



STANDING COMMITTEE ON INTERGOVERNMENTAL AFFAIRS AND JUSTICE

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**STANDING COMMITTEE ON INTERGOVERNMENTAL
AFFAIRS AND JUSTICE
2008**

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Mr. Trent Wotherspoon
Regina Rosemont

[The committee met at 20:00.]

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

Subvote (JU01)

The Chair: — Good evening, ladies and gentlemen. The first item of business is the estimates for the Ministry of Justice, and they are found on page 109. So I'd ask the minister to introduce his staff and then if he has any opening remarks

Hon. Mr. Morgan: — Thank you, Mr. Chair. I have a number of officials that are with us tonight. I have the deputy minister and deputy attorney general, Doug Moen, and the executive assistant to the deputy minister of Justice — Doug Moen and Lee Anne Schienbein at the table.

In the back of the room is Ken Acton, acting assistant deputy minister of courts and civil justice; Dave Wild, who is the Chair of the Saskatchewan Financial Services Commission; Al Snell, who is the chief executive officer of the Saskatchewan Legal Aid Commission, and this is his first time through budget so I'm anticipating that the opposition members will be especially aggressive with him. Darcy McGovern, who is Crown counsel, public law division; Dean Sinclair, director of appeals, public prosecutions; Dale Tesarowski, Crown counsel, policy planning and evaluation; Gerald Tegart, executive director, civil law division; Jan Turner, executive director, community justice division; Linda Bogard, executive director of court services; Lionel McNabb, director of family justice services; and Gord Sisson, director administrative services. And I also have got some other officials. I've got Ron Kruzeniski who is the Public Guardian and Trustee, and I have some others outside, Mr. Chair, that will be called as required.

I'd like to provide you first with a brief overview of the Ministry of Justice and Attorney General and its 2008-2009 budget. The responsibilities of my ministry cover a wide spectrum of the overall justice system. We administer the criminal justice system including the operation of the court system, providing support for the judiciary, and prosecution of crimes.

We also support community-based programs that deliver alternative measures and crime prevention programs and the development and delivery of other community-based justice initiatives. We support victims of crime through victims services programs.

We also fund the Saskatchewan Legal Aid Commission, the Human Rights Commission, and other independent boards and commissions. We provide legal and policy services to government including serving as the government's official legal adviser and representing the government before courts and tribunals.

We play a key role in regulating the marketplace to safeguard consumer and public interest and support economic well-being. We provide mechanisms for resolving social conflict to ensure that people do not turn to socially destructive ways of dealing

with their issues. We respond to the legal and social needs of people, particularly those in vulnerable circumstances and those involved in family disputes.

By way of a budget overview, I wish to advise that Saskatchewan citizens have a right to feel safe and secure, and the Saskatchewan Party government is committed to making our communities safer. And that's why in this budget we are ensuring that there are programs in place to protect the public and to reduce criminal activity. We are pleased to support Justice programs with an investment of more than \$131 million in 2008-2009. The increase of \$2.9 million is 2.3 per cent higher than the previous year's budget.

The implementation of the Regina domestic violence court will emphasize healing and offender accountability. The court will work to increase the safety for victims of domestic violence by focusing on creating permanent changes in the behaviour of offenders. The budget provides \$430,000 for the implementation of a domestic violence court in Regina and support for the existing courts in Saskatoon and North Battleford.

To address workload issues in public prosecution, this budget provides additional three prosecutors. Two of the new positions are assigned to relieve docket court pressures in Yorkton and North Battleford, and the third person is dedicated to the Regina domestic violence court.

The budget for the Saskatchewan Legal Aid Commission increases by \$854,000 to support the commission's ongoing operations and to provide a dedicated lawyer to participate in the Regina domestic violence court. As well an additional \$450,000 is transferred from court services budget, as Legal Aid will now manage the administration of court-appointed counsel services to young offenders.

Capital funding of \$3 million will allow us to expand video conferencing to assist in the efficient operation of our courts, continue the planning process for the renewal of court facilities in La Ronge and Saskatoon, and implement other enhancements in various court points.

As promised by the Saskatchewan Party during the last election, the victim surcharge will increase July 1, 2008 to ensure victims of crime are provided with the programs and services they need.

I look forward to answering your questions about the 2008-2009 budget for the Ministry of Justice and Attorney General. Thank you.

The Chair: — Thank you, Mr. Minister. We'll now go into the questions and we'd ask for the people on the microphone to say their names, so for the records they know who's speaking. And we'll first go to questioning and Mr. Nilson is going to questions first. I recognize John Nilson.

Mr. Nilson: — Thank you, Mr. Chair, and welcome everyone this evening. I look forward to a fruitful discussion about quite a number of items.

The first question I have is I think fairly simple. But what I

would really appreciate receiving and I think the public would like to hear about, what kinds of changes or adjustments have been made to the department with this budget and with the reorganization in government? I think it's substantially the same as what it was last year, but I note that the notes in the budget actually describe some things that have been moved either in or out of the department.

Hon. Mr. Morgan: — Thank you. The restructuring of the new government was dealt with. Policing no longer being under this ministry, and the Farm Land Security Board is gone to Department of Agriculture, and Surface Rights Arbitration Board has also gone there as well. Or to . . . Sorry; pardon me. Surface Rights Arbitration Board has gone to Energy. Other than that, the main functions of the ministry have remained the same.

Mr. Nilson: — Did the budget amounts go to these other departments, or did you get to keep the money?

Hon. Mr. Morgan: — As much as I would liked to have kept the money, and I can assure you I would have put it to good use, the money went with the agencies that left.

Mr. Nilson: — And I guess, in that vein, do you have service contracts so that you actually provide the administrative support for the policing area, given that it's been dealt with for such a long time within the Ministry of Justice, or is that something that's still in transition?

Hon. Mr. Morgan: — No, I think the transition portion of that's completed. The administrative staff that were in Justice have now gone over and are now working in Corrections and Public Safety and Policing. We're sharing office space, and there's some things where there's some significant overlap. But the cost of those people has been transferred to the other ministry and those people are now employees of the other ministry.

Mr. Nilson: — So there is shared office space so that, as far as the public's concerned, they wouldn't actually be able to see the differentiation between the Corrections and Public Safety and Policing department and Justice as it relates to the policing part?

Hon. Mr. Morgan: — I'm going to let the deputy minister answer that. And when you asked about the list of things that were there, I missed one and I thank the deputy for giving me. Police Complaints Commission also is gone as well. No, we've retained police complaints, and that's the one portion of policing that we have retained. I'm sorry.

Mr. Moen: — Doug Moen. I think it's fair to say that, you know, policing has quite clearly gone to Corrections, Public Safety and Policing. They are though on the same floor with the other members of the community justice division. You know, we interact a lot but we always interacted a lot with Corrections and Public Safety. So you know, it's a different ministry, but there's lots of connection and partnership between the two ministries.

Mr. Nilson: — And I guess you can tell some of my questions come from having all of these things together. And so I assume

that that concept from quite a number of years ago was that the community . . . or the corrections and public safety issues all fit together quite nicely in the Ministry of Justice. So it sounds like that's kind of how you operate but in two separate departments.

Mr. Moen: — You know, we meet constantly. We have a joint policy committee. We've done a lot of things by way of shared services. And in terms of, you know, just because we still . . . They have policing, but we have police complaints. We're meeting quite a bit to deal with various issues. If a particular police complaint arises, we're discussing about that with the other ministry. So there is a lot of connection between the two, and it seems to work reasonably well.

Mr. Nilson: — Now I think I'll be jumping around a little bit here, but I think I'll ask some questions that involve the administration of justice. How many employees have been terminated since November 21 in the Ministry of Justice?

Mr. Moen: — In terms of transition, there's one employee that was terminated as a result of transition. In the budget there were two positions that were abolished, which one was an in-scope position and one was a contract position. I assume you're not talking about for cause, things that happen in the normal course. So there was three — two budget related and one related to transition.

Mr. Nilson: — And from what you said, one was in scope and two were out of scope. Is that . . .

Mr. Moen: — No. One was out of scope, one was in scope, and one was a contract position so it was, you know, I suppose you could call that out of scope.

Mr. Nilson: — Yes, okay. And did these create vacancies so that they've been filled since November 21?

Mr. Moen: — The two budget positions were abolitions, so the positions were eliminated. And the one position that was related to transition did create a vacancy, and that position has been filled by an internal candidate, yes.

Mr. Nilson: — By an internal candidate. So basically the transition part has been completed as it relates just to what happened with these employees.

Mr. Moen: — Yes, it was all completed. It was all completed before the end of the fiscal year, yes.

Mr. Nilson: — With the positions that were deleted in the budget, what kind of positions were those?

Mr. Moen: — One was a contract position in drafting. It was a clerk steno position. And the other position was an in-scope position connected to the Humboldt Court House. You know, the Humboldt Court House; we have ceased service in Humboldt, and it was the position there.

Mr. Nilson: — So this was part of long-term plan in a way.

Mr. Moen: — Yes, I think that's fair. You know, there has been some other closings over the years of the courthouses as work decreased in those courthouses.

Hon. Mr. Morgan: — I think it's fair for you to know that there is an increase of full-time equivalents and that there is a 1.4 per cent overall increase in full-time equivalents.

Mr. Nilson: — And does this include the new prosecutorial positions?

Hon. Mr. Morgan: — They do.

Mr. Nilson: — Yes, so that there's been some adjustment within, in the court side, that's dealt with over then with the number of prosecutors.

Hon. Mr. Morgan: — That's correct. I can give you a brief snapshot of that if you like. Within court services there was four and a half positions for the implementation of, for the perimeter security initiative, which you're likely aware of; 2.0 positions to take over Prince Albert court and prisoner security from the RCMP [Royal Canadian Mounted Police], one position for the Regina domestic violence court, three full-time equivalents as a budget rebase, and a reduction of one position in Humboldt; and the one vacant position.

There is two positions for docket court in Yorkton and North Battleford as I'd mentioned, one position for the Regina domestic violence court, and two full-time equivalencies of budget rebase. Other minor adjustments — one position as a Regina domestic violence court coordinator, two positions for securities fraud investigators with Sask Financial Services Commission, one position in the minister's office as a budget rebase — and there's an offset by a reduction of one position in the Provincial Mediation Board — one position in public law for the term employee, one position in the deputy minister's office, and two positions for the coroner's program for south regional office.

Mr. Nilson: — The people who were terminated, have they completed their severance packages or is that still being negotiated?

