



STANDING COMMITTEE ON INTERGOVERNMENTAL AFFAIRS AND JUSTICE

Hansard Verbatim Report

No. 18 – April 22, 2013



Legislative Assembly of Saskatchewan

Twenty-Seventh Legislature

**STANDING COMMITTEE ON INTERGOVERNMENTAL
AFFAIRS AND JUSTICE**

Mr. Warren Michelson, Chair
Moose Jaw North

Mr. Doyle Vermette, Deputy Chair
Cumberland

Mr. D.F. (Yogi) Huyghebaert
Wood River

Mr. Rob Norris
Saskatoon Greystone

Mr. Kevin Phillips
Melfort

Mr. Warren Steinley
Regina Walsh Acres

Mr. Corey Tochor
Saskatoon Eastview

[The committee met at 18:59.]

The Chair: — Well good evening and welcome to the Standing Committee of Intergovernmental Affairs and Justice. Our meeting tonight is with the Ministry of Justice. My name is Warren Michelson. I am the Chair of the committee. Along with me are the other committee members: Mr. Doyle Vermette is the Deputy Chair, Yogi Huyghebaert, Rob Norris, Kevin Phillips, Warren Steinley and Corey Tochor.

**General Revenue Fund
Justice
Vote 3**

Subvote (JU01)

The Chair: — This evening the committee will be in consideration of estimates for the Ministry of Justice. Before we begin I would like to remind the officials if they would please introduce themselves when they speak for the purpose of Hansard. We will now begin our consideration of vote 3, Justice, central management and services, subvote (JU01).

I'd like to welcome Minister Christine and the Minister of Justice. And if you have some opening remarks, please make them now as soon as you introduce your officials. Thank you.

Hon. Ms. Tell: — Yes, good evening, Mr. Chair and committee. I'm pleased to be here to provide some highlights of Corrections and Policing 2013-14 financial plan and of course to answer any questions.

I'm joined here by a number of officials but before I introduce the officials, of course Minister of Justice Gordon Wyant and Attorney General is seated at the table with me. And also at the table is Dale McFee, deputy minister of Corrections and Policing. And in behind me here we have Tammy Kirkland, assistant deputy minister, community safety outcomes; Dennis Cooley, assistant deputy minister, custody supervision and rehabilitation services; Murray Sawatsky, executive director, policing; Dave Tulloch, executive director of corporate services, and he's sitting beside me; Dr. Brian Rector, executive director, research and evidence-based excellence; Judy Orthner, executive director, corporate affairs; Heather Scriver, executive director, custody services; Tom Young, chief privacy and access officer, freedom of information and privacy branch; Mindy Gudmundson, director, corporate services; and Marlys Tafelmeyer, executive director, human resource team for Justice and Public Service Commission.

Our budget and plan aligns with government's direction budget for 2013-14, building on the principle of balanced growth and supporting an ongoing focus on sound economic growth and shared prosperity.

In partnership with the Attorney General, we will support government's priorities of improving our quality of life, sustaining economic growth and opportunity for Saskatchewan people, delivering responsive and responsible government, and making life more affordable for Saskatchewan people. Through the creation of the building partnerships to reduce crime initiative, government is working with community-based

organizations and human service agencies to help build foundations for community safety and wellness.

We have seen the success of this community mobilization model in the Prince Albert Hub and COR [centre of responsibility]. And through this budget we are offering other communities the opportunity to create similar mobilization projects. The focus on evidence-based research and best practice to provide public value for government investment will be prominent in the delivery of programs for offender rehabilitation and the front-end interventions within Corrections and Policing.

This is accompanied by a new innovation agenda that recognizes leadership in business processes, leveraging the technology and improved ways of doing business across all of Correction and Policing's operations. Correction and Policing's budget supports Justice programs through an investment of \$407 million in 2013-14. This is an increase of \$30 million and is 7.8 per cent higher than the previous appropriation. Over \$600,000 of this increased funding will support the serious violent offender initiative and provide for resources for targeting high-risk, serious violent offenders in our community. Four hundred thousand dollars of funding will provide a grant to building partnerships to reduce crime, to advance the communities' mobilization efforts relating to reducing crime and increasing community wellness.

We have had significant success with the expansion of building partnerships to reduce crime. Communities involved in tailoring their own crime reduction solutions under the BPRC, or building partnerships to reduce crime, umbrella now include Yorkton, the North Battleford region, the La Ronge region, Nipawin region, La Loche region, and Swift Current region, and of course Moose Jaw region.

A further \$300,000 is provided for the implementation of a long-term policing strategy consistent with the minister's mandate. This funding will provide for the implementation of the police college strategic plan, the review of the Police Commission, and further strategic work on BPRC.

RCMP [Royal Canadian Mounted Police] funding will increase by \$5.5 million for 2013-14 to honour the 20-year agreement with the federal government for provision of RCMP services for Saskatchewan. An additional \$1.8 million is allocated as a grant to the RCMP to support the provincial public safety telecommunications network, which consolidates radio telecommunications between provincial emergency responders on a single system.

Corrections and Policing provides funding for 125 municipal police officers. Increased funding of over \$600,000 is provided to increase the amount per officer from \$100,000 to \$105,000.

The new living unit located at the Pine Grove Provincial Correctional Centre will be completed this year. Funding of \$7.8 million and 92.1 FTEs [full-time equivalent] have been provided to staff and operate the new unit this year. Capital funding of \$13 million is provided to continue the construction of new living units at the Prince Albert Provincial Correctional Centre. Further funding of the \$2 million will complete the new

living unit at the Pine Grove Correctional Centre.

Funding of \$2 million will support the construction of the southern women's remand centre, which involves renovations to an unused unit at the Paul Dojack Youth Centre in Regina.

A further \$6.8 million will be allocated to continuing or completing the implementation of two IT [information technology] systems for the ministry, expanding video court availability and maintaining custody facilities.

Increased funding of \$2 million addresses the increasing costs in providing and supporting custody services and policing. The funding will address the growing demand for services provided by Corrections and Policing that had been previously covered through the use of supplementary estimates and special warrants.

This budget and the ministry plan will enable us to continue to work collaboratively with other ministries, other levels of government, police, and community organizations to achieve our shared objectives on behalf of Saskatchewan citizens. We are also taking steps to ensure that adequate funding is directed toward core programming to improve the effectiveness of the ministry.

Those are the highlights, Mr. Chair. And now I would be pleased to answer your questions about the '13-14 plan and budget for Corrections and Policing. Thank you.

The Chair: — Thank you, Minister Tell. Mr. Wyant, did you have some opening remarks as well?

Hon. Mr. Wyant: — Just an opening comment, Mr. Chair. We thought that we would proceed with the questions with regard to Corrections and Policing. And once we're done that part of the agenda, we would move into the balance of the budget and I would make my opening comments at that point in time, if that's all right with the committee.

The Chair: — It would be fine, thank you. Following Minister Tell, is there any questions? Mr. Nilson, do you have some questions for the minister?

Mr. Nilson: — Yes, good evening and welcome everybody. It's a pleasure to see everybody here ready to answer questions. And I do have a few questions for you, and hopefully they won't sort of block over too far from one part to the next. I know that the Minister of Justice has kind of got it that he'll do his little opening a little later, but that's fine. If he has to answer something now, well we'll go to him right away. I don't think he'll mind.

But my first question is, what's the peak daily count for inmates right now in the adult system?

Mr. McFee: — Assistant Deputy Minister Cooley will give you that answer.

Mr. Cooley: — The average daily count for adults in 2012-13 was 1,617.

Mr. Nilson: — And what's the sort of optimum capacity right

now for corrections as far as spaces for people?

