same thing. Mr. Hart.

Mr. Hart: — Thank you, Madam Chair. Minister, I have had concerns raised with me about the high rate of crime in the community of Balcarres and the surrounding area. Business owners, homeowners are very concerned about the number of property crimes, break and enters, car thefts. It seems to be higher than the provincial averages, and it seems to run in spurts.

And they feel that perhaps a part of the problem is the lack of policing services in their community. I wonder if you could comment on if you have any plans to increase the policing services to the community of Balcarres. I believe they're served by out of the Fort Qu'Appelle detachment. And citizens of Balcarres feel that they aren't receiving adequate services.

Hon. Mr. Quennell: — Yes, I understand that . . . I haven't seen it yet, but my department has received a communication from one of the council members in the area, Balcarres. So we will be talking to the RCMP [Royal Canadian Mounted Police].

Now these aren't decisions that are made by the department. But we of course had discussions with the RCMP, and we want to be assured that their rationale in the way that they are distributing officers is reasonable. But the central motivation for the provincial police service, which is the Royal Canadian Mounted Police, is to put more resources where they are, where they are most needed. And a rolling average over, I think it's three years — I stand to be corrected on that — of crime in communities is kept. And as there are shifts in the crime rates in different parts of the province, there can be shifts to the staffing by the RCMP in those different parts of the province.

If this is not a blip — and one can always hope that it is if one lives in Balcarres — and it's a growing problem disproportionate to elsewhere in the province, then you could expect to see the RCMP reassign resources to that area.

Mr. Hart: — Minister, well I know that citizens of Balcarres and area feel that part of the problem is due to the low numbers of police officers stationed at Fort Qu'Appelle, that they just don't have the manpower. And I believe that they would like to see some additional resources to that detachment. Fort Qu'Appelle area has quite a large, fairly large area to cover with quite a number of communities within their area that require perhaps higher than the average, you know, policing services and so on. And they feel that some of their problems could at least be addressed by additional members stationed at the Fort Qu'Appelle detachment.

Have you got any plans to . . . or are you looking at increasing the number of officers stationed in Fort Qu'Appelle?

Hon. Mr. Quennell: — Again I would have to discuss that matter with the RCMP and see if they see a need for a shift of further resources into Fort Qu'Appelle and advise the member or the committee. The decision again isn't made by the Department of Justice. It is made by the RCMP, and they make the decision based upon the crime rates across the province and the relative need for RCMP. And again if the situation in Balcarres and Fort Qu'Appelle relative to other parts of the province has changed significantly and that change looks like it's not temporary aberration, then that would usually result in some kind of adjustment of resources.

As a rule we have higher crime rates in the North than we do in the South. We have higher crime rates in urban areas than we do in rural areas. And I think we see in the decisions of the RCMP about where to place additional resources when they receive additional resources that they are responding to that general statement.

Now of course there are exceptions. I think the community of Pinehouse has been an exception within the North. It appears to have a more southern crime rate for example, and then of course southern communities that are cursed with a higher crime rate and more problems than their neighbours.

These are the things that the RCMP looks at across the province to make decisions about how to reassign and change the sizes of detachments in different communities.

Mr. Hart: — Minister, I guess really what the citizens of the area are asking is for you to raise this issue with the RCMP and

I guess let them know what the outcome of those discussions are as far as the requirements for additional policing services in that area. And if you'd commit to doing that, I think the citizens would feel that their issue is at least being looked at.

Hon. Mr. Quennell: — We'll raise the concern of the member with the RCMP.

There is one related issue as well. We have a rather unique, in Saskatchewan I think, police force, the File Hills police force, which serves four or five First Nations in the area. It is now understaffed. As we bring that police force up to a higher staffing level, that may assist greatly in that area and perhaps, I'd just be speculating, but perhaps some of the problems that are occurring now are because that police force isn't at the strength we'd like to have it at. So that's the other area we can look at.

Mr. Hart: — Okay. Thank you very much, Minister.

The Chair: — Mr. Morgan.

Mr. Morgan: — Thank you very much. Vote (JU07) which is at page 105 of the Estimates includes an allocation of \$25,000 for land titles assurance claims. Would those be claims that would have come into existence before ISC [Information Services Corporation of Saskatchewan], or are those claims that may have come into existence since the new land titles registry came in?

Hon. Mr. Quennell: — Before the existence of ISC.

Mr. Morgan: — Okay so these are the . . .

Hon. Mr. Quennell: — Before conversion.

Mr. Morgan: — Okay and do we have a sense of how many claims are pending against the old system?

Hon. Mr. Quennell: — What I can provide the committee with is the payments that have been made in each year going back to 1998-1999. They varied from in 1998-99, \$23,619; the following year \$2,500; the following year \$2,011 to a high the next year, 2001-02, of \$74,525. There is no way of knowing what claims will be made, and the 2005-06 is a forecast and the 2006-07 \$25,000 is a budgeted number.

Mr. Morgan: — Does this amount sit in a separate reserve fund that's set aside for this purpose?

Hon. Mr. Quennell: — No, it's just a line item in our budget.

Mr. Morgan: — An arbitrary allocation. So it may be excessive in some years, and it may not be nearly enough in others. Is that right?

Hon. Mr. Quennell: — It could be approximately the right number or it could be off, either way.

Mr. Morgan: — Has our experience since been that it is close, or have we had shortfalls so far?

Hon. Mr. Quennell: — Well if you're asking whether . . . If we

go back to 2003 where the cost was \$55,000, whether that was the amount that was budgeted at, I don't know that.

Mr. Morgan: — I think the 25,000 is statutory so it's fixed.

Hon. Mr. Quennell: — Okay. That's been the number that has been used for years. And it has varied from as I say a low of \$2,000 to a high of \$74,000.

Mr. Morgan: — So on average . . . My question is, has it been adequate?

Mr. Moen: — Doug Moen. It's been in the range. Some of it's been up. Some of it's been down. I don't have an average here. The average may be a little higher, but it would be, you know, between 25 and \$35,000.

Mr. Morgan: — How long will we have to maintain this?

Mr. Moen: — Well we'll have to maintain it for some period of time because it relates to errors that may have occurred prior to, you know, ISC being created. So it will be for quite some period of time. I don't think we have an estimate just how long, but there's no . . . it could be for some time.

Mr. Morgan: — But as time passes we should assume that the number of claims or the potential for claims will drop.

Mr. Moen: — Absolutely.

Hon. Mr. Quennell: — And you would think over time that errors would be discovered in the ordinary course and eventually you'd be catching most or have caught most of them.

Mr. Morgan: — And because the system is no longer operational, no new errors are being added to the system. So it's . . .

