



STANDING COMMITTEE ON INTERGOVERNMENTAL AFFAIRS AND JUSTICE

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**STANDING COMMITTEE ON INTERGOVERNMENTAL
AFFAIRS AND JUSTICE**

Mr. Fred Bradshaw, Chair
Carrot River Valley

Mr. Buckley Belanger, Deputy Chair
Athabasca

Mr. Ken Francis
Kindersley

Mr. Hugh Nerlien
Kelvington-Wadena

Mr. Eric Olauson
Saskatoon University

Ms. Laura Ross
Regina Rochdale

Mr. Corey Tochor
Saskatoon Eastview

[The committee met at 18:00.]

The Chair: — Well good evening, members, and welcome to our IAJ [Intergovernmental Affairs and Justice] meeting. First thing I'd like to do, since it is kind of mild in here is, as Chair, I get to tell you that we can relax the dress code for this evening, because it is very warm and it's probably going to get warmer as the evening continues. So if you want to take off your jackets, certainly you can.

To all of those people watching on TV rather than watching hockey, I am Fred Bradshaw, the Chair. And we have Nicole Sarauer substituting for Buckley Belanger. We also have David Forbes who is a participating member here. Plus we have Ken Francis, Hugh Nerlien, Eric Olauson, Laura Ross, and Corey Tochor.

This evening the committee will be considering the estimates for the Ministry of Justice and Attorney General and the Ministry of Corrections and Policing. The estimates under consideration this evening include vote 73, Corrections and Policing; vote 91 and 196, Integrated Justice Services; vote 3, Justice and Attorney General. We will also be considering the supplementary estimates — no. 2 for vote 3, Justice and the Attorney General.

**General Revenue Fund
Justice and Attorney General
Vote 3**

Subvote (JU01)

The Chair: — We will now begin with vote 3, Justice, central management and services, subvote (JU01). Minister Morgan and Minister Tell are here. Would you please introduce your officials and make your opening comments. And I would like to remind officials to introduce themselves when they speak because we have a lot of people here tonight.

Hon. Mr. Morgan: — Thank you, Mr. Chair. I'm joined at the table by Minister Tell and deputy minister of Justice Glen Gardner and deputy minister of Corrections and Policing Dale McFee. Seated behind us is our director of finance, Mindy Gudmundson and, Mr. Chair, with leave will not introduce all of the other people but I'll have them introduce themselves as they come forward to speak.

I have a separate set of speaking notes for the supplementary estimates, so at the time you are going to vote on those or wish to discuss those, I'll raise the issues that are there. But I would like to make a few introductory remarks, as would Minister Tell.

I am pleased to be here on behalf of the justice system, including the Ministry of Justice, to provide highlights of the 2018-19 financial plan and to answer your questions. I am joined by a number of officials that are here today. Our planned budget continues its focus on keeping Saskatchewan on track by controlling spending, delivering high-quality services for Saskatchewan people. We are keeping our economy strong, all the while protecting the rights and safety of Saskatchewan citizens. We are meeting this challenge by promoting public

safety and well-being in our communities, supporting and protecting people in vulnerable circumstances, and improving access to justice for Saskatchewan citizens.

With my colleague from the Ministry of Corrections and Policing we are now responsible for a shared vote called Integrated Justice Services. This vote creates a collaborative structure with common vision and planning for the Saskatchewan justice system. It contains the employees and resources associated with functions that were shared when it was only the one ministry. We are focused on finding innovative strategies to reduce the demand on the justice system while ensuring access to justice is understandable, timely, and affordable for Saskatchewan citizens.

One new initiative supporting the justice system in 2018-19 will be the creation of a paralegal classification. These paralegals will create efficiencies by undertaking some legal tasks under the supervision of ministry lawyers. This would allow lawyers to provide more timely legal services and focus on more complex legal functions.

We have also launched a child support recalculation service as part of the 2018-19 budget. Instead of having to go to court to change the amount of child support being paid, the recalculation service provides a faster, less costly, and less adversarial alternative. It is being piloted in Regina with expansion to the rest of the province planned.

The court system has received \$2.4 million to address court service delivery pressures and a further \$2 million for expensing uncollectable fines in the 2018-19 budget. Court appearances have increased by over 40 per cent over the last decade, and this new funding will support the administrative services provided to the courts by the ministry. We continue to work in consultation with the judiciary to address this rate of growth in the court system.

We're also continuing to make investments in IT [information technology] infrastructure. We will continue to integrate and provide operational support for the integrated justice information management systems. We will also be getting a two-year project to upgrade the IT system at the Office of the Public Guardian and Trustee.

The 2018-19 budget and justice system plan will enable us to continue to work collaboratively with our partners to support victims of crime and those individuals in vulnerable circumstances.

Over the past year the Ministry of Justice has worked hard developing Saskatchewan's framework for the legalization of cannabis. We did not include projected revenues or expenditures in the 2018-19 budget, as we do not know the official date of when it will be legalized.

In closing, the Ministry of Justice plays a key role in our province. While we are proud of our accomplishments over the past year, we recognize that there is still work to be done. We will continue to collaborate with our government and community partners to achieve greater success in the delivery of programs and services. The funding for the 2018-19 fiscal year

will ensure the ministry continues to play this role for our government.

Those are the highlights, and I will now turn it over to Minister Tell, who also wished to make some introductory comments.

The Chair: — Thank you. Minister Tell.

Hon. Ms. Tell: — Good evening. I'm pleased to be here to provide highlights of Corrections and Policing's 2018-19 financial plan, and of course to answer any questions.

The budget and our plan supports our vision for safe and secure communities across Saskatchewan by providing effective crime prevention and intervention initiatives. In partnership with the Attorney General, my good friend here, we are committed to delivering a responsive and responsible government by providing programs and services that make a positive impact in the lives of Saskatchewan people. We work closely with our community and government partners to achieve these objectives of accountability, justice, and fairness to Saskatchewan citizens.

The ministry's 2018-2019 budget provides \$405 million to support the programs of Corrections and Policing. This is an increase of 30 million or 8.1 per cent from the 2017-18 budget.

We are providing 1.061 million of new funding on the Saskatchewan Hospital North Battleford project. We will be using existing funding to open the first unit of 24 beds in late 2018, and the new funding will be used to open the second unit of 24 beds in early 2019.

We are also providing \$8 million for capital projects in our correctional facilities: 2 million will be used to install trailers at the Paul Dojack Youth Centre; 2.8 will be used to undertake security enhancement features in our correctional facilities; 3.4 million will be used to continue the replacement of the kitchen at Prince Albert Correctional Centre.

Along with the Ministry of Justice and Attorney General, we are providing an additional 2.375 million to support and expand the remand initiative program in Saskatoon, Prince Albert, and Regina. The additional funding will be used to address the increased use of short-term remand by expanding the early case resolution to weekdays. It is currently only available on weekends.

We're also providing an additional \$11.4 million in this year's budget to address staffing issues in our correctional facilities. We will do this by adding 126 FTEs [full-time equivalent] to address the pressures associated with high custody counts in our correctional facilities.

We are continuing to invest in our policing services in this year's budget. This budget provides \$4.9 million in new funding to support the rural crime initiative. This funding will be used to hire 30 new officers for combined traffic safety services or CTSS unit, a key part of the provincial response team. Twenty of these officers will be RCMP [Royal Canadian Mounted Police] and ten will be municipal police. Five will be stationed in Regina, three in Prince Albert, and two in Moose Jaw.

The RCMP will receive \$13.6 million in increased funding. An increase of \$7.6 million is due to contractual obligations associated with the provincial police services agreement with the RCMP, a return of \$6 million to the RCMP's capital accommodation program. This funding will honour the 20-year agreement with the federal government for provision of RCMP services in Saskatchewan.

This budget and our ministry's plan will help us to continue to work collaboratively with other ministries, levels of government, police, and community-based organizations to help make our province a safer place for everyone. The ministry will continue to respond to emerging trends and address these trends so our services can be as responsive as possible.

These are the highlights of our budget. And as I stated previously, I'd be pleased answer any questions you may have. Thank you.

The Chair: — Thank you, Minister. Are there any questions? Mr. Forbes.

Mr. Forbes: — Thank you. I have a few questions. The first one will be for in regards to the Office of the Residential Tenancies. So I assume the Office of the Residential Tenancies is an administrative tribunal. Is that correct?

Hon. Mr. Morgan: — Yes.

Mr. Forbes: — And is it a member of the Saskatchewan Administrative Tribunals Association?

Hon. Mr. Morgan: — I don't know that to be the case but I suspect that they are.

Mr. Forbes: — The reason I'm asking is just hopefully in terms of best practices. And it seems like a positive organization that looks towards improvement in that. The issue I want to raise . . .

Hon. Mr. Morgan: — I can tell you this. I'm going to be the speaker at one of their upcoming events and I have encouraged all of the administrative tribunals that fall under the Ministry of Justice that (a) it would be a good idea to belong, and (b) it would be a great idea to attend.

Mr. Forbes: — Listen up. And where I want to go with this, and I'll be pretty straightforward, a constituent . . . And as you know many of my constituents live as tenants. And so the Office of the Residential Tenancies is a very important office and I would say very much so does a lot of good work.

But the question this person brings forward is the idea around recording the hearings. This person went to a Court of Queen's Bench. And I understand the process, not being a lawyer, this is where you ask for a judicial review. The process was undertaken. The hearing officer presented the case apparently quite well, but the judge had deferred to his information, but noted that the hearing was not recorded and that really had no . . . could not make a determination on that further information other than what the hearing officer presented.

And I want to read into the record here and I think this is quite

fair:

As this court has stated on numerous occasions, considerable deference will be extended by this court to the hearing officer, provided that direction of the hearing officer is exercised properly and judiciously. There is no requirement within the legislation that the hearing be recorded.

And so that's an awful lot of responsibility on the hearing officer to carry because they have to be accurate and thorough. And I'm just wondering, has this issue been raised before about recording hearings?

Hon. Mr. Morgan: — I'm not aware of it having been raised before. With most administrative tribunals, the process of the appeal is not an appeal on the facts or on the factual determinations that would be made by the hearing officer. If there is an appeal, it would be made on points of law or on a question of jurisdiction of the tribunal. So for that reason the cost or the process of preparing a transcript and then paying to have the transcript prepared is something that most people would not want to undertake.

And then in the file that you referenced, you're referring to the deference that the superior court is paying to the hearing officer. And that's not just simply a statement because they feel they don't have access to information. That's because they support the decision that's made at the hearing officer level.

Most of the legislation that we have, have a privative clause that says that those applications are not subject to appeal except on narrow jurisdictional grounds or that type of thing, and that it's not a trial de novo or a method of reviewing.

[18:15]

We try and appoint hearing officers that have some expertise or some ability in the area and that develop increasing amount of experience and knowledge as they go along. So we regard the right to a fair hearing as something that's fundamental, and also the right to appeal where there has been a question of exceeding their authority or a question of law.

Now I can give you a couple of statistics that may sort of put it into context. In 2017 there were 8,413 applications to the Office of Residential Tenancies. Of that 8,413 there were only 48 appeals. So it would appear that the vast majority of those applications, the parties accepted the outcome that was made by the hearing officer. And I think probably you and I have both heard from people, oh I hated this, I hated that, but the reality of it is you don't always like the hearing you get, but at least you come out of it with a feeling that you were heard, the evidence was presented, and a decision was rendered.

So it's not something that would be under active consideration. You know, the next time the legislation would be reviewed might be an appropriate time to consider whether transcripts should be prepared or broadened or include specific avenues of appeal. But with the success rate of 95 per cent that's there, it would be unlikely that it would be a beneficial thing to have happen.

Now most of them, when the appeals go to the Court of Queen's Bench, the vast majority of those appeals are dismissed because they did not deal with a matter of law or a matter of jurisdictions before the court. Most of those are dismissed, and I don't think if there was a transcript prepared it would significantly impact the outcome.

So I know that's maybe a long answer, not necessarily the one you wanted to hear, but . . .

Mr. Forbes: — Well I'll ask you this. Of all the tribunals, administrative tribunals that lies within Justice, which ones goes to the Court of Queen's Bench the most?

Hon. Mr. Morgan: — I don't know whether I would know that off the top. And it would depend on what, you know, the total number of applications that were there. Certainly Labour Relations Board would have significant ones that would go towards that because of the litigious nature. And once again they're subject to the same type of requirements that ORT [Office of Residential Tenancies] is.

Mr. Forbes: — So my other question: is there any other administrative tribunal that has a system of recording their hearings?

Hon. Mr. Morgan: — I'm seeing shaking heads from the staff. I don't believe there are any.

Mr. Forbes: — And I guess the other thing, and I'm familiar with the work that Kevin Fenwick did in terms of hearing back the report that came out in December 2007. And he wrote this other one, *Practice Essentials for Administrative Tribunals*, and this was when he was with the Ombudsman. And he did mention about the idea of recordings and note taking, how important it is.

But I would have two comments on your comments, when you think . . . I mean often people feel like the process — it's very important to be feeling the process is fair — that it is all kind of one-sided when the hearing officers, well trained as they might be, come in with 20, 30, 40 pages of notes. I don't know if the other person gets to see those notes to verify whether they're accurate or not. And this is kind of a new game people are . . .

I mean, as you say, out of the 8,000, only 48 go to this stage. Nobody wants to go there, absolutely, because it takes time, and I think everybody knows when you're going up that it is a long shot. But clearly people are angry. And I know the situation that this person was involved with, there was a multiple of tenants were involved with this.

So my question is, in terms . . . And this is sort of looping back to the association of administrative tribunals, where we all try to have a fair and perceived-to-be-fair tribunal, and that it's open to doing the best job for its clients as possible, both tenants and landlords. But the process seems fair. And in this case, the person felt it was really unfair because they didn't have, you know, 20, 30, 40 pages of notes that the judge listened to, because that's the process, and his notes would have been the set of recordings or notes, or access to those notes.

And I would say, interestingly, I just happened to be in Toronto

just a few weeks ago, and the headline in the *Toronto Star* was — if you want what might be coming our way — was that now tribunal hearings, information can be FOI-able [freedom of information] for the media, which would be a very interesting thing. That's the thing that's just been ruled in Ontario, so notes would be FOI-able by third parties. But at any rate, I think we want the same thing at the end of the day.

Hon. Mr. Morgan: — Of notes, the notes that are taken by the hearing officer are provided to the Court of Queen's Bench on the appeal, so they would form part of the appeal record that would go forward. Now I can't say what those would be.

So the things that go forward on that are the original application, the notices, and any evidence that was filed at the time. So that much of it is provided.

I appreciate the point that you're making, but I'm not sure that I'm necessarily in agreement. I think the focus has been that we want to focus on providing quality decisions from the officers and that we want to put as much support for them, that we don't just say, oh well if you don't like that, we'll give you another chance at it. I think that's why you have a hearing officer. That's why you have a privative clause. It keeps the jurisdiction within that individual. And that's the expectation, that they would do the best job that's there.

If they've made a fundamental mistake in law, something that would be in the notes or whatever. You know, if you had somebody, for example — and I think when I talked to you earlier I used the example — that if somebody made an application regarding a hotel room and went to *The Residential Tenancies Act*, clearly outside of the Act, and you know, that would be something that would be immediately subject to review.

But not simply that you don't like the decision or you don't think that your evidence was accepted. That's their job to hear the evidence, to make the determination, make the findings a fact. But it's something certainly to watch. And I'll certainly take forward your points on wanting to use best practices.

Mr. Forbes: — Yes, absolutely. I think that that's key.

I want to now turn to another area, and that's the Human Rights Commission and their annual reports. So what I'm concerned about is obviously the Human Rights Commission. And its operating protocols have changed over the last several years, and we're seeing some different results and stuff.