Mr. Cooley: — There's a total of 817 single cells, of which 215 can be double bunked. And then there's an additional 370 bed spaces available in dorms, such as Echo dorm and the new dorm that was created in Prince Albert. So that gives a total of 1,402 bed spaces. So that leaves a difference of, an excess difference in capacity. Those inmates are held in temporary accommodations. So we've renovated some classrooms. We've renovated chapels, chapel space in order to house those additional inmates.

Mr. Nilson: — Okay, let me see if I can understand this. And I'm asking these questions because I used to ask them once a week when I was the minister in charge of Corrections because I was appalled actually at the numbers. And now this is not double, but getting close.

So 817 single cells. And so if you take off 215, so you actually have 602 single cells right now, and 215 that are double-bunked cells. So that makes that 430? Would that be correct? And then 370 that are in dorms, and that gets you the 1402? Is that correct?

Mr. Cooley: — Yes.

Mr. Nilson: — Okay. Now are the dorms, the gymnasium, and other big spaces like that, is it that that have been turned into dorms? Or what spaces are being used?

Mr. Cooley: — Yes, that's correct. That's correct. So in Saskatoon, Echo dorm is a new facility essentially that was built. It's capable of housing 194 inmates. And then in Prince Albert Correctional Centre there's another large dorm that has accommodation space for 130.

Mr. Nilson: — Okay, so Saskatoon has . . . So basically you're running . . . Every available space is filled with people, plus you've got 215 over and above that that are in classrooms and hallways and other places. Would that be correct?

Mr. Cooley: — That's correct, yes. It's not ideal because, I mean, it causes some issues with security. There are some staffing issues. But also it takes away from the ability for the management to use those spaces for what their purpose built for, so for classrooms we have to . . . But we do the best we can.

Mr. Nilson: — So of the 1,617 average daily count, how many are on remand and how many are actually sentenced?

Mr. Cooley: — Sixty per cent are sentenced and about 40 per cent are on remand. So of that count, 1,016 are sentenced, 601 are remand.

Mr. Nilson: — So the 601 in remand, what was the figure one year ago? It seems to me it was a lot less than that.

Mr. Cooley: — I have them here. A year ago the count was 536. So the remand population — just let me see if I've got that right; yes, that's correct — the remand population has shown, showed a steady rise throughout the early 2000s and then levelled off. And now it's just started to, last year, it's increased.

Mr. Nilson: — So is there any explanation for that? And I guess this is where it lapses over to the Justice side in the sense that, does this mean that there are more and more criminal cases that are lagging in the courts, if I can put it that way, so therefore the remand numbers go up?

Hon. Mr. Wyant: — I don't have the answer to that. My officials will be here. We can answer that question when my officials are here.

Mr. Nilson: — Okay. Well maybe you could send them a note and tell them to come because it'd be helpful actually to answer that question here in light of this.

How many people are triple bunked? How many people are in triple-bunk operations?

Mr. Cooley: — Triple-bunk? We don't have any situations of triple bunking in a cell. There's dorms where there's more in a cell, but not triple bunking.

Mr. Nilson: — And are there three-tier-type bunks in the dorm facility? So it's all double-bunks.

Mr. Cooley: — That's correct.

Mr. Nilson: — Okay. Now the numbers on remand seemed very high to me, and I'm not . . . I assume you and the correctional centre just deal with what you get, in the sense that . . . Or are there methods or are there things that you're working on to try to bring that number down? Because clearly that's the big pressure on the system.

[19:15]

Mr. McFee: — That's a very good point. Some of the things obviously that takes into is the other areas of the intervention, prevention, trying to take a lot of the stuff out of the system, and that is the early intervention. And there's some considerable gains being made in some of the areas that we've started — BPRC, the building partnerships to reduce crime, the Hub and the COR, Prince Albert being one example.

But I think it's also important to say that part of the other analysis that's being done is we're currently reviewing all facilities as we have an undercrowding in the YO [young offender] side and an overcrowding in the adult side. And I think it's imperative that obviously we're focusing the right treatment and the right attention at the right time to those individuals that are in custody, both in community and in sentence. So there's been considerable changes happening in that particular area, and more to come.

Mr. Nilson: — Is it possible to give information about the age of the people who are incarcerated?

Mr. Cooley: — We don't have that available at this particular time.

Mr. Nilson: — Is that something that you could get for me, like basically showing, you know, 17-year-olds, 18-year-olds, 19-year-olds? Because you know, I think this kind of information is helpful for you, but also for me to understand

what's going on on the pressures here. Or maybe you can explain a bit what's happening.

Mr. McFee: — A general answer that's based on not only our data but national data is the majority of what we deal with is in that 15 to 24 range. Certainly that's where a lot of our attention and the reshift and the refocus and the restructuring of our ministry is exactly focused in that area. Now it's not all-inclusive. Obviously it goes from all ages, but certainly there is a significant component of the population that fit into that area, 15 to 24.

Mr. Nilson: — And when you say significant, is that like 75 per cent? Or what would the percentage be of 25 and under, for example?

Mr. Cooley: — It's hard to estimate. We have those data. We can pull them off, but it would just be a guess at this point. Last year the average age of adults in custody was 31, so that's an average. But then what the distribution is between 18 and the high end is another story.

Mr. Nilson: — Okay. Well that's an interesting figure. Now if the system itself is running at capacity, do you have sufficient number of employees to deal with all of these people? I know there's an increase in your budget here for employees, but are there sufficient numbers to handle the extra pressures when you have so many people in such a tight space?

Mr. McFee: — At this time there is . . . Certainly what we are doing, as you know through your background, a lot of the good work that Corrections does is based in evidence and outcome focus. What we're currently doing is a review, making sure that we're focusing on all those areas and trying to, if you want to use the language, reinvesting ourselves and in those things that we know that work before we look larger and see. For instance, we're not going to build our way out of this problem. And I think we've said that many times. But what we need to do is make sure that our resources are focused in the areas that are focused on outcomes and those programs that we know which work and certainly are doing a good job of bringing the recidivism rates down.

The Chair: — If I could just interject, and just remind the officials to identify themselves when they're talking for the purpose of Hansard. Thank you.

Mr. Nilson: — The minister in her opening remarks talked about building more spaces at Pine Grove, and I think she said adding 92.1 FTEs and staff. So is that 92.1 new jobs in Prince Albert area? Or are there some people being reassigned from other places? Or how does this work?

Mr. Cooley: — Those are 92 staff at Pine Grove in Prince Albert to staff the new unit when it opens, hopefully by June of this year.

Mr. Nilson: — So in Prince Albert we're in a hiring process right now, I would take it then.

Mr. Cooley: — Yes certainly, they're doing the hiring now.

Mr. Nilson: — Okay.

Mr. Cooley: — Dennis Cooley, assistant deputy minister, custody, supervision, and rehabilitation services.

Mr. Nilson: — So if you prefer, Mr. Chair, I can ask longer questions. Then maybe I'll get longer answers. We'll see.

So what we have is a huge amount of stress on the correctional system, would be my sense of it. And it can't be good news for the province that there's so many people that are doubled up. There's only 602 people that have their own single cells. Is that correct?

Mr. Cooley: — That's correct. I mean certainly, you know, we're managing. And we're doing good. The staff are doing very well. The staff and management at the three adult facilities and the women's facility — adult facility — are doing very well to manage the population.

It's not ideal, but we are, you know, building the 36-cell living unit at Pine Grove Correctional Centre. So that funding was approved initially in 2011-12. And it's proceeded now through design and into the final stages of the build. So that will certainly ease a lot of the pressure at Pine Grove.

There's also approval for construction at Prince Albert Correctional Centre. So that's a 72-bed unit that is capable of, you know, double bunking up to 144 inmates. So that again, that's in the early stages. It's still in the design stage and hopefully we'll be able to break ground shortly. And it's about a two-year construction phase, I think, and will likely . . . I mean that will ease a lot of the pressure as we move forward as well.