Hon. Mr. Quennell: — Right.

Mr. Morgan: — And then errors made under the new system are dealt with through ISC exclusively?

Hon. Mr. Quennell: — Yes.

Mr. Morgan: — Has the department looked at some of the issues that are arising? I think I had corresponded with you some time ago regarding a Queen's Bench decision dealing with the Bank of Commerce where title had been fraudulently conveyed from an owner to a non-owner who subsequently mortgaged the property. And I think ISC was able to convey the title back to the original owner. The one who was short at the end of the day was the mortgage lender. And ISC took the position, upheld by the court, that the mortgage lender was out of luck on it because they had taken their title from somebody that had acquired it fraudulently.

And I'm wondering whether the department has looked at making amendments that would address the concerns of third parties in a fraudulent change or other parties who may have been fraudulently dealt with.

Hon. Mr. Quennell: — We are waiting for a report from the

Law Reform Commission. I know I've had some discussions with the Law Society who have raised this issue as well. And when we have the report and the recommendations from the Law Reform Commission who are looking at this topic, then we can start to consult, I think, both the legal community and with the lending community among others.

Mr. Morgan: — The Law Society produced the interim report dealing with title insurance. Would this be a follow-up on the title insurance report, or is this another project the Law Reform Commission is doing?

Hon. Mr. Quennell: — Well certainly it would be in addition to what the Law Society of Saskatchewan has done. I think they'd be taking into consideration what the Law Society, what their work has suggested. I understand that this is to a certain extent a joint project of the Manitoba and Saskatchewan law reform commissions. Both Manitoba and Saskatchewan have Torrens system, and there may be value in a common approach. And it's helpful particularly in Western Canada if not across the country to have a harmonized approach to these matters.

Mr. Morgan: — I agree with you. I think it's distressing for a lender to carry on business in this jurisdiction, do everything that they think is necessary, do proper appraisals, retain a lawyer who acts in good faith not fraudulently, does all the paperwork. They do everything that a reasonable lender would be expected to do, and at the end of the day they're unprotected by virtue of what they believe was a secure Torrens land titles system.

And what we are doing by not addressing this through legislative means is . . . The advice that I think any reasonable lawyer would give to a lender is insist on title insurance, which may well be the upshot of that kind of decision. I know the use of title insurance is growing, and if I was a lender I would think I shouldn't have to look to title insurance for a solution. I should be able to look to the land titles system to prevent this. Now possibly the land titles system has to develop some other checks and balances with ID [identification] checks or, you know, a variety of other directives to the Law Society.

But I think in this particular case, the lawyer that had prepared the documents acted in good faith, did everything that a lawyer was supposed to do — checked photo ID, did everything else — and it was a relatively sophisticated and good con job that was done. They have happened. We will try and address those, I'm sure.

But going forward, we don't have a solution for that lender. And right now if that same situation were to happen again, we would be in the same position.

Hon. Mr. Quennell: — And title insurance may not be the best answer, so I look forward to the work of the Law Reform Commission. I think this is an area that requires some thought, careful consideration. And we certainly would be looking at legislative changes if that is their recommendation.

Mr. Morgan: — At the present time, a lender would be well advised to get title insurance because title insurance would have protected that particular instance.

Hon. Mr. Quennell: — Well I'm not going to comment on that particular case. I don't think that would be necessarily appropriate.

Mr. Morgan: — Well I'm willing to if you're not. I've read the decision and I've looked at title insurance policies and talked to people that practise in the area of real estate law, and certainly the opinion is that if that type of fraud would happen now, title insurance . . . If the lender would have acquired a title insurance policy, they would have had recovery on that policy.

Hon. Mr. Quennell: — I think the member and I are in perfect agreement that we need reform to the law. And we need, in my view, well thought out, well considered reform to the law that both corrects — to the extent that we can — these types of issues, but doesn't also have any unintended consequences.

Mr. Morgan: — I look forward to seeing the recommendations as they come forward.

I would like to ask briefly about corporations branch. There is an allocation in that same budget estimate of \$1.772 million for corporations branch. Can you tell us what the total income and total expenses were for corporations branch?

Mr. Crook: — It's Rod Crook. The total expenditure for corporations branch in 2005-06 was \$1.697 million. The total revenue for 2005-06, I don't have the precise figure, but the projection that we had at the time this note was prepared was 6.2 million. The corresponding actual figure for the previous fiscal year was 5.6 million.

Mr. Morgan: — So we show a net profit on corporations branch of 4 or \$5 million a year. Is that correct?

Mr. Crook: — Yes. Some of the costs related to the operation of corporations branch would not be reflected in the expenditure budget of 1.697 million that I mentioned. Things like the lease cost for their space, some of the costs relating to postage and mail-outs and the like are dealt with in the administration and finance budget within the department. But certainly that would, you know, be a close approximation to the costs of operating.

Mr. Morgan: — I would have thought that you would have wanted to do a fairly detailed break-even analysis or profit projection on that. My understanding is the corporations branch was expected to be cost recovery plus a modest profit that we wanted to (a) encourage businesses to come; but (b) not subsidize it through general revenue. So I would have thought that the department would have wanted to know fairly precisely what the costs were in operating corporations branch with regard to all of the expenses — telephone, space rental, etc.

Mr. Crook: — There's no question that even factoring in those additional costs, there would be a significant difference between the revenue and the expenditure side.

Mr. Morgan: — Is it the intention of the department in subsequent years to want to do a more close calculation? I'm not disputing the numbers or that it's not profitable. I just thought we would have wanted to know more precisely how profitable and what expenses should be attributed to it.

Mr. Crook: — The other comment that may be helpful here is, there has been some reductions in some of the fees that have been charged, particularly with the advent of the online functionality and online registration. And the fee reductions include reductions in the cost to incorporate a business corporation online, the cost for registration and renewal of a sole proprietorship or partnership of a business name, and obtaining a corporate profile report online.

So those fee reductions occurred in the 2005-06 fiscal year and the estimated revenue that was forgone as a result of those reductions was approximately \$366,000 per year. In addition to those changes in the immediate past fiscal year, in September 1, 2004 the filing fee for annual returns was reduced from \$50 to \$40 for returns that were filed online, and with again approximately 20 per cent reduction in the revenue that would be associated with annual returns that are filed online.

Mr. Morgan: — I appreciate the point and I think the business community appreciates the savings in costs. My point was, would it not be appropriate to track those costs with a greater degree of certainty where we would attribute the rent, vehicle costs, whatever else that's there? And my question is if that's something that's being considered.

Mr. Crook: — Yes, the 1.697 million figure does cover the vast majority of the cost. The only two other ones that are of any significance would be the accommodation costs and of course the pension and benefits costs for staff that are in the Department of Finance budget.