But I look back — and as the human rights critic, I do look at this report with a lot of attention — and I've been reading the reports over the last five or six years. And I look at the stats in the back, and I'm finding them not easy to understand. And at one point they might have been easier to understand, but with the changes that have been happening, the numbers are getting bigger and bigger.

For example when I look on the page . . . Let's see. Is there a page number on this? I don't know. This is the latest report, table 3, disposition of complaint files. This year — or it would have been March 31st of 2017 — no reasonable grounds is 220. And that's up from 177 the previous year, if I'm reading that

right. Now it says 177.

But the numbers I have, when I look back — and I've taken a look and if I'm wrong, please correct me — but 2010, that would be the 2010-11 report, but they talked about the numbers were 36. Then we went to 45, then went to 95, then went to 124, went to 177. And this is where . . . I'm not sure whether it's 177, whether I missed a year here, but we end up with 220.

So essentially we've gone from, in 2010, 36 complaints that were dismissed for no reasonable grounds, up to 220. And that's a big number. And that leaves me with a lot of questions about how did that happen. Are more people coming to the Human Rights Commission? It seems like a pretty big envelope for putting those things in. And when we look for improvements in policy, are they coming with things that we should be thinking about? Is it completely . . .

Now I don't know if it's the wrong jurisdiction because that . . . Well that's not included anymore. In fact actually if you go back to the earlier ones, it's broken out a little bit better. But I have a concern about the size of that number. I don't know how you feel about that.

Hon. Mr. Morgan: — I think whenever you see an increase in either the number of applications or the number of complaints that didn't go forward, it's reasonable to make inquiries and to ask questions about them. There is not a real reason why our province should be having a significant increase in the number of them. Our population has increased 10 per cent over the last decade or thereabouts, and we should see theoretically a proportionate increase.

But I think, during that period of time people have been more connected with what human rights are and more inclined to make an inquiry, to ask a question, or to say, oh I'm going to go to the Human Rights Commission for something that may not even be a human rights issue. And I think that's the role of the Human Rights Commission, to screen and to vet those files as they come forward.

Last year, in the one you'd be looking at, there was a total of 444 complaints received; 141 of those were forwarded on for further action. So a lot were either dealt with at an early stage or resolved.

You've had this file long enough that you probably were there when Chief Commissioner Arnot came into the role. He made fundamental changes to how the system was to operate. He had the four pillars that were sort of the four underlying pillars.

Mr. Forbes: — I wasn't here that long. I just act like it.

Hon. Mr. Morgan: — Well I'm sorry. I thought that was before the war. I didn't know this. In any event, earlier on during our government Judge Arnot became the Chief Commissioner, and then we changed the legislation after he'd done consultation and work.

So the portion that he did, you know, the first one was making changes to how the litigation and how the complaints were to be dealt with. And that was referring the complaints to the Court of Queen's Bench rather than dealing with them at the

administrative tribunal level. So the complaints, once they've done a vetting or a process, if a complaint is going to go forward, they don't deal with it with somebody that they've appointed or that we've appointed. It goes to the Court of Queen's Bench because we're dealing with some very fundamental issues. And so it was his suggestion that those matters would go to the Court of Queen's Bench. The Court of Queen's Bench was amenable to the increase in jurisdiction.

The second part of it is the mediation, directed mediation to try and resolve issues at an earlier stage. And I think, when you and I spoke informally, I gave you some examples of the type of things that might happen: people yelling across a bar, one patron to another. And then a complaint would come forward several days or several weeks later on where the bar would have no ability to identify who was working, who the patrons were, or whatever else. So they would say, no we can't go forward with it.

So they were trying to screen, vet the complaints for the ones that would have merit if they were to go forward. So he's gone through a screening process. And then when the complaints do go forward, they're able to have the parties come in for a meaningful and a directed mediation session with the idea that there would be a successful outcome and a resolution.

The vast majority of the matters that come before them are resolved at that level or earlier. So to the extent that complaints do come forward, they are pre-vetted and then reviewed rather carefully.

The third pillar is the systemic advocacy. And that goes to issues within ministries or issues with . . . Rather than dealing with a single cab company that isn't respecting service animals, is about developing a broader process, working with the licensing agencies and authorities to make sure that the training takes place and trying to deal with those type of things at the broadest possible level.

[18:30]

And of course the fourth pillar is the citizenship and citizenship training. And those are something that's under way. He's developed a framework for that and is currently working with the school divisions to work on that. It's now a resource for teachers, but Judge Arnot would very much like to see that become part of curriculum going forward. And we leave it to them to work through the proper channels with the divisions and try and get some pilot projects and some things under way on that.

So anyway that's sort of the processes there. You will have noticed when you went through the stats, most of them were employment related. And I think maybe there's a heightened awareness of things that take place in the workplace, and I think that's healthy and they're dealing with them. So I think we want to watch and see what the outcome of those are, whether there's an issue that's there.

Last year — or was it the year before? — we increased funding mid-year to allow for some additional resources for both mediation and for intake and early resource. But your point's taken.

Mr. Forbes: — And I do want to congratulate Judge Arnot and the work he's doing, particularly around education. I think that's very important. But it's . . . I think about sticking close to what your original mandate is too, because I think that's what people have come to expect.

And you talk about employment. And I do have those charts over the past seven years — went from 196 in 2011; 162, 227, 328, 373, 429. So you see that is really going up. And last year it came down to 141, one-third of what happened in 2016. And what was particularly interesting, if you look at the stats within the disability category, is that we see it was going 75, 77, to 103, 146, 141, 166, and then down to 78 — half, cut in half in one year. Have you raised this one particularly with Judge Arnot and say, so these are good news stories, I hope, when we have this kind of results?

Hon. Mr. Morgan: — I think it may be premature to regard these as necessarily good news yet. I think it's a sign that there's more public awareness. If you'll notice some of the other stats, the number of employers that have contacted them with questions, which I think is a sign that employers are more increasingly aware of what their obligations are. So I think that we're probably, as a result of this, having healthier workplaces. Now whether there needs to be a lot more work or continual work, I would suggest that we do.

But I'll give you some other stats: in the first three quarters of '17-18, 88 cases were mediated or negotiated to a settlement or withdrawn with a favourable outcome; 316 cases have been closed; 369 new matters received; 16 matters referred to Queen's Bench for hearing with directed mediation. And there was a zero Queen's Bench hearing, which means that things are getting resolved at a mediation level.

But I think that's a sign that their numbers are consistent and relatively static, what's coming in, what's going out. And I think to your point about the numbers being up, it's something we would want to watch to make sure there isn't something underlying or something that's creating those type of issues that there would be an increase in them.

But we know there's just a generally increased awareness of human rights matters. People are more inclined to go forward with a complaint. There's similar increases I think with people taking the matters to Labour Relations and Workplace Safety that people go in dealing with harassment complaints.

And it's not saying that those complaints don't have merit because generally speaking, they do. It's just that there's other avenues to resolve them. And people are aware of what their rights are, and that's for the best.

Mr. Forbes: — I know . . . This leads to a lot of questions, and I was reading about human rights across Canada. And they were talking about what's been happening in Saskatchewan and whether or not there will be a review of the process.

But I do want to share one other. This is a public services, and I'm not sure of what the definition is. But of course over the course of those years it went from 28 to 52 to 35 to 88, 115, 194 and then last year, 13. So a drop from 194 to 13. And within that, they have their prohibited grounds, but I just want to focus

on the disability one going from 12 to 15 to 14 to 21 to 34 to 51, and last year, 4 with public services.

So I do think actually this is getting to be, I think, worthy of questions of the commission, to say . . . or out there in the public. Are people coming forward? Do they feel good about coming forward? To go from 51, when you see an arc like that . . . And whether people are feeling, whether it's an employment issue with disabilities, with public services. But to go down to four.

Hon. Mr. Morgan: — We can certainly put the question to Commissioner Arnot and provide you with his response. My understanding is that the public awareness has dropped off and that they're . . . within it specifically there may be more than one complainant. But I'll get you some particulars on it.

Mr. Forbes: — This is one area where I've had numerous complaints come forward, and I don't advertise at all that I'm human rights critic. People find me and they have issues. But I do worry when I see a number 51 to 4. And the thing is we want to do, is we want to make sure we do good public service. And I think everyone's committed to that, and . . .

So I'll leave that with you and I appreciate the time that you have and that you shared, and the officials here. Thank you. I'll let the . . . I should have given you my one more question warning.

Ms. Sarauer: — No, that's fine.

Mr. Forbes: — Thanks.

Ms. Sarauer: — Thank you.

The Chair: — Ms. Sarauer.

Ms. Sarauer: — Thank you. I have many questions, but in order to try and keep them as organized as possible I'm going to start by going through by vote in the Estimates. Might be the best way for myself to keep organized as well as the relevant officials to be able to hopefully answer the questions pertinent to them instead of having to go back and forth.

So I'm going to start, because it's new, it's a new vote, vote 91, Integrated Justice Services. I'd like to ask some more detail around this new . . . Well this new vote, I suppose, is the best way to call it. I know, Minister Morgan, you had talked a little bit about it in your opening statement, but could you provide some further detail as to what this new area is contemplating and why this was created?

Hon. Mr. Morgan: — IJS, or the Integrated Justice Services, budget increased by \$6.165 million or 7 per cent over the previous year. Part of that included some partial year accommodations for the hospital in North Battleford of 3.124 million; 1.545 incremental funding for changes to the IT costing model; incremental funds of \$754,000 relating to typical adjustments in overall accommodation costs for the ministries; a transfer of \$220,000 for the former Ministry of the Economy for the Building Bridges to Employment program run by the street workers' advocacy project; \$100,000 in IT support services for the expansion of the remand initiative and creation

of the paralegal initiative; an increase of \$8,000 associated with legal market supplements; and a reduction of \$100,000 was made related to savings associated with vacancy management, overtime management, attrition, and efficiency process improvements.

I don't know whether Minister Tell has anything to add to that or whether that's . . .

Hon. Ms. Tell: — No. I have the same information that he has.

Ms. Sarauer: — Okay. So you've provided me some information as to a few of the things that this vote includes, but you haven't yet explained to me why this was broken into a new subvote.

Hon. Mr. Morgan: — When the ministry was separated into Corrections and to Justice, the officials were working to try and come up with the best division that they could. And this is a ministry that's been sometimes together, sometimes has been apart, and there's good arguments to be made for it being together and there's good arguments to be made for it to be separate as well.

The officials came to us, and I'm going to have one of the officials come up shortly and . . . But the official said there are enough things that we share that go back and forth, that to try and put it in one subvote rather than another, we would rather keep it separate. So always accepting of what our officials tell us, we accepted their wisdom and did that.

So I can tell you that it includes corporate and administrative support functions like accounting; OHS [occupational health and safety] and auditing; IT data and information management; project management; budget and forecast management; communications; strategic planning, and reporting and policy; access, privacy, and freedom of information; CBO [community-based organization] and community relationship management; and capital and accommodations funding.

I don't know whether that answers it, and I can certainly have one of the officials come and . . .

Ms. Sarauer: — In part, but maybe if I ask some more questions I'll have a better understanding. You mentioned . . . Maybe I'll start with this. You mentioned that there is \$100,000 in savings on vacancy management, attrition, that sort of thing. Can you explain how many FTEs would fall under this particular vote?

Hon. Mr. Morgan: — It stayed the same at 122.3 FTEs. So the hope would be there would be some opportunities for vacancy management.

Ms. Sarauer: — Could you give me a brief understanding of which departments those FTEs would fall under?

Hon. Mr. Morgan: — Central management and services, there's a total of 38.2. That would be in central management and services. But in services, it's 7 for communications; 29.2 for corporate services; 2 for strategic portfolio and fiscal planning; integration services, 84 in total; community safety and well-being, 21.4; strategic systems and innovation, 16.0;

corporate initiatives, 12.0; IS [integrated services] program support, 5; access and privacy, 9.2; Victims' Fund, 20.5; total of 122.3.

Ms. Sarauer: — Maybe I'd have a better understanding if you could tell me which deputy minister those would report to.

Hon. Mr. Morgan: — They would probably report to both. To try and maybe make it a little more clear, as an individual goes through the criminal justice system, once they're turned over by the police, they go through the initial portion where they come in, where they're dealt with by Justice. They're held in a Justice facility while they go through a bail or remand, then are passed back to Corrections.

So in the course of a five- or ten-day period for one of those, that individual may go back and forth between the two ministries five or six times. I'm pleased to say that we're not accidentally releasing them very often anymore.

[18:45]

Ms. Sarauer: — Well thank you. I am aware of how the criminal justice system plays itself out. Maybe I'll ask you a few questions about integrated services, the (IJ02) in particular. If you could walk through exactly what are in these line items because I don't believe . . . I think some was moved from what was in a different vote last year and some of them are new, so I just want to make sure that I have good picture of what's covered under that.

Hon. Mr. Morgan: — We'll have Mindy Gudmundson . . . I'll have Mindy sit here and answer the question.

Ms. Gudmundson: — Hi, it's Mindy Gudmundson. So for that subvote, the major changes. In community safety and well-being, it increased by \$199,000, comprised of an increase of \$220,000 from the transfer of a grant. It's for the street workers' advocacy program. It came from the Ministry of Economy, and it's going to be handled by the Ministry of Justice and Attorney General. And there was a decrease of \$21,000 due to the reduction measures that have happened across government.

The next allocation is strategic systems and innovation. It increased by \$1.63 million or 11 per cent, comprised of an increase of 1.545 million related to changes in the ITD [information technology division] costing model; increase of \$75,000 for increased ITD costs associated with the staff, that's in the paralegal initiative in the Justice and Attorney General; increase of \$25,000 for increased ITD costs associated with staff in the remand initiative with Justice and Attorney General and CP [Corrections and Policing]; and a decrease of \$15,000 due to reduction measures across government.

Corporate initiatives is the next allocation: decrease by \$5,000 or point three per cent, comprised of an increase of \$8,000 for legal salary market supplements; and a decrease of \$13,000 due to reduction measures across government.

Access and privacy is the next allocation: decrease by \$10,000 or point six per cent, associated with reduction measures across government; and the program support area decreased by \$5,000

for the same.

Ms. Sarauer: — Thank you so much. That's very helpful. I did want to ask, under central management and services there was an increase under accommodation services of 4 million. Could you please explain what that increase is?

Hon. Mr. Morgan: — The 2018-19 budget for accommodation is \$44.1 million. The justice system has the largest space footprint and accommodation budget in executive government because of the correctional facilities and courthouses.

I'm looking specifically where there would be . . . Well there's an increase of 9.6 per cent, or 3.878 million. I'm looking to see whether I have specifically . . . [inaudible interjection] . . . Okay, I'm told that that doesn't go to a specific location, that it's part of the heavy space example, specific demands, and that the facilities required have different needs related to security and that those requirements typically cost more than usual space. They have over 1.8 million square feet of space in 300 locations.

Ms. Sarauer: — Okay. Just so that I understand what you had just described, Minister, that additional money has not yet been allocated for any specific project or renovation?

Hon. Mr. Morgan: — Okay, \$3.124 million for accommodation costs associated with the North Battleford hospital, 654,000 for general accommodation increases, \$100,000 for accommodation needs related to the paralegal initiative in the Ministry of Justice and Attorney General.

Ms. Sarauer: — Thank you. Since you just mentioned it, Minister, I did want to ask some questions about the paralegal initiative. Could you go into more detail around that?

Because my understanding, I understand that there's been some work with the ministry and the Law Society on some alternatives to legal counsel, I suppose is the best way to describe it. But I thought it had been, based on my understanding, I thought the project had been stalled at the Law Society level with the benchers. So could you explain a little bit as to where you're at on that project and how you've gotten to this point?