Mr. Nilson: — Can you explain what the percentage of First Nation and Métis population there is of that over 1,600 in jail in right now?

Mr. Cooley: — First Nation and Métis peoples are significantly overrepresented in Saskatchewan's Correctional system. Approximately 66 per cent of the youth population and 79 per cent of the adult male and female inmates in custody are First Nation or Métis ancestry. That's based on a snapshot taken in 2011 of the adult custody population. So that includes Prince Albert Correctional Centre, Pine Grove, North Battleford Correctional Centre, Regina Correctional Centre, Saskatoon Correctional Centre, Besnard, and Buffalo Narrows. So that's a total of about, at that time, 1,066 Aboriginal offenders out of a custody population of 1,350. Approximately 70 per cent of offenders supervised in the community are First Nations or Métis ancestry.

First Nations and Métis people have been the focus of extensive research over the past several decades and we know that there are socio-economic factors that are recognized as contributing to offending behaviour. So issues with literacy, low levels of education, lack of employment, drug/alcohol addictions, the impact of residential schools, the young First Nation and Métis population, family violence — all of this contributes to overrepresentation of First Nations and Métis people in the justice system.

Mr. Nilson: — Okay, thank you. I ask that again because about a year ago almost I asked the same question of Mr. Morgan and

his figures were pretty close to yours, so that's good. You said 80 to 90 per cent.

And I ask the question because I know that in Social Services that there's been substantial discussion and agreements entered into with First Nations and with Métis communities around provision of family social services, and I know that there are proposals that have come from First Nations around how they can assist in the correctional system. And I also know that the healing lodge is sitting empty up in Prince Albert.

So can you explain, or maybe not explain but can you tell me what kinds of plans there are in this whole area to see whether there's maybe some better way of incarcerating people with assistance from First Nations and Métis communities?

Ms. Kirkland: — Tammy Kirkland. In relation to First Nations and Métis population and meeting their risk needs and targeting programming for them, the ministry has a long history of programs and correctional facilities aimed at that. Elders are a big part of our programming and facilities, cultural buildings, recruitment of Aboriginal staff. So that there is that population that's representative. We partner with many First Nations and Métis CBOs [community-based organization], as you're aware, to offer programming — some in the facilities, some outside, with folks on community sentences. So that's a big part of our responsibility work as well.

In specific relation to the healing lodge at Prince Albert, the Price Albert Grand Council healing lodge, we were for many years in a partnership with PAGC [Prince Albert Grand Council] to run a healing lodge. Unfortunately, a year, year and a half ago, I think, sorry, we ended that partnership for the time being, based on some significant concerns we had in regard to security, program reliability, evidence-based practices not being a strong part of the program, struggles PAGC was having with financial reporting. We have however kept those lines of communication open. We are meeting and speaking with PAGC regularly, as early as last week. And what we have assured them of is the partnership is important to us. A healing lodge type resource for offenders is important to us.

And so we are doing some work within the ministry, given our reorganization that recently happened, our blending of adult and YO from an administrative level and looking at what programming works for both to strengthen that. And what we have said to PAGC is that we will get our thoughts in order about what programming we both need and we will come back to them with a proposal around a healing lodge type program and say to them, here's what we know is evidence-based; here's what we know works; and we're interested in partnering with you.

Mr. Nilson: — Okay. Thank you for that answer. I mean it's always hopeful in this area and it's sometimes very, very difficult, I know.

Just looking at your budget, it appears that the CBO budget has gone up around, what is it, 5 per cent maybe in this year's budget whereas the custody part has gone up closer to 9, 10 per cent. I'm not sure if that's . . . I mean it's explainable but it's not necessarily maybe the right way that we should be going in that the community services and community organizations that

are involved, I think that would be the area where we should put resources. And maybe you can explain about your program that you're working on which I know quite a bit about but I think it's important to actually get on the record what it is that you're doing and how that fits in with this whole world.

[19:30]

Mr. McFee — Dale McFee, deputy minister of Corrections and Policing. It's a great question and the CBO basically practices are certainly things that we're working closely with right now. And one of the main streams that we're trying to do in relation to the CBOs is ensuring that we can look at those CBOs that are delivering evidence-based outcomes at the local level, obviously receive, if possible, more than annualized funding, but also most importantly that they align with community goals and priorities.

And if we can create that alignment at the community or local level, then we can align that in relation to BPRC, the building partnerships to reduce crime, i.e., the Hub and the COR. The Hub, basically, 24- to 48-hour response.

If you take policing in its entirety, 75 per cent of policing really is not criminal activity; it's anti-social behaviour. Twenty-five per cent is criminal in nature. Five per cent lead to criminal charge. So there's a whole factor out there of anti-social behaviour that if we can use early recognition and we can use the alignment at a community level, we ultimately could take it out of the system, right out of the justice system rather than waiting for it to be in the system and tell them how to fix it. So if we're really going to reduce numbers, that's one key component.

But as you've heard and us speak quite often about it, you can't just do that. You have to do the whole basically gamut — cradle to grave. So as much as that's important, we have to do the serious violent offender program with our partners in Justice, making sure that those folks that choose to break the law and willfully do so, we don't forget about them. We just may have to rehabilitate them in a closed environment and incarcerated setting a different way.

And likewise, you know, the whole recidivism and rehabilitation — focus on evidence-based outcomes so that we can alleviate the pressures on those folks that choose to repeat their offending or repeat their behaviour. If you can hit that from all areas, what you really will see is a multiple savings in relation to the investment.

We have lined ourselves up now with an economist. That economist is looking at the whole public value piece, making sure that not only are we investing at the right time or the tipping point, but that that economist can actually tell us and predict some of those trends.

For instance if you take such things as jobs, and you just take that as specific. If a job is, say, a \$50,000 job and it generates roughly \$4,000 worth of income tax, you need 12 jobs to pay for one inmate. The reality is, is if you can get an inmate out of that setting and get them a job and work on those things that work, then you multiply your savings.

So we know when we're working on, we know there's an optimization rule there where if you have so many jobs, you do so much recidivism rehabilitation, you do so much in intervention and prevention, and you do so much on cheaper forms of incarceration, then really what you do is you create a system that generates and functions at a high capacity and you deliver a lot better product for those individuals in need.

And that's been our focus of our ministry and will continue to be our focus of our ministry. And that means that we have to hit all these areas at the same time consistently, but the most important thing is, is the focus on the evidence and the outcomes that are proven, that work, and that we get out of the business in those areas that aren't proven to work.

So those are some the things that we're doing. That's a bit of a long story, but it all ties together and you can't tell the one story without the other because if we don't do it all-encompassing, it's like if you're working on a third of your business and you leave two-thirds out, you will never maximize your return. So what we try to focus our areas are now is our key leadership team, focusing on all those areas at the same time, including Dr. Rector at the back, making sure that we evaluate everything that we're in from an evidence-based practice, focused on outcomes.

Mr. Nilson — Okay. And I'm looking at your budget. You know, a huge chunk, 10 times as much goes to the RCMP as goes to local Saskatchewan police forces. And so is the RCMP part of this whole system as well? And perhaps you can explain how that fits, if it's just Saskatchewan or if it's part of something that happens nationally within the RCMP.

Mr. McFee — Dale McFee, deputy minister of Corrections and Policing. Yes the RCMP are part of it. The RCMP were part of the building process when we actually took a team to Scotland and Glasgow to plan out, take our business plan to another level. They've been involved since the fruition of the project. They certainly have, as you heard, some of the Hubs that are up and running in Saskatchewan are RCMP territory. They're all collaborative. They all work with health, social services, education. We've all bought in and we all see the mutual benefit.