Mr. Morgan: — Thank you for that. My suggestion I'll make and point just the one last time is, I think this is intended to be a break-even or modest profit endeavour and I think we would want to try and track all of the expenses which include all of the salary, pension, and everything else that's there. But I appreciate that's what's being done now and if there isn't an intention to change . . .

Hon. Mr. Quennell: — It has not been the intention that it would be strictly user-pay, cost recovery only, with some margin for error. It has, I think, been for some time in corporations branch and also in the financial services area around securities, an area of a small amount of revenue. And budget decisions have been made to forgo some of that revenue and to encourage online registration at the same time, but it hasn't been an area where we have striven to try to achieve almost precise balancing off of expenditures and revenues. That hasn't been . . . that would be, I suppose, a philosophical or policy change that might be accomplished by forgoing some million dollars . . . some million of dollars of revenue, but that's not been the objective here.

Mr. Morgan: — I don't want to debate anything. My understanding is you want to recover all of the costs on it. I would think you would want to know what the costs are. If you choose not to, I accept that that's your position.

Hon. Mr. Quennell: — There is no difficulty getting the whole figure for the committee. I mean, there are some relatively smaller amounts that are not included in the \$1.6 million and we can certainly provide those to the committee.

Mr. Morgan: — If the department could provide them, I think that would be beneficial. Thank you.

The online registration system for corporations branch was implemented a couple of years ago, and I'm wondering who the computer consultant was for that and what the cost was for that, for the online conversion.

Mr. Crook: — Since the project was implemented some time ago, we don't have those costs with us today, but we can certainly forward them to the committee.

Mr. Morgan: — If you would. I understand that the cost was relatively modest. I would like to know what it is and would suggest that maybe somebody should hang on to the business card from those folks and you could pass it to the gentleman to the right of Mr. Crook, and if he's considering another land titles venture, these might be good folks to hire because this was very successful, so . . .

Mr. Crook: — It certainly has been a very successful project with, you know, significant uptake on the online, and it was a project that was done with the lawyers in the province being extremely happy with how it was implemented and the service that's provided. So we've heard nothing but good things about the actual operation.

Mr. Morgan: — I certainly share in that, so whoever did the conversion is certainly to be commended. I don't know who it is, but was well pleased with that.

I'd like to move on to public prosecutions, and there is an increase in public prosecutions from 12.06 million to 13.396 million. I'm wondering what change there is in full-time equivalents to get to that amount.

Hon. Mr. Quennell: — Okay. During the 2006-2007 budget year, public prosecutions will receive an additional \$1.336 million increase in funding to be applied as follows. Crown counsel, other employee negotiated salary settlements, \$476,000. The gang suppression strategy, \$347,000, and the members of the committee might remember that there are designated prosecutors as part of that strategy. The occupational health and safety prosecutor, \$150,000. The environmental prosecutor, \$120,000. The drug court that's being pioneered in Regina, \$100,000. Aboriginal Justice Reform salary annualization, \$80,000. And inflationary operational costs, \$63,000.

And I just want to check one thing . . .

Mr. Morgan: — I appreciate that there's an increase of over \$1 million, and I don't wish to go into the same kind of debate we had with the police officers because I don't think that's a finished issue yet. But I'm wondering if it would be possible to get an answer as to the number of full-time equivalents for prosecutors in the '05-06 and in the '06-07 as to how many additional bodies would be included.

Hon. Mr. Quennell: — There are an additional 3.2 FTEs in this budget year within public prosecutions, but that's not specifically your question.

Mr. Morgan: — I certainly hope that the increase is greater than three because if it is, it's costing us \$1 million a year for each additional prosecutor. So I guess what my question is, how many did we have in '05-06 and how many will we have in '06-07?

If this is something that's not readily available I'm certainly prepared to accept your undertaking to provide it. But what I'm not expecting is something . . . we added three here, we added four here, and find out later on we lost five or six. What I'm looking for is the number of FTE, full-time equivalents in '05-06 and what you're projected to be in '06-07.

Hon. Mr. Quennell: — And that's not . . . I've gone through the number of prosecutors that have been added. I appreciate what the member is asking for which is a number . . . Now it can vary I suppose throughout the year. But a number for 2005-2006 and a number for 2006-2007, we can provide that.

Mr. Morgan: — Thank you. I don't think this should be a difficult undertaking. There isn't municipal ones that are all hived off that are paid somewhere else. And I would think that as the minister you would want to know that yourself. So I don't think that should be a great challenge.

Has the department contemplated what additional funding might be necessary as a result of the contemplated changes by the federal government to the Criminal Code?

Hon. Mr. Quennell: — I'm sorry. Could you ask the question again?

Mr. Morgan: — Has the minister considered or contemplated what the cost implications might be for the department for the proposed changes to the Criminal Code by the federal government?

Hon. Mr. Quennell: — Well no we haven't. But I think as legislation goes forward, whether it's amended or not, whether it passes or not, and as we prepare for the next year's budget we will have to take into consideration the changes in the criminal law and what effect they would have — specifically within Justice, putting aside Corrections which is not within Justice — the effect they're going to have legal aid, on prosecutions, on court services.

So we have a budget that will take us to the end of March 2007. As we are preparing for the next budget we'll be looking at those changes and circumstances that will come from the legislation if the Bills that are being proposed are passed, and if they are passed whether they are amended or changed in some way from what's now presently proposed.

But that's certainly going to be a consideration. I think it'll be more of a consideration for the Department of Corrections and Public Safety than it will be for Justice. But we will have to turn our minds to what additional demands there will be on legal aid and on Crown prosecutors and on the courts generally.

Mr. Morgan: — That was exactly my question. I realize this is going to have some significant ramifications for Corrections, but I think it's something that your department should start to make some planning or at least contemplate what those changes

might be.

When I saw an increase in the budget of in excess of 10 per cent, I thought perhaps there was some contemplation of what was maybe taking place at that point. But if it's not been included in the 13.396, we may assume that if these changes are implemented earlier than the next budget year you may run short.

Hon. Mr. Quennell: — And again the department is trying to work out ways of estimating the impact in the areas that I've described. It will depend on what the legislation says.

Currently it appears that the legislation would affect approximately 48 per cent of offenders who currently receive a conditional sentence in Saskatchewan. Again putting Corrections aside, which is another department, I expect many of those people would maybe qualify for legal aid where otherwise they might not have because they're now looking at a custodial sentence. Many of those people will be Aboriginals. Sixty-five per cent of the people who receive conditional sentences in Saskatchewan are Aboriginal.