Hon. Mr. Morgan: — There's two separate and more or less unrelated projects. The one that we're referencing would be work done within the ministry for the ministry that had been done by lawyers, and that type of work could be done by a paralegal. A variety of different places within the ministry — drafting documents, doing things other than court services — those type of things could be done by a paralegal rather than a lawyer. So that initiative is under way and is the one that's referred to here.

The second one is a project that's been under way for several years, where there's been review and consultation with the bar, with the Law Society, and members of the private practice with a view to licensing individuals to work under the supervision of a lawyer that would not be lawyers, for perhaps appearances in court on administrative matters or that type of thing. They would be an access to justice benefit and would be work done possibly in conjunction with classic or other alternate methods,

and possibly the licensing of people that would do work — real estate conveyancing or that type of thing — that may want to be doing that freestanding. So they've done some work and, I understand, will be meeting with the Law Society if they haven't already done that. But it's not stalled; it's just going on.

Ms. Sarauer: — Okay. But you're not talking about . . . That's not what this allocation is for. It's for something more internal. Can you provide me a better description then of what this is for?

Hon. Mr. Morgan: — Was my information wholly inadequate?

Ms. Sarauer: — Well I apologize, it's just a little confusing because paralegals as an entity don't exist in Saskatchewan right now as a regulated profession. So I was confused when I saw . . . frankly when I got the — and where is it now — the PowerPoint presentation the day of the budget, when I saw that there was an allocation for paralegals in the province. And I assumed that it was to create them as a regulated profession, but now I'm a little bit confused as to what you're describing to me.

Hon. Mr. Morgan: — I had the same confusion when I saw it in the budget because I knew sort of the two streams were coming forward and largely unregulated. With regard to the ones that are working in the ministry, we're able to provide a better answer than the other one. With regard to the ones that are dealing within the public, we're going to look to the Law Society to provide some answers or some suggestions on there. But I'm going to let Linda Zarzeczny answer about the ones that are taking place within.

Ms. Zarzeczny: — Paralegal is — perhaps it's a question of the use of the term — these will be legal assistants, so people who will do some of the work that's typically done. I mean you would be familiar with it. Private firms have them. Legal Aid has them. They would be people who would assist and provide some legal services that the lawyers currently provide.

And I have a list here, although I suspect you don't need it, but it would be things like meeting with client ministries to gather information for lawyers; preparing some draft court documents, such as affidavits; sort of the, if I can put it this way, the more routine matters that are dealt with by lawyers; statements as to documents, those kind of things.

Ms. Sarauer: — Okay. Yes, thank you. So I'm just going to use the word "legal assistant" because it's probably the better term, I'm guessing.

Ms. Zarzeczny: — Sure.

Ms. Sarauer: — So the five . . . So, sorry, I'm just reading the PowerPoint now that I found. So the increase in legal assistants will be for government, for the ministry?

Ms. Zarzeczny: — For the Ministry of Justice. And they will be on both the civil side and in prosecutions.

Ms. Sarauer: — Okay. So is there anticipation for a reduction in the legal staffing complement then?

Ms. Zarzeczny: — It's more a solution for us, because we're having . . . The demand for legal services is increasing every year. The kinds of legal services that we're being asked to perform, very complex stuff is crossing our desk now, things like data-sharing agreements.

Hon. Mr. Morgan: — We wouldn't see it as a reduction of the lawyers that are there, but it may serve to reduce the increase in the number of the growth and the size of the number of lawyers that work there.

Ms. Zarzeczny: — Exactly.

Ms. Sarauer: — Is there an anticipation of how many new legal assistants will be hired?

Ms. Zarzeczny: — We're looking at approximately 12.

Ms. Sarauer: — And have you already determined where they will be, if they're being allocated to public prosecutions or to civil or division, for example?

Ms. Zarzeczny: — We anticipate, and these numbers could fluctuate very slightly, we anticipate eight paralegals in prosecutions, four in civil law, and two in legislation and registry services.

Ms. Sarauer: — Thank you so much. Thank you. That helped to clear up my confusion on the paralegal project. I appreciate that a lot.

So as you had said, Minister Morgan, what I thought that this was about, which was more the external, that is still an ongoing dialogue with the Law Society?

Hon. Mr. Morgan: — Yes. I met with some of the committee members that were doing the work. And they were not at a point to make specific recommendations, but were at a point of wanting to have further dialogue and focus on what the needs more specifically might be. And it sort of came up with some parameters, you know, about being under the supervision of a lawyer, and that type of thing.

So they have a meeting, or have had a meeting with the Law Society, and our intention would be to look to the Law Society for some guidance or direction on it. I'll read what my notes say:

We are working with the Law Society to explore the possibility of expanding the scope of non-lawyer legal services and then recommendations will be made to the Ministry of Justice and Law Society benchers in the spring of 2018.

I don't have anything today, but today looks like the first or second day of spring.

Ms. Sarauer: — Thank you for that. I think you had mentioned, Minister, that the Victims' Fund falls under this vote. So I'm going to ask you some questions around the Victims' Fund and the financial statement, the most recent one that I found, which was for the year ending March 31st, 2017.

Hon. Mr. Morgan: — We're going to be joined by Ron Anderson who's the official specifically responsible for this one. We would be pleased to answer your questions.

Ms. Sarauer: — Great. Thank you. Now I noticed that . . . Now is it correct, based on my understanding of the financial statements, that payments from this fund to the core program stopped after 2016? Okay. Are there any expenditures planned like that for the 2018-2019 budget year?

Hon. Mr. Morgan: — None that are contemplated at this point in time.

[19:00]

Ms. Sarauer: — Thank you. Now I noticed that the funding for the interpersonal violence programs increased from 2.1 million to 3.2 million. Can you explain this increase?

Hon. Mr. Morgan: — We have a list of the expenditures that came with the Victims' Fund. I'm going to let Mr. Anderson sort of list what those are and then . . .

Mr. Anderson: — So interpersonal violence . . . sorry, domestic violence services by the ministry, is that your question on the funding side there?

So in '17-18, Aboriginal family violence is 495. Children exposed to violence was 588,000. Community corrections, domestic violence service offenders, 1.33 million. Domestic violence victim services related was 633,000. Enhanced residential programs, 1.383. Family violence outreach services, 1.822 million. Northern transportation support, 65,000. Provincial coordination services, 190,000. Sexual assault services, 1.2 million. Transition houses, 6.765 million. Specialized victim services programs, 220,000. Domestic violence court coordinator, 48,494, and victims compensation, \$892,000.

Ms. Sarauer: — Now those are all programs that were, up until a few years ago, funded through the GRF [General Revenue Fund]. Is that correct?

Mr. Anderson: — Some have been funded through the Victims' Fund for quite some period of time. Recently the transition houses were transitioned over, as it were.

Ms. Sarauer: — The transition houses in particular, did the funding increase to them in this budget year from the Victims' Fund? And if so, by how much?

Mr. Anderson: — This is a status quo budget on the Victims' Fund for this year.

Ms. Sarauer: — Okay. One of the concerns I was hearing from some of the transition houses was the increase . . . not just cost of living, staffing, that sort thing, but actually power bills and the increase on their budgets because of the increase of power bills that they would have to pay, and the status quo budgets, how difficult that was becoming for them because of . . . one of, I think it was Prince Albert, I had my colleague tell me that their power bill has gone up I believe 40 per cent over the last few years and the impact that that was having on their budget.

Now can you explain what funds were previously funded from the GRF under this interpersonal violence unit that are now included in the Victims' Fund?

Mr. Anderson: — Over the last couple of years it would be the Sexual Assault Services, the family violence outreach, and the transition houses if you're looking longer than the one-year term.

Ms. Sarauer: — Can you explain what is the specific expenditure budget for the Victims' Fund in 2018-2019 please, and then compare that with the actual?

Mr. Anderson: — You wanted this budget year you're looking for?

Ms. Sarauer: — Yes.

Mr. Anderson: — Okay.

Ms. Sarauer: — Or sorry, compared to the actual 2017, because of course this budget year hasn't existed.

Hon. Mr. Morgan: — I'm not sure I'm understanding. So you asked for the 2017-18 budget year, budget versus actual?

Ms. Sarauer: — I want to compare the 2018 budget with the 2017 actual.

Hon. Mr. Morgan: — Okay.

Mr. Anderson: — So the final reports from the agencies aren't back until the end of May yet, so we don't have the complete and final from the last fiscal. So at present we're waiting on the final numbers to be tallied for last year.

Ms. Sarauer: — Okay, thanks. Jumping back to the transition houses, the move from funding those transition houses from the GRF to Victims' Fund, is that a permanent move or is that temporary?

Mr. Anderson: — The decision was made to reduce the Victims' Fund's surplus that was there by moving those in. At present, that is on the plan that we are on in order to get it to a sustainable level. So at present, there's no plan to change that at present.

Ms. Sarauer: — Do you know why there was a decision to be made to reduce the surplus in the Victims' Fund?

Mr. Anderson: — At the time, the Victims' Fund was running a large surplus. The goal is to have it at a level that is more manageable as a fund, so that transition houses were moved in to bring it down to a level where we have a more stable level of dollars in the fund.

Ms. Sarauer: — What is the surplus sitting at now?

Mr. Anderson: — The surplus is sitting at . . . One moment, please. So the cash reserve at present would be 7.183 million.

Ms. Sarauer: — And that's the surplus to date?

Mr. Anderson: — That's for February 15th, 2018.

Ms. Sarauer: — What was the surplus sitting at this time a year ago?

Mr. Anderson: — '16-17, I don't have that on hand at present. I can retrieve that and get it from a similar date.

Ms. Sarauer: — That'd be great. Thank you. Do you know what the total, or is it the same as . . . I'm curious to know what the reserve is. Or is that the same as the number that you just gave me for the surplus?

Mr. Anderson: — Same.

Ms. Sarauer: — Okay. Now I noticed that there was a . . . now correct me if I'm wrong, but there's a \$5 million loans to the Victims' Fund that we're voting on this evening. I don't remember seeing that last year. Is this the first time that that's ever happened?

Hon. Mr. Morgan: — Yes. Yes, it is. Yes. You asked about the fund. And the fund has, since we started doing this, has gone down which was the desired effect to go down.

And then, as you're aware, the Victims' Fund refilled, replenishes itself from the fine surcharges. It may well be that as we go forward that there's not sufficient funds from the fine revenue to cover those costs. But there seemed to be at the time no point in allowing the Victims' Fund to accumulate and accumulate without having a purpose for it.

The transition houses and interpersonal violence seemed to be a right thing to do, to use those funds. And right now it will have a temporary shortfall that you'll be seeing with when we do the supplementary estimates. And I don't know whether one of the officials wants to give a more detailed answer than that.

Mr. Anderson: — Yes, I can address that. As you know, the ticket revenue fluctuates throughout the year based on the volume that's coming in. The \$5 million is really in essence an advance to level off that funding, because our contracts have payouts in larger amounts at different times of the year. So it's really just to stabilize that amount of cash on hand to make the payments.

Ms. Sarauer: — I suppose there's some concerns that as the scope of what the Victims' Fund is used for continues to grow, that we'll be in a situation where we're continuously providing loans to the Victims' Fund, which in my mind sort of defeats the purpose of the Victims' Fund in itself.

Do you have a budgeted estimate of what the surplus will be at the end of this fiscal year?

Mr. Anderson: — Not at present. Part of it will depend on the final numbers from this fiscal, so that we can return with something as we get down the forecast.

Ms. Sarauer: — And again, you don't have an estimate for what this fiscal will be?

Mr. Anderson: — The one that just ended or the '18-19?

Ms. Sarauer: — The one that just ended. You said you haven't gotten all of it in.

Mr. Anderson: — We haven't got all the final numbers in for that.

Ms. Sarauer: — Is there any concern from the ministry, now that we're getting into this situation where there's loans being made out to the Victims' Fund, that the Victims' Fund will be at risk next year or in future years?

Hon. Mr. Morgan: — I think going forward we need to watch and maybe perhaps make some changes as to what the long-term funding is. The reason that we have the loan going to them is to ensure the sustainability and viability of the programs that are there, because their programs are absolutely essential, and we can't allow those programs to stop operating or being limited by lack of funds.

So we'll have this as an interim measure. And then I think as we go forward we have to decide what are the appropriate things to have paid for by the Victims' Fund and what are the appropriate things to have paid for by the GRF.

My thought process is that this is the type of program that should be paid for by the Victims' Fund, but the Victims' Fund . . . you know, the fine revenue has to be sufficient that it maintains the viability of that fund. So I think it's an area where we'll look to the officials for some advice or recommendations is how we go forward.

Ms. Sarauer: — Now I understand that we just recently saw some changes, some increases to *The Highway Traffic Act* fines. Is there an estimate of what those impacts will be onto the Victims' Fund?

Hon. Mr. Morgan: — The increases were not made with a view to being fee generating. The increases were done to be a deterrent for the various offences that they're levied against. That's the overall goal in having those. To the extent that they provide additional revenue, that certainly supports the programs that I think we all agree are essential. But the increase was not in any way motivated by a desire to fund those or to avoid those things being paid for by GRF or by other sources of revenue.

I don't know if the officials are able to give a better estimate. My note says that it's all under . . . Okay, \$1.7 million is the crib sheet that's been passed at the current collection rate right now, which is 85 per cent. And we plan to continue to maintain at least that much or more.

Ms. Sarauer: — Okay. I also noted that now on the federal proceeds of crime side that in 2016-2017 there was 46,000 that came in but 874,000 that came out. Can you discuss this particular area and is there any concerns about the viability of that?

Hon. Mr. Morgan: — When I had this file earlier and we started moving towards proceeds of crime and seizing proceeds of crime, not just cash but other things, I had been watching *Miami Vice*, and I had visions that we would have Ferraris and posh beach houses. The first vehicle that was seized — the report came to me — there was a 1978 Vega. So I'm not saying

that Saskatchewan doesn't compare favourably with Florida because I love it here, but we don't do as well at seizing. But in any event I should have another official. It would be a concern if we were budgeting significantly for that fund if it wasn't coming from . . . [inaudible].

[19:15]

Mr. Lerat: — Hi, it's Cory Lerat. The question was . . .

Ms. Sarauer: — I suppose my concern was less about the value or the amount that was coming in, but the . . .

Hon. Mr. Morgan: — The amount of money that was going out.

Ms. Sarauer: — The amount that was going out.

Hon. Mr. Morgan: — Yes. The question was that we had \$40,000 coming in to the Victims' Fund and 800,000 — not the Victims' Fund, but the proceeds of crime — and about 800,000 going out.

Ms. Sarauer: — So is there any concerns with the ministry around sustainability of that?

Mr. McFee: — In relation to the federal — Dale McFee — proceeds of crime fund, related to the Victims' Fund is a very distinct fund. And we can get the . . . I don't have them in front of me here right now, what the actual things that you can access for it, but it's a very small window of what it can be accessed for.

That money's been sitting in there for quite some time. And that money was used. That's why there's that one-time funding out of there. And we can get you exactly what came out of there . . . tomorrow, I guess.

Ms. Sarauer: — Can you elaborate on exactly what that money is being spent on in this budget year for proceeds of crime in particular?

Mr. McFee: — So in relation to what that's used for, those are applications by the police services for special projects. So they're always granted on a one-time basis in relation to how they come in.

There's \$113,000 currently sitting in that fund still not used, but it's a very specific purpose. It has to be used for police operations. It can be used for crime prevention, but it's generated by the police services submitting an application, and upon review that money's paid out.

Ms. Sarauer: — So just to clarify, there's a \$113,000 surplus in that fund right now?