But on the point of municipal police positions, one other thing that I would highlight, and of course municipal police positions include some of the RCMP. One thing as you mention in the budget is, is we've increased it from 100,000 to 105,000 per position. Obviously that was part of the ongoing commitment by the government, but also equally as important is what we have done with that seed money is we're realigning with the police service, the municipal police services, so that we're now going to be setting joint goals and priorities to be working on things that are important to the people of the province, that are obviously focused on the most serious threats, but also don't just include such things as, you know, combined forces, special enforcement unit, organized crime, but will equally possibly include things of mutual agreement such as traffic safety and such as things like intervention and prevention.

So we have that commitment from our municipal police partners. Certainly Murray Sawatsky, my executive director of policing, can speak in more detail, but that's looking very favourable of allowing us to focus on those particular areas that

need attention, and not only need attention but they need collective work that's focused.

Mr. Nilson: — Okay. So you have this Hub system which basically reaches out or it's, I think previous descriptions of it . . . It gets a different description, I think, each decade of my four decades looking at this stuff, but it's basically dealing with the fact that community leaders on all sides have to be there if you're going to make a change in what happens in the community. So I'm very supportive of that kind of work, and so I appreciate that.

Can you explain, I guess, how organizations that are long-standing members in the community fit in with this? And I'm thinking like Elizabeth Fry or John Howard Society or some of the other groups that have been working in this area for a long time. Do they, are they part of the team as well?

Mr. McFee: — Deputy Minister McFee. That's a very good question, and as you know the diversity of our province, it's not always the same people in every city or every centre. So I think there's a couple of key things that are different this time round and why we're getting national attention and international attention in relation to this, and I'll just try to articulate those.

There is a formalized structure now. That formalized structure has a governance board made up of community representation, government representation, and stakeholders that are all in it for the same reasons. It's not a police group. It's not a health group. It's not a social service group. It's run by a governance board that sets local and community priorities. So for instance, the Hub in Moose Jaw and the Hub in Prince Albert probably are going to have different priorities. Neither are more important than the other. It's what's emerging and what's important to their community. So technically what it does, it gives them the ability to provide local solutions and the structure is there so you can do it.

So how I would explain that in a way that I think folks would understand is if you take a McDonald's in a franchise and you look at McDonald's in Regina and you look at Japan, is the McDonald's has the same cooking system, the same M, the same software system, the same accountability and cash flow. The only thing different is the menu, and the menu is basically to obviously provide the local needs.

So that governance board sets the local need. Now there's two venues. There's the Hub, which is just a different way of doing business, no cost. It's just making sure that, let's address issues that are priority. Let's not focus on forming a committee. Let's not have conversations on it. Let's get action or attention to the situation. And then there's the COR, which is the centre of responsibility. One centre of responsibility technically could service five to six Hubs, basically providing the continuity, looking at, is there any legislative changes that need . . . Is there any long-standing issues that need to be changed? Is there anything on a larger level that we need to address? Then we can address it. So now that we're operating on all those levels, what we really do have the ability to do is hit to the local level.

And we've now had the attention of the federal government. And as early as next week, we have an ADM [assistant deputy minister] and a team coming out here also to study. But we've

had in the Prince Albert example — and ADM Kirkland is in charge of that and certainly can speak in more detail — but we've had folks from Hobbema, Toronto, international, and certainly we're getting a lot of US [United States] attention. And the reality is, is in Prince Albert the crime numbers are dropping exponentially. Now they're not just because of the Hub and the COR. They're because the Hub and the COR is there and now we're also focusing everything else on the same priorities. And when you're focused on the same priorities, you basically just compound the return.

Mr. Nilson: — Okay. Well I appreciate the explanation and, like I say, it's interesting to hear the new language. I was on the mayor's task force on community justice and safety back in the '80s here in Regina. And the minister might remember that because the city police were very involved with it here in Regina. And it was the same concept. It's if you have the people who are the decision makers on your committee, well then things change, whether it's the school board or the mayor or the, you know, others there. And so I appreciate what you've described and because I think that is where the solutions lie.

And we know from, you know, the public health surveys in Glasgow or in Saskatoon or wherever that housing, jobs, connections to schools, make a huge difference in the success of people not getting involved in the criminal justice system. So I appreciate the description and will I'm sure be asking more questions as it moves along.

I think I didn't hear completely where some of those traditional groups fit into this but I think from what you said is, depending on the community, they fit right in there or if they don't have a presence in the community, they're not there. Would that be an accurate statement?

Mr. McFee: — Deputy Minister McFee now. There's two levels, obviously. The whole purpose of having a Hub and a COR in a community is making sure that they're connected to the CBOs. And the CBOs are aligned with what the community are saying the priorities are. So now when everybody's aligned, now we're working on top five priorities mainly, ultimately maybe not working on 15 through 20, you know, just hypothetically. So it's all about the alignment; when people are doing good work in communities, let's align the work. Let's get the synergies. Let's avoid the redundancy and really focus on those common goals. So there's a real role to do that and certainly there's a lot of upside in relation to that.

Hon. Ms. Tell: — Mr. Nilson, there's a reason why we're embarking on this particular endeavour, and the deputy minister has spoken to that. This isn't a flavour of the month just based on, you know, getting people together and having a discussion. The outcomes of this particular initiative are pretty out there. And they're based on evidence and the outcomes.

And we will continue . . . Not only have we supported this from a financial standpoint, but we've also supported it in helping these communities develop a structure that is able to be flexible, depending on the community. And that will predict the longevity of this program, is its ability to be nimble and flexible, depending on each community. And as long as we're seeing outcomes here in the positive sense, we will continue to see this program expand and grow. And we're really quite

excited about it.

Mr. Nilson: — Thank you for that comment. I guess I just make my comment about . . . The crime prevention council of the '80s was based on the evidence from the city of Paris and many communities in France around, you have to get your decision makers together if you're going to make a change. And that's what I hear here, so that's why I say it's similar. And that was, you know, some of the things that we did.

And what came out of that was the Regina alternative measures program, a whole bunch of very positive activities. And that's what it sounds like we've got the start of again, of a rejuvenation of some of those things which are absolutely crucial in addressing some of the issues that we have here.

[19:45]

But I think it's important that there's a recognition that these things build on a long history in the community. And that's where they're really going to work, is if you can tap into the experience and then get the enthusiasm of new people. So I'm supportive of what you're saying and I understand what's driving it.

I have another question which is a bit of an interesting one to ask, but I'll ask it. Are the prosecutors and the courts onside with what you're doing with the Hub? Because often in other initiatives, decisions are pushed up the system, if I can put it that way. And so you end up with a disconnect, and you end up with 1,607 people in jail.

Mr. McFee: — I think that question . . . Better ask that by Deputy Minister Tegart later. But I'll answer part of it because in the early intervention and prevention side of it, a lot of time it's pre-prosecution. So there's no need for prosecution involvement in relation to that.

But just as I mentioned the cradle to grave concept and how equally as important it is, the prosecutors are heavily involved, as you measured alternative measures and such sanctions in actions such as that which are equally as important.

So I think it's important that we don't always think it's the same thing. They're different. They're trying to get to the same place, a more effective outcome for the client. But certainly they're at different times along the judicial process.

So as far as the intervention and prevention in relation to a hub, there's times when a prosecutor will be contacted about a particular situation, that it may be going to court, to get a heads-up. But most often those cases are all pre-prosecution or pre-court. It's asking people what we can do to help. It's, you know, way before the justice system even gets involved. And I think when we do that, as I mentioned, when you talk about police work, and 75 per cent of the calls and anti-social behaviour, if you look at that as a low-hanging fruit, if you can ask that at the right time and you can use some of your colleagues in Health and Social Services and Education, there is a whole component of this that you can take right out of the system by just giving people that early opportunity for help at the right time.