So there will be stresses and strains on the legal aid system. This is going to be difficult to estimate exactly what they will be but we anticipate there will be some. There's no question about that.

The federal government might responsibly look towards paying a share of those costs that are incurred. I know that they are planning on spending more money on federal correctional institutions because of their legislation around minimum sentences. I trust that they will recognize that their impacts will also affect provincial correctional systems and other parts of the justice system.

And these will be discussions that we'll be wanting to have, specifically with the federal Minister of Justice as we go forward throughout this year and we see the progress of his legislation.

Mr. Morgan: — I have a consumer protection question I would like to ask. And it's whether . . . There is an issue that has been raised in my office. And my question would be whether it is something that the minister is contemplating.

We spent some time going through a significant consumer protection Bill and had some debate, and it was very worthwhile debate as to what issues should be protected, whether it was fitness centres, travel clubs, and a number of people that dealt directly with consumers.

The largest single purchase that most people make in their lifetime is their homes, their principal residence. I've had calls from several realtors and several purchasers of existing homes, and those people have said that they have concerns about the home inspection that they relied on. The home inspectors charged several hundred dollars to do an inspection of an existing home.

In some jurisdictions I'm led to believe that inspectors are regulated. And in Saskatchewan there's a high degree of reliance by members of the public on home inspectors. And it's

an industry that right now is not regulated. The people are not required to have any professional designation. They're not required to have any special licence. They're not required to have any bond.

And I had one person recently that came to me that purchased a home that needed thousands and thousands of dollars worth of repairs, that would have been apparent to any reputable building contractor or an engineer or any one with professional qualifications. But they relied on their home inspection, did not obtain no relief against the vendor of the property, and are now stuck with this large bill.

So my question is, is this something that the department has looked at or are willing to look at?

Hon. Mr. Quennell: — It's certainly something that we're willing to look at. I don't believe it's something we have looked at. I'm advised that the consumer protection branch hasn't received complaints. But the situation that you describe is quite troubling. And I would like the information that has been . . . well obviously with permission of the people who gave it to you. But I think it should go to our consumer protection branch because we're not aware of these concerns. But if they exist and they're not a one-time occurrence . . . I mean if there's a pattern and there's an issue, then we should be looking at how we can address it.

Mr. Morgan: — I can advise the minister that after I had received two of them in my office, I contacted a couple of real estate brokers and they shared the concern. And the one broker — and I'll check whether he's prepared to discuss it with you or with the officials from the department — said it's a recurring problem that he has as a broker, that some of these businesses are completing the reports. People will rely on them to complete the purchase, and they're not discovering the most apparent or blatant issues with the homes, and then afterwards the people come back after the realtors or after the broker. So I will certainly pass that information on, and it's something that I would like to invite the department to consider or at least do a review of what's taken place in other jurisdictions.

I would like to ask some questions briefly about the Human Rights Commission. I see the budget increase for the Human Rights Commission is very modest — 1.494 million to \$1.539 million. And my concern is about the delay in processing complaints before the Human Rights Commission. I am told that the process frequently takes timelines measured not in weeks or months but is often measured in years, and it's often many months before the complaint is reviewed.

Hon. Mr. Quennell: — Well apparently I'm in a position to assure the committee that some considerable progress has been made. In 2002-2003 the backlog of cases was 35; in 2003-2004, 39; 2004-2005, 29; and 2005-2006, zero.

Mr. Morgan: — I'm not sure what you mean by backlog. Is that a case that's more than a year old?

Hon. Mr. Quennell: — Backlog of unsigned investigation files. Excuse me, I should have been more specific.

Mr. Morgan: — So they've been assigned, but we don't know

how long it takes to deal with them.

Hon. Mr. Quennell: — Well I want to go through the process and the changes in the process. The complainant intake is where the complainant calls, writes, or completes a questionnaire, or meets with an intake consultant. The consultant does an assessment to determine if there are reasonable grounds to believe that code was violated, and the complaint is signed and the respondent is advised of the complaint. The straightforward cases are processed immediately. All others are generally handled within 30 days, with minor exceptions.

There's a voluntary mediation phase settlement. The commission attempts to persuade the parties to participate in a voluntary mediation process. If both the complainant and the respondent agree, mediation is initiated. This may also occur during the investigation stage. Between '04-05 and '05-06 there was a 48 per cent increase in settled complaints. Now on average, the mediation process is taking 4.8 months. That's down from eight months.

If the parties do not agree to mediation, the complaint is held in a backlog awaiting investigation — and that's the backlog that I referred to earlier I think — until it is assigned to an investigator. Files are normally assigned from backlog on a first-in, first-out basis. Some exceptions do occur for complaints that require priority handling. On average complaints are in the backlog for 2.5 months. That also is down from eight months the previous year. So again, considerable progress.

If there is a requirement for investigation, the investigator assigned with the complaint will speak with witnesses and gather documents to determine whether a complaint can be substantiated. At the conclusion of an investigation, a report is filed with the Chief Commissioner. And on average, complaints are under investigation for 10 months, and that's down from 17 months the previous year.

So in each one of these stages, considerable progress has been made in how long the average case takes.

Mr. Morgan: — Minister, I'm pleased, and the Chief Commissioner and her staff should be commended on the significant reduction. That marks a huge step forward. However when we're still dealing in many months to have a complaint investigated, and a resolution, when it's taking 10 months to a year, for most people is too long.

And I have the same concern there that I do with police complaints. The longer it takes before the investigation starts, the more fragile people's memories become and the harder it is to find witnesses, the harder it is to prove, and the more entrenched people often become in their positions. So we know we're going to deal with them all sooner or later, what would it take to get them all down to 30 to 60 days in total or a relatively quick turnaround in time.

Hon. Mr. Quennell: — Yes, and I'm not suggesting that we would — because of the tremendous improvements that have been made over the last year — declare victory and suggest that these have reached some golden and perfect state, and that we don't need to look at trying to tighten up these timelines even

further. But tremendous progress has been made. And you know, more work perhaps could tighten these up a little bit better, and that would of course be, for the reasons the member pointed out, preferable. I can't help commenting that if the civil trial bar could resolve cases as quickly as the Human Rights Commission is now resolving them, there'd be a lot more happy clients for lawyers out there.

Mr. Morgan: — The . . .

Hon. Mr. Quennell: — I can, if the member would excuse me, set out what the commission would give as the reasons for the reduction in the current timelines. The increase in budget allotment in 2005-2006, which I think was significantly greater than it was this year; a corresponding increase in investigation staffing; more files being referred to mediation and conciliation — and I think we appreciate the value of resolving disputes in those ways when it can be done — and the fast-tracking more files using the flexibility of the process in the code. Now whether more can be accomplished by these investigators, by mediation and conciliation, and by the fast-tracking significantly over this year, I suppose we'll see in time.