Mr. McFee: — Correct.

Ms. Sarauer: — What was that surplus a year ago today?

Mr. McFee: — We'll have to get you that number.

Ms. Sarauer: — I also noticed, and it's statement 2 if you're

looking at the Victims' Fund, that there is . . . It's described as other revenue, and it's 1.6 million in 2017; it's 700,000 in 2016; and under 100,000 in years previous. Can you explain what that other revenue is?

Mr. Lawrence: — Hi. Dwight Lawrence. So that revenue is investment revenue that was held in investments with the Public Guardian and Trustee.

Ms. Sarauer: — Sorry, can you repeat that?

Mr. Lawrence: — Investment revenue, so the surplus being invested, and so interest income.

Ms. Sarauer: — Interest generated off of the surplus that we currently have?

Mr. Lawrence: — That's correct.

Ms. Sarauer: — Okay. Because it's paid through the Victims' Fund I want to ask a few questions around sexual assault services. Now based on my understanding of the budget, that line item has remained the same, the same amount of money. There's been no change to how much money has been paid out to those organizations. Is that correct?

Hon. Mr. Morgan: — Yes, it is.

Ms. Sarauer: — Okay. I do want to ask you, Minister Morgan: I know this came up in question period recently, but can you provide the committee an update on what the status is of the Domestic Violence Death Review Panel report?

Hon. Mr. Morgan: — After it came up in question period I went back to the officials and I told them that our expectation from the House is that it should be not just prepared, but also the government's response should be prepared so that we know where we're at. And the expectation is that they will have it done before the end of session.

Ms. Sarauer: — So just to clarify, the report should be made public by the end of session?

Hon. Mr. Morgan: — The report as well as at least a starting point for the response from . . . [inaudible] . . . That's what I'm being told at the present time and that's certainly I've given them the indication that's our expectation.

Ms. Sarauer: — That's great to hear. Will the entirety of the report, including the recommendations, be made public?

Hon. Mr. Morgan: — That would certainly be our intention.

Ms. Sarauer: — Is there any plan for . . . I understand at this point in time . . . Well my understanding was that the Domestic Violence Death Review Panel was not going to be an ongoing panel. But do you know yet if there is any plan to make it more permanent, like for example what exists in Ontario?

Hon. Mr. Morgan: — My understanding was that it was to deal with that particular time period to provide information as to what had taken place during that period of time and to develop some recommendations that would come out of that.

We hadn't had discussions about making it a permanent or ongoing thing at this time.

Ms. Sarauer: — Could you give any indication as to why there has been such a significant delay in the release of this report?

Hon. Mr. Morgan: — I know it crosses several ministries and things go back and forth. And no, I can't give you other than we are applying pressure to make sure that it gets done quickly and I understand the sensitivity and the need for it.

Ms. Sarauer: — Thank you for that. What about the provincial domestic violence strategy? Is there still a plan to create and implement one?

Hon. Mr. Morgan: — Yes, there is, and they waited for some of the things that were coming out of the review so that they could try and incorporate some of the things in there. So the expectation is that they'll all come out if not before the end of session that they would come out soon thereafter.

Ms. Sarauer: — So, sorry I'm just trying to understand. So the Domestic Violence Death Review Panel report and a domestic violence strategy will be coming out at the same time?

Hon. Mr. Morgan: — Well certainly the panel report will come out and our goal is to have the strategy either announced either at the same or very soon thereafter — if not at that point, very soon thereafter.

The challenge with these things, and it's that you receive the report, you have recommendations that flow from it, and then the process is you take the recommendations to cabinet, you look and see to determine whether there's cost items or what the implications are, which is treasury board and budget things. So in any event I appreciate the need to have a response and to go forward with it.

Ms. Sarauer: — Thank you. I look forward to receiving that. I do want to ask you, because you have mentioned it in the media a few times, what the ministry's plan is around potentially implementing Clare's law. Because there's a potential that that might not be legislation, and if it's not legislation, this might be my only chance to ask you a few questions about it.

Hon. Mr. Morgan: — You can ask now, and if it's legislation, you can ask the same questions again. It would likely be a piece of legislation because you're authorizing information to be released that would ordinarily be a breach of the privacy regulations. So to achieve that, it would require a legislative amendment. And then there would be the policy determinations about what would be the triggering set of circumstances to have a release, and what would be released, how much detail would be there. So it becomes complex.

The police officers that I've talked to, including the deputy minister that's sitting two over from me, are generally supportive, but want to make sure that the officers have protection from . . . the ability to use the information and have clear parameters about how to do it. So I know that that consultation is under way. My reading of it is that I can't imagine it not taking place without a legislative framework for it and would certainly welcome comments from the public or

yourself any time on it.

Ms. Sarauer: — I'm all for anything that's going to make this crisis better. In the conversations that I've had with some organizations that I've been consulting with on my end, there are some concerns about the legislation, so I would just encourage the ministry to consult very widely with respect to this legislation. Because there is some concerns around putting the responsibility on a survivor, for example. There's a victim blaming that sometimes goes on, and there's some concern that this could compound that, as well as some concerns around privacy which I see that you're definitely alert to.

Hon. Mr. Morgan: — Yes, you're absolutely right. The privacy concern is one that's there. And I know that some of the information or some of the consultation is with the transition houses, with the hope that they would get the thought process that would address exactly those concerns, and I look to them for some direction as to how we'd go forward on it. I don't have an opinion myself. And I think you're right: if you go ahead and do it without having made a proper framework for it or without doing the right amount of consultation, you do more harm than good. So your point is valid and well taken.

Ms. Sarauer: — Yes, thanks. And I'm just simply conveying the feedback I've heard thus far on some of those concerns. So I appreciate and am hopeful that that consultation work will be thorough because we want to ensure that anything we're implementing is actually serving the goal that it's intended for.

Was the child support recalculation service piece in this vote? I forget if you mentioned it.

Hon. Mr. Morgan: — I believe that it is.

Ms. Sarauer: — Can I ask a few questions about that?

Hon. Mr. Morgan: — Sure, yes you can. We're being joined by Lionel McNabb who has worked for the government since dirt was invented and has . . . Yes, he remembers what it was like to work with Walter Scott. But Lionel is one of the most competent civil servants that we have. He looked after the maintenance enforcement collection office that was started by Maurice Herauf from Court of Appeal. And that has worked remarkably well and has a collection rate well in excess of 90 per cent.

He took that success and took it over to our fine collection branch. And when I had the portfolio last time I remember the nasty phone calls I got when people were not getting their income tax refunds or whatever that was going to pay their outstanding fines, so I became a huge fan of Lionel's. He also looks after the marriage unit so if somebody is looking to have a marriage commissioner appointed for a day to perform a marriage ceremony, they may talk to Lionel or to me and we would be glad to accommodate.

Sorry about the long introduction.

Ms. Sarauer: — You've been well and appropriately hyped, I'm sure. Can you talk a little bit about this child support recalculation project? I'm quite interested to hear more about it.

Mr. McNabb: — Sure. We partnered with the federal government to help people change their court orders — and this is for child support, so maintenance orders — and they can move up or they can move down. There's three types of payments actually. There's spousal payments; we would never look at those. There's section 3 payments, which are the basic child support. Those we can change in certain situations. And then there's section 7, which is expenses for the children. So we would never look at those.

[19:30]

So we would look at most orders. It does not have to have it written in there. We are in the process of doing a section 25.1 agreement. That's under the *Divorce Act*. Once that's done with the federal government — that should be done in the next few weeks — then we can change child support orders for *Divorce Act* orders or for *The Family Maintenance Act*.

Ms. Sarauer: — Now do the changes have to be by consent? Do both parties have to agree to participate, or can one party apply and then that order . . .

Mr. McNabb: — It's a bit like the maintenance enforcement program; if one person applies, the other person is in.

Ms. Sarauer: — Great. So that's great to hear actually. So if one person wishes to vary the child support order either up or down . . .

Mr. McNabb: — Up or down.

Ms. Sarauer: — And then what's the appeal mechanism?

Mr. McNabb: — The appeal, we'll see how that one works. You might be getting more phone calls. But the first level of appeal is to me and then it would be to Court of Appeal after that.

And for payers that won't give us their income, it's a graduated scale because that will happen a lot, likely. We can raise it between 10 to 30 per cent, depending how long the order has been outstanding.

If it's only a one-year order, it would be 10 per cent and, you know, it goes that way. If the order's been a few years and they don't give us the information, we can increase the payments up to 30 per cent.

Ms. Sarauer: — So what does an applicant have to file? And I'm just curious to know how easy it is to do this process, if it's quite easy to do if you're unrepresented. Is an affidavit needed to provide . . . For example, if we're talking about deeming income on somebody, do they just submit photocopies of printouts of job forms or can . . .

Mr. McNabb: — [Inaudible] . . . the court order.

Ms. Sarauer: — Yes.

Mr. McNabb: — For either party we would ask for copies of their income tax returns even though it may not, for the custodial parent that may not apply, depending on how the child

support guidelines are set up.

The payer, then we would ask for, you know, their last income tax information or income from their employer. And again if we don't get that, we can deem and raise the payments up to 30 per cent.

Ms. Sarauer: — So just to clarify or just to solidify what you just said, if a payer doesn't respond to a request for updated income information, you then can automatically deem them to have increased their income upwards of 30 per cent?

Mr. McNabb: — That's correct. And if they didn't respond and they've missed the date, well then they have to appeal to me or appeal to Court of Queen's Bench.

Ms. Sarauer: — Is there a fee to use this service?

Mr. McNabb: — There is no fee.

Ms. Sarauer: — Is this similar to something happening in another jurisdiction?

Mr. McNabb: — There are a number of other jurisdictions, and we're a little behind on this one. I think of the 13 jurisdictions, there's about 7 that have one now. So we'd be number 8.

Ms. Sarauer: — And this is a pilot project in just Regina, or is it other locations?

Mr. McNabb: — We're trying to keep it to Regina. But we've already got online, we've got the web, the application is online already. So I think there's some coming from others. So we'll have to see how we deal with that.

Ms. Sarauer: — Yes.

Mr. McNabb: — My guess it'd be hard to keep it to Regina, but that's our plan to get it going in Regina.

Ms. Sarauer: — Yes. I can imagine there's a lot of people that could use this service. This is going to help a lot of different areas.

Mr. McNabb: — And it goes up and down, right?

Ms. Sarauer: — Yes, oh absolutely.

Mr. McNabb: — There's a number of payers that their income has dropped . . .

Ms. Sarauer: — For sure.

Mr. McNabb: — And sometimes they need help as well.

Ms. Sarauer: — Is there a cost? Is there an additional FTE or was there any sort of ministry expenditure that was needed to create this program?

Mr. McNabb: — It's funded for the first three years completely by the federal government. I mean, we're providing some management expertise, which I guess is off the corner of our desks, but no direct ministry expenditures.

Ms. Sarauer: — This was a federal government-funded initiative?

Mr. McNabb: — Yes, we partnered with the federal government. And they're so anxious to see these going that we were able to negotiate agreement with them to get it going, yes.

Ms. Sarauer: — How much money was provided by the federal government for this program?

Mr. McNabb: — It's around \$679,000 over three years.

Ms. Sarauer: — For three years?

Mr. McNabb: — Yes.

Ms. Sarauer: — Is the ministry working . . . I guess I'm already presuming that this was a roaring success because I hear how successful everything you do is, according to the minister.

Mr. McNabb: — Well this may not be the case.

Ms. Sarauer: — But as an aside in addition to that, I would say that this sounds like a project that a lot of people actually will benefit from. So is the ministry looking into, since there's a three-year funding model, is the ministry looking to ways that they can sustain this into the future? I'm concerned about people getting used to this project and then it having to fold up because the funding went away.

Hon. Mr. Morgan: — The federal government, we should simply just say thank you for what they're doing. But the easier thing to do would be to say we wish they wouldn't start programs they don't plan to continue funding.

But this is one that if it works well, we would certainly want to continue funding because it's services that are necessary for the people of the province. So I certainly can't commit to whoever is there after the next election, which is when it will run out. But I would certainly hope and expect that if it's as successful as we hope, it will be that we would continue it.

Ms. Sarauer: — Thank you so much. You had mentioned that this IJS also includes communications for the Ministry of Justice. Can you tell me exactly how much is allocated for that line item?

Mr. Wilby: — Drew Wilby, executive director of communications. It's \$511,000 a year, is our budget.

Ms. Sarauer: — Great. Thank you. Sorry to make you move just for that, Mr. Wilby. I'm moving on to vote 3 now. I don't think I have any further questions on IJS, just for ease of reference.

I do want to ask for an update on what's going on with the Aboriginal court worker program. So the funding to that program was reduced a few years ago. Can you tell me how much is allocated for that program in this budget?

Ms. Turner: — Good evening. I'm Jan Turner with courts and tribunals. This year we have just a little under 1.2 million for that program. It's not an increase for this year; it is status quo

from the last budget year.

The Chair: — Could you just — can I just cut in here for a second — could you say your name again just for Hansard?

Ms. Turner: — Jan Turner.

Ms. Sarauer: — Can you tell me how much was provided by the federal government for this program over the last three years, each year?

Ms. Turner: — The amount from the federal government has been the same for a number of years, and it's about 625,000 per year. It's been their contribution for some time.

Ms. Sarauer: — So is there no plan I'm assuming, because the line item hasn't increased, there's no plan to reinstate or increase the amount of Aboriginal court workers?

Ms. Turner: — We're very interested in how we can improve the court worker service. It is a very valued service for the courts, and we are looking at ways that we can go forward and also to attract the federal government into providing a greater share of funds for that program.

Ms. Sarauer: — Is there any specific examples that you could give that you're looking at right now as a way of using these Aboriginal court workers in the most effective way possible?

Hon. Mr. Morgan: — I don't know whether we would have an answer specifically about the services, but we know that the work that they do is important and it's valuable. And we're supportive of doing it. This year's budget is largely status quo, so it would be something that we would want to look at in out years. Obviously I'm not in a position to make a commitment, but it's something that (a) we would like to nudge the federal government to pay more of. But whether they do or whether they don't, we think it's something that should be increased.

Ms. Sarauer: — I would echo your sentiment that the work that they do is valuable, both by those who they serve as well as the judiciary. And sometimes when we . . . I haven't been here long, but sometimes when we reduce funding to something, a few years down the line we sort of forget about that.

So I just wanted to bring it up again as a valuable service that hopefully will be funded back to the levels it was before, at the very least, because a lot of good people lost their jobs a few years ago.

I did want to ask around the counsel for children a few questions.

Hon. Mr. Morgan: — We're joined by Kylie Head, and certainly prepared to answer your questions.

Ms. Sarauer: — Oh, sorry. You're waiting for me to ask a question? My apologies. How many . . .

Hon. Mr. Morgan: — I didn't want to interrupt. I wasn't sure whether . . . so I'm sorry as well.

Ms. Sarauer: — Sometimes I forget if I've asked a question

already or not, which says a lot about my questions that I ask. I'm curious to know how many applications you've had for counsel for children. I'm curious to know about the health of the project. In general, how many lawyers are working through the project and how many children have been served over the last year?

Ms. Head: — So there are currently 13 counsel on the approved roster. Lawyers need to go through a training program before they can join the approved roster. And then they are paid at the legal aid tariff, a rate of \$88 per hour, to provide these services.

The program started operations December 2nd, 2014 and it has appointed a lawyer for 453 children as of January 2018. So I don't have the updated numbers since January, but it's been 453 children up to that date.

Ms. Sarauer: — Do you have any numbers around how much was paid out to lawyers in the last fiscal year through this program?