Mr. Moen: — Yes, they're complete.

Mr. Nilson: — And this was all completed by March 31 so that ...

Mr. Moen: — Yes, the contract employee is, you know, working notice so that individual continues to work but the other two, they're ... Well in the case of the Humboldt Court House, the Humboldt Court House will continue to be open but there's an agreement or understanding around severance pursuant to the collective agreement. And then the individual who was out of scope, all those arrangements have been made and, you know, money's been paid and so on.

Mr. Nilson: — The reason I ask that is that it appears in some departments they've tried to estimate what the costs are and spread it over. But you don't have that particular problem this time around.

Mr. Moen: — No, that's right. It's very clear what the cost is.

Mr. Nilson: — How many positions within the department have been designated as positions that would be covered by the

essential services legislation?

Hon. Mr. Morgan: — We're not aware of what the final draft to the legislation might look like. There's amendments that are under way so we're not sure how it would affect it. We know that there's certain essential services that we have to maintain, but we're not in a position to put a number on it at this point.

Mr. Nilson: — And from that answer, then does that mean you're still working on the regulations or is it going to be in some other way that those positions are defined? I assume at some point you will know in the Ministry of Justice what positions are affected.

Hon. Mr. Morgan: — Our intention would be to wait and see how the legislation appears in its final form and whatever House amendments come forward. One of the things that we would be concerned about would be disruption of the courts, so those type of positions would be problematic to lose. If you have, say, an overnight arrest and you need to prepare the charge information for the next morning and have access to the computer system to produce a criminal record so that a person's release provisions could be dealt with, that would be the type of service that we would expect to have to continue to provide, as well as other services relating to the transportation of prisoners, etc.

Mr. Nilson: — Is there or has there been a request from the Ministry of Labour for the positions that are located in your department?

Hon. Mr. Morgan: — I understand from talking to my deputy that there's been some discussion with PSC [Public Service Commission]. There's been nothing formally that's come to my office asking for that information, and at this point would be surprised if it did come forward until the legislation is finalized.

Some of the other ministries may have chosen to identify things that they regarded, and in those cases it may be, it may be easier to define. I know that within this ministry until we know exactly how the legislation's going to ... We'll want to wait and see how that happens before we give a firm number.

Mr. Nilson: — Have the Justice officials been involved in finalizing the legislation that's going to appear here in the legislature or, I guess, the regulations subsequently?

Hon. Mr. Morgan: — My understanding is the regulations, I don't think, have been worked on yet at all. And I know there's been some ongoing discussions regarding the legislation itself.

Mr. Nilson: — Okay. I have a general question, and I'll ask it and then you'll see why I'm asking this. But one of the things ... Obviously as a member of the previous government, I served as Chair of the legislative instruments committee. And my question is, is there a similar cabinet committee that operates now such that legislation and regulations and other things are reviewed prior to them being presented to the cabinet?

Hon. Mr. Morgan: — There is not a committee by that name, and nor do I anticipate there will be. There is a planning and priorities committee that's sort of in the early stages of its work

and there'll likely be a caucus committee that will deal with legislative instruments. But that is not in place at the present time. And right now the work is being done directly either through cabinet or through the ministry.

Mr. Nilson: — So something like the essential services legislation would not have had another review prior to it being presented to the House.

Hon. Mr. Morgan: — Legislation right now does go to a standing caucus committee for review and input from caucus at this point. And I would believe that all of the pieces of legislation that have been tabled in the House would have gone through that committee.

Mr. Nilson: — For the legislation that you've presented in the legislature, which you probably have presented more than any other minister so far, can you say that all those pieces have been reviewed in that process?

Hon. Mr. Morgan: — I believe all of the ones that I've presented have, although there may be . . . I'm trying to be accurate. There was a Bill we introduced today on statutes and an updating of that, and that was one that came forward from the ministry. And I don't believe that one went through the committee. We regarded that one as being an overdue routine or housekeeping one. It's An Act respecting Revisions of Statutes and Regulations.

Mr. Nilson: — Well just while we're on this particular topic, it has come forward as a regular review item. Is this legislation the same as what would have been introduced perhaps in 1976 or '77 to create *The Revised Statutes of Saskatchewan, 1978*?

Hon. Mr. Morgan: — I would imagine that it would be similar, although you're going back during the time when I was a summer student on buildings and grounds. I don't have recollection. Mr. Moen would have been, at that time, been a young pre-law student who had hair. But we suspect it would be the same.

One of the things that we would want to achieve, and this is a recognition of the fact that a lot of the information is provided online now, so we would consider something that would include a provision that the online versions would be deemed to be accurate unless evidence was introduced to the contrary. Because that doesn't exist right now.

But the process would be the same end result as what would have taken place with the 1978 one, where it would be all of the Bills would be referred to as the revised statutes of Saskatchewan, 2008 or 2009 or whatever year the legislation became finalized for that. That would be the end . . . The end goal would be to produce that and to go through and look through each piece of legislation for consistencies, references to other pieces of legislations, whether there's gender neutrality, and other inconsistencies with other pieces of federal or provincial legislation.

Mr. Nilson: — Well it's a very laudable project, and I know it probably will take some time. Can you give me an idea of what the timeline is till we obtain the final product?

Mr. Moen: — It's going to take a year and a half to two years. It'll be a fairly significant piece of work.

Mr. Nilson: — Is there any line item in the budget that covers this such that it requires more staff to do this, or is that going to be covered next year? Or how is this funded?

Hon. Mr. Morgan: — We have not included anything in this year's budget, but it may be something that we can absorb some of the costs within the department. But there will be a fairly significant cost and it will require some additional staff being . . . And I don't know whether the deputy can be any more specific than that, but there would be at least one full-time person, if not more, required to try and assemble everything and work through.

Mr. Moen: — Yes. It's estimated that it would cost about 250,000, 275,000 over the life of a range. But it'll involve a drafter and an editor and that sort of thing. There's some translation costs obviously with some of our statutes being in both English and French.

Mr. Nilson: — And what would the . . . Or has the project started already or which . . . I mean in a lot of ways it has because the legislation is there, but is there a definite start time? And the finish time is about two years, I would guess.

Mr. Moen: — Once the legislation's passed there will be a governance process established, a committee that I'll chair, that will begin the work of identifying what all needs to be done. And that will be what will be accomplished during the early part of this fiscal year, is getting sort of the basic framework of the project set up. And then, you know, it'll take off from there.

Mr. Nilson: — Does the budget include having an advisory committee or a team of people from the Canadian Bar Association involved in this project at all?

Mr. Moen: — I mean it doesn't formally include that kind of a process, but as you'll recall from, you know, the relationship that we have with the Canadian bar, everything that the Justice ministry works on in terms of legislation will have some interaction with the Canadian bar. So we'll certainly find a way to do that, but, you know, a lot of it travels into the housekeeping side of things and, you know, we trust we won't have to be making a lot of substantive legal changes in this project.

Mr. Nilson: — Okay. Thank you very much.

Hon. Mr. Morgan: — The purpose of it is not to have any policy or legislative changes within it. It's housekeeping by nature, so I suppose we would welcome input from the Law Society, the Bar Association with regard to how the statutes might be utilized, compiled, whatever else, from a process point of view and anything. The point's well taken and we'll ensure that happens.

Mr. Nilson: — Thank you. No, I think you may also want to see if there are other users of legislation like law librarians or legal firm librarians — not just in Saskatchewan but across the country — because I know that the way the world has changed people like to have sort of instant access to Saskatchewan law.

And I know, I heard in your speech earlier today, that one of the reasons for doing this, which I applaud, is making sure that Saskatchewan doesn't have any business impediments as it relates to access to information about our laws.

Hon. Mr. Morgan: — We take a great deal of pride in the work that the Queen's Printer does in having the statutes available online, and in a good index. I've tried to look for things in some of the other jurisdictions, and I think our staff at the Queen's Printer are to be commended. It's available online and easy to find and at no cost to the users on it. It's a service that's subsidized by its sale of the hard copy versions of the documents, and it's I guess our hope that there is enough hard copy sales so that we can continue to provide it at a no-cost basis.

Mr. Nilson: — Thank you. Now when I go back to the legislation review committee issue, it sounds to me from what you've said that there are a number of different ways that legislation can come forward through ministries to the legislature. And I assume, although I haven't heard, that there is some kind of control that's provided by cabinet. But it seems like there's a number of different ways that legislation can come forward. Can you explain how that works? We have about 30 Bills now, and it strikes me that maybe there's a number of different ways that they've shown up there.

Hon. Mr. Morgan: — Well to be candid, that some of them were Bills that were at a draft stage prior to the last election. And I think Mr. Quennell earlier had been wanting to take credit for the ones that were there and we're sort of prepared to acknowledge that those Bills were in place before. Some of them would be things, you know, relatively straightforward ones dealing with . . . Changes to The Consumer Protection Act was one that was in place before, that had come out before. Enforcement of Canadian judgment was one that came from Uniform Law Conference. Administration of estates was one that was sort of a housekeeping one that was there.

So that's the type of things that have come up from within the department, and then some of the things came as direct cabinet decisions as a result of election commitments. That would be things like the fixed election dates Act; that's pronouncing it correctly this time. Those are some of the things as they're coming forward.

I have at the table Darcy McGovern who can give an indication, if you wish, on the technical process. I'd be glad to let him answer.

Mr. McGovern: — Thank you, Mr. Chairman. To the member, my name is Darcy McGovern. What is being proposed, if you will, as a parallel to the process that you were more familiar with prior to the change in government, is a standing policy committee process whereby, rather than one committee, subcommittee of cabinet which would deal with all legislation, that there would be subcommittees with area-specific expertise that would look at the Bills at initial stages presented by the ministry, in a similar fashion for policy approval.

And after the first policy approval, approval by cabinet. Then return to it with more of a line-by-line with respect to specific legislation. And so that's been proposed as the process that

would be going, that would be, if you will, substituting for the process that you had described on a go-forward basis.

Mr. Nilson: — Well I appreciate that explanation because I was trying to figure out. I dug out from my library . . . And everybody knows how much stuff I have in my office. But I was quite pleased to see, in a way, that the process used during the '80s as set out in the 1990 edition of *Executive Government Processes* at a legislation review committee, an order in council review committee, and others. And that in a lot of ways, I assume that may have come based on things that had happened in the '70s. So then obviously for the last 16 years we've used a legislation review process that actually learned a lot from what had been developed during the '80s as well. So I appreciate hearing what some of the plans are here.