Mr. Morgan: — I would like you to pass on to the staff of the commission that the credit for the successes that are there are due to their hard work and their diligence. And the failings that continue and the delays — I don't attribute to them — I attribute to you for not ensuring that there's sufficient funds or there's sufficient resources for them to deal with.

And I want to encourage your department to ensure that they are adequately, appropriately funded. And if they need some one-shot funding or some additional people assigned to try and get the backlog dealt with on sort of a once-and-for-all basis, perhaps they would be able to keep up. They appear to be making good steps forward, and I would like to see that that, the good work of that agency is continued. I don't know if that's something you want to comment on or . . .

Hon. Mr. Quennell: — I'd respond to a question. I don't think there's any use us getting into a discussion about what you would attribute the successes and failures to.

Mr. Morgan: — Under the same area, we have inquiries, and we have now budgeted \$1.65 million for '06-07 and 2.15 for '05-06. I'm wondering where the Milgaard inquiry is being paid from and what the total cost is anticipated for the Milgaard inquiry.

Hon. Mr. Quennell: — The budget, under inquiries, of \$1.65 million consists of the following areas: for the Milgaard inquiry, \$1.5 million; for a human rights tribunal, \$100,000; for the board of review, \$50,000. The . . .

Mr. Morgan: — How much did you say Milgaard was?

Hon. Mr. Quennell: — For 2006-2007, \$1.5 million. That's a estimate that we would have received from the commission.

Mr. Morgan: — And then in '05-06 you used the figure of \$2 million. It would have been far more than that in that year.

Hon. Mr. Quennell: — The amount spent last year, 2005-2006,

was 4.9 million. The amount spent in the previous year was 2.8 million. We are forecasting this year, as we've discussed, 1.5 million for a total of 9.2.

Mr. Morgan: — So the estimate of 2.15 was out by 100 per cent at this point — the '05-06?

Hon. Mr. Quennell: — The initial estimate for the cost of the inquiry in total was \$2 million, and that was based upon what was spent in the Neil Stonechild inquiry. That number has been well exceeded.

Mr. Morgan: — And there's every likelihood it will approach 10 million by the time it's done. There's every likelihood it's going to be 10 million by the time it's done.

Hon. Mr. Quennell: — I wouldn't, I wouldn't want to undertake that it would be less than \$10 million.

Mr. Morgan: — So the figure that we have in the budget estimates for '05-06 is understated by about \$3 million or close to \$3 million. Is that correct?

Hon. Mr. Quennell: — Which estimate are we referring to now?

Mr. Morgan: — Page 106 of the Estimates, you show inquiries, estimate 2.15 million, and you've indicated it's 4.9 for Milgaard for that year.

Hon. Mr. Quennell: — The estimate that's been provided by the commission for the 2006-2007 budget is \$1.5 million.

Mr. Morgan: — But for '05-06, in the budget Estimates booklet there is a figure in there of \$2.15 million for inquiries. So that's understated by the difference between 2.15 and 4.9.

Hon. Mr. Quennell: — Yes, and the Milgaard inquiry clearly has cost in excess of what we estimated in 2004-2005 and in excess of what we estimated in 2005-2006. When we originally set the commission budget, we worked under the assumption that there would be 35 hearing days and an office open for 12 months, the commissioner spending 100 days in Saskatchewan hearing evidence and 100 days in his home province reviewing documents.

We are now looking at: 167 to 172 hearing days in total, an office open for 29 months, 12 funded parties which was not anticipated at the beginning of the commission. We have an estimate that 75 per cent of the total cost of the commission, of the inquiry, is legal fees.

Mr. Morgan: — Have you met with the commissioner and with counsel for the commissioner to try and contain the costs of it?

I wouldn't want you to do anything that would taint the process or remove the independence. I know that's something we discussed periodically, but when something goes 500 per cent over budget, I'm wondering what discussions you might have with him as to what witnesses are actually necessary. I'm not saying you should be selecting the witnesses, but what process might be limited to try and ensure that the costs get contained?

And I'm not being critical of either the commissioner or of counsel for the commissioner. I think it's one of those situations where it's taken on a life of its own. It's got a large number of parties, a large number of cross-examinations, and I don't think people contemplated what was there now, but I think at this point I'm wondering whether there's anything we can do that's going to ensure that it doesn't go on.

Hon. Mr. Quennell: — I haven't had that discussion with the commissioner and I will not be having that discussion with the commissioner or counsel for the commission. I do not know how I could possibly have a discussion about the number of witnesses without interfering in a fairly significant way with the independence of the commission.

The only way in which we could attempt to make that argument is as a party in the open proceedings of the commission to make the representation that we need not proceed, say, with hearing expert witnesses on systemic problems within the judicial system that lead to wrongful convictions that our position would be that . . .

And I'm using that as an example. But that would have to be made in public at a hearing of the commission. Certainly any conversation I would have on that I assume that the commissioner would also appreciate that it's inappropriate and so the conversation would not take place. Even if I tried to have one — which I won't — any conversation like that is becomes dangerously, dangerously close to tainting the independence of the commission.

Mr. Morgan: — I would not want to see the minister or anyone on his behalf interfere or do anything that would taint the process that's there. We have a huge investment in this already and it's hugely troubling on the part of taxpayers. I get calls regularly saying, why don't you guys pull the plug on this thing?

And that may be a simplistic approach to take or a simplistic response. But when something goes 500 per cent over budget, I think it's troubling for taxpayers to see that. And I think taxpayers are beginning to ask, what benefit are we going to get out of it? I think it's one of the things that's in Saskatchewan's past we have to deal with. But I'm certainly concerned about that and hope that the minister is watching the costs . . .

Hon. Mr. Quennell: — Well I understand the member's concern. I hear from members of the public along the same lines. I don't want to prejudge what the results of the inquiry will be. I'm optimistic that the hearings will wrap up this year. I do want to express confidence in the commissioner who I think has conducted his commission well and sometimes under difficult and trying circumstances.

Again I don't want to comment on the value of the commission and the value of the inquiry and what value that would have for the people of Saskatchewan, for the justice system in Saskatchewan until the commission's had a chance to complete its work and prepare its report.

Mr. Morgan: — I pass it on to share with you the concerns that I hear. And I'm not asking you to do anything with it other than be aware that the concerns are there, and they're troubling

concerns on the part of the taxpayer. And I certainly don't wish you to interfere with the process other than that you should be aware that the cost issues are certainly being raised by members of the public.