Ms. Head: — The average cost of legal counsel per file has been around \$1,200. But I don't have a total here for how many files, you know, if we add that up.

Ms. Sarauer: — Do you have any detail around where those referrals are coming from, which centres the matches are going to?

Ms. Head: — They can be, children can be referred through the Ministry of Social Services or by a First Nations Child and Family Services agency, so it's throughout the province that they could be referred.

Ms. Sarauer: — Right, but you don't have any specifics as to whether or not they're mostly coming to Regina or Saskatoon or Prince Albert.

Ms. Head: — No, but I can get that information for you.

Ms. Sarauer: — Okay. I did want to ask around, and I'm looking at the innovation and legal services one, there was a new, a line item I don't think I saw last year called legislation and registry division. Is this formerly public law? Was there a reorganization that happened in the ministry?

Ms. Zarzeczny: — Linda Zarzeczny. There was a reorganization, I would call it more of a consolidation of the various branches that provide legal services on the civil side.

Ms. Sarauer: — Is that where this legislation and registry division line came from? Is this a new department?

Ms. Zarzeczny: — It used to be public law. I mean, more or less it was public law at one time, and now it's been renamed.

Ms. Sarauer: — Is there any changes to the FTE complement?

Ms. Zarzeczny: — The only changes that you would see are changes as a result of the legal assistant project.

Ms. Sarauer: — Okay. Thank you. Thank you very much.

Now I'm not seeing where it falls in the estimates this year under the restorative justice piece, this funding for CBOs and whatnot that I normally see. Is this in vote 3 or is this somewhere else now?

[19:45]

Hon. Mr. Morgan: — Vote 91, integrated justice services.

Ms. Sarauer: — Okay. Well I'm going to ask a question about it even though I said I was done. Is there an increase for funding for any of those programs in this budget year?

Hon. Mr. Morgan: — They are all status quo this year.

Ms. Sarauer: — I notice that — moving back to vote 3 — I notice that the Human Rights Commission is receiving a slight reduction in funding, just slight, but still a reduction in funding in this budget year. Can you please elaborate as to why?

Hon. Mr. Morgan: — It was not intended to be a reduction in programming. It's standard across most parts of most ministries where there's an expectation where they will reduce compensation costs, but we have vacancy management attrition and general savings that we're looking for, for economies and efficiencies.

Ms. Sarauer: — So do you know yet what that anticipated result is going to mean for the Human Rights Commission?

Hon. Mr. Morgan: — We'll certainly want to work with them to ensure that there isn't a reduction in the services that they're able to deliver. To the contrary, we've received requests from them for better support for computers and differences in accommodation, all of which we'll want to look at over the next year. The services that are provided by the Human Rights Commission are sort of a signature piece for the province. Those are . . . The work that's done by Chief Commissioner Arnot are ones that we regard as important. We've shown some significant leadership and we would want to make sure that we were supportive of that going forward.

Ms. Sarauer: — I suppose I have the same question for the Office of Residential Tenancies, as I see a slight reduction there as well.

Hon. Mr. Morgan: — Yes, and I have not had discussion with them as to whether it would affect their operations. I know the ministry officials have worked with them and I'm not aware of that posing a particular pressure.

Ms. Sarauer: — What about the Office of the Chief Coroner? I saw there was a slight reduction there too.

Hon. Mr. Morgan: — The reductions went all the way across. The coroner, as you're aware, has been under some stress and some strain over the last while and we had asked Clive Weighill to conduct a review and to make some suggestions to us. I have talked to him a couple of times, and I know that that work is well advanced but I don't know the final outcome of it. So we'll have to have some discussion with him about how that might go forward, what the costs of that might be. I can't imagine being savings. There certainly was a staffing shortfall. So that's

something that we'll have to have some discussion as we go forward.

Ms. Sarauer: — Yes. That's exactly what I was going to ask next, was the status of that review that Mr. Weighill was doing. Do you have any idea on proximate anticipated time of completion of that review?

Hon. Mr. Morgan: — My officials are unable to ascertain a specific date between . . . but one says June 30th and the other says July 1st so somewhere between those two. When I met with Chief Weighill he indicated to me late June, so obviously he's more vague with me that he is with them.

Ms. Sarauer: — He's a smart man. Legal Aid, I noticed, has a very, very slight increase in funding in the budget. Can you elaborate, is this a status-quo budget for Legal Aid? Or is this anticipating federal dollars? It should be.

Hon. Mr. Morgan: — An increase in some federal dollars. As you're likely aware, the federal component of Legal Aid funding is largely targeted towards criminal law. So as family law increases, that's absorbed by the province as criminal law numbers increase or changes take this other as a result of case law, whatever, we usually receive some additional support. I don't know if that answers your question or you have more questions.

Ms. Sarauer: — Don't worry, there'll be more questions. Can you tell me how many FTEs . . . FTE lawyers, first of all, there were working for Legal Aid last budget year and then how many there are working for Legal Aid this budget year?

Hon. Mr. Morgan: — We're joined by Craig Goebel, who is the CEO [chief executive officer] of the Legal Aid Commission.

Mr. Goebel: — I'll go back to the question about finance increases. It is a status-quo budget as far as the ministry is concerned except for — and I guess that then belies whether you call it status quo — an increase in the federal funding which had been negotiated three years ago over the five-year federal funding envelope and agreement for \$806,000. And that will be expected to be received at the time the final claim is made in October of this year for fiscal '17-18.

An increase of \$280,000 for the weekday and the weekend remand resolution project, and an increase of \$155,000 for information and technology. That division is restructuring how payments are made, so it's basically an in-and-out kind of adjustment.

I don't have right now a number for the FTE complement for lawyers. I have the total FTE complement . . . Oh, okay.

Hon. Mr. Morgan: — We're joined by Jerome Boyko as well, who's the chief financial officer of the Legal Aid Commission. During the late '80s, early 1990s, I was the CEO at the Legal Aid Commission and one of my greatest accomplishments there was hiring Jerome.

Mr. Goebel: — So the total complement is 83.5 and it's an increase of point five where a half-time lawyer was added in

Swift Current.

Ms. Sarauer: — So that 83.5, is that lawyers?

Mr. Goebel: — Yes.

Ms. Sarauer: — What about non-lawyers?

Mr. Goebel: — We have 155 total FTEs.

Ms. Sarauer: — And is that increase or a decrease from last year?

Mr. Goebel: — As of the end of this year it's a decrease of point five . . .

Ms. Sarauer: — Okay.

Mr. Goebel: — Where there's one vacant support position.

Ms. Sarauer: — So no increase to legal assistants, but a point five increase to lawyers. Is that correct?

Mr. Goebel: — It's just an empty position right now, so it's still there, but it's not filled.

Hon. Mr. Morgan: — No change to the staffing complement, but one vacancy.

Ms. Sarauer: — Okay, but as has already been mentioned, there was an increase in federal funding, so can you explain where that money went?

Mr. Goebel: — There are a number of projects that are contemplated. The total amount of money that was received for this year — not the 806, but the additional funding from last year — was \$332,000, and we were running a deficit from an increase in the use of private bar. And so that particular increase from last year, from the federal funding, was accorded and provided as a payment against the deficit, in addition to which there was an additional sum from the provincial government to help cover that cost.

Ms. Sarauer: — How much is left remaining in the deficit?

Mr. Goebel: — We're down . . . The deficit now has been reduced to \$22,000, in round numbers.

Ms. Sarauer: — What's the plan for ensuring that there isn't a deficit again because of the increased use of private bar?

Mr. Goebel: — I don't know that we can ensure that there won't be a deficit, or there won't be an increased use of private bar. A variety of reasons for that include things like maturing of the recidivism rates and increases in conflicts. It includes things like large cases where there are multiple defendants. It includes things like covering for long-term or up to long-term disability. So it's difficult to say. Of all of the costs that we're incurring, the most volatile is the use of the private bar.

And so we certainly expect and have budgeted for less than, but I just can't say that, at some point in this fiscal year, there might be some need to do more than we usually do. The usual figure

is, by way of dollars, around \$2 million a year of the total legal aid budget, and about 10 to 15 per cent of the total number of files. And that can vary up and down.

Ms. Sarauer: — So is 2 million the dollar figure that's allocated for use of private bar estimated for this year?

Mr. Goebel: — Yes.

Ms. Sarauer: — As such there should be a large . . . if I'm doing my math right, from how much is remaining in the deficit plus how much you've allocated for use of private bar for this upcoming fiscal year, where do you anticipate spending the remainder of that federal money?

Mr. Goebel: — I would say that at this point there are a number of potential projects, none of which have been solidified. We don't have the money until probably October and November. So there's still some time to determine the use to which it might be put, but I can't tell you exactly that there is anything contemplated at this point.

Ms. Sarauer: — So you can't give any details of what those potential projects would be at this time?

Mr. Goebel: — No.

Ms. Sarauer: — What about the expansion of the remand strategy? Is there funding allocated to that?

Mr. Goebel: — Yes.

Ms. Sarauer: — How much for Legal Aid? . . . [inaudible interjection] . . . How much for Legal Aid?

Mr. Goebel: — \$280,000.

Ms. Sarauer: — And what will that . . . What's that anticipated to cover? I understand that, based on my understanding . . . Correct me if I'm wrong, but right now the Legal Aid portion of the remand strategy is being dealt with through the private bar. Is there anticipation that that will continue or is there a plan to hire a new FTE? I'm curious to know what the thought is for Legal Aid.

Mr. Goebel: — There are two aspects to the present remand program. One is the weekend, Sunday, work, which entails mostly the equivalent of a full day's work but it's spread over two days. And so we have put staff lawyers onto that and revamped some of the scheduling for that which includes, if staff lawyers are working Sunday they would work till Thursday and then we have to backfill what they would otherwise do on a Friday. So there's a kind of a cost there.

Ms. Sarauer: — Yes.

Mr. Goebel: — That sometimes goes to ad hoc, private bar. We're just talking about Saskatoon at this point. And on the Saskatoon weekday portion of this, the allocation of funds would be for the FTE equivalent of a lawyer. And the processes by which the weekday work is going to be undertaken are still being worked on. So we have neither hired a private bar lawyer to carry that on or added a complement to the staff lawyers. We

don't expect that to start for another few weeks. So we can either post for a staff lawyer or hire a private bar lawyer. The contracting-out provisions of the collective bargaining agreement require consultation between management and the union, so we're still in that process.

[20:00]

Ms. Sarauer: — That decision hasn't been made yet?

Mr. Goebel: — No.

Ms. Sarauer: — Okay. When is the last time there was a . . . Like I know there was a point five increase in FTEs in lawyers working for Legal Aid. How long has it been since there's been a significant increase in legal counsel at Legal Aid?

Mr. Goebel: — I wouldn't say we've had any increases in the last two years. So maybe three years ago, but I couldn't say for sure.

Ms. Sarauer: — Do you have any numbers as to the average amount of case files that are opened right now per year, per lawyer?

Mr. Goebel: — Per lawyer? We have a normalized count that depends on the amount of time in the year versus the average cost in terms of time for a file. And the normalized case count is about 250, so that's the average expected number of files to be opened. If you talked about a basic file, it would be about 125 for a family file because they take longer. For a standard, average criminal file it would be eight hours; for a duty counsel file, four; and for work in therapeutic courts about five and a half, point six seven of a one normalized number.

Ms. Sarauer: — Have any of those numbers decreased from last year?

Mr. Goebel: — The normalized case count across offices goes up and down but the number, at around 250, is about the same last year, the year before.

Ms. Sarauer: — What is the average wait time right now from intake to a client's first meeting with their lawyer?

Mr. Goebel: — Again, it can vary by way of both the type of file . . . So a new criminal file at a court point, it would be the day of, in certain instances. Criminal is usually a bit faster, but the average I think across the organization right now is about three weeks. And that's being tracked by the date from which, or on which, eligibility determination is made to the first contact.

Ms. Sarauer: — That sounds fairly consistent from what I've heard in criminal law, but for family law I've heard it's more like two to three months. Do you have any data on the family side?

Mr. Goebel: — We do have some differences but not two to three months. And there are and have been some problems in the Saskatoon family office getting to meet people, but I don't think . . . It ranged up there at one point but it's been, to use the vernacular, fought back down.

Ms. Sarauer: — Do you have a tally of how many files had to be farmed out over the last year to private bar?

Mr. Goebel: — Which? Family?

Ms. Sarauer: — For both.

Mr. Goebel: — Yes, we have that. This past fiscal year was 2,263, gone up over the past two years from 1,352.

Ms. Sarauer: — Do you feel that your staffing complement is adequate for the amount of files Legal Aid is receiving?

Mr. Goebel: — The total amount of files have not changed either in terms of the number of intake compared to the number that are being assigned to either private bar or to staff. A lot of these farm-outs were for management reasons, for vacancy reasons. We would expect that we can . . . If everybody is there, if the full FTE complement is there, then these numbers and these FTEs and these normalized case counts are reasonable.

Ms. Sarauer: — How many of your FTEs are currently . . . well I don't know, by "there" or "not there," if you mean if they're on leave or if they're being unfilled.

Mr. Goebel: — Nobody who is on sick leave for any substantial period of time is not replaced. The CBA [Canadian Bar Association] requirements do not require that the commission replace someone who's off if the . . . should be replaced, but we don't have to post if it's less than six months. So you can fill in a variety of ways that way. And sometimes the most economical way to do it is just to backfill with the private bar.

Ms. Sarauer: — I've been hearing some concerns from some lawyers, many lawyers that are working for Legal Aid right now, both in Saskatoon and Regina in particular, around stress level and the high file count and burnout. Is there any plans to increase the level . . . the number of lawyers currently employed at Legal Aid to deal with some of this, the large file loads on each lawyer?

Mr. Goebel: — I'm not going to particularly agree that we're talking about large file loads. We're just talking about the average costs in terms of normalized case counts at around two fifty.

We talk with the labour management team from the union on a regular basis. The legal directors are responsible for ensuring that the work is shared fairly and equitably. So I would say that we have conversations, and we're alive to those concerns. But we have decisions that we make or need to make based on data. And I often say we make decisions based on data leavened by anecdotes and not the other way around. And a lot of times the discussions are anecdotally driven, so we're trying to keep it to data, and conversations that are made better by the anecdotes. So I can't say yes to your question.

Ms. Sarauer: — How has Legal Aid's response been to the remand strategy? From Legal Aid's perspective, how is that project working?

Mr. Goebel: — It's not as robust as we'd like, because it's only

barely being worked as hard as it could be with not all the players in place in Saskatoon. So I think — and castigate me if you will — that we need judicial intervention on the weekends in order to make it work as well as it could. Because right now we don't even finish the Sunday work on Sunday, because there's nobody there to make those decisions so it spills over to Monday.

There's lots of discussion on how to make the weekend work better, and I think we can. The variation in what there is that's offered out of the files that are available from the prosecution to Legal Aid, duty counsel on the weekend, again varies up and down. And to some extent it's gone down a bit, probably because everybody's doing a bit of a better job so that there is a reduction. But then we should be going to look for more to do. So we're pleased to be able to do it, but we'd like to do more.

Ms. Sarauer: — Thank you so much. I appreciate that. Just bear with me for two minutes. I just want to — before I move on to policing, corrections — I just want to try and get as much, make sure that I've asked all the Justice questions that I had here.

I do have a question around . . . It was a *Leader-Post* article back in March around the need for more Gladue report writers. I'm wondering if the ministry has any updates on what's going on on that. I understand based on that article that there is only one person in Saskatchewan writing Gladue reports. At the time I believe the ministry had talked about utilizing . . . I want to call them parole officers, but I can't remember if that's the right . . . It's probably not the right word. But can you please provide an update on that issue?