My question, I guess, and the reason I'm asking this is that it appears that some of the difficulty that we've been having with a few of the pieces of legislation in this session relate to the lack of a structure right now that allows for some of the policy issues to be hammered out before it shows up here. And you know, we see that with amendments that are going to come, like you've indicated on some of the essential services legislation.

So I have a question. On the essential services legislation, did the Justice lawyers prepare the first draft of that legislation?

Hon. Mr. Morgan: — All of the Bills that have been introduced have been prepared by the Ministry of Justice, by the legislative drafting division. If your question is, were any of them farmed, none of them were.

Mr. Nilson: — So none of the legal work around any of the Bills was farmed out. And I'm pleased to hear that because I have a great deal of respect for the people who do that work . . .

Hon. Mr. Morgan: — Insofar as drafting, that's the case. Now there certainly may well have been consultation within other ministries with, you know, if they chose to retain external counsel. But insofar as the drafting goes, the drafting was all done by my officials within the legislative drafting division.

Mr. Nilson: — But from what you answered before, the discussion around the drafting and then the development of the policy, doesn't appear there's a structure to do that very well right now and that that's what you're actually working on to fix.

Hon. Mr. Morgan: — Well I'm not sure I accept the premise that's there's a problem with it. What I've indicated is that there is a variety of different sources where legislation can come forward. It could be a cabinet initiative because of an election commitment. It could have been something that was part way through a consultative process within the ministry before. Or it could be something that may well come from a policy committee, or for that matter, a private member's Bill.

Mr. Nilson: — Yes. And I think you understand why I'm asking these questions. Now did that essential services legislation have . . . or was this essential services legislation part of a consultation with the Canadian Bar Association legislative review committee prior to being introduced?

Hon. Mr. Morgan: — The process then again would be for

Justice Bills. This is a piece of legislation that would not ordinarily be subject to a Canadian Bar Association consultative process. This particular piece of legislation would have been drafted by the ministry officials. There would have been a cross-jurisdiction reference prepared so that they knew what was taking place in other jurisdictions and there would have been some notes prepared and some discussion that would have taken place with the ministry that introduced the Bill.

Mr. Nilson: — And so from what you've just described here, are you describing a normal cabinet process where all the options would be laid out with the pros and cons of doing whatever was in the legislation so that you had the advice from department officials and Justice officials as you moved forward?

Hon. Mr. Morgan: — Well I'm not sure of the cabinet process prior to November 7, but I can tell you that since November 7 the practice has been that items come forward for a cabinet decision with a briefing note prepared by the ministry officials, and recommendations and options are put forward usually with a draft and a recommendation. And I think that's what took place in this instance.

Mr. Nilson: — Now you said you think that's what took place with this one? Or maybe can you tell us what happened actually?

Hon. Mr. Morgan: — Tell you what happened with regard to which?

Mr. Nilson: — With respect to this essential services legislation. Did it come forward in a normal cabinet process, or did it come from one of these other tracks that we've been talking about for legislation?

Hon. Mr. Morgan: — It certainly passed through cabinet in the ordinary processes that pass through cabinet. Now I can tell you that it was drafted by the ministry officials and then was presented to cabinet for a decision item. And what took place between that time that it was drafted or what other consultations took place, you would have to ask Minister Norris.

Mr. Nilson: — Okay. Now so you said before that all of the Bills were drafted by the Justice lawyers, but now you've just said that it was drafted by the department officials.

Hon. Mr. Morgan: — No, it was drafted by the ministry officials in the legislative drafting and then . . . but it was drafted for Advanced Education, Employment and Labour.

Where they consulted or what they chose to do with the Bill or whatever other decisions they may have chosen, what they've done with it since that time by way of discussion or whatever, I don't know. But they would have prepared the information as it was . . . before it was presented to cabinet because it was presented by that minister.

Mr. Nilson: — Well I'll ask you another question then. As somebody who's spent many years around the cabinet table and looked at many, many documents, the first place that the ministers who have been there for a while would go was immediately to the consultation page where the department

would have to tell us who they'd talked to and what their reactions were.

Was that part of the cabinet document at this particular instance?

Hon. Mr. Morgan: — I'm not prepared to have any discussion about the cabinet decision or the cabinet document. What I can tell you is that my ministry officials prepared the Bill and that it was dealt with at cabinet in the usual manner.

Mr. Nilson: — Okay. And from what we've heard before we were talking about this Bill, that the usual manner right now doesn't have a lot of steps that were there during the '80s and '90s and in the last number of years because they're still being developed.

Hon. Mr. Morgan: — We have a process that we went through with this Bill and that we've gone through with other Bills. And I can't comment on what took place prior to November 7, but I know that this Bill went through the ordinary and usual manner when it came forward.

My ministry drafted the Bill. Minister Norris would've dealt with the Bill and whatever processes that he felt were necessary for input. And then the Bill came forward to cabinet in the ordinary course.

Mr. Nilson: — Okay, I accept that, but I think from what I've heard over the last half-hour, there is work being done to get a process in place that allows for the kind of oversight that's necessary to prevent the kind of confusion that we've had around this particular Bill, and I applaud that. And you have very many good people within your department that help you set up those processes. And the sooner that happens, I think, the better for all of us because then it's clear where the consultations have taken place, where they haven't taken place, who's involved in actually preparing the documents, who's not prepared, and . . .

Hon. Mr. Morgan: — Well I can tell you that the job of my ministry is to draft the documents and to provide legal advice. That's what we've done with this particular piece of legislation, as we have with each and every other piece of legislation that's put forward.

We have different consultative processes, and we'll probably develop and change things, but that's not an indication that we've got any particular problems with it. I mean, that's the role of the legislature and the people in this Chamber is to raise issues and to propose amendments or suggestions. And we welcome input from members in this House on both sides and from members of the public. And we've received input on it, and we've acted on that. And we have changes that are coming with regard to this legislation.

Mr. Nilson: — So it's my understanding . . . I wasn't in committee, but my understanding that there were amendments brought forward for The Trade Union Act, and I'm not sure if it's the same with the essential services Act. But are these amendments being brought forward now because there wasn't the process of screening that would've dealt with this earlier? Or are we changing things on the fly? Or have new issues

arisen? I mean, it's fairly frustrating to spend a lot of time and effort on a Bill and then find out that maybe the policies haven't been nailed down to start with.

Hon. Mr. Morgan: — We have policies and we have practices that we put in place. I'm comfortable with the policies and the practices that we put in place. What you should do though is you should ask Minister Norris what consultative process he went through and what his logic and what his rationale is for everything that got there.

I know that my ministry acted as it would on any other piece of legislation. They drafted the legislation and they prepared, they prepared advice.

Now over the years — and I've only been here for . . . this is my fifth year here — there's been a number of Bills that have been introduced that cannot go forward because there was changes, issues that arose, discussion that took place. And I think it's very appropriate to get a Bill to first reading stage and then you receive a lot of input at that point in time. And I think it's an indication of a government that's willing and open-minded and receptive, that it's willing to hear from the public and from various entities and to make changes to the legislation. And I'm sure that was the direction that will take place with Bills 5 and 6.

Mr. Nilson: — Well I appreciate that comment, and I know you've had my praise on the process around the replacement of the Human Rights Commissioner which showed up your seatmate in kind of the process he got himself involved with as it relates to the Labour Relations Board.

I think that there was and still is an opportunity to take these pieces of legislation that have broad-ranging effects and in fact even from what we heard earlier in the Ministry of Justice around which jobs are essential or which ones aren't essential, that it probably would be best for the whole province if we had a chance for sessions like this with many of the people who will be affected by the Bill, so that we can do what you just said, which is get the best legislation built around the policy which clearly is the new government's policy. So it's still possible to do that and not end up taking that much more time in bringing legislation like these two particular pieces forward.

Hon. Mr. Morgan: — If members of your caucus or members of SFL [Saskatchewan Federation of Labour] or whomever wish to make comments on the Bill, we would be welcome to hear those comments — or if somebody wants to send us a brief. But what we will not do is delay them beyond this session. It is our intention to come out of this session with both Bills 5 and 6 passed into law. My government made a commitment to that prior to the election and these Bills will come into law this session.

So if we're going to have changes and you wish to have some input into them, we would welcome whatever information you want to put forward. But one of the things we will not be doing is we will not be delaying them. We will not be having hearings in policy field committees. We will not make a reference to the Court of Appeal for an interpretation on anything. These Bills are going forward. And if people want to have some input to them, we would welcome it and they're welcome to send us

their material at any time they wish. But come the end of this session, these Bills will be passed into law.

Mr. Nilson: — Yes. Could the minister please provide me with information as to when the commitment was made before the election for essential services legislation? I think it was quite clear from everything I heard that this was not a commitment of the government.

Hon. Mr. Morgan: — I've indicated that those were commitments that we made. Those are commitments that we are going to fulfill.

Mr. Nilson: — Well my question is, when was the commitment made and how?

Hon. Mr. Morgan: — Well I think the Premier has made a commitment on this and it's my intentions to ensure that both of these Bills get dealt with in this Chamber and that they get passed.

Mr. Nilson: — Well I'm just challenging what you said because I don't think the public of Saskatchewan understood that these kinds of things were a part of the agenda of the new government, especially given the comments made by the minister, the now Minister of Health and others that oh no, we're not interested in this.

So I'm surprised that you would be so strongly stating that and it's why I've been asking these questions around the process, because it strikes me that there was either a process that's been going on for quite a number of months and so that . . . but the public wasn't told, or that a lot of work was done in November so that you were ready to introduce these Bills in December.

Hon. Mr. Morgan: — With respect, we've dealt with the issue of the things that you're raising. We've dealt with those at some length in question period and what we're here for tonight is dealing with budget estimates. And I've answered the questions with regard to the process, what we've gone through, and I've given you my indication that these Bills are going, are going forward. I don't think we serve any great purpose by rehashing question period.

Mr. Nilson: — Well I think this is a place where we can ask questions and try to get some answers around the process. I think the reason that I'm asking these questions and asking them is that I think Saskatchewan people were surprised when these Bills showed up in December, given what we had heard over the last couple of years.

And so I've been asking quite a few questions as it relates to the Ministry of Justice and the processes that are involved to create legislation because, obviously, people worked very hard in the end of November and early December to have these things ready. And I guess what I've heard you say is that, well, the technical parts, the actual drafting of the words, that was done by the Justice lawyers, but the policies were dealt with by presumably the Premier's office and the other ministry.