Mr. Nilson: — Thank you for that. And I think a crucial part, and I'm hearing it in what you're saying, is that you empower the local police officers to actually make those decisions and deal with cases, rather than push them onto the prosecution side. And I know that's been a frustration for police officers for a long time, that that sometimes seemed to be the only options. And if we can shift that, which it sounds like you're doing, then that makes a big difference.

I'll ask some more policing questions, some quite specific ones, and policing or corrections questions. One very specific one relates to noise bylaw enforcement. There's substantial groups of people in both Saskatoon and Regina who have been writing to I think the Minister of Justice, the mayor, and others about bringing in the enforcement of noise bylaws, certain decibels allowed for motorcycles and for vehicles, especially in city streets. And I know that the police officers have been dealing with it, but I'm not sure where it fits in the whole justice-policing-correctional world. So maybe if somebody can respond to that as to who is working on this and what are they doing.

Hon. Ms. Tell: — Well it does depend of course on the affected municipality and what bylaws they have enacted with respect to actual noise. Now, I mean, if you're going to measure the noise of a vehicle, there isn't, that measurement isn't . . . annoying to someone isn't necessarily annoying to somebody else. And there isn't a tool or a mechanism to measure the decibel level of a certain vehicle. Now we'll have Murray Sawatsky, is he coming up? Or Dale?

Mr. McFee: — Deputy Minister McFee. One thing to just be cognizant of, there is, as you mentioned, when you're talking bylaws, you're talking municipalities. And certainly those are passed at a municipal level. Going from my previous life, obviously, as a police chief, most municipalities do have bylaws or noise bylaws. Some have been effective. Some haven't been effective. If you're asking a more specific question, do we have the ability to use devices to monitor that or to record that, that's a bit of a different situation. And, Murray, I don't think we've had any inquiries in relation to that, have we?

Mr. Nilson: — I guess I'm raising this because I know that there have been specific letters that have gone to the provincial government, to the mayor of Regina, the mayor of Saskatoon, about using some of the similar rules and regulations that are now available in Alberta. And so it's something that I know the member for Regina Qu'Appelle Valley, Laura Ross, she knows a lot about this.

I know I do just because I hear about it every month or two in a very direct way. So that's why I thought I would ask it because it's . . . I didn't bring the correspondence with me, but there have been very specific letters about provincial enabling legislation. It's in a similar world to photo radar, only it's actually the use of mobile measuring devices on busy streets where there's lots of noise. And in Edmonton and Calgary they've done that. And so that my question is, is anybody looking at that here and perhaps, might be one? If you don't know the answer, you can get back to me later.

Hon. Mr. Wyant: — Yes, it may well be a question that's probably more appropriately put to the Minister of Government

Relations, but we can certainly check in on that for you to see where the correspondence has gone. I'm not familiar with it, but that's not to say that . . .

Mr. Nilson: — Okay. Well anyway I'm just surprised that you haven't been lobbied about it already, but I will direct the appropriate people. And I'm sure you'll hear about it within the week.

Hon. Ms. Tell: — This particular issue is best dealt with by the affected municipality, and it's up to them to approach us in relation to anything enabling legislation or otherwise. If we had received, and I don't recall receiving any correspondence, we would immediately forward it to the affected municipality. And you know, it is truly within their jurisdiction.

Mr. Nilson: — Okay. Well, thank you. And we have this all on the record, so I will pass it along. And wherever that information is, I'm sure it will appear up on your desk maybe by tomorrow morning.

Another question is that we had an incident at the University Hospital last week where a prisoner got away. And we had some explanation about that, but kind of the word on the street, if I can put it that way, information from being out and about on the weekend is that it was inexperienced guards with a person who has a very bad record of problems within the correctional system. I don't know if somebody can provide more detail about that?

Hon. Ms. Tell: — A bit of preamble as Dale here is discussing this with his colleagues.

This prisoner did not get away. It isn't about getting away. This prisoner escaped and under quite extreme circumstances. Now with respect to your second part of your question that the guards were inexperienced, as far as I'm aware, that's rumour and that isn't based on any fact that I'm aware of. But I'll turn the remainder of this . . . And I mean, as you know, is that this particular issue, there will be charges pending with respect to the individual. And so there's only a certain amount that we can discuss.

Mr. Cooley: — Dennis Cooley. Certainly keeping individuals and communities safe is our priority in Corrections. All escorts into the community are assessed on an individual basis and based on use of least restrictive measures which are consistent with the protection of society and the offender's rehabilitation and reintegration into the community.

Offenders are escorted into the community daily to attend appointments, to attend medical treatments, to go take doctor's visits and dentist's visits, etc. And we do, we have a divisional policy that defines the nature of the escorts. And escorts, as I said, may be authorized for medical services, humanitarian situations to facilitate rehabilitation or reintegration, and to facilitate the transfer from one facility to another.

Physical restraints are mandatory during escorts, and these include but are not limited to handcuffs, leg irons, and body belts. And these physical restraints are solely for the purpose of preventing escapes and for protecting the safety of escorting staff and members of the public. So depending on the level of

security of the offender, the type of restraint equipment varies.

Hospital supervision, such as the incident that took place last time — last week, I should say — require the use of leg irons at a minimum. So that incident to which you referred in your question is now under review. Obviously the management of the facility, the management of here at central office don't take these matters lightly. And we're doing a full review, and we'll look for gaps in policy if any and adjust practice accordingly.

Mr. Nilson: — Thank you. The RCMP contract is obviously one that's probably the largest part of your policing budget. I know it's negotiated on a multi-year basis. Can you tell me which year we are in now in the contract and whether it's got built-in escalator amounts as far as the increase in costs, or if it's renegotiated on the amounts each year?

Mr. Sawatsky: — Murray Sawatsky. Sorry, I'm not sure if I caught your whole question. This is the first year. April 1, 2012 was the renewal date of the agreement. But as I was shuffling here to sit down I didn't hear the second question.

Mr. Nilson: — How long, how many years is the agreement? And does it have an automatic escalator clause as far as the cost each year? Or is that negotiated each year?

Mr. Sawatsky: — No, what happens is that each year the RCMP provides the ministry with a budget, and in that budget is built in its escalating costs. And then of course that goes to budget finalization. The contract is renewed. It's a 20-year contract, but at each five-year period it's renewed. In other words there's an opportunity at five years to make changes to the contract, to change any clauses, to change any areas where it's not making sense. The only area where there is a continual cost is in the accommodations area, which is the costs for buildings, houses for RCMP members, and for RCMP detachments. Those costs are fixed throughout the life of the contract and that escalate each year on a fixed rate.

Mr. Nilson: — Okay. And does this contract include the telecommunications system as well, or is that in a separate budget item?

Mr. Sawatsky: — That's separate. That's in the PPSTN [provincial public safety telecommunications network] or the public safety telecommunications network.

Mr. Nilson: — So where would it show up in the budget then?

Mr. Sawatsky: — The RCMP does have a commitment to that of course because the RCMP is a user of the public system and they contribute to the amount. So this year the amount for the PPSTN that the RCMP pays is . . . And I'll find it here in a moment. 1.8 million is the RCMP's contribution to the agreement, and that's for expansion. That's for the purchase of ongoing equipment such as switches and various pieces of material or equipment that are required for the system.

[21:00]

Mr. Nilson: — So that's 1.8 is what they pay out of the 168 that you give them or how does this . . . I'm just trying to understand how it works.