Hon. Mr. Morgan: — The Gladue decision from the Supreme Court wasn't a decision that reports be written. It was a series of principles that dealt with Aboriginal offenders that the court should be mindful of and recognize the Aboriginal ancestry of the individuals and that unique solutions might be involved in sentencing these individuals. It doesn't necessarily mean that a report be written on every time the court chooses to apply those principles.

So the direction that we've given to the ministry is to make sure that, where the court orders a report, that we're able to provide it in a timely manner — to look for options elsewhere in the province for people that would be able to write those, in particular in Regina and elsewhere. And I know that the ministry is working to accommodate that request. And right now we don't have another option available yet, but I've indicated that our hope is that we would find somebody in Regina or elsewhere in the province that would do that.

Having said that, it's certainly not our goal to try and have more reports written, or encourage the courts to do it. We leave that to the jurisdiction of the court whether to request a report or not. And it should be the role of the ministry to make sure that they've got competent, qualified people available to write them when they are requested.

Ms. Sarauer: — Right. And based on my understanding of the article, the requests weren't being made because legal counsel knew that it would take too long, frankly, to get those reports written.

Hon. Mr. Morgan: — I'm not sure I would agree with that assertion.

Ms. Sarauer: — Okay. Could you elaborate on what you believe the gap is?

Hon. Mr. Morgan: — If the courts ask for them, we will endeavour to get them, and I'm not certain that we've got situations that we're aware of where reports were requested but they were unable to provide them.

In '16-17 there was five reports requested and five reports delivered; '17-18 there was six reports requested and delivered; '18-19 one contract so far. So we appear to be meeting the needs. And I think what our goal would be in finding others to write them would be more for a matter of convenience for people that their writers would want to be able to come into contact with. So we'll want to do it more as the ability to be able to support people that are involved in the process rather than as a shortage or as a deficiency. I think I just . . . With respect to the person that was involved in the . . . [inaudible] . . . I'm not sure that I accept the premise of where she was going.

[20:15]

Ms. Sarauer: — I have other Justice questions but I'm cognizant of the time, so I'm going to move to Corrections and Policing. I reserve the right to go back to Justice should I have any time to do so.

Moving on to vote 73.

Hon. Mr. Morgan: — Perhaps, Mr. Chair, it might not be a bad time to take a short break.

Ms. Sarauer: — Yes. Five-minute break?

The Chair: — I didn't quite catch that. Could you . . .

Ms. Sarauer: — Should we take a break now? A five-minute break?

The Chair: — Okay. We'll take a five-minute break.

Hon. Mr. Morgan: — The suggestion was, Mr. Chair, that we needed a five-minute break.

The Chair: — We'll take a five-minute break.

[The committee recessed for a period of time.]

**General Revenue Fund
Corrections and Policing
Vote 73**

Subvote (CP01)

The Chair: — Well welcome back everybody. And I think everybody went out and checked the score in the hockey game right now. We're now considering vote 73, Corrections and Policing, central management and services, subvote (CP01). Ms. Sarauer.

Ms. Sarauer: — Thank you. Before I get started, I just remembered Minister Morgan had mentioned something about supplemental estimates and how there were some remarks. And I just want to put a flag in that we need to make sure that we have enough time to at least get those remarks on the record.

Hon. Mr. Morgan: — Whenever you wish, I'll do those.

Ms. Sarauer: — I'll try to remember.

Hon. Mr. Morgan: — The remarks that I have are, I don't know, around 45 minutes.

Ms. Sarauer: — I figured as much.

Hon. Mr. Morgan: — Would you like me to do them right now?

Ms. Sarauer: — No. Absolutely not.

Hon. Mr. Morgan: — Good call.

Ms. Sarauer: — I'm going to move on to vote 73. Minister Tell, I have some questions around (CP17), demand reduction and modernization. I think that's new, so if you could explain to me what this entails and what is included in this.

Hon. Ms. Tell: — The splitting of the Ministry of Justice in '17-18 has resulted in a restructuring of programs between the three votes responsible for the justice system. This restructure will not negatively impact service or program delivery. The research and evidence-based excellence increased by 1.442 million or 53 per cent. This change is comprised of an increase of 1.45 million to expand the remand initiative to weekdays, and a decrease of 8,000 as a part of efficiency measures such as vacancy management, attrition, and process improvements.

This new subvote brings together functions that actually support human service delivery in order to enhance outcomes, impact community safety, and reduce recidivism. The work done in this new subvote includes research, evaluation, data mining, analytics, innovation, and improvement projects.

Ms. Sarauer: — Thank you. So is this . . . Are there any new FTEs in here or is it just a movement of already existing FTEs?

Hon. Ms. Tell: — It's the same. There's no change. The focus is what has changed, not how many people are working in there.

Ms. Sarauer: — Okay. So just so that I understand, if the focus of those FTEs . . . So essentially FTEs have been reallocated into this area. And if so, where have they been reallocated from?

Hon. Ms. Tell: — Okay, the FTEs came, one from policing, one from custody services, and seven from community safety and well-being.

Ms. Sarauer: — Well we've talked a few times about the expansion of the remand strategy from Sundays to weekdays. Could you elaborate a little bit on that expansion?

Mr. Rector: — Brian Rector, Corrections and Policing. First of

all, I just want to identify that I'm provincial Co-Chair of the remand initiative, and the other chairperson is Mr. Tony Gerein, who is the assistant deputy attorney general from prosecutions. And so there may be questions that cross over to prosecutions; Mr. Gerein will answer those. And Mr. Goebel is also on that committee, and he's made some comments there as well.

So I'll speak to the broader sort of initiatives and the elements and the impacts thus far, and then there may be questions specific to it. But just a little bit of a context here. Three estimates ago, there was a discussion already at that time around some analysis that we had done and completed that said not only is remand growing, but a significant proportion of it is very short term. And so we have challenges around long-term remand, where folks are usually involved in serious charges, and then the shorter term folks that are, for the most part, 70 per cent are released within a 30-day period, with the average around eight days.

So that initiative, that discussion started three years ago with that analysis, three estimates ago. And from that was enough information to say we're going to provincially, between Attorney General and Corrections and Policing, do the initiatives. So the initiatives actually crossed between . . . We were separate ministries, the same ministries, and back. Nothing's changed about the initiative, except maybe our signatures at the bottom of the lucky day email. But we have worked as an integrated fashion during that period of time, as always.

Last year there was the budget proposal. It was starting out in . . . The thought was, okay, we knew that the weekend, that there was a significant backlog carried over on to Monday and Tuesday from the lack of processes on weekends, and so that was the initiation of the early case resolution process that Mr. Goebel referenced earlier.

There were other changes that also went into effect. You know, certainly public prosecutions could speak to this further around the shift to direct-to-trial versus preliminary hearings for serious cases. But that procedural intervention would also impact on length of time in long-term remand.

There was also significant changes with reference to utilization of video courts throughout the whole province. A few years ago, in-custody, you know, measurements would show maybe 5 per cent utilization. That has significantly increased. All the space that was developed for video courts, all the time slots, everything was absolutely used to maximization. So last time I looked at that number over a year ago it was 35 per cent, and I'm sure it's increased since then.

So there's a number of things going on. All of that, what I just mentioned, also we know has an impact on remand. In the UK [United Kingdom] when they introduced the video court processing, it did have a significant impact. You know, it takes time for folks to adjust to those changes. And so it's never you just introduce something and that week or that month it all of a sudden happens. In the context of video conferencing in the UK, it took about a year, and the same thing is true for any of the kinds of changes we're doing now. It's change in how people think, it's change in how people behave, and how we behave in an integrated fashion. And that does take time. Yes?

Ms. Sarauer: — Do you have the numbers of how many cases were resolved in the past year as a result of the strategy, and what those resolutions were in terms of, was it a sentence or were they released?

Mr. Rector: — I don't have the summary statistics for early case resolution. I do agree with Mr. Goebel's comments that we've had an impact. That impact can be improved upon. I think, when we look at since the start of the remand strategy, prior to it over 25 years there's been a systematic increase in remand in an exponential function. So when we started remand provincially, we were looking year over year at a 15 to 17 per cent growth rate. So it was, I think of an accelerating curve going up.

Since the beginning of the initiative, that involves many of the pieces that I've talked about. So none of the pieces that I reference have, by itself, accounts for the statistics that I'm about to say. But since the beginning of the initiative, remand growth has started to decrease and decrease dramatically. So after about 16 or 17 months of progressive decreases, we are now actually . . . Not only have we reduced growth to zero, we're now below zero. So what I thought might have been . . .

Ms. Sarauer: — Sorry, can you elaborate on what you mean reducing growth to zero?

Mr. Rector: — Well September '16, year over year, the growth rate was 17 per cent. Today the growth rate is less than zero, so we're shrinking in size right now. So since September of 2016 to present day, month over month, we've been systematically decreasing in all jurisdictions across the province.

That's why I mentioned the context of the other pieces. So early case resolution is an important piece. The community services that we've developed is an important piece with CBOs around residential case management and mental health services. But all those, if you were to look at them individually, don't account for the very large decrease that we've achieved, not in my opinion anyway.

So there's another effect that I believe that is going on here. And that is something that's — this is my opinion — is something that's called the Hawthorne effect. And that is when you start to observe something in a systematic way, then the process of observation starts to impact on the phenomena that you're observing. And I believe that that's going on here. With these initiatives, think of regional operating committees being established — folks in prosecutions, legal aid, community agencies, probation — actually meeting to talk about, you know, the structure within the part of the remand.

But I think that that also sets up a particular momentum for change as well. So that's the important thing, the message here is, you know, there's the microdata that says, can we improve these elements even further? And the answer to that is, yes there are certain things that we can do to improve the weekend activities.

What we decided, as a steering committee, was what did we learn on the weekend that could then be applied across the remainder of the week. If better preparation works on Sunday, why not Monday, Tuesday, Wednesday, Thursday? So when we

talk about across-week, it's really about what that structure might look like, be changed to be more effective. Mr. Gerein took the lead on that in working with the Chief Judge and looking at a field study in Saskatoon.

We're in the current processes of finalizing what that, along with Mr. Goebel, the final structure of what that change is. But it's really articulating in a very detailed way how things occur throughout the morning that integrates the process in decision making between prosecutions, legal aid, and the community agencies in terms of what services they could provide.

So they can review files to be able to say, okay here's an individual with a history of low-intensity crime, but has a high frequency of non-compliance with showing up in court, so is there something we could do on the community side to manage that, to mitigate that risk? And so it's those conversations within the short period of time to actually come up with a plan around those cases, is what that across-week plan is all about.

Ms. Sarauer: — Well thank you so much for that, and thank you for the work that you've done on this initiative so far. I'm going to move on and ask some questions about the provincial response team, if that's all right.

Now I have several questions with respect to how this project is rolling out so far. I don't know if you have any opening information you want to provide; otherwise, if not, I'm curious to know . . . From what I understand, where we're at right now in terms of the rollout is the additional training is being provided to the highway traffic officers. That's correct?

Hon. Ms. Tell: — Yes.

Ms. Sarauer: — Can you provide some details on to how that is unrolling, with respect to the highway traffic officers in particular?

Hon. Ms. Tell: — With respect to the highway traffic officers, the one thing that they did require was firearms training. And that was probably the largest piece to their education, and a refresher, I suppose, in some of the other particular areas. But the biggest one has to do with the firearms training.

The conservation officers are already trained and obviously fully armed. And they will be fully operational, integrated . . .

A Member: — They already are.

Hon. Ms. Tell: — They are already. But the highway traffic officers, July 1.

Ms. Sarauer: — What about the commercial vehicle inspectors? Is that the same thing?

Hon. Ms. Tell: — Highways, yes.

Ms. Sarauer: — The commercial . . . They also require additional training in terms of — and please correct me if I'm wrong — around use of force and some mental health training that the police officers often get. Isn't there other additional training as well that the highway traffic officers need to put them up to par with the police force? If so, what stage are we at

with that?

[20:45]

Hon. Ms. Tell: — They will be fully operational July 1st, so with respect to use of force, that's all part of the firearms training. I mean, that's an integral element to that particular training. And as I said, there are other areas that they wouldn't necessarily have had training in; however they're not as extensive obviously as the firearms component and the use of force.

Ms. Sarauer: — How many have not been successful in completing their courses so far?

Hon. Ms. Tell: — There's currently 26 highway traffic officers in training. After the initial screening when this whole program started to roll out, we lost 10 highway traffic officers to this PRT [protection and response team].

Ms. Sarauer: — So what happens to a highway traffic officer, to those 10 I suppose, when they no longer qualify for their job?

Hon. Ms. Tell: — So those 10 cadets from the highway traffic officer program are accommodated within the Ministry of Highways. So they will not, because of the changes that have taken place, they're not available or eligible to participate in PRT. All highway traffic officers must be trained up to the standard that is required and I spoke to earlier. And they'll be in a variety of places within the Ministry of Highways.

Ms. Sarauer: — Who's providing this training?

Mr. McFee: — So the police college is providing the training in relation to the firearms. And I think it's very important, as the minister said, to realize that not everybody gets a firearm. There's a screening process that has to go through. It has to be a suitable candidate. That's not something that's taken lightly, as the minister has articulated. So that process goes through. Those that qualify go through the training. That training right now is put on by the police college for the highway traffic officers, thank you.

Ms. Sarauer: — Thank you. Did the police college receive additional funding to do this training?

Hon. Ms. Tell: — No. There's no additional funding to the college.

Ms. Sarauer: — Is there a plan to, or is there work already in progress to hire more highway traffic officers to make up for the reduction or the depletion in the numbers as a result of the additional screening?

Hon. Ms. Tell: — Given that that is under the purview of the Ministry of Highways, that I would suggest that that question would be answered by them.

Ms. Sarauer: — Are the highway traffic officers receiving an addition . . . Have they received a raise in their salary as a result of this additional responsibility?

Hon. Ms. Tell: — Yes, they have. There's an increase in pay

for all of them.

Ms. Sarauer: — Can you tell us how much?

Hon. Ms. Tell: — The pay issues for the SERM [Saskatchewan Environment and Resource Management] officers or the highway traffic officers is better answered by the ministry responsible, so Environment and the Ministry of Highways.

Ms. Sarauer: — What about training in de-escalation methods? And you would know more about this than I would in terms of what training a police officer receives with respect to that. Have the highway traffic officers already successfully completed that?

Mr. McFee: — So in relation to the training, trying to best summarize this so it makes sense to you. So obviously de-escalation, self-defence training areas like those are for sure, they have to be done as well as firearms. It's kind of all part and parcel to the use-of-force continuum in relation to how you do it. So you don't jump straight into firearms; you basically do verbal judo, de-escalation. The use of force is a scaled model. So they will have all that training.

It's important to realize and recognize that they're not going to be police officers. These are basically designed to do four things. These folks have red and blue lights in the province, are peace officers just like a police situation. So that visibility improves police response to emergency calls for service. They enhance uniform visibility and presence in rural Saskatchewan where they operate now. They increase the enforcement of drug trafficking on the roads. Again, more training in the enhanced safety of the roads, reducing the number of serious collisions and fatalities, which as you're aware and I think believed asked last estimates, that is something where we lose more people on our highways than we do through other serious events.

So it's all designed around that, and with that comes some training. And the use-of-force model is a continuum that . . . you just don't get gun or firearms training. It's to make the right step at the right call if exposed to that situation.

Ms. Sarauer: — Thank you. How long does this training take?

Mr. McFee: — They'll be done by July 1st.

Ms. Sarauer: — When did it start?

Mr. McFee: — It's been going on since January, but it's not continual, you know. It's segmented.

Ms. Sarauer: — Could you give me a total number of hours of training?