So you also just said that one of the positives that came out of sessions over the last four or five years that you've been here in the legislature was that through public discussion better

legislation was prepared after hearing things that the public would comment about the legislation. And then just shortly thereafter you say, well I don't care what anybody says. We made this commitment. We're going to do this. It's going to be done by May 15. And it just doesn't fit.

And, you know, we've been involved in the legal profession in Saskatchewan for a long period of time — both of us — and I'm just a little concerned that the reasonable perspective around going forward with legislation, which I know that the ministry is there, and I think the Minister of Justice seems to get a blind spot as it relates to a couple of things. And I don't think that's healthy for legislation in Saskatchewan.

Hon. Mr. Morgan: — Well you're certainly entitled to your opinions. We've indicated that we're going ahead with this legislation and we're going ahead with the legislation in this session. If you have other questions about the process that took place as far as consultation or the broad policy behind the legislation, I think the proper forum for that to be raised would be in estimates with the Minister of Labour.

The Chair: — Okay. The Chair recognizes Ms. Higgins.

Ms. Higgins: — Thank you very much, Mr. Chair. Minister, I just want to step in. I know Mr. Nilson has a number of questions to ask. But when we're on the whole piece talking about drafting and where the legislation has been put together, one piece that raises a number of concerns is Bill 6, which is the changes to The Trade Union Act, which, when tabled in the House — and I take your word for it; it was written by Justice and legislative drafting; that's fine — but when the legislation was tabled in the House it was not compatible with the message that was being put forward by the minister when it came to the number of Chairs on the Labour Relations Board. So the intent of the minister and the legislation itself did not meet the same expectations.

So I guess it raises a number of questions. And what we have seen since — that this has been brought to the attention of, I would assume, the minister — is that now we have Bill 22, which is The Trade Union Act amendment 2, to be tabled, second one to be tabled this session, which then brings the legislation in line with the views of the minister or the comments of the minister.

So then the concern is, is it poor drafting? And I don't want to offend anyone that works in this area. Is it changing direction on the fly? That's the concerns. What's wrong with this process? And why isn't this process working? The Trade Union Act is fairly straightforward in the changes that are being proposed. So Justice somehow didn't draft it appropriately or the message from the government changed in the midst of the legislation being tabled. That's where the concern comes.

And when we're seeing amendments coming in this quickly without a broad consultation done and then a bit of a heel-digging-in and saying, well this is what we committed to and this is where we're going, it raises some concerns. And I think that's why Mr. Nilson's questions about the drafting and the process that it follows.

We all have different opinions and we all look at it a little

differently. But these amendments that are coming quick on the heels of the legislation being tabled, without the legislation being thoroughly debated, does raise a number of pretty serious concerns, I would say. So that's the kind of line of questioning.

Hon. Mr. Morgan: — Ms. Higgins, I don't want to get into a debate about the necessity of whether we have one or two Vice-Chairs, because it's not my ministry. But if that's the nature of your question, is why the legislation was amended to allow for that, I think the existing legislation prior to the new changes was that there was a board Chair and two Vice-Chairs.

I think the new minister may wish to only have one Vice-Chair. And then someone raised the issue, was it legal? There was an opinion came forward from the department that would indicate that yes, you could probably do that. But if you were doing other things, it may be appropriate to try and do that by way of clean-up as well. That was my understanding is that . . .

Ms. Higgins: — No, I'm not arguing the rationale behind the decision of the government to have one Chair or two Chairs on the Labour Relations Board. The concern is, is that when the legislation was put forward with its initial amendments — drafted by the Department of Justice, in consultation with the Department of Labour, that's what you have told us — that the legislation remained as it was, that there would be a Chair and two Vice-Chairs. But the message from the government was saying, well maybe not; we may have one, may have two. So then the decision was made. So this raises concerns. Has the process not been followed through or was it not a good job of drafting the legislation and the changes that were proposed? So it has nothing to do with the actual changes, it's the process that is a concern at this point in time.

Hon. Mr. Morgan: — Whether there is one or two Vice-Chairs is a question you should put to that minister. As drafters or as counsel for that department our role is to provide legislation that works and fits their needs. So I let them make the decision as to whether they have one or they have two.

The opinion that came forward from legislative drafting was that likely the existing legislation was appropriate, but it would be a good idea to — while we're doing housekeeping or other changes — to consider that by way of a tidy-up to enable that as well. So that's what we've done and I don't know whether Mr. McGovern can add anything more to that . . .

Ms. Higgins: — I just wanted to make the point but Mr. McGovern can add some comments if he likes.

Mr. McGovern: — Well I have to be mindful of course that there is a specific process for that Bill to be addressed in the committee process during which the minister will be able to speak to that, and from the perspective of speaking for the client certainly I think that would be the more appropriate place.

The Chair: — The Chair now recognizes Mr. Nilson.

Mr. Nilson: — Thank you very much. We'll move on to another area and see what kind of information we can get here. As I said, I very much appreciate the good advice that's come over many years from the Ministry of Justice and we're just trying to help it be used a little more clearly.

My understanding is that there's a plan to introduce a health care ombudsman which may then be like the police complaints commissioner or other places. Is there money in the budget for that or where would that show up in the whole process?

Hon. Mr. Morgan: — The legislation has not yet been prepared or there's no final draft being done so there's been no consideration given to what the budgetary impacts of that might be at this point in time.

Mr. Nilson: — So there isn't any amount of money in this year's budget to deal with that.

Hon. Mr. Morgan: — Not in the budget, not in the Ministry of Justice budget. And then the Ombudsman's budget is determined by Board of Internal Economy. But it's possible that Health may have set aside money. I don't know that.

Mr. Nilson: — Okay. And I guess you are the minister that would speak on behalf of the Ombudsman in the legislature, so that's why I'm asking you that particular question.

Hon. Mr. Morgan: — There's, there's no budget, there's no money for it in this year's budget that we've included.

Mr. Nilson: — But it is something that's in the long-term plan or short-term plan to create something like that?

Hon. Mr. Morgan: — Well I think there's certainly been a discussion, commitments made publicly that that's certainly something that the Ministry of Health wants to have, is a health care ombudsman.

Mr. Nilson: — Okay. I will . . . Another reason I ask this and I know a number of people in the room will smile as they've heard me on this topic before, but we have a million people in Saskatchewan and I don't think we need to create another place where you can go to get advice about complaints because we have the Ombudsman. We have a number of other ones, so I would just ask people to think through carefully whether it's actually required and whether or not another way to do it would be to use the good office of the Ombudsman that we have now and proceed there. And I'll move to . . .

Hon. Mr. Morgan: — I can advise, you know, once again it's a question you should put to that minister, but it is in the, in the mandate letter from the Premier to the Health minister to ensure that that happens so you may want to, you may want to have a look at that as you get ready for . . .

Mr. Nilson: — Well the other side of that is, that might be another one we could add to the list where somebody's changed their mind and moved to, moved to a different process. I think this is one where it may be worth now that, you know, looking at the whole area to take a very good, hard look at it because once you create a structure like that, it's very difficult to do it in a different way. And it's easy to propose these things when you're on the outside looking in, but when you get there, I think it's worth, worth taking another hard look at that whole concept.

Hon. Mr. Morgan: — I appreciate the point and will ensure that the Health minister is made aware of it.

Mr. Nilson: — Well given that you would probably be the minister responsible for that position in the legislature, I think you may want to look at it carefully yourself.

Hon. Mr. Morgan: — Thank you.

Mr. Nilson: — My next question relates to community services and community justice. It appears there's about a \$200,000 reduction in this budget. Can you explain what's happening there? And is this part of a short-term plan or a long-term plan or is there something that I can't tell from reading the books?

Hon. Mr. Morgan: — We're being joined by Jan Turner, who will answer that.

Ms. Turner: — Good evening. I'm Jan Turner, community justice division. With respect to the community services budget, there is a decrease this year of about \$200,000. And I could go through this line by line if you want. But it's actually a series of decreases and increases so you'll have to bear with me in terms of the math.

The budget in '07-08 was 6.6 million and has been reduced, as noted, by 200,000. We've in fact transferred 350,000 for the Children Who Witness Violence programs to the Victims Fund. And the Victims Fund will now be responsible for paying the costs of those programs.

There is an overall increase of almost 100,000; 99,000 was the increase for the wage enhancements to the community-based agencies. I think you will know that this is an annual increment that we're very pleased to provide to the many community-based agencies that we support.

There was then an additional 35,000 increase for wage enhancements for some of the out-of-scope employees. And again another 15,000 for in-scope and some of the operating costs. So the net difference is 201,000.

Hon. Mr. Morgan: — I can advise that there was no funding reductions to any of the agencies or any program reductions. They were all maintained.

Mr. Nilson: — Well that was my sense looking at the books, except for this one. And the explanation is understandable. And I'll restate it so I make sure I've got it right. But the sense is that certain activities were identified as being more appropriately funded through the victim surcharge and so they were moved over to that particular area. Those services, with maybe some enhancement, will continue. The existing services that are still in the community services side have actually increased and the community organizations are getting some of the benefits of increase through that.

Hon. Mr. Morgan: — That would be an accurate summary. So you're correct. And we're hoping . . . We're waiting to see how much additional revenue the increase in victim impact surcharges goes. That information was released. It's difficult to say by whatever percentage how much those increases were because there were sort of bands as to what they . . . and some of them were relatively significant increase. And I guess what remains to be seen is whether the judiciary exercises their discretion in not applying them in all cases. But we're

estimating an additional \$800,000 by virtue of that.

And you know, on small fines there was an increase of \$40 from \$30 — so a \$10 increase on small fines, ones that are below \$100. And then a similar increase, 40 to \$50 where it's between 1 and \$200; and then \$60 — there's another \$10 increase. And then once you get into the very larger fines then you get into a percentage increase from 30 to 40 per cent.

Mr. Nilson: — So the program, Children Who Witness Violence, that's still there? Or where is that?

Ms. Turner: — The program was transferred to the victims program where they were availed of the management of. So those programs are all in place. The program was actually increased last year and is now offered in more centres across the province and in a larger way in Regina, Saskatoon, and Prince Albert where it's been offered for some time.

Mr. Nilson: — Okay. I have a practical question. Where does the victims services fund show up in the books here? Or is it reported some other place just in the annual report or is it one of those sort of off line funding things that people like to have?