Mr. Sawatsky: — No, and perhaps I wasn't clear. The RCMP doesn't own the system. The RCMP is only a user, but in the master agreement which is amongst SaskPower, the RCMP, and the Ministry of Government Relations, the RCMP has a responsibility to pay for certain things, and that's outlined in the agreement. And the contribution that the RCMP makes this year is 1.8 million. That is in their base budget, so that's money that's already in their budget that they've come to estimates or to the government process, the financial process, and indicated that they required that amount of money for this year. So that's what they were given this year in the budget.

Mr. Nilson: — Okay. So it's in the 168,101 amount which is in the Estimates book; 1.8 of that goes to that system. And is that paid then to government services or to some other department, or where does the money go?

Mr. Sawatsky: — It would go into the PPSTN, into the operating costs for the PPSTN.

Mr. Nilson: — And so where does that show up on the books anywhere?

Mr. Sawatsky: — Well some of that equipment is purchased actually by the RCMP themselves. So for example if it's some radio equipment, they may purchase it themselves through the system. So it either goes from the RCMP over into the radio system, into the larger pool of money in the radio system, or in some cases they buy some of the equipment themselves. It just depends on how it's worked out.

Mr. Nilson: — So somewhere there's an accounting for this . . . What was it called?

Mr. Sawatsky: — PPSTN.

Mr. Nilson: — And what does that mean?

Mr. Sawatsky: — Provincial public safety telecommunications network, PPSTN. GR [Government Relations] operates . . . GR has the fund and GR accounts for the fund. Government Relations accounts for the fund. The RCMP is just a contributor to that fund, similarly as SaskPower and similarly as Government Relations. So there's three partners in the strategy.

Mr. Nilson: — Okay. So the money goes from your budget here in Justice and Corrections to the RCMP. The RCMP then takes 1.8 million and gives it to Government Relations.

Mr. Sawatsky: — The RCMP makes its contribution into that pool of money that the other two provide as well, and that's with Government Relations.

Mr. Nilson: — Okay. Well it's interesting in that Government Relations, they have just 2.1 million in that budget. So I'm not sure how that, you know . . . I don't know. How does this work?

Hon. Ms. Tell: — I would like to have Mr. Tulloch have a look at this.

Mr. Tulloch: — Dave Tulloch, executive director, corporate services. The GR folks manage the system that aggregates the funding from the different funding partners. So we give money

to the RCMP. They in turn provide it to GR who manages the PPSTN arrangements. And there's, what, two other parties with that, Murray? Yes. So SaskPower is engaged in that because they have a need for emergency telecommunications. We do, given our role, and then GR does, I think, from the disaster programming.

Mr. Nilson: — Okay. So yes, I see that in Government Relations they have an external recovery. So you must be part of the external recovery even though you're internal. And then there's internal recovery which is . . .

Mr. Tulloch: — Excuse me. But except in that instance we're given money to the RCMP who in turn give to GR. So we don't pay GR. RCMP does.

Mr. Nilson: — Yes, I hear what you're saying. But it's . . . Well no it's just interesting to see how that works. Because I mean it may be that it might be cheaper if you just paid them directly. You know, I don't know. Maybe Government Relations would give you a better deal than they give the RCMP. I'm not sure about that. Okay. Now I'm trying to see if there's any more particular questions on the Corrections issue.

As I understand it, you don't have the young offenders part in Corrections. Or you do have the young offenders part? I heard some information that the numbers have been reduced there, which I think is the trend right across the country although we're still maybe one of the higher incarceration spots in Canada. Can you explain what the numbers are there and how the facilities we have are being used.

Hon. Ms. Tell: — Yes just go ahead. I mean there is an overall decrease in our young offender counts, and probably a reduction of around 27.5 per cent since 2008, but in getting into the specific numbers and such, I'm going to ask Mr. Cooley to address that with you.

Mr. Cooley: — Dennis Cooley, ADM. In this past fiscal year, the young offender average daily count for secure, open, and remand was 173. That's a 7 per cent decrease from mid-year 2011-12.

Of that count, there were 123 secure custody inmates, 66 were sentenced, and 60 remand. So there's just an average. On average there were, the average daily count for all open custody was 48, so that leads to the total.

So the sentenced youth count began to decline in the late, in the late summer of '98-99, and this decrease accelerated following the implementation of the YCJA [*Youth Criminal Justice Act*] in April 2003. But overall there's been, since the '98-99 period, there's been a 63 per cent reduction in secure custody count and a 64 per cent decrease in the open custody count during that period.

Remand counts have increased, increased throughout the mid-to-late 2000s, but since stabilized and now we've seen, we've seen a drop. So the remand count in 2005-06 was 83 and we're now down to 66 for remand, for last fiscal year. So we have seen a large and significant drop. And we're now at a point where we're adjusting the use of our facilities.

Actually that started in 2006. In April 2006, one unit at the Paul Dojack Youth Centre was converted to an interim secure detox unit for youth requiring stabilization. That's operated by Health. And we have had other unit closures in North Battleford and Orcadia. So we need to . . . We monitor the count on a regular basis, and adjust our operations accordingly.

Mr. Nilson: — So in 2013, where are the main jails for young people? It sounds like there are just two or three left. Is that right?

Mr. Cooley: — We have facilities, secure custody facilities, in North Battleford. And in Saskatoon, there's Kilburn; and Regina, of course the Paul Dojack Youth Centre; and Prince Albert, the Prince Albert youth centre. There's also open custody facilities in North Battleford as well. Drumming Hill, Yarrow in Saskatoon, and Orcadia, just in the Yorkton region. I don't think I missed any.

Mr. Nilson: — Okay. And a big part of the youth corrections system, or the youth security system, that is in the community. Would that be correct?

Mr. Cooley: — Yes. Certainly the community component of the youth component is . . . In 2013 there was 1,603 young offenders in the community.

Mr. Nilson: — Okay. So I think that probably concludes my questions on the Policing, Corrections side, and I'm sure there will be some overlap when we look at some of the other Justice areas. But I think practically, I have received some good information on this and thank you for providing that. And I wish you good work in the whole process with working with the Hubs, and I encourage you to keep building those community connections because that's going to make a big difference. And I know from the evidence that the housing part is a huge one in the community as well, so work on that as well. So thank you very much.

The Chair: — Is there any other further questions? Mr. Norris, please.

Mr. Norris: — Thank you very much, Mr. Chair. It certainly is interesting: the concept and the rollout of the Hub continues not only in Prince Albert but in other communities. And I know you've touched on this, but I'm wondering if there are two, three, four kind of key lessons learned. And we talked about the franchise piece. Can we begin to see how some of those key tenets are beginning to take some specific shape and maybe what those look like?

Mr. McFee: — That's a very good question. And everybody talked about the lessons learned in going forward, and I think those lessons learned is what every community across the country and the US are asking us right now. And I think I would start . . . If you follow back in the process, number one is a champion, and of course as you know, the champion in this particular case was the Premier. And once he championed the collaboration and the working together, the dominoes started to fall as per se.

I think the second big lesson is the ability to share information amongst professionals — privacy. And the comments that I'd

have there were strictly to acute elevated risk. The reality is we have to, when people's lives are in danger, when we've got folks at risk, there's a heck of a lot better success rate if we just sometimes do the right thing. And the ability to do that also exists today, but I think the lesson we learned was it became problematic and people would hide behind that versus a lot of times doing that. And I think we made big steps in relation to that. Obviously there's further steps to go in relation to that.

Everybody respects the privacy component, but I think at the time, when you're talking about acute elevated risk and de-identifying folks, it's important sometimes just to do the right thing and get people help. So I think that was another lesson.

The third lesson is, and a lot of the questions that came out today, is this stuff isn't off the side of the desk anymore. Yes, we've had variations of this when we did the groundwork and the legwork and we studied this. There's multiple versions of this across the country and there has been over the years, but there has never been a formalized structure put in place that the stakeholders all have some skin in the game. So the agencies had to redirect resources, rethink what they're doing, and put their resources in without any new money.