Mr. McFee: — We'll have to get back to you on that.

Ms. Sarauer: — Okay. What about the conservation officers? You mentioned that they are ready to go. So what sort of additional training did they need?

Mr. McFee: — As Minister Tell has articulated, it's probably best to ask that question directly through Environment. But what I can tell you is that their training right now is very similar

to policing. They have firearms. Obviously they have the de-escalation; they have the use-of-force training in relation to that. So that particular training is more along the lines of the vehicles and vehicle stops.

Ms. Sarauer: — Was their additional training, was it through the police college?

Hon. Ms. Tell: — So the SERM officers got their training, received their training in Alberta. That's basic training for these particular officers. When this provincial response team was in its, you know, in its design, there were a few areas that the SERM officers required a little bit extra — not much — and that particular training they received through the RCMP, that . . . additional. But their basic training was done in Alberta.

Ms. Sarauer: — What was that additional training that they received through the RCMP?

Hon. Ms. Tell: — It was more having to do with the collaboration between them and the RCMP, how one engages and what was needed from them, what the RCMP require from these particular officers, just to understand what environment they're operating in. Because now they are assisting the RCMP, assisting the police in doing their job, so it was really important that they understand how the RCMP work.

This isn't new. We just needed to affirm with them and re-engage them in some conversations and some additional knowledge just to ensure. We want this to be a success.

Ms. Sarauer: — Were there any SERM officers who chose to not complete the additional training?

Mr. McFee: — To the best of our knowledge, no.

Ms. Sarauer: — What about early retirements or . . . Do you know if there's any, how many . . . if there are more SERM officers you'll need to hire after the original announced number back when this project was first announced?

Hon. Ms. Tell: — Not that we're aware of. It's pretty status quo.

Ms. Sarauer: — And have those officers received an increase in their pay as a result of the additional responsibility?

Hon. Ms. Tell: — I believe for both highway traffic and the SERM officers that there was a change in the classification as a result of what we're talking about here. With respect to the exact amount, again I'm going to have to ask you to go through Environment.

Ms. Sarauer: — Okay. What about the . . . Now from what I understand, some of these, I guess they'd be called traffic safety officers, funded through SGI [Saskatchewan Government Insurance]. Can you explain that portion of the PRT complement?

Ms. Gallivan: — It's Rae Gallivan. So the traffic safety officers that are police officers, full police officers, there's 60 new ones. So 30 are repurposed and 30 are brand new, funded by SGI. And of the 30, 20 are RCMP and 10 are municipal

police officers from Regina, Prince Albert, and Moose Jaw, and they were matched by each of their organizations to the same level.

[21:00]

Ms. Sarauer: — And my understanding is that, and correct me if I'm wrong, but the jurisdiction has changed a bit. For example, for the municipal police officers located in Regina, they have a wider jurisdiction than they did prior to this team being created. Is that correct?

Mr. McFee: — No. All police officers in Saskatchewan, municipal or RCMP, have provincial jurisdiction. So what this is though is it's a provincial unit. So they do travel across the province. The CTSS expansion was an expansion of the 2014 project where we did the initial 30 and 30. And the reduction in the injury claims and the number of deaths proved out to be I think a \$2.89 savings for every dollar spent. That was actually what was on the focus of actually expanding the second part of this unit to the other area. So that would include the North and the South in around Regina, Moose Jaw, etc.

Ms. Sarauer: — Thank you for that. But isn't it correct to say that some of these police, for example, originally would have been allocated to the Regina city, but now they're responsible for answering calls upwards of a 100-kilometre radius of the city?

Mr. McFee: — Allocated is different than authority. They have the authority in relation to policing the province. When they're a municipal police officer, they're actually a provincial police officer. As Rae had said, we . . . Let's take an officer in, let's use Regina because that's the example you used, is if SGI funded one additional officer, they had to put one officer in that was already currently paid for by us, so repurposed. And the expansion of that is, is they actually go across the province to work as a provincial unit, but they still work in Regina as well. There's no boundaries.

Ms. Sarauer: — But for only a percentage amount of time are they allocated in Regina?

Mr. McFee: — It's intelligence led. It's based on the day. It's based on where we're having trouble with traffic safety. So the point is, is to reduce the numbers provincially and each one of those parts of the province would be contained in the cities or in rural Saskatchewan.

Ms. Sarauer: — But — correct me if I'm wrong — these folks will now be doing more than just traffic safety, right?

Mr. McFee: — As I said, those four things in relation to that. Any police officer assigned to traffic safety will always do more than traffic safety.

Ms. Sarauer: — Has the ministry made any plans for any challenges that might result from officers having a wider area? For example, if an incident happens and a charge is laid and you have an officer who's from a different area who now has to travel to that location, that jurisdiction for that court matter, is there any plans within the ministry for how to deal with that sort of challenge that might arise?

Mr. McFee: — It's been happening since 2014, and you know, it hasn't been a big problem. But the reality is, is if an officer that lays the charge has to go to that place for court, that's the law. So it hasn't been a problem.

Ms. Sarauer: — Is it still required for the RCMP officer to lay the charge? For example, from my understanding, prior to this when a SERM officer, for example, would assist on a call, they wouldn't actually lay the charge. They'd wait for an RCMP officer to come to lay the charge. What is the thought? How is that operating with this? Can a CO [conservation officer] lay a charge? Can a highway traffic officer lay a charge? Can a — what was the other one? — traffic safety officer lay a charge in addition to the RCMP?

Mr. McFee: — They're all peace officers so they can all lay a charge.

Ms. Sarauer: — Okay. Is there any . . . I'm trying to relay to you concerns that I'm hearing from folks that — police officers, COs — that are concerned about some things with respect to the PRT program, one of them being concerns about paperwork and how that's going to work with the different levels of authority essentially, that'll be involved in this. So we've got traffic safety officers, highway traffic officers, COs, and RCMP officers working, and municipal police officers working together. So there's some concerns about how the paperwork is going to fall, is the best way I can describe it.

Mr. McFee: — So the best way to answer that is there's no intention of making SERM or highway traffic officers, police officers. So if they're first on the scene, they would hold the scene just like they would if they come across a bad accident. The police officer will carry the investigation, do the file. That's the nature of the work. In relation to whether they lay a highway traffic charge or a charge like that and they have to go to court, well that could happen now because they could do that today or yesterday. So I don't think there's any real issue around that.

And I think the other thing that I'd emphasize, as Minister Tell did earlier, when you get into rural Saskatchewan — and obviously in my background being a police officer and a police chief for several years — is those relationships of SERM and the RCMP have existed for a very long time. And they've backed up each other and they've helped each other at calls for many years. This formalizes the agreement.

And it's not just SERM helping the RCMP. It's also RCMP helping SERM because there's a lot of hunters out there with access to rifles, etc. that need that backup both ways. So it's a formalized partnership. They both are peace officers. They both have powers and authorities and it's just formalizing that.

Ms. Sarauer: — No, and I'm well aware of that. And I do know that the SERM officers and RCMP officers have been helping each other out for a while. There's some concerns, from what I heard, about SERM officers already having quite a large workload and some concerns about the addition that this might have to those officers.

I do have a question around access to CPIC [Canadian Police Information Centre]. Would all of those different levels,

different individuals now have access to CPIC? Because I don't believe, and correct me if I'm wrong, highway traffic officers would have had access to that prior to this.

Hon. Ms. Tell: — All of them would have access through the 911 centre if required.

Ms. Sarauer: — Okay. So they can have access through contacting . . . But that's different than, for example, an officer would have, an RCMP officer.

Hon. Ms. Tell: — Having direct access, yes.

Ms. Sarauer: — Okay. What about if an individual wants to lay a complaint? I understand and recognize what you've said already, Mr. McFee, that these individuals aren't police officers. But through the public's eye I don't think that they will be able to tell the difference. So if an individual needs . . . If a situation happens, an individual makes a complaint to police, we all know that process. What about all these other folks that are now getting involved in these instances?

Hon. Ms. Tell: — Well I think the accountability and complaint process with police officers, especially in the municipal sector, is pretty evident and well known. With respect to the SERM officers and the highway traffic officers, they are each subject to their own processes in their own organizations, and that will continue.

Ms. Sarauer: — Okay. So does the ministry have no plan for looking at that and determining if there's a more standard process that could be used for everybody?

Hon. Ms. Tell: — Currently probably more across Canada but I can speak specifically to Saskatchewan in that the RCMP, the complaints process is different than municipal police officers. So I mean it's governed by something totally different. So we already have two systems for two groups of police officers. These other officers are not police officers and hence are not governed by *The Police Act*.

Ms. Sarauer: — I recognize that and you recognize that, but I worry that the wider public will not be able to tell the difference. Is there a . . . [inaudible interjection] . . . Oh, sure.

Hon. Ms. Tell: — I'll just speak to that. If we find that that's an issue, we will definitely have to review it and look at it and we're more than willing to do that. At this juncture, just starting out with it, we'll wait and see. But we will deal with it if it becomes an issue.

Ms. Sarauer: — What's the . . . And I know we're early in this process but I'm curious to know what the ministry's sense is of how this will roll out in the long term. It feels like we're moving to something akin to a provincial police force. Is that something that the ministry's interested in moving toward, or what's the long-term plan for this project?

Hon. Ms. Tell: — We have, with this particular program, CTSS, PRT, the CSO program, the Community Safety Officer program, I think what you should be seeing and what we see is that we're bringing together groups or organizations or people that all have a common interest in protecting the people of

Saskatchewan. And now that we've got, you know, special codified programs that are interlinking with each other finally, I think we're going to see a more seamless and more comprehensive coverage in the province of Saskatchewan as a result of it.

We are looking at many, many things. We are looking at the Saskatchewan Police College. We are looking at the future of policing. We're not presupposing anything; however we are examining and looking at what is out there. And what is it? The people of Saskatchewan . . . What will best serve the people of Saskatchewan in the best way possible, the most efficient way possible? And you know, where the review will take us, where . . . The evidence coming out of these groups, CTSS and PRT, we're going to look at that. What is that showing us? And we're going to go where the evidence takes us.

And you know, I don't want to presuppose anything. I don't know where that . . . I have no idea where that evidence is going to take us. But we have to keep an open mind to this because it isn't about us. It isn't about government. It is about how all of this comes together for the safety of people that live in Saskatchewan, and visit.

Ms. Sarauer: — What about the need for continual recertification of these employees? What's the plan for ensuring that these individuals continue to have their certification up to date?

Hon. Ms. Tell: — With respect to the firearms training, that recertification, it will take place every year as it does for municipal police across the province. The recertification with respect to everything else will occur every three years, no different than what occurs through the municipal sector.

Ms. Sarauer: — Thank you. I'm looking at the recommendations that are in the rural crime report, and the first recommendation is to recommend the government communicate with the RCMP to ensure the province has a full complement of police officers. What sort of progress has been made with the RCMP on this issue?

Mr. McFee: — So in relation to that comment in relation to the RCMP, certainly we meet with them on a regular basis through our management teams. And one of our concerns is continually ensuring that they're managing their vacancy rates within what their national standards that they indicate, what Ottawa makes the decision. Our goal is to continue to push the RCMP to lower those vacancy rates. Obviously with a workforce as large as they are, there is going to be some vacancy, you know, for several reasons. But we are on top of this and we meet with them monthly in relation to where their vacancy rates are.

[21:15]

In addition to that, as Minister Tell had articulated, one of the things that we need to look at going forward, when she says a review of policing and the future of policing, is the value report. And what a value report is, is what is the value for not having a say on the vacancy rate? What is the value for not having 24-7 policing? What is the value, you know, to ensure that you're meeting the same goals and objectives? So that's something that we've clearly articulated to the RCMP. We continue to work

with them, and I believe we've brought those numbers down from . . . What are they at?

A Member: — 6.1 down to 4.9 for detachments.

Mr. McFee: — So 6.1 vacancy rate was at the time of that, and now it's down to 4.9. Our goal is to get it down further than that.

Ms. Sarauer: — Thank you for that. For the whole ministry, could you provide how many layoffs occurred over the last year and how many buyout packages were received?

Mr. McFee: — In the Corrections and Policing branch . . . I just want to confirm the numbers. We've had four severance packages over the past year, and in this year's budget we're increasing our FTEs by 133.3 FTEs.

Ms. Sarauer: — What about the Attorney General side? I know I'm jumping over to you but . . .

A Member: — Four is the total.

Ms. Sarauer: — Four is total? Okay, thank you. Thank you for that.

Minister Tell, I was at the SUMA [Saskatchewan Urban Municipalities Association] bear pit that the two of you were presenting at on February 7th, 2018. And at that bear pit you were asked a question about expanding the community work program for low-risk offenders, and you had indicated that you were going to do that. Where is that in this year's budget?

Mr. McFee: — So in relation to the progress in relation to Whitespruce, we had 14 people enrolled in the cooking program; 13 completed out of the 14. We had 46 enrolled in the construction program with 43 completing the program engaged in a partnership with Habitat for Humanity. And there's some good things that will be announced soon in relation to where that's transpired and what results we've got on that.

So we continue to progress in this, continuing for looking ways to expand, continuing looking for partners. And Habitat for Humanity has just been an excellent partner as a CBO . . . or so I guess it's not really a CBO, but it's been one of those partners in that community that's been very vital to the success.

Ms. Sarauer: — Can you elaborate a little bit onto what the plans are for expanding, in particular in this budget year, those programs?

Mr. McFee: — Yes. I guess the best way to answer that is to do as much as of it as we can. Obviously these things are cost-effective. They're proven to reduce recidivism. And there are some good success stories that people are coming out of these programs and they're going on to full employment. And I think we even have one story of a person becoming an entrepreneur, start his own company. So some positive things coming out. So rather than say how much of that we're going to do, as much as we can.

Ms. Sarauer: — I'm trying to look at my notes from last year. There was some talk about, now that we're on this, about

tracking the outcomes of these workplaces beyond their sentence and also tracking in particular those who are in CTR [community-training residence] placements. I believe, based on the discussion last year, that some numbers should be available this year, so could you provide them to us?

Mr. McFee: — So in relation to the 199 offenders that were accepted in the five reduced-custody facilities, 159 offenders completing their term in a reduced-custody facility followed post release, 10 were re-incarcerated within nine months, and 15 had charges pending, or 16 per cent. Two of the released offenders died during the follow-up period. So it does appear so far that these numbers are tracking positively, but obviously let's not . . . There's a lot of work yet to be done and if we can continue these trends it's a good news story.

Ms. Sarauer: — Are you able to track whether or not they were able to sustain employment as well?

Mr. McFee: — So this is obviously not a longitudinal study but for one month out, preparing offenders for release, 56 of the offenders were successfully employed one month out. And there's some real good news stories, individual stories, but the partnership with Habitat Humanity and, you know, if you put it in perspective they went from building small trinkets and birdhouses to actually building houses. So as you can imagine, it's one of those things that's progressing and we are seeing some trends for some employment.

Ms. Sarauer: — Thank you so much for that. I look forward to next year, if I'm critic, to ask some further questions on how those stats have been progressing along the way.

Being cognizant of the time I'm going to move on to STC [Saskatchewan Transportation Company] and the impacts of the wind-down of STC on the correctional system. I understand that last spring there was a working group that was created to come up with a plan for the ministry on how to get offenders home once STC's service had been shut down, because that's what was being utilized at that time. Can you provide us, now that we're a year, I believe, out of STC's closure, what has been the process for essentially getting inmates home after they've served their sentence?

Ms. Scriver: — Hi, Heather Scriver. Last year when we spoke about this, we talked about how posters were being put up in the correctional facilities. The case managers were meeting with the offenders upon release just to ensure that they were prepared, knowing that STC wasn't running anymore. So of course we allowed for assistance on a case-to-case basis.