Legal Aid Commission is receiving an increase from 15.996 to \$16.819 million. Does that represent a budgeted salary increase or is that an increase in staff?

Hon. Mr. Quennell: — The increase to Legal Aid Commission is in part salary adjustments, salary increases, but it also involves funding to participate in the Meadow Lake Aboriginal court. The committee will recall that we have recently established a second Aboriginal court party in the province of Saskatchewan and appointed Don Bird the judge for that court and that court will be operating out of Meadow Lake.

There is additional funding to Saskatchewan Legal Aid Commission for the Regina drug court in the amount of \$100,000, which we've also I think discussed in this committee briefly. There is additional funding for the Saskatoon domestic violence court, \$50,000. There has been in North Battleford a domestic violence court. This court has been extended into Saskatoon and there will be some additional costs on the legal aid side.

But the bulk of the increase, \$593,000, is funding to cover anticipated collective bargaining salary adjustments and for increases in accommodation costs and other miscellaneous costs in the amount of \$593,000.

Our funding level includes about \$1.4 million from the federal government that is dependent on signing a new contribution agreement as the previous agreement ended March 31, 2006.

Mr. Morgan: — That was my next question is, how much money did you receive back from the federal government on the cost-sharing agreement?

Hon. Mr. Quennell: — The \$1.4 million was the investment fund that had a three-year term and ended March 31, 2006. The funding from the federal government is approximately \$4.2 million a year — \$1.4 million . . . [inaudible interjection] . . . \$4.2 million a year. Approximately \$1.4 million of that was the so-called investment fund.

Mr. Morgan: — So we're getting less than one-third of our actual cost?

Hon. Mr. Quennell: — Yes. This is an area of, I think fairly said, some frustration, certainly for me as a provincial Justice minister and I think for many if not all Justice ministers across the country.

If you go back to pre-1995, the legal aid funding was one of the areas that was 50 per cent funded by the federal government. We have clearly moved far away from that and the legal funding that we receive from the federal government in the province of Saskatchewan allows us to provide legal services in some criminal cases and in some family law cases depending essentially . . . well what's at stake for the individual.

We do not have much in the way of a civil legal aid program in

the province. This is a issue of some importance to I think provincial Justice ministers across the country. At Saskatchewan's initiative the provincial Justice ministers passed a resolution calling upon the federal government to not only extend this federal funding on a more stable basis, the funding that was three-year funding and that ended on March 31, but also to recognize the need for a national civil legal aid program and that there is a national interest in being able to provide those legal services to citizens who cannot afford them themselves across the country or wherever you happen to live.

Mr. Morgan: — I know your department officials will be in regular contact with the federal government and with their counterparts in other provinces. And I'm wondering if you can tell us for Ontario, Manitoba, Saskatchewan, and Alberta the per capita expenditure on legal aid and what percentage of that in each of those provinces is paid for by the federal government.

Hon. Mr. Quennell: — I'll see how much more information we can provide that's been requested other than what I can provide now. I can provide some information.

On a per capita basis, provincial-territorial expenditures vary greatly from a low of \$6.65 in current dollars per capita in New Brunswick, to a high of \$169.44 in Nunavut where . . . well essentially those would be federal dollars in Nunavut because that's a territory.

Mr. Morgan: — I don't think looking at the territories is particularly beneficial as the degree of comparability isn't there. And that's why I asked for the . . .

Hon. Mr. Quennell: — I can . . . Yes. And I can give you some of the other provinces. Ontario had the highest provincial per capita expenditure at \$24.43, followed by Manitoba, \$18.26; and Quebec at \$17.53. Our per capita expenditure was \$14.53.

Mr. Morgan: — And do we know what percentage of that in each of the provinces, including Saskatchewan, was paid for by way of the grants back from the federal government?

Where I'm going with this, I'm wondering if Ontario and some of the other provinces are getting a better deal from the feds than we are on a per capita basis.

Hon. Mr. Quennell: — The provinces . . . there's a variation of 30 to 40 per cent. And I wouldn't want to suggest on what is available to me now that some provinces are receiving a significantly better deal. No province would be receiving 50 per cent of its legal aid funding from the federal government.

Mr. Morgan: — If your officials can undertake to provide what information they have.

Hon. Mr. Quennell: — Yes, we can try to provide some fuller information both about the per capita expenditures on legal aid and the federal funding to the provinces. The second part might be more difficult because it's subject to agreements between the province and the federal government which we're not privy to.

Mr. Morgan: — To the extent that it's there, I would appreciate that. And then in these figures that are in the book,

this book would have gone to print probably before the Hillson judgment came down. So there's no allowance in there for the Hillson judgment?

Hon. Mr. Quennell: — You're right. There won't be an amount set aside within the Legal Aid Commission budget for the Hillson judgment. The Hillson judgment will not come from the Legal Aid budget. It will have to be absorbed from Justice from other areas.

Mr. Morgan: — So will that be a payment made directly by Justice to satisfy that claim or will it be a payment made to Legal Aid as part of next year's budget or how will that . . . ?

Hon. Mr. Quennell: — I think the process will have to be that the funding will come from Justice to Legal Aid so that Legal Aid can, as the actual party to the dispute and the judgment debtor, would be making the payment.

Mr. Morgan: — Okay. My concern is . . . And I'm pleased that your commitment was that it will be paid for by the Department of Justice because I would not want to see the users of the legal aid system have their service impaired or their right to get a farm out or their right to get an appeal or whatever in any way jeopardized because of that financial liability of the commission.

So I'm operating under the assumption, with your undertaking, that those funds will flow directly and that also, to follow up on one step further, that this will not impact Legal Aid's ability to get further funding for whatever other initiatives are necessary through the year, that those would be not treated any differently than they would be otherwise.

Hon. Mr. Quennell: — Well there is no point repeating myself. The member understands the situation. The Legal Aid Commission budget will not be affected by the Hillson decision.

Mr. Morgan: — Well I appreciate the fact that you have undertaken that you will pay it. I just want to make sure that you and the department officials are aware that nothing else happens, that, you know, other applications to deal with inflationary expenditures or something are not looked at any less favourably because of that.

Hon. Mr. Quennell: — There's no reason why they would be. And as a matter of fact if there needed to be a test of that, unfortunately we had one because when the funding agreement with the federal government ended on March 31, the provincial government advanced to Legal Aid the first two months and then another two months of the amount that would have otherwise come from the federal government so that there was no layoffs or adjustments to be made at Legal Aid because of the . . . and of the federal funding. So I think that shows the commitment to maintain the services at the Legal Aid Commission despite difficulties that were posed by the end of the funding agreement so close to the federal election.