[20:15]

The province came in and paid for the brain piece, which was the executive director — which is a rotational basis, making sure everybody's interests are met — paid for the executive support staff, and paid for two analysts. And analysts are the measurement piece because we all know we want to measure outcomes. And one analyst trained on social return on investment and the other analyst trained in tactical, making sure that we're putting the right resources in at the right time to maximize the results.

Those were the key learnings. And from there which we've also learned is now it's important to drive out the local priorities. You can't give, let's just take a southern Saskatchewan and northern Saskatchewan example, we can't as a ministry give them Regina solutions. We need to give them a mechanism that they can create their own solutions and deal what their issues are. And that's the whole focus on the structure. And when we did that, that's in essence what changed the game because everybody could work locally.

And I think now that we're looking the next steps and we're getting into making sure that it's not just Hub and COR intervention, it's also serious violent offender. It's also recidivism encouraged to change. It's making sure that it's a cradle to grave concept, though we deal at all components. In other words, not hard on crime, arrest, and incarcerate, or soft on crime, intervention, prevention. It's smart on community safety, community safety being a lot more than policing and corrections.

And once we've identified that and start doing this stuff, it truly is changing the game. We can sit here and tell you now that the issues that we are facing in regards to some of the social issues that we face are changeable. But it's going to be that common focus, the common goals, and the common solutions and that collaboration that'll actually get it done.

And you know, we've now put together a DM [deputy minister] advisory council. It's a panel of 10 experts across the country, including the US — everything from mental health, addictions, specialized First Nations addictions, to police practitioners, to doctor-led tests at the University of Cincinnati justice institute, to a former chief judge out of Manitoba. And the reality is, is we need to expose what Saskatchewan is doing to the world and showcase that, but most importantly is, if there's things that we need to change and alter, let's change and alter them rather than continue to do them and not have the result that we could actually have.

So all those things are now coming into effect. We're looking at a journal repository of potential centre of excellence, cross-training of individuals and professions. We're at the tipping point of really changing this and not only delivering a lot better product to the clients, but to a lot more cost-efficient, more focused, timely intervention that actually changes the game and delivers better results. So thanks, that's a good question.

The Chair: — The Chair recognizes Mr. Steinley.

Mr. Steinley: — Thank you very much, Mr. Chair. And actually I've had a few questions when it comes to mental illness and how we have been prepared to work on some of those issues. So I was just wondering, what are you guys doing on the issues of mental illness and addictions as related to crime? And have you seen some progress on that file in the last few years? If you could tell us, outline some of the initiatives that we've brought forward. It's something that's at the heart of some of my constituents' concerns and the last couple of phone calls I received in my office. So I was wondering if we can get an update on that.

Mr. McFee: — Deputy Minister McFee. That's a very good question. I'm going to start with Brian Rector, give some background on some of the changes we have. And I'm also going to bring in Tammy Kirkland, the ADM of safety and outcomes because that's a key component that we're very, very much getting more involved in. And I think there's a lot of opportunity, and absolutely need to be.

Mr. Rector: — There's two parts of information I think would be useful, you know, with reference to your question: one, particularly for adult offenders with mental illness; and the second part, I'll provide information with reference to youth and addictions.

With the serious violent offender initiative that was announced by the Premier, part of the last election, there was funding provided to the Saskatchewan division of the Canadian Mental Health Association. And we've been working very closely with them, developed a contract, and they're in the process of hiring staff. And they're working with ourselves, Corrections, but also the police and RCMP in the Battleford-Saskatoon area to look at what are the nature of supports from a perspective of a daily living support program for serious violent offenders with a significant mental illness.

It's a significant model. It's a beginning, and I think a very important initiative that's being implemented in Saskatchewan with reference to that particular need.

With reference to youth information on addictions, there was a number of resources built in the province over the last number of years for youth with addictions. One of the audits that we did for example was of all the youth with serious chronic offending and serious violent offending that had addictions challenges at a very high level, how many were actually receiving addiction services? The answer to that was between 80 to 90 per cent. So that's very positive from a community-based perspective.

Child and youth services throughout the province also works with custody facilities in providing some addictions work as well. In adult custody facilities there are some services that are provided, but certainly in that particular area within custody there's a need for greater capacity there.

The Chair: — Yes, Mr. Tochor . . . [inaudible interjection] . . . Okay.

Ms. Kirkland: — Tammy Kirkland. Just a couple of things in addition to what Dr. Rector talked about as far as programming within some of the more partnership enterprise things that we're looking at in the field of mental health. Certainly working with our health colleagues on a potential opportunity around the North Battleford mental hospital that's slated to be replaced, and is this an opportunity, based on the facilities we have there right now in corrections, to look at doing something in a more strategic, comprehensive way to address mental health needs of people in Saskatchewan within corrections.

Our preliminary work suggests that 20 per cent of male offenders and approximately 35 per cent of female offenders have a diagnosed mental illness. So we have a lot of folks in there who need mental health services, and correctional centres are not traditionally developed, designed, staffed to deal with those mental health issues. So we see this as a very important opportunity to partner with our mental health . . . Ministry of Health and regional health authority partners to look at what we can do differently for that segment of the population that is perhaps even additionally marginalized due to their correctional involvement and their mental health involvement.

We are also looking at various models from around the country around how policing can intersect with mental health needs at an earlier stage. There are models across the country and other places where police are partnering up with mental health workers to be very preventative, to be out on the street and dealing with issues before they get to the police cells, before they get to the courts and to remand. So we're looking at models like that as well so that across our system we can be more proactive and preventative.

We are doing work with other ministries. Government Relations is leading work on rapid growth communities, and we are looking at what are the stresses that positive economic growth puts on the social fabric of a community around mental health and addictions and domestic violence. So we are working with many ministries on that as well to see where do we fit in and what can we offer to those mental health challenges that come with communities along with the good that comes from economic growth.

The Chair: — Other comments?

Mr. Nilson: — Mr. Chair.

The Chair: — Yes, Mr. Nilson.

Mr. Nilson: — Well basically I've got one hour and five minutes so far, so there's another two hours and 55 minutes in estimates for Justice. And so I don't mind other people asking questions, but it just means that we'll be staying here later tonight. So my understanding is that I have four hours to ask questions.

The Chair: — Thank you, Mr. Nilson. I think there are some communications problems with your House Leader, as we were under the understanding that it was two hours for Corrections and two hours for Justice. Mr. Tochor, did you have a question?

Mr. Tochor: — Yes, thank you, Chair. I'd like to talk just briefly about how you and the ministry and how this budget reflects the goals and our direction from the growth plan 2020. And as you're well aware, that's the guiding star of our government, that a lot of feedback from Eastview and other constituencies throughout Saskatchewan was what made up that plan. And it's always interesting to see how the ministry and how the budget reflects what we had in our growth plan. So I'd like to . . . [inaudible] . . . a little bit additional information on how that relates, and going forward what would plans look like.

Ms. Kirkland: — Do you want us to answer that question?

The Chair: — Yes, please.

Ms. Kirkland: — Tammy Kirkland. I'll start and then Deputy Minister McFee may have some things to add. I think it's fair to say when the initial work was happening around the province's growth plan, that we didn't necessarily have a clear picture of how Corrections and Policing fits and supports our growth plan. But we've worked a lot with our colleagues, and I think there are some very important things to think about.

Deputy Minister McFee's comments around the cost of incarcerating an offender and how that relates to bringing new jobs and new taxpayers into the province is a key element in that. If Saskatchewan is going to maximize its ability to reach its positive growth plan goals, we need to have safe communities. We need to have healthy communities. We need to have citizens that have the literacy rates and the employment opportunities and the mental health and well-being to be contributing citizens.