Hon. Mr. Morgan: — While Mr. Sisson finds his notes I can give you some indication of what some of the funding is for in community services: restorative justice projects, \$994,000; Aboriginal justice programs, \$1.526 million; the Aboriginal court worker program, \$1.458 million; crime prevention, northern crime prevention, 414,000; victims services programs, 294,000; and Aboriginal victims programs, 216,000; family violence initiatives and support for domestic violence courts, 664,000; and the Commission on First Nations and Métis Peoples and Justice Reform implementation, 92,000; and Children Who Witness Violence, 20,000. And then there's an administrative component in there as well.

Mr. Nilson: — And those are all good things and I think that all people in Saskatchewan appreciate that they're being solidly funded. But where does it show up in the books here so that . . . Or is it some other place?

Mr. Sisson: — Gord Sisson. It actually doesn't show up in estimates. The Victims Fund is a separate fund that was established in 1989. So what happens is all the surcharge that they collect on, say speeding tickets, all gets paid directly into the Victims Fund. It's not appropriated money. It's to go for those services that we provide.

Mr. Nilson: — So it's not in the estimates for the budget, but it is money that's expended to deal with the services that are provided by the Ministry of Justice.

Mr. Sisson: — Correct. It's expended through the Victims Fund, and every year there's audited financial statements from Provincial Auditor. They're published. They're online on our website.

Mr. Nilson: — So when we get to Public Accounts Committee, I'll get to ask about that and how you've spent it. Is that correct?

Mr. Sisson: — I'm sorry. I never heard the question.

Mr. Nilson: — When you get to Public Accounts Committee, then you'll be able to explain how you spent it at that point because that's where the books will show up?

Mr. Sisson: — Yes. Yes, there's financial statements. There is a budget that gets approved through Treasury Board every year.

Hon. Mr. Morgan: — Mr. Nilson, if you have a question, if we have the information, if you want to ask about it now . . .

Mr. Nilson: — Yes, yes. Well I'm just thinking that this is an area where it's probably helpful for the public see that there's a certain amount collected and then expended in some very good things. And if anybody was going to read the budget, they would see some of the titles, but they wouldn't see what the resources that are being used there. So probably briefly if you could tell me what the total amount collected is, and then we did get a number of numbers from the minister of the different programs, but probably just a total of how much is spent each year.

Mr. Moen: — Maybe I could just speak to that. The programs and services for victims through the Victims Fund include surcharge revenue of about 3.3 million and federal surcharge revenue of about 300,000. And the total victims services expenditure budget for '07-08 is 4.5 million.

And just to give you the headings, and these haven't changed a lot, as you'll appreciate, but include: Aboriginal resource officer programs; victim witness support programs; victims services specialized programs; the compensation fund for, you know, specific instances; restitution, which is new in the last short while; a victim impact statement program; victim witness rooms that have been funded over the years, soft rooms; the prevention of victimization program; and First Nation caseworkers which are like victims services workers who are working on the First Nation side; and the police affiliated program overall, which is the biggest program. And the final one which is relatively new is support to domestic violence courts.

Mr. Nilson: — How much is budgeted for restitution and what are the anticipated number of cases where people will apply for restitution?

Hon. Mr. Morgan: — The awesome weight of Her Majesty's employees have come up with numbers on the revenue side so I'll let them answer that and then we can do the restitution one.

Mr. Sisson: — The budget for '07-08 would have been 3.6 million in surcharge revenue and \$600,000 in a grant from the General Revenue Fund. For this next year it'll be about 4.4 million — 4.2, \$4.4 million — and a \$600,000 grant from the General Revenue Fund. Sorry, no — there wouldn't be the grant from the General Revenue Fund. It would probably be about 300,000. About 4.8 million in total.

Mr. Nilson: — Okay. So I appreciate that. So that's the good services that are being provided and the resources that are there through the victim surcharges, since I guess some people who maybe get speeding tickets and other things like to know where that money goes. Well this is where it goes and I think people appreciate that.

Now my other question was about restitution. And I know this is, I think a relatively new program and that's why I'm asking the question of, is there a lot of demand for it or is it . . . And what kinds of or what amounts of money are we talking about?

Ms. Turner: — Jan Turner, community justice. This is a new program area for the victims and we're still in the process of moving it over from the previous collection. And we hope to make significant progress this year in bringing in automated systems so we have really good statistics and being able to improve the collection even more.

At the end of 2007-08 the Provincial Court judges had ordered in the neighbourhood of 3.7 million in restitution. Now this would be all the restitution for the province and I think, as you know, not all of that passes through the courts or a collection system. It is sometimes between individuals and that's the part that's very hard for us to reconcile in terms of the overall amount.

According to our court records in '07-08, so just recently, they had reported that 929, 147 in restitution had been handled by the court for distribution to victims, so approximately, you know, a third or so of what we had collected. Of those, through our new restitution coordinator within the victims program, she was the primary supervisor for 307 of those files. And the secondary supervisor, which would be the probation officers themselves, accounted for 544 files. So we feel like we're making progress in this regard.

Overall there were, if we deal with the numbers, there were just over 1,100 restitution orders that were made, which is about average in the province. It's about the regular amount that we would expect in any given year.

Mr. Nilson: — Can you give me a rough idea of the percentage of these claims for restitution that may be payable to SGI [Saskatchewan Government Insurance] or to a municipality?

Ms. Turner: — We just don't have that information yet. We're still actually working on a paper-based system, not an automated system. And it's very hard for us to be able to provide those kinds of . . . Or I don't them here today — put it that way.

Hon. Mr. Morgan: — I appreciate the question that's been asked. Restitution orders are something that for me are of some significance.

When I was in opposition . . . And I suspect all members would've had people come into their office that had been victims of crime, had gone through the court process — either by way of taking the offender to small claims court or by way of a restitution order imposed by the courts — and then realized that they had to go through a fairly significant process to take it down and get it registered and then realized, once they got it issued at the registrar's office, they had two more steps. They had to register at the personal property registry and then had to register it at the sheriff's office and then in all likelihood found out that it was virtually unenforceable. Anyway the same problems that led the individual to become involved in a crime likely leaves them in a position where they're unwilling or unlikely to be able to pay it.

So I think as MLAs [Member of the Legislative Assembly] we shared the frustration that those people had, and would like to be able to give them better service. We have, through maintenance enforcement office, had exceptionally good success with that office insofar as their ability to collect maintenance orders, and we now have them dealing with the collection of fines as well. And we have the intercept program where they are collecting monies that would be payable by way of income tax refunds, GST [goods and services tax] refunds, and the like from the federal government, that those monies are intercepted and collected.

So that office through Lionel McNabb, who I think is . . . I wouldn't want him after me for money. He does a very good job with his staff, and there are some very fine individuals over there. So we would like to use that type of system to collect not just the fines and maintenance orders, but we'd also like to look at see if we couldn't have those people collect restitution orders, municipal fines and restitution orders. I think as much as taxpayers, we want money that's owed to the taxpayers by way of money owed to SGI or municipalities, we want that collected.

But I think for individuals it's even more important to try and . . . By way of a restorative approach to looking at them, that if those people are made financially whole as part of the process, we're serving justice in a broader sense. So I suspect that all of the members on both sides have had those people come in, and your heart goes out to them. They've had an uninsured loss or something that's been broken. And it may only be a few hundred dollars, but still it's the importance of getting that done.

So I would invite you to ask the question of us the next time we're back for budget, and I hope to have Mr. McNabb sitting here being able to tell us the progress that we are making in that area.

Mr. Nilson: — Well I appreciate that you understand the importance and the good work that's developed over the years as we've all together developed policy that allows Mr. McNabb to collect this money. And some policy choices have been made, and I think they're the right ones. Sounds to me like this is another area, with care people are going to move forward to collect these amounts. And so I support that.

I note that new legislation that I saw today that was introduced by the Minister of Tourism — the active living amount for up to \$150 — that actually has a clause in there that allows for your maintenance enforcement office or your collection of fines people to take that \$150 even after people have applied for it. And that's probably not a bad thing either. So anyway you've got a lot of careful people watching for the money from a lot of different angles, and I had to chuckle a bit when I saw that today.

Hon. Mr. Morgan: — While we appreciate the needs for healthy lifestyles and want to promote family activities, we feel that there are financial obligations that should be satisfied in priority to that.

Mr. Nilson: — Well I think that's laudable, but it is important that all these things fit together.

Okay now. I have another question not in this same area but more around the courthouses and the court capital and some of the things that are, that are happening there. And really the question is related perhaps just to have an explanation of the progress of what's gone on. I know that this is a multi-year project to deal with a number of the courthouses and it appears that the funding in this budget continues that process in a very orderly way, but I would appreciate having an explanation of how that's being done.

Hon. Mr. Morgan: — Sure. We're joined by Linda Bogard, who is the director of court services. So do you want her to just sort of go through a scenario of what's taken place?

Mr. Nilson: — That would be helpful. And I know that it's the kind of thing that's helpful just to have on the record, a report each year of what the budget is. And if there are indications that we need some more money, well we can ask about that too.

Ms. Bogard: — Linda Bogard. With respect to courts capital, there was approximately \$3 million approved in this year's budget. The allocation of that funding is: 1.8 million to complete detailed planning and design work for an addition to the Saskatoon Court House to accommodate the family law registry from Canterbury Towers; \$700,000 to complete design work to replace the La Ronge Court House; \$300,000 to purchase equipment for expansion of video conferencing throughout the province; \$250,000 for enhancements to Provincial Court circuit point locations throughout the province.

In previous years we have completed work at Yorkton Broadcast Place, which is Provincial Court. The entire first floor of that building was renovated and is now a very nice courthouse and meets the needs both in terms of the court, security, prosecutions, victim witness rooms, and all of those kinds of things.

The other major project that we worked on last year was with respect to the perimeter security screening programs. And that is the airport-style security and is being implemented in our larger courthouses in the province — both courthouses in Regina and Saskatoon as well as Prince Albert Provincial Court.

With respect to the funding this year, with respect to video conferencing, we did start some video conferencing last year in the North and it's just an expansion of that program to try and make more efficient use of the funding that we've got to hear prisoners' matters and those kinds of things.

Mr. Nilson: — So does that mean that there's a comprehensive province-wide video remand service now, or is it only available in certain locations, or is it being used at all?