Mr. Morgan: — That's one area that we will be watching. We just want to make sure that that shows up separately in next year's estimates as a one-time expenditure for that and certainly hope that that type of expenditure is not made necessary again.

I'm also wanting to ask this very briefly. You have a number of other pieces of litigation that the Department of Justice is defending with regard to SPUDCO [Saskatchewan Potato Utility Development Company] claims, Ceapro, and a number of others. And I'm wondering if your officials can tell us how many actions the government lawyers are defending right now on behalf of outside claims . . . [inaudible] . . . Ceapro, SPUDCO, and other such like?

Mr. McKillop: — My name is Don McKillop from civil law. The number of civil actions handled on an ongoing basis by our division in the department is never the subject of actual count simply because it changes on a daily basis. And it's never seemed to us to have been particularly useful to have a count on a particular day, but currently and historically for a large number of years it would average in the range of 400 proceedings. They're not all lawsuits begun by statements of claim. Some of them would be variations on that. But counting each one of them separately would be in that order of magnitude.

Mr. Morgan: — Then you would act as counsel for different government departments or agencies on these claims. So if you were unsuccessful in these actions, the cost is not a cost to the Department of Justice; it's a cost to that department. Is that correct?

Mr. McKillop: — The cost of paying the judgment or settling the matter is a matter for the budget of the client agency or department. Yes, sir.

Mr. Morgan: — And then what do you bill the client agency for the department's services?

Mr. McKillop: — We bill the client agencies nothing for department services. Some of the types of disbursements incurred through the process are passed through to the client agencies so that they pay them directly. Court reporters' costs for examinations for discovery are a prime example.

Mr. Morgan: — How many lawyers work in civil law?

Mr. McKillop: — Twenty-three.

Mr. Morgan: — And they're the ones that are assigned the 400 files?

Mr. McKillop: — Predominantly, it's a subset of half a dozen of us from that 23, but yes, you're right.

Mr. Morgan: — So there's six or seven handle the 400?

Mr. McKillop: — Yes, that are dedicated to litigation.

Mr. Morgan: — And what do the other 16 or 17 do?

Mr. McKillop: — They are assigned, each of them, one or some number of departments or agencies for whom they provide day-to-day solicitor advice.

Mr. Morgan: — There is a claim regarding . . .

Mr. McKillop: — Mr. Morgan, I'm sorry. I was reminded of

my own personal failing. I've been speaking only of the civil law division, probably because that's where I work. There is an addition to that.

The constitutional group of lawyers who, as the name suggests, provide advice on matters related to the constitution and all its aspects and in general terms handle the litigation of that nature. You'll appreciate that some litigation has some constitutional and some non-constitutional aspects in which events we coordinate the handling of it in an ad hoc sort of way.

Mr. Morgan: — How many lawyers are in constitutional law?

Mr. McKillop: — There are eight. Yes, I think we've all come up with the same number.

Mr. Morgan: — Good. Perhaps you could give the minister some help in counting people in other departments. They seem to have some issues with that, but I'll leave you to resolve that between yourselves.

The claim by Ceapro, you're familiar with that file?

Mr. McKillop: — In a general sort of way, yes, sir.

Mr. Morgan: — I appreciate it's inappropriate for you to comment on the merits of that, but can you tell us where that one's at. Are discoveries done? Are pleadings closed? Is it at a pretrial stage? And is it active right now?

Mr. McKillop: — My understanding is that it has been active in recent months at least.

I should probably explain that I have to qualify my answers a bit because not only am I not personally handling it; our office isn't personally handling it. The various agencies and people who are defendants in the action, which does not include executive government, have instructed their own counsel from outside of the department. So our office's involvement is much more peripheral than it would be if we were on as counsel.

The pleadings are closed in the way we would normally speak of it. I certainly wouldn't be able to speak to the possibility that there might be amendments still to come. I'm not certain that discoveries have been completed.

Mr. Morgan: — How many lawsuits are still pending relating to SPUDCO?

Mr. McKillop: — The Ceapro action that you speak of has a relation to SPUDCO. In addition to that, the only one that I'm aware of — and I'm fairly confident that this would be the only one and my own personal suggestion is that the relationship to SPUDCO is extraordinarily tenuous — is an action that I'll generally categorize as a wrongful dismissal action of two people who were senior managers from SaskWater.

Mr. Morgan: — We've heard rumours that there is a class action suit or that people are looking for certification with regard to a class action lawsuit by growers or people that were involved in the industry. Are you aware of that?

Mr. McKillop: — No.

Mr. Morgan: — Okay. It's one we heard of second-hand, so you're not aware of it.

Madam Chair, the last question that I have is one very minor question. On transportation equipment we have a sum of \$7,000. Obviously this isn't CVA [Central Vehicle Agency] vehicles. So I'm wondering what that is. That's on page 107 of the Estimate book.

Mr. Sisson: — Gord Sisson. I can speak to this point. The transportation equipment, the original cost was \$42,000. And this was for vans that transport prisoners between court points and correctional facilities.

Mr. Morgan: — And those vans would be owned by the department?

Mr. Sisson: — Those vans are owned by the department and not leased through CVA, correct.

Mr. Morgan: — So there was originally, in a previous year, would have been 40-some thousand or this is an additional expense or . . .

Mr. Sisson: — This is just the amortization expense.

Mr. Morgan: — Oh for that year.

Mr. Sisson: — They would have been purchased farther back.

Mr. Morgan: — And then the CVA expenses for employees are shown elsewhere in the budget?

Mr. Sisson: — They would roll through each branch budget as invoices come in. They would be paid from the branch budgets.

Mr. Morgan: — Madam Chair, I think we're ready to . . .

The Chair: — Do you want to thank the officials and the minister?

Mr. Morgan: — Yes, I'd like to thank all of them for coming out on what's probably the most pleasant summer evening of the year, and would like to see you get the benefit of some of what's left of it. So thank you all for coming.

The Chair: — Thank you to the minister, and his officials. And we're actually going to start with Justice to vote off, so you can all leave knowing you're funded.

So if we're ready to go on estimates, Justice, vote 3 (JU01), 24.236 million. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — (JU03) 30.079 million, is that agreed?

Some Hon. Members: — Agreed.

The Chair: — (JU07) 4.989 million, is that agreed?

Some Hon. Members: — Agreed.

The Chair: — (JU04) 21.254 million, is that agreed?

Some Hon. Members: — Agreed.

The Chair: — (JU05) 120 million, is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Two hundred and twenty million, two hundred and thirty-nine . . . Sorry. (JU08) 22,838,000, is that agreed?

Some Hon. Members: — Agreed.