But as of today PACC [Prince Albert Correctional Centre] spent about 24,000 last year during that transition, and the expected expenditure for this fiscal is \$5,000. Saskatoon Correctional Centre spent about 3,500 last fiscal on offender discharge and assisted transportation. Pine Grove: 65,000 last fiscal. Regina was 12,000 last fiscal . . . [inaudible interjection] . . . Yes, 6,500, pardon me. Not thousand, sorry.

So the cost incurred include like taxis, staff assistance if it was a short duration, Greyhound mostly — because Greyhound buses are still being used — and some airlines in remote regions. So last fiscal, we spent 35,000 on travel costs. And yes, the impact

was minimal.

Ms. Sarauer: — Do you have the stats of how many times a taxi was used, how many times Greyhound was used?

Ms. Scriver: — I don't have that with me, but I can sure provide it to you.

Ms. Sarauer: — That would be great. So just to clarify, this is upon request by the inmate? Or is this provided automatically?

Ms. Scriver: — They're aware of it. So it's on a case-by-case basis for assistance if they bring it to . . . or the case manager recognizes that there might be a hardship.

Mr. McFee: — It's also important to recognize that that 35,200 . . . We did spend money with STC as well, which, you know, so it's not a full increase of 35,200.

Ms. Sarauer: — What's being utilized for the northern locations, in particular, because . . . Is it exclusively airlines? Because I would imagine taxis wouldn't be available, nor would Greyhound.

Ms. Scriver: — In those situations we may deploy staff to assist with getting the offender home, but in the remote communities, airline is used.

Ms. Sarauer: — So those are stats that you would be able to provide later? Okay. Thank you.

[21:30]

I understand there's been an increase of a staffing complement for the correctional institutions. I believe you talked about that, Minister, in your opening remarks. Can you provide some more details?

Hon. Ms. Tell: — Yes. With respect to the 133.3, the pressures related to the high counts in our facilities were addressed with 11.4 million and 126 FTEs. This new initiative, and it was part of a bigger plan, was to address overtime, partially offset the pressure as well. The resources of 4.9 million and two FTEs are included in the '18-19 budget for rural crime initiatives. So do you want me to go into all this allocation?

Ms. Sarauer: — I suppose I'm more curious to know exactly how many new FTEs are going to be added to our correctional institutions.

Hon. Ms. Tell: — Well it's that number. It's 133.3, and it's a rebasing.

Ms. Sarauer: — Are you able to provide exactly how many, or has the ministry determined this yet, how many are going to go to which institution?

Ms. Scriver: — The process that's going on right now in the correctional facilities is we are reviewing the staff schedules to ensure that when we do identify how many permanent full-time staff we have, there's actually a post for them. So we're going to, once that number's established, then we're going to post the eligibility list so part-time staff can apply if they're interested in

a full-time position. But of course at that time we also have to ensure that our part-time staff are . . . there's enough in our part-time pool to still do the part-time work that's available.

Mr. McFee: — So just to add on what Heather has said there, is I think it's very important to clarify that, going forward, it's not the FTEs that we count. It's the number of hours that's doing the job. And the goal of this reduction or exercise is making sure that we have enough people employed so we can reduce the number of overtime hours. So we're paying them at regular rate versus time and a half or double time and overtime. So by this rebase it's given us a fair chance now to actually start to look at what the utilization rate is and pay it by the hour versus by the FTE. So it's been a real positive move for us to be able to operate and function based on hours versus FTEs.

Ms. Sarauer: — Are any of these new FTEs going to be program facilitators or something of that sort?

Ms. Scriver: — Absolutely. Yes.

Ms. Sarauer: — Do you know how many yet?

Ms. Scriver: — Not a firm number right now but we have identified certain positions within each correctional facility that will assist with the case management and our reintegration program.

Ms. Sarauer: — Have any of the space that was converted to dorms been converted back since, in the last year and a half? I'm thinking in particular to our last estimates and supplemental estimates that we had to do because of the space that had been converted.

Mr. McFee: — I guess the answer to that question is yes and no. There's been times when we go down but there's also times when we're doing renovations and doing some of our capital upgrades to these same facilities. So we haven't had to use any other particular aspects of the facilities. But some of these, you know, for instance, contingency spaces that have been used intermittently have certainly been done. But again, part of that is self-induced. And the reality is to do some of the renovations and some of the repairs that are required.

Ms. Sarauer: — I've been hearing some concerns still about wait times to see a nurse or a psychiatrist in the correctional institutions. Are you yet tracking the length of time it takes to be able to access those services, and if so, could you provide us with those numbers?

Mr. McFee: — So the answer in relation to tracking is yes. I'll go through these individually. So a GP [general practitioner] in Prince Albert is a wait time of one to two weeks; psychiatry in Prince Albert is one to two weeks; optometry is six months; dental is one to three weeks; harm reduction is zero wait; methadone there's zero wait.

In Pine Grove for a GP, it's about three weeks; for psychiatry it's 60 to 90 days; optometry there's no wait; dental is 60 to 90 days; and harm reduction is not applicable. Methadone, each client is seen within one month.

RCC [Regina correctional centre], a GP is 2.5 weeks;

psychiatry is three to four months; optometry is three to four months; dental is two to three months; no wait harm reduction; no wait methadone.

SCC [Saskatoon correctional centre], GP one to two weeks; psychiatry six to eight weeks; optometry six to seven months; dental three to four months; harm reduction one month; and methadone no wait.

So it varies by region and certainly is something that we track and pay attention to from the last time you had mentioned it.

Ms. Sarauer: — Thank you. I guess I'll start by asking, is it the case that when an inmate enters the system that they cannot access their medication until they . . . any medication that they may have been prescribed prior to becoming incarcerated until they see a doctor in custody? While we're getting organized, the concern I'm hearing is that there's a bit of a wait between an individual who has medication from when they become incarcerated to be able to get access to that medication again, that there's a bit of a gap.

Ms. Schnell: — Doris Schnell. So when offenders first come in in the admission process they are . . . It's a requirement for the nurses to do an assessment. When they do that assessment, if the doctors aren't, because the doctors are only around once or twice a week, they can make it . . . We have access to our doctors by phone as well, so they can call the doctor and ask for the medication. If that works out, they can provide it fairly quickly. Pharmacy has to fill it of course, so sometimes there's a little bit of a delay. In some instances the doctor doesn't want to prescribe the medication until they've seen the individual, and in that instance there is a little bit of a wait.

Ms. Sarauer: — So hearing a concern about inmates being able to access medication when they get moved to segregation, that they are sometimes removed from their medication and no longer have access to their medication while in segregation. Do you know anything about that at all?

Ms. Schnell: — Sorry, no, we're not familiar with that unless a doctor has made a decision to stop a medication. Those decisions are made by doctors, not by correction workers or supervisors or staff, right. Yes.

Ms. Sarauer: — I'll try to maybe get some more information and if I have more information I'll pass it on to the ministry at that time, if that's all right.

I know that there's a dedicated treatment wing in Regina Correctional. What else is there available in corrections for those who may be going through . . . I guess this is a separate question from that. Sorry, it's late. In particular, what is the ministry doing to ensure that those who are experiencing withdrawals, from whatever addiction they may be entering into the system with, are doing so . . . are experiencing those safely?

Ms. Schnell: — So we've always had withdrawal protocols that our physicians follow. But we have actually just this year, we've developed a standardized withdrawal protocol that is continuous from the community so that everybody in the community and the correctional facilities will be using the same withdrawal protocol. The only thing that will be different is the

doctors will choose whatever prescriptions are part of that. So there's a checklist that'll be implemented where their symptoms are actually assessed and then there'll be a response based on the level of severity, including up to and taking them to the hospital immediately.

We're just actually . . . We've piloted it once. We've made a number of revisions to it and it will be starting implementation at RCC and White Birch on May the 14th, and then the idea is from there to work out any bugs that we encounter. Sometimes the policy isn't clear enough or whatever. And then we'll roll it out to the other facilities. That one's specifically for opioid which is actually the most . . . And then we're going to also do one for alcohol withdrawal as well.

Ms. Sarauer: — Is there a way the public can get access to those policies or protocols? Is that publicly accessible, that information?

Mr. McFee: — It would be considered FOIP-able [*The Freedom of Information and Protection of Privacy Act*] and accessed that way. It's not something that, obviously, we advertise for some reasons, but for those that are interested it would be FOIP-able because it's the same as the health policy.

Ms. Sarauer: — I'm cognizant of the time. I'm wondering if we should move on to Justice supplemental estimates so that we can get those remarks on the record. Thank you for those responses . . . [inaudible interjection] . . . Yes, exactly. Next year I'll do Policing and Corrections first, yes.

Hon. Mr. Morgan: — Sure. I really don't have 40 minutes of it . . .

Ms. Sarauer: — Okay. I was hoping not.

**General Revenue Fund
Supplementary Estimates — No. 2
Justice and Attorney General
Vote 3**

Subvotes (JU08) and (JU03)

Hon. Mr. Morgan: — Mr. Chair, I would like to make a few comments regarding the supplementary estimates, which are a separate vote that's before the committee tonight. So I'm pleased to attend supplementary estimates debate today to provide you with information regarding the additional funding provided to the Ministry of Justice in March of the 2017-18 fiscal year. I will also be pleased to answer any questions following my very brief remarks.

The ministry required additional funding of \$10.1 million to support the expenses in two program areas. Court services received an additional \$4.8 million due to the court system experiencing higher than anticipated volumes and costs. Court appearances have increased by over 25 per cent over the last five years. Also included is \$2 million for bad debt expense associated with uncollectable fines. The Office of the Chief Coroner received \$5.3 million to establish a contingent liability in the accounting system, related to a civil jury trial. The decision is being considered for an appeal at this time. Statutory salaries for the Provincial Court judges were also higher than

anticipated.

That includes my opening comments and I would now be pleased to answer any questions that the committee may have on these additional costs for the Ministry of Justice.

The Chair: — Thank you, Minister. Ms. Sarauer.

Ms. Sarauer: — Thank you. I just have a few very short questions. Can you elaborate on what the \$4.8 million was used for, for court services?

[21:45]

Hon. Mr. Morgan: — We're joined by Glennis Bihun from court services. Glennis worked in the Ministry of Labour Relations and Workplace Safety and left that ministry to get away from me, and unfortunately it hasn't worked out too well.

Ms. Bihun: — And I'm back. Absolutely. So I just need to flip to a page here, if you can give me one moment.

So each year court services has experienced a number of pressures, often due to those areas that are court ordered, if you will. So I'll provide you, as I try to do some math in my head, some of the pressure points that we experienced in a number of those areas.

So psychiatric assessments is a pressure area for us. And there's additional spending in regards to . . . actual spending of 329,000 in that regard. Court-appointed counsel was 1.978 million, which was about a \$1.1 million pressure in '17-18. Transcript services was a pressure of about \$150,000. Bank charges was a pressure of about \$139,000. Our combined travel of CVA [central vehicle agency] usage and in-province travel was a combined pressure of about \$30,000.

The other pressure that is within those operating dollars is support for jurors and any expenses related to jurors. That was a pressure of about 200,000.

So I'm sorry. That math was in my head, so if it doesn't quite add up to the decimal point.

Ms. Sarauer: — There's no way I am capable of adding those numbers up at this point in time in the evening, so I'm just going to take your word for it.

When you talk about the pressure point around psychiatric assessments, it makes me wonder if there is any appetite within the ministry, are they looking toward expanding any of the therapeutic courts that are currently available and that are actually available in other provinces that aren't yet available here?

Hon. Mr. Morgan: — I think the immediate concern of the ministry is staffing up and getting ready for the hospital in North Battleford. Having said that, there's an increasing and I think it's a healthy focus on mental health issues. And I think it's something that we'll probably want to look at, at sometime in the reasonably near future. But as I said, the immediate focus is on North Battleford. But there's certainly merit to having further discussions in that area.

Ms. Sarauer: — Thank you. I am also curious and I had several questions about the support for jurors piece. Can you elaborate a little bit on what support is being provided, and if there is any appetite within the ministry to expand that as well?

Hon. Mr. Morgan: — Go ahead, and to the extent that your answer is defective, I'll correct it.

Ms. Bihun: — Fair enough. Fair enough. So effective December 1st, a juror support and assistance program was implemented that would provide all those who had served as a juror with access to professional counselling services, as well as those who had served as a pastor in the two previous years. They would also be able to apply and have access to those services. So that's certainly an important new support that's available to jurors.

The majority of the dollars that go for support for jurors are on those sustenance, travel, and other related expenses that are paid for them, in addition to the per diems for them to serve as a juror.

Ms. Sarauer: — Is the ministry reviewing the per diems, and is there any plan to potentially increase those?

Hon. Mr. Morgan: — There's some discussion at the present time that we should look at the adequacy of not only the per diems but also the travel costs and some public education as to what the roles and responsibility of a juror are, to make it so that it's easier to have people attend.

You will have noted from the publicity that's taken place recently, we empanel many more people than actually end up sitting. And a lot of them don't show and haven't been followed up on. It's a system where we go out and send out a lot more subpoenas than we ever did, so we think some public education might be beneficial. And then if we can get some public understanding on the rights of it, we might be able to adjust our supports. And we haven't undertaken that, but it's something that should be undertaken. So the concern you're raising is one that's valid and it's noted.

Ms. Sarauer: — Thank you. What services are currently provided to jurors who serve on coroner's inquests?

Ms. Bihun: — They are offered the same access to the juror support and assistance program which was implemented for those serving on both criminal jury as well as coroner inquest juries.

Ms. Sarauer: — Do they also have access to the same level of per diems and supports in that other respect as well?

Ms. Bihun: — They do have access to the same per diems.

Ms. Sarauer: — Thank you. I really appreciate that. Being cognizant of the time and my inability to articulate full sentences, I think it's probably a good point to wrap up.

So I will take the opportunity, before I get the mike stolen away from me, to thank the ministers for their thoughtful responses this evening, as well as the deputy ministers and of course the very, very many officials who I always love having the

opportunity, at least once a year, to get to see all of your faces. Thank you so much for coming this evening.

I think it feels like every year, it's a nicer evening. The weather gets better and better every single year that we have Justice estimates, but thank you anyways, regardless, for taking the time to be here this evening. As well as to the Chair and the committee staff and the committee members themselves for being here as well, and a special thank you to Hansard as always too.

Hon. Mr. Morgan: — Thank you, Mr. Chair. I would like to make similar thank yous to the Hansard, to the staff, the Legislative Assembly staff, the committee members, and yourself, Mr. Chair, the members of the opposition that were here and the officials that were here tonight, who have indicated earlier that they do not intend to put in overtime claims for any of the time that they spent either in preparing or being here. And I want to thank them. I noted by the number of them that each successive year that I come, there appears to be more and more officials that come, which perhaps says something about the level of support that I continue to need. Anyway, in any event, Mr. Chair, I want to thank all of them that came out. So much appreciated.

Hon. Ms. Tell: — And I'm not going to take as much time as my colleague, but I want to thank everybody for being here tonight. And it's great work. I know it's tough but it's needed. So thank you.

The Chair: — Well thank you. And seeing no further questions, we'll adjourn our consideration of vote no. 73, Corrections and Policing; vote 91 and vote 196, integrated justice services; and vote 3, Justice and Attorney General; and the supplementary estimates — no. 2 for vote 3, Justice and Attorney General.

This concludes our business this evening. And I would like to ask a member to move a motion of adjournment. Mr. Nerlien has moved the motion to adjourn. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried. This committee stands adjourned until Tuesday, May 8th, 6:30 p.m. Thank you.

[The committee adjourned at 21:55.]