Ms. Bogard: — Right now it is being used in Saskatoon. We implemented video conferencing at Saskatoon Provincial Court in January 2006, and the video link is between Saskatoon Provincial Court and the Saskatoon Correctional Centre. And so that eliminated prisoner transport for first appearances. Since January 2006 we've also expanded video conferencing in Saskatoon to now include some routine appearances as well as bail hearings.

In addition to the Saskatoon project, we've also implemented video conferencing between Prince Albert Provincial Court and the Pelican Narrows Provincial Court circuit point. That went live in October 2007.

In addition to that, the space at the Prince Albert Provincial Correctional Centre as well as the Pine Grove Correctional Centre, which is the women's jail, does not have the space available to build a video remand unit, so to speak. And so what we've done is, in the detention unit of Prince Albert Provincial Court, is build a video court unit in that cell area. So it's a secure unit. What that will allow us to do is transport prisoners from both the Pine Grove and Prince Albert correctional centres to the secure area in the Prince Albert detention unit and video conference up to La Ronge, Pelican Narrows, as well as the female prisoners to Saskatoon.

At the present time the RCMP transport prisoners from the Pine Grove Correctional Centre to Saskatoon. There are a large number of females that appear in Saskatoon, and so we're just in that process of getting that link up and running.

The other thing that we plan to do this fiscal year is implement video conferencing to more circuit points in the North, such as perhaps Sandy Bay, Wollaston Lake — those locations — just to try and eliminate some of the prisoner transport.

The video conferencing link in La Ronge is presently being tested, and once we've got that one up and running, we will again use that, the video link in La Ronge, to connect to the Prince Albert detention unit. And prisoners from both of those correctional centres, again, would be able to appear via video to La Ronge.

The other link that we plan to implement this fiscal year is with respect to Meadow Lake. So a link between Meadow Lake Provincial Court, which again will allow us to have a link to the correctional centres in P.A. [Prince Albert] but also through Saskatoon, through Saskatoon Correctional Centre.

The other large circuit point that we have right now where we want to implement video conferencing is at La Loche. At the present time court is held in La Loche every week. It's a heavy circuit point and so what we would like to do is implement video conferencing between Meadow Lake and La Loche. And we anticipate that happening in the next three to five months.

Mr. Nilson: — You didn't make any reference to Regina. Is that on the plan or perhaps you can explain that? And obviously, you're being careful about how you do this so that you learn each time you do it, so that the next time is probably a little better than the time before that. But can you tell us what's going to happen with Regina?

Ms. Bogard: — As to Regina, we have consulted with Corrections and Public Safety and Policing with respect to the new Regina Correctional Centre that is being built and great care has been taken to ensure that we have what we need to implement video court between the Regina Correctional Centre and Regina Provincial Court. We anticipate that that link will be operational sometime in the late fall, early winter.

And once we've got the Regina Correctional Centre linked up,

we will pretty much be in a position where we have all of the major correctional centres linked. And to proceed further with that, it'll become easier and easier. And you're quite right in that we find that with every link that we establish, the processes that we've got in place, we learn a little bit more and it becomes easier and easier to implement.

Hon. Mr. Morgan: — There's a number of issues. Our goal is ultimately to have it available throughout the North. At this point it's being used for initial remand appearances, bail applications. And at this point we're not confident in going a lot further than that.

How it's working, the camera is in the cell and then the accused has got a screen that he can see the judge and the prosecutor. So it's a split screen. And then in the courthouse, the judge has a screen on the judge's desk and then the counsel have another screen. That's a split screen as well.

If the accused wishes to speak to his or her lawyer or the lawyer representing wishes to, they would be able to ask for a brief adjournment and go into an adjoining cell where they would have access to the telephone so they could speak confidentially to the lawyer. And I think those are sort of the type of things you want to work through to make sure that the accused is comfortable with the process and that you're not seen as putting something through.

One of the interesting comments was that the younger an offender is, the more likely they are to buy into video technology — perhaps to do with video games. But it seems to be working relatively well so far and it is a significant cost saving in the transportation of prisoners.

And we've had no negative feedback from the bar or from the courts. And in fact Judge Morin gave me a tour of it and a demonstration and was quite enthusiastic about the process and felt it was working well and was encouraging us to expand the process.

There is also a link that's been set up — we provided the hardware and the technology — between the Court of Appeal and the penitentiary in Prince Albert, but because it's a federal facility we're still waiting for a finalization from the feds. And I think it's coming on . . .

Ms. Bogard: — It is and actually we will be doing video conferencing between the Prince Albert penitentiary and Prince Albert Provincial Court to start mid-May, and just finalizing the details with respect to the Court of Appeal but hoping to have that in place in time for the June sittings.

Mr. Nilson: — Well thank you for the explanation, and it appears that the timeline and the money are matching each other so that this project will proceed as it should.

Hon. Mr. Morgan: — If any of the legislative members on either side would like to see this, if they are going to be in Prince Albert we would certainly ask the officials there to arrange for a tour if you give us a little bit of notice. And that would be . . . would make that available for all people. We'd welcome the input and it's an interesting thing to see.

I wouldn't mind commenting on the perimeter security that we are introducing. It is our expectation that over time that we will have that at all of the court points and we are implementing it now in the larger court points. And I think it's a bit of a sad statement about where society is today that when courts, which are supposed to be one of the most open and accessible places in a democratic society, that we have to have this kind of security.

But unfortunately it's become a fact of life. We've seen a number of violent episodes in our courts in Saskatchewan, so I think it's something that we unfortunately have to live with. I was in the building when Judge Conroy was stabbed some years ago by an inmate that jumped out of the prisoner's box and leapt forward. So it's an expense that we will have to put up . . . well regard as part of the cost of doing justice.

Mr. Nilson: — Well thank you very much and I know for the viewing audience that have been watching us tonight, I just want to say that this type of work actually makes a lot of sense for the province where we have such long distances and we want to make sure that individuals who have been charged have all the opportunities to get the proper legal advice and all the appearances in court. And this allows for people to do that in a way that is cost-effective for citizens. So I appreciate that. And that ends my questions on the court. I'll move on to another area.

The legal aid budget's gone up by \$1.3 million. My past experience tells me that that may be about half of what they need. But I'd like to hear from the minister if this is good . . . you know, allows for the kinds of initiatives that are there. I know there's been pressure nationally on legal aid funding because of actually the costs of getting help. But could you explain about this increase and what kinds of things can it do?

Hon. Mr. Morgan: — Yes. The 2007-2008 estimates were 18.561 million, and our '08-09 estimates are \$19.865 million, which is an increase of 7.02 per cent. This increase includes collective bargaining increases, increase in operating costs, and those are routine operating costs because they operate vehicles, rent, etc. And there is additional legal staff that I'd indicated earlier dealing with the domestic violence court in Regina. And there is a transfer of \$450,000 from the court service budget to handle the administration and payments for court-appointed young offender work.

You will probably be aware that there's a mandate that all young offenders should be deemed to be eligible for legal aid. And what was happening, where they didn't financially qualify for legal aid, the court was appointing counsel so it was done by the private bar. And we felt it would be significantly cheaper for us to provide it through the staff model that we have.

You're likely aware that Saskatchewan and Nova Scotia are the two provinces that have got a staff-based model. And it's highly efficient. The cost per case is very low, and there's superb people that work there. And as a former Chair, I'll give myself credit for hiring many of them. A lot of them were there before, and they're still there. They're good folks — extremely, extremely committed. And the efficiencies that exist when you have one lawyer that goes to court to do a dozen bail applications or a large number of family law applications is

very substantial. So they do a good job.

I have Mr. Allan Snell with us, who is the CEO [chief executive officer] of the Legal Aid Commission. I don't know whether you have questions with him but . . .

Mr. Nilson: — Well I guess I'd be interested. And I appreciate that answer because it does reflect the fact that the long experience that we have with the staff-based legal aid is once again showing that it works well, even as a new area shows up. And I know I saw some of the documentation that's been filed through the cabinet secretary related to this and some of the costing.

I assume though that the federal government contribution to legal aid has not returned to where it was when legal aid originally started. And I'd be interested to know if there's any possibility or if there have been discussions around getting the proper federal contribution.

Hon. Mr. Morgan: — In about 1995 the federal government sort of capped expenditures for legal aid, and at that point it was close to 50/50. And during the late 1980s, early '90s, when I was at Legal Aid, it was some years actually in excess of 50 per cent. It was 51 or 52 per cent was the, sort of, with a variety of tools that you had. But it's actually been, they accepted . . . Right now we're receiving \$4.2 million so it's down very substantially.

I've had one meeting with the federal Justice minister in which I raised this on a one-to-one basis. And I understand that there's going to be a federal-provincial-territorial ministers' meeting coming up, dealing with legal aid in the next four months from now. And it's certainly something that we will want to push at that point in time. It's something that we regard as a priority for the province to try and get that up to what we would regard as an acceptable level.

We have to, by virtue of the Charter, provide criminal legal aid funding. If we don't . . . [inaudible] . . . So the problem is, when you commit your resources to criminal side, the family law side falls off. And that's what we don't want to see happen, so we want to ensure that we have . . . At this point we're funding it provincially. But it becomes a larger, a larger problem to do it as the federal funding stays fixed. So I think it's something that all of the provinces will be working towards.

Mr. Nilson: — Well that answers my question, so that it's still, it's an ongoing item of discussion. It's unfortunate when, especially now we have domestic violence courts, as you say, or other places where there's a fair recognition that not providing the advice necessary on the civil side often results in the solutions coming when you're picking up pieces on the criminal side.

Hon. Mr. Morgan: — Your point's valid. We've assigned a specific lawyer to the Regina domestic violence court. So I mean that's one additional body we've chosen to put in there entirely at provincial expense. And we feel that's an imperative and we're very pleased with how that project is going and would like to see expanding domestic violence model to other jurisdictions in time. But we're seeing where that goes.

Mr. Nilson: — I'll let my colleague ask a few questions and then I'll come on to another area. So, Mr. Chair, the member from Moose Jaw.

The Chair: — I recognize Ms. Higgins.

Ms. Higgins: — Thank you very much. I figured I'd better try and squeeze in a few questions. I know John could keep you here for another five hours quite easily.

I just have a couple of . . . They're quite separated, the questions that I need to ask. It doesn't lead from one thing to another. But I do want to know about, the previous Department of Labour and Environment had an arrangement with Justice for dedicated prosecutors that had an opportunity to . . . They were dedicated to occupational health and safety and also in Environment to the issues that were prevalent within Department of Environment. And having someone dedicated, supported from the other two departments, gave that person an opportunity to build an expertise and address issues that affected many other areas. So I was just curious as to whether these dedicated prosecutors — which was a little unusual I think at the time but very successful in my view in a number of areas — if that is still operating or if there has been any changes made to it.