The Chair: — And the amortization of capital assets, we'll just mention for process. Now could I have a member move that:

Resolved that there be granted to Her Majesty for the 12 months ending March 31, 2007, the following sums for Justice, 223,635,000.

Ms. Crofford. All in favour?

Some Hon. Members: — Agreed.

The Chair: — Agreed.

[Vote 3 agreed to.]

**General Revenue Fund
Supplementary Estimates
Justice
Vote 3**

The Chair: — And Justice also has supplementary estimates. Justice, vote 3 (JU01) central services, 125,000. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — (JU03) court services, 795,000. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Legal and policy services (JU04), public prosecutions, 270,000. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Boards and commissions (JU08), Human Rights Commission, 110,000. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Legal Aid Commission, 100,000. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — We need a motion to:

Resolved that there be granted to Her Majesty for the 12 months ending March 31, 2006, the following items for Justice, supplementary estimates, 1.4 million.

Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Ms. Crofford moved it, and then Mr. Prebble moved the second one, right . . . [inaudible interjection] . . . Okay.

[Vote 3 agreed to.]

**General Revenue Fund
Advanced Education and Employment
Vote 37**

The Chair: — Now we're off to Advanced Education and Employment, vote 37.

Central management (AE01) 16.574 million, is that agreed?

Some Hon. Members: — Agreed.

The Chair: — (AE03) 78.867 million, is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Post-secondary education (AE02) 435.978 million, is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Immigration (AE06) 6.314 million, is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Training programs (AE05) 35.447 million, is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Career and employment services (AE04) 29.155 million, is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Amortization of capital assets. That's just for procedural purposes; we don't have to agree on that.

I need a member to move:

Resolved that there be granted to Her Majesty for the 12 months ending March 31, 2007, the following sums for Advanced Education and Employment, 602,335,000.

Could I have a member to move that?

Mr. Prebble: — I so move.

The Chair: — Mr. Prebble. All agreed?

Some Hon. Members: — Agreed.

[Vote 37 agreed to.]

**General Revenue Fund
Community Resources
Vote 36**

The Chair: — Community Resources, vote 36. Central management and services (CR01) 28.183 million, is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Community inclusion (CR06) 90.932 million, is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Employment support and assistance (CR03) 312.768 million, is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Office of disability issues (CR09) 232,000, is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Child and family services (CR04) 74.684 million, is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Supporting families and building economic independence (CR05) 65.212 million, is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Housing (CR12) 31.285 million, is that agreed?

Some Hon. Members: — Agreed.

The Chair: — And amortization again. So we need a member to:

Resolved that there be granted to Her Majesty for the 12 months ending March 31, 2007, the following sums for Community Resources, 603.296 million.

Is that agreed? Oh, sorry, who will move that? Mr. Prebble will move that. Now will we be agreed?

Some Hon. Members: — Agreed.

The Chair: — Agreed. Okay.

[Vote 36 agreed to.]

**General Revenue Fund
Corrections and Public Safety
Vote 73**

The Chair: — Corrections and Public Safety, vote 73. Central management and services (CP01) 14.570 million, is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Adult corrections (CP04) 68.660 million, is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Young offenders program (CP07) 42.925 million, is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Public safety (CP06) 5.795 million, is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Regina Provincial Correctional Centre (CP03) 14.663 million, is that agreed?

Some Hon. Members: — Agreed.

The Chair: — And again amortization of capital assets. And now a member to:

Resolved that there be granted to Her Majesty for the 12 months ending March 31, 2007, the following sums for Corrections and Public Safety, 146.613 million.

The Chair: — Mr. Borgerson. Agreed?

Some Hon. Members: — Agreed.

[Vote 73 agreed to.]

**General Revenue Fund
Supplementary Estimates
Corrections and Public Safety
Vote 73**

The Chair: — Corrections and Public Safety, vote 73 has supplementary estimates. Adult corrections (CP04) adult corrections facilities 200,000, is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Public safety (CP06) provincial disaster assistance program 1.530 million, is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Regina Provincial Correctional Centre (CP03) Regina Provincial Correctional Centre 1.035 million, is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Could I have a member move that:

Resolved that there be granted to Her Majesty for the 12 months ending March 31, 2006, the following sums for Corrections and Public Safety, 2.765 million.

Ms. Crofford. Agreed?

Some Hon. Members: — Agreed.

[Vote 73 agreed to.]

**General Revenue Fund
Culture, Youth and Recreation
Vote 27**

The Chair: — The next department is vote 27, Culture, Youth and Recreation. (CY01) central management and services 7.268 million, is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Culture (CY03) 17.311 million, is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Recreation (CY09) 682,000, is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Policy and youth (CY05) 3.286 million, is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Community Initiatives Fund (CY06), 5.774 million. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Heritage (CY07) 10.101 million, is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Saskatchewan Communications Network (CY08) 5.898 million, is that agreed?

Some Hon. Members: — Agreed.

The Chair: — And again amortization of capital assets, 20,000. I need a member to move that:

Be it resolved there be granted to Her Majesty for the 12 months ending March 31, 2007, the following sums for Culture, Youth and Recreation, 50.320 million.

Mr. Borgerson. Is that agreed?

Some Hon. Members: — Agreed.

[Vote 27 agreed to.]

**General Revenue Fund
Supplementary Estimates
Culture, Youth and Recreation
Vote 27**

The Chair: — Culture, Youth and Recreation has also got supplementary estimates. Culture (CR03) Centennial 2005

Office 686,000, is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Heritage (CR07) the Royal Saskatchewan Museum 26,000, is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Saskatchewan Communications Network (CR08) Saskatchewan Communications Network \$500,000, is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Can a member move:

Be it resolved that the following sums be granted to Her Majesty for the 12 months ending March 31, 2006, for Culture, Youth and Recreation, 1.212 million.

Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Moved by Mr. Prebble. Thank you. Do you want to move any of these? Okay . . . [inaudible interjection] . . . I'm just checking. What have we got left here? Is that it?

You have the sixth report of the Standing Committee on Human Services in front of you. I'll now entertain a motion to present this report to the Assembly.

Mr. Prebble: — I so move that.

The Chair: — Mr. Prebble has moved that the Standing Committee on Human Services presents its sixth report to the Assembly tomorrow, I imagine. Right? All in favour?

Some Hon. Members: — Agreed.

The Chair: — And that's the concurrence motion that Wayne will sign as well. Okay. Now we can have a motion to adjourn.

Mr. Elhard: — I so move.

The Chair: — Mr. Elhard. Thank you. All in favour?

Some Hon. Members: — Agreed.

The Chair: — And thank you to the committee because this is the last time we'll have to sit in this session. Thank you so much.

[The committee adjourned at 19:38.]