Hon. Mr. Morgan: — I have Dean Sinclair, director of appeals and public prosecutions, and I'll let him . . .

Mr. Sinclair: — It's still operating — oh sorry. My name's Dean Sinclair. I'm director of appeals and public prosecution. And it's still operating and I think from the reports that we have heard it is a very successful program, a collaboration.

Ms. Higgins: — Well I think having the ability to have someone build that expertise in fields that may be a little unusual for the Department of Justice . . . I know it was helpful for a number of the issues that we dealt with in health and safety or labour standards; it was a good resource for us.

Mr. Moen: — There is a prosecutor on the environment side is Inez Cardinal, and who is really past president of the Canadian Bar Association. She has recently been in court and there's been two or three examples of very significant fine levels being obtained in environmental matters — poaching, and, you know, wildlife type offences. So it has been, you know, recently quite successful.

Ms. Higgins: — And falling back, I'll get into my old shoes. Has the Department of Justice picked up the cost for this or is it still supported through the other ministries or departments?

Mr. Moen: — Well ultimately the money was realigned by Finance, and so I think, I think all the money exists within the Finance appropriation, or sorry, the Justice appropriation.

Ms. Higgins: — Thank you very much. The other question: you had touched on maintenance enforcement, and I know that cases don't come up maybe as often as what they used to at, you know, in the constituency level, but we still run across them now and again. Have caseloads increased for maintenance enforcement, or has it stayed fairly steady? I mean it would be nice to know that it dropped, but I kind of doubt that's the result

of the last few years.

Hon. Mr. Morgan: — Our program is an opt in program where it's the right of the person involved in a litigation to decide they want to participate in the program, and then they were obliged to complete a form and then they submit it to maintenance enforcement and pick it up at that point in time. I think a lot of people would pay voluntarily and on a timely basis. There's no registration on it, so we don't get credit for the successful ones that are like that.

The Quebec model is different. It's an opt out system rather than an opt in. You don't have to participate in it, but by default you're in it. And so our system often starts out where people participate because there's some arrears have accrued already. I think the numbers and the amount of money that's collected continues to go up, but the amount of money collected . . .

Mr. Sisson: — They were up about 88 per cent.

Hon. Mr. Morgan: — Eighty-eight per cent of the money is collected. And you know, I would get some of the . . . The people would come in, or I would hear them, and I'm sure that the other members of the legislature would have similar ones, would come and it would be, well I'd really like to have the money on the 1st, but I don't get it till the 10th. And you find out that the money is paid by the employer. It has to go down to get processed through and gets back, and it comes in a relatively timely manner after that. And when you realize that the employer doesn't have the ability to do a direct debit or to forward it on, then — you know what I mean — it's the nature of this system that works. But I think Mr. McNabb's processes are working very well, but I'll certainly let him answer.

Mr. McNabb: — Hi. Lionel McNabb. The response to your question, we get about 40 new files every week. However we're closing just about the same number of files now. And the other thing that started happening the last few years and I think some of it's because our people do a tremendously good job of collecting money — but the economy helps a bit — but after about five years people go out of the program. So we know it's happening. Talking to the people, there's lots of times we may have to have some healthy chats with them or they get garnished a few times. And then they start saying, this would be much easier if I just gave cheques, which is fine with us because then we can focus on the clients that we should.

Ms. Higgins: — Some of the more difficult cases, there's a couple that come to mind, but often dealt with interprovincial issues and having to go to another province and go through the whole legal system again. And I know there had been some talk of looking at reciprocal agreements. You probably have a much more legal word, legalized language to use to explain it, but that's how I would view them as reciprocal agreements with other provinces that would recognize orders from Saskatchewan courts or in other provinces. Do we have agreements with other provinces?

Mr. McNabb: — We have agreements with every other province, with most countries in the world. We just negotiated, two years ago, an agreement with the United States that covered all their . . . every state and allows us actually to send a garnishment down to the US until we can get someone

registered down there.

Quite a few of the provinces we have agreements that if we know Joe Blow or Jane Doe moves to Alberta, even before they get a file open, we can just send a garnishment to them or they can send a garnishment to us, and we'll just issue one within a day or two. Three, four years ago now they passed a new Act that allows us to . . . It's very complex. You had to get a provisional order in court and then get it shipped to the other jurisdiction and have it heard. And so we now bypass that, other than Divorce Act, because the federal government still has to change their legislation. But every province and territory other than Quebec has passed this, and so we can get orders changed much quicker between jurisdictions in Canada.

Ms. Higgins: — Thank you very much. The only other question that had come to mind, Mr. Minister, you did a press release and talked about getting tough on drunk drivers. What exactly was changed to accomplish this? And thank you, Mr. McNabb.

Hon. Mr. Morgan: — This did not require a legislative change. We used an existing provision of the Criminal Code that allowed for the forfeiture of things that were used in the commission of a crime. So what the initiative was, that it would give prosecutors a direction to consider applying for a vehicle forfeiture where a repeat drunk driver is convicted of another drunk driving charge.

At the present time there has been no applications brought, but we understand that there's likely going to be some brought in the near future. We did not make this retroactive, so it's for offences that happened after the process came into existence. So if you have the third conviction within the window that we've prescribed, the prosecutor is expected to look at the file and determine whether that's an appropriate case to look for forfeiture of the vehicle.

And I'll give you some examples of where they might want to look at bringing the application: where the offender is using their own vehicle and that's been the same vehicle in all of the offences. We might not look at it where the offender was driving somebody else's vehicle unless that person had either consented or participated in whatever else, but where it was appropriate or may not induce undue hardship. But the idea is to send a clear direction to the offender that if they want to continue driving, we're going to go after and we're going to take their vehicle.

Ms. Higgins: — But there would be consideration given for family vehicles and other requirements or circumstance?

Hon. Mr. Morgan: — We've invited the prosecutors to use their discretion appropriately. And we'll be watching to see how that comes. We haven't given specific guidelines but our expectation is that they will, they will . . . If your question is if we're going to go after a grandparent's \$80,000 motorhome for a young person — no. We'd encourage them to deal with it as a family situation, get the young person some help for their drinking problem, and do that. But your point's valid.

Ms. Higgins: — I was just curious. I was thinking more of along the line of, I mean, there are many families that are single vehicle families. Many of us have a number of vehicles, but

there are many of those who don't and still rely on one family vehicle. So I was just curious as to the announcement and what it entailed.

Hon. Mr. Morgan: — While we'll be cautious, you know, with that, we don't want to send the message that if there's only one vehicle in the family we would not pursue the remedy against that vehicle. You know, the exception would be where it would be an unusual case of hardship or somebody else's vehicle. And even then, if there is somebody that, you know, acquiesced to the use of the vehicle in a repeated case.

One of the prosecutors had indicated that somebody had come along with a third conviction — this was prior to the election — a third conviction using the common-law spouse's vehicle time after time. You know, so if that was the situation we were presented with, I suspect the prosecutors would exercise their discretion towards going after that particular vehicle.

Ms. Higgins: — Thank you very much for the explanation. And I think all of us would agree that highlighting this opportunity that's there and putting a little more direction to it is one more avenue that we have to take. And I agree with you that it's an area that we need to put more pressure on and make people realize that we're serious about the laws that are out there. So thank you very much. And I think Mr. Nilson has more questions.

Mr. Nilson: — Thank you very much. I will just continue to ask a question about this same issue. You've indicated that this was done by a ministerial direction. Is this a common process or how is . . . Under the Criminal Code are there other places where this can happen, or how is this done?

Hon. Mr. Morgan: — It was done by a direction from the director of prosecutions as being a policy directive from the director. I guess the directive was ultimately issued by us but it became part of policy within prosecutions.

Mr. Nilson: — That's my question: does this happen very often, or when is the last time something like this happened?

Mr. Moen: — In a number of Canadian jurisdictions it will happen from time to time. There is a long-standing directive that you may recall from Minister Gary Lane in 1983 dealing with domestic violence, which is still on the books. This is another example of that kind of directive. But in some jurisdictions it's used more frequently than what has occurred in Saskatchewan.

Mr. Nilson: — So that was my recollection. I was going to see if it was accurate. So that's a couple of times in I guess getting close to 30 years now. I mean I'm not saying anything for or against because I agree with what this is here.

I guess then my next question is: are there other areas where, in other jurisdictions, they're using policies like this that we are not using, or do we rely on the prosecutorial discretion? And I'm not opposed to that, but I'm just curious.

Hon. Mr. Morgan: — There are other jurisdictions that are doing it. But I'll let Mr. Sinclair answer and give you some particulars as to where else it's done.

Mr. Sinclair: — I can't . . . Sorry, Dean Sinclair. I can't give particulars of exactly which jurisdictions it's being done. But I can provide some particulars in terms of the provinces that have, not necessarily vehicle forfeiture systems, but proceeds of crime or property associated with crime. They have very well-developed units. New Brunswick is one.

And there was some discussion just now that we think that New Brunswick may have instituted a recent policy — and I can't say for sure about vehicle forfeitures in particular in impaired driving cases; I'm not aware of that for sure — but there are provinces that have pretty advanced proceeds-of-crime units that are set up. And this is kind of our first step along that road.

Mr. Moen: — Maybe I could also add that, after this particular move was made by Saskatchewan, you may recall that there was a fair bit of attention paid to a similar move in Ontario, and it got, you know, it got a lot of attention — a tremendous amount of attention. But it was basically a similar kind of move to what's occurred here.

Mr. Nilson: — Okay. And based on what I've just heard now, this is something that we all do very carefully because of the nature of the work. And I know that I have a lot of respect for the ability of the prosecutors to sort this out. But clearly if there are ways we can do this within the limits of the Criminal Code and working together with other provinces to deal with specific problems, I'm supportive of that. So thank you very much.

My next question — and I know I don't have a lot of time left tonight, but we'll I think get another chance at this — relates to the Justice Reform Commission report, I think June 21, 2004. And I know there was a three-year plan that basically ended in this last budget year to implement many of the recommendations of that commission.

My specific question as it relates to this budget: are there any items that are in this year's budget that are continuing work that was set out in response to the Justice Reform Commission or that are still, still need to be completed?

Hon. Mr. Morgan: — I have Jan Turner here and I'll let her provide particulars.

Ms. Turner: — Jan Turner. I may need you just to repeat the very, very last part of that question.

Mr. Nilson: — Well the question was whether all of the responses to the recommendations have been dealt with in the three-year plan, which I know was in place which ended presumably March 31, 2008, or if there are ongoing amounts that are continuing or there are things that still haven't been done that will be done out of this year's budget.

Ms. Turner: — We're just in the process of meeting with the other ministries to review the actions for this particular year and what might be undertaken by some of the ministries.

I think as you recall, it was a very ambitious report that was received from the commission under Dr. Littlechild and there was many, many things that could be done with those 140 recommendations. The government I believe has responded in the report that you referenced three years ago for the three-year

plan and we certainly feel like we've made tremendous amount of headway on those. But I guess I'm one of the folks that thinks that, you know, there's a lot there. I don't know how we'd ever consider it to be completely done at that, at that time.

So we're still in the process this particular year of bringing together all of the elements. And as you can appreciate, with that many recommendations it takes a while to wrap up all of the elements for that.

With respect specifically to the Justice budget, I see that the deputy minister has it right in front of him.

Mr. Moen: — If I could just speak to it in terms of the kinds of things that occurred over the last three years.

And you know this past year was the third of those years, and all of those are still in place in this budget. And there was expansions of victim services. There was crime reduction initiatives that were put in place in a number of communities in the province — six communities — to ensure that crime went down. And it has gone down, particularly in property crime.

The Aboriginal court part was put in place and the translation, enhanced translation, that was part of that. There has been an expansion of alternative measures and the development of a more therapeutic approach to family violence, as well as the implementation of the drug treatment court.

There was the implementation of an elders advisory committee, and there were the putting in place of the police complaints process which continues on with the commission dealing with public complaints.

There was enhancements to legal aid in northern Saskatchewan; put in place additional lawyers. There was enhancements to the Children Who Witness Violence strategy. There were additional police positions that were Aboriginal police positions, and there was some work done in terms of a missing persons initiative, a gang suppression strategy, particularly the gang suppression strategy in Saskatoon.

And in the coroner's modernization project which flowed more, I suppose, from the Stonechild inquiry than from this particular commission, but was a very, very important change in terms of a more scientific approach.

So there have been some key changes on the community side; you know, additional resources for communities through victims services, through community justice workers, and the court worker program to ensure that needs were met.

Now we could go on at quite a bit more length and I won't do that, in terms of other ministries, other things that occurred through other ministries. And these programs as I understand it are still all in place. And it amounted to well over \$100 million in initiatives.

Mr. Nilson: — Okay. Has the money for the missing persons program continued into this year's budget and what's the status of that? Is it in some ways related to this as well?

Mr. Moen: — Yes, there's still additional money for the

missing persons initiative in terms of money that will be used to fund a relationship between organizations dealing with missing persons and the ministry. So yes that money's still in place. And they're working on additional initiatives with the police and with the ministry to ensure that progress continues to be made.

Mr. Nilson: — So that money continues in the Ministry of Justice as well as obviously in the policing ministry as well.

Mr. Moen: — Yes. In terms of the money in dealing with the relationship, it's primarily in the Ministry of Justice.

Mr. Nilson: — Along the same line, there were enhanced funding put into the child exploitation strategy and that's in a lot of ways related to this as well. Is that funding continuing or being expanded?

Mr. Moen: — Yes. That money, there's still a significant amount of money in place for those initiatives. A lot of those initiatives related to programs like, you know, the legislation that was put in place — the scam legislation, legislation dealing with reduction in sex trade activity or activity that related to young people who were connected to the sex trade. And that money is all still in place. Funding for the street workers advocacy project in Regina is still in place.

Mr. Nilson: — Okay. Well I have a number of questions in some other areas and will save them. That's the marketplace and the consumer protection area. We'll have to get that the next time around. But I am quite interested in what's happening around the national securities commission issues and things like that. We'll need some more time. And I think also around the Public Guardian and Trustee, although maybe I've got enough time to ask some questions as it relates to that.

And I guess my specific question is that I know there was a long-term plan to provide enhanced resources to the Public Guardian and Trustee to deal with a number of situations where a personal guardian was needed, often in a situation where somebody who was elderly didn't have any family members left in Saskatchewan and so it was required that there be somebody that could fill that role. And I know that it included some fairly substantial budget requests and I'd be very interested in hearing what the progress is as it relates to that overall program.

Hon. Mr. Morgan: — We have Ron Kruzeniski, who is the Public Trustee. And I will certainly let him answer the questions.

Mr. Kruzeniski: — Ron Kruzeniski. Certainly the legislation provisions are there and as we attempt and formulate plans it would be good in due course if the Public Trustee could provide the personal guardianship services. In many instances we are able to manage situations through being property guardian and dealing with financial issues. But as you have indicated, from time to time when there are absolutely no family members in the province, there are certain challenges that, programs that other people have to work around to make sure that people are cared for or arrangements are made.

Mr. Nilson: — So I take it by that answer, which was a good answer, that the budget side of this is still not as full as it should be to make sure that we have the program that's actually

mandated in the legislation.

Mr. Kruzeniski: — The legislation would have to be proclaimed and the resource issue dealt with.

Mr. Nilson: — Yes, I realize that. But I assume that this is in the work plan of the department. Would that be an accurate statement?

Mr. Moen: — Absolutely, yes. I mean we absolutely want to see this legislation implemented and it's just a question of getting the necessary appropriation to move forward.

Mr. Nilson: — And now related to this then is I know quite a number of the initiatives are in the annual performance plan that's filed with the budgetary documents. And so is that something that has changed very much this year or is it basically continuing with a number of initiatives like this being on the horizon but still being worked at?

Mr. Moen: — Well you know the program we're talking about continues to be on the horizon. I mean there's a lot of progress that's been made in terms of personal guardianship within the office, but there's still some outstanding change that needs to occur.

I mean we certainly hope to be able to, you know, meet the commitments that we made in the performance plan and we, I think, we do very well in terms of meeting those commitments. And we continue to want to make progress in this area as well.

Mr. Nilson: — I know one of the issues that showed up in various places related to some of the programs that have been developed by the Public Trustee on the property management side and that there was some arrangements with British Columbia. Can you tell me about the progress and what's happened in that area?

Mr. Kruzeniski: — A good number of years ago there was an attempt to have an arrangement and eventually that arrangement did not proceed. British Columbia has pursued its own course. And to some extent, although the business and mandates of public guardians and trustees across the country are the same, when you delve down into the detail of how each program operates, there are differences. There's differences in practice, policy, in terminology, and in fact legislation. So decisions were made where they didn't proceed. We continued with the guardian system as we have now and we're at version 7 as we continue to improve that system.

Mr. Nilson: — So the program here is being used in Saskatchewan but no other place than Saskatchewan right now?

Mr. Kruzeniski: — It's just being used in Saskatchewan and serves many, many, many of our needs very well, but with jurisdictional differences and that sort of thing, no one else has picked up the use of it.

Mr. Nilson: — Just a related question. With the development of the Information Technology Office, is this kind of development of program still in the Justice department or is that over in that other office? Or how does that work or do you work in partnership or has there been a change in what's happened?

Mr. Moen: — Well the lead in terms of application development will be at ITO [Information Technology Office] but we would work very closely with them. On big application developments, you know, there would be a working group that would work on a particular application development and, you know, it would be very much a partnership or co-operative relationship.

Mr. Nilson: — Are there specific budget amounts in this year's budget that would allow for the renewal of a number of the older systems? I know that's always been a concern and I assume that some of that work is being done. But are there specific amounts that are being allocated for that?

Mr. Moen: — No, I couldn't point to any particular amounts in relation to that but we have a number of initiatives that are on the horizon. We're wanting to see a replacement of the maintenance enforcement system that's out there. We want to see a one-stop arrangement between the Department of Finance and the corporations branch in dealing with people who are dealing with business matters. You know, there's a tax number and a corporation number and working with the federal departments involved — the Canada Revenue Agency.

So there are a number of initiatives that are on the horizon, including the project dealing with the integrated justice system.

Mr. Nilson: — And can you explain what that project is and where it's at?

Mr. Moen: — Well you may recall that the current system is the JAIN system. It's the Justice automated information network. And that system is becoming more and more dated. We've received money in the last year to re-platform that system so it will last for a period of time. But what we want to do is move forward and put in place a new Justice automated information system that would replace the system in corrections, courts, and other parts of the justice system.

So it's a significant initiative. It's a multi-million dollar initiative and we're working with ITO and with Corrections, Public Safety and Policing to move that initiative forward.

Mr. Nilson: — Is there any money in this year's budget for that project?

Mr. Moen: — There is not money in this year's budget but there will be active discussions between ourselves and ITO and CPSP [Corrections, Public Safety and Policing] around the initiative.

Mr. Nilson: — And this would clearly be the kind of expenditure that would be a one-time expenditure and then probably good for the next 20 years, so that it would qualify for being an important mid-year initiative, if I could put it that way.

Mr. Moen: — Well I wouldn't necessarily call it a mid-year initiative. But I certainly would agree with you that it's an initiative that you do over a period of two or three years and then it lasts for some considerable period of time.

Mr. Nilson: — Okay. Well I appreciate the information on that and I know how important it is to assist everybody who works

within the justice system to have, you know, a modern system doing that. And I look forward . . . It's time to probably look at expending monies for that kind of work.

Well I think we're getting close to our appointed time and, you know, I guess fortunately for us there's another group that has to come in and sit in this committee from now until into the new day. I want to say thank you very much to the minister and to all of the officials for a very good evening of discussion and I'll look forward to it continuing at the appropriate time.

Hon. Mr. Morgan: — Thank you very much for the questions, and I'd like to thank all of the individuals that have been here. And I've been told by the deputy minister that they're all salaried people so we don't pay any of them overtime, so they're here effectively on time that they would otherwise be spending with their families. So we appreciate the contribution they're making by being here. It's valued.

Mr. Nilson: — I think there's always a spot for sort of ministerial discretion to reward them appropriately for staying up late, so I wish you well in that endeavour.

Hon. Mr. Morgan: — Thank you for your generosity at my expense.

The Chair: — Thank you, gentlemen. Being no further questions, I would ask for a motion of adjournment.

Mr. Chisholm: — I so move.

The Chair: — So moved, Mr. Chisholm. Thank you to all members that have been here, and this committee stands adjourned.

[The committee adjourned at 22:15.]