So we see a significant role for us in that area around contributing to that through rehabilitation. And we've talked lots about BPRC and programming in the facilities, through looking at literacy, through partnering with our education partners around literacy, through different models of policing that are more preventative so people aren't getting so far into the system, aren't costing us as much money. And we're working earlier. I think declining youth numbers are indicative of an opportunity to change people's lives earlier on and have them contributing more quickly. So I think all of those things are what you will start to see as part of how Corrections and Policing can support the growth plan in positive ways.

Mr. McFee: — Deputy Minister McFee. The only closing

comments that I'd put on ADM Kirkland is we've created a bit of an acronym, and if you just put it upside or . . . it's called VOIC3=E [value, outcomes, innovation, core business, client-centred, collaborative equals evidence]. It's V-O-I-C-3 and if you put an equal sign between the C and the E, basically it's V is for value, O is for outcomes, I is for innovation, C3 is core business, client-centred, and collaborative. And how you get there, the equal sign, is you follow the evidence. And long story short is if we apply that acronym to everything we do and we do it on a consistent basis, what we will do is create that essential component for the growth plan which we all know that if you don't have a safe and healthy community, it doesn't inhibit growth, matter of fact it, you know, probably plays a role in a bit of stagnation. So that's something that we're committed to do. We've been getting a lot of results on the collaborative front, thanks to our colleagues, and I think when we start to even open that even more, I think the sky is the limit in relation to what we can actually accomplish on the social side of the growth plan.

The Chair: — Thank you. As we go further we will conclude the questions on Corrections and I will ask Minister Tell if she's got any closing remarks that she would like to make at this point, before we get into Justice.

Hon. Ms. Tell: — I'd like to of course thank the officials that attended here tonight, and the members of the committee, and of course yourself, Mr. Chair. I think we can see by what has been discussed here tonight is that it . . . slightly change in paradigm and a bit of shift in focus. And it's not as though we don't have to ever look after the ones that are at this point in time incarcerated, but we're really placing a lot of focus on the preventative aspect of our ministry and of our business. And again, this evidence-based, evidence and outcomes will become something we're all going to hear a lot of as we go forward here, and picking and choosing the things that are in evidence and that are actually working and having an impact.

Ultimately I mean we're not wringing our hands over the high . . . the counts in our facilities, in our adult facilities. We're focusing a lot on keeping people out of our facilities in the first place and making life just a little bit more . . . better for their communities and for the individuals. And hopefully we'll see a major shift in some of our communities throughout the province that are experiencing difficulties and challenges with respect to crime and offenders, and so that people can just live a better life, not only the offenders but the communities and people that are living in these particular communities.

So it'll be interesting going forward and we're certainly excited in a new re-energizing of our ministry. And we have the right people doing the right things and we're looking forward to the future with respect to rehabilitation and keeping our young people and our adults out of our facilities. I want to thank you very much for your time.

[20:30]

The Chair: — Thank you, Minister Tell, and thank you for your officials. We will now proceed to go into the Ministry of Justice. And, Minister Wyant, you are welcome to . . . Did you need a minute or two to change chairs, officials, or . . .

As we wait for the officials to come to the table, I'd like to welcome you, Minister Wyant, and your officials, as we get into the Justice committees. Mr. Wyant, as soon as the officials do get settled, we will ask you for your opening remarks, and we can start with your remarks, and go into the questioning following that. Just as we're getting ready . . .

Mr. Nilson: — Mr. Chair, can I just make a comment? I want to thank all the officials that are there. But the notice of meeting basically said we're considering the Ministry of Justice estimates. And so my understanding is that four hours that I could allocate the way I wished. The information that we received as far as the officials didn't include any Corrections people on any of the material here. So I was assuming that I could ask as long as I wanted, as long as I did the Corrections first. That was sort of the understanding. So I'm ready with the questions, almost three hours worth, for the rest of the Justice officials. Thank you.

The Chair: — Minister Wyant, if you would like to proceed by introducing your officials, and you can do any opening remarks you may have.

Hon. Mr. Wyant: — Thank you very much, Mr. Chair. Good evening. I'm pleased to be here on behalf of the Ministry of Justice to provide the highlights of the Attorney General's 2013-14 financial plan and to answer any questions that the committee would like to ask.

I'm joined by a number of officials from the ministry tonight. With me at the table are Gerald Tegart, deputy minister of Justice and Deputy Attorney General, and Dave Tulloch, director of corporate services. We're also joined tonight by Linda Zarzeczny, executive director, civil law division; Jan Turner, executive director for community services branch; Daryl Rayner, executive director of public prosecutions; Susan Amrud, executive director of public law; Betty Ann Pottruff, executive director of strategic initiatives and program support; Linda Bogard, assistant deputy minister of court services; Rod Crook, assistant deputy minister of regulatory services division. We also have Dale Beck, director from the Office of Residential Tenancies; Jerome Boyko, director of finance, and Craig Goebel, chief executive officer, both from legal aid; Dave Arnot, Chief Commissioner, and Rebecca McLellan, executive director from the Saskatchewan Human Rights Commission; Darrel Treppel, director from information management branch; Lionel McNabb from family justice services branch. And of course, Dave Tulloch who is at the table, executive director for corporate services, and Dave Wild, Chair of the Financial and Consumer Affairs Authority. And my chief of staff, Mary Donlevy-Konkin.

Our plan and budget, Mr. Chair, will support the government's priorities of improving our quality of life, sustaining economic growth and opportunity for Saskatchewan people, delivering responsive and responsible government, and making life more affordable for Saskatchewan people. In partnership with Corrections and Policing, we will grow vibrant communities by enhancing public safety and confidence in the justice system through prevention, intervention, and enforcement. We will also continue to improve access to services and supports for victims of crime.

The Attorney General's budget supports justice programs through an investment of \$179 million in 2013-14. This is an increase of \$13 million and is 7.9 per cent higher than the previous appropriation.

Over \$600,000 of this increased funding will support the expansion of the serious violent offender initiative to Prince Albert, Melfort, and Meadow Lake that began on October 1st, 2012. This initiative will improve measures to get tough on violent crime and make communities safer by adding more prosecutors and providing a focused, comprehensive response to a targeted group of adult serious high-risk, violent offenders.

Nearly \$400,000 of funding will provide increased access to 30 additional full residential crisis bed spaces in Melfort. This will improve the immediate safety of women and their children by increasing residential crisis services in the Northeast and by increasing the service capacity in Prince Albert and Regina.

A further \$400,000 will be devoted to increase current food allowances for transition houses to align with standards set by the Ministry of Social Services for other community-based organization group homes. The funding will cover the daily food cost for residents and meet the recommendations of the Canada food guide.

The establishment of the Office of Public Registry Administration is accompanied by an increased funding of \$430,000. This office will provide oversight of the public registry statutes and registry services on behalf of the government once ISC [Information Services Corporation of Saskatchewan] becomes a publicly traded corporation.

Capital funding of \$15 million is provided to continue construction of an addition to the Saskatoon Court of Queen's Bench to allow relocation of the family law division. Funding of \$2 million will support tenant improvements to the Saskatoon Provincial Court House. A further \$4.9 million will be allocated to either beginning or continuing the development of implementation of two IT systems for the ministry. We will also expand video court availability and maintaining certain circuit points. Increased funding of \$1.9 million addresses the additional cost in providing court services, prosecution, and legal services. The funding will address the growing demand for services that have been previously covered through the use of supplementary estimates and special warrants.

Victim services will complete a major expansion of its programming in Saskatchewan this fiscal year. Police-based victim services programming and services are being expanded to the remaining police jurisdictions in the province. This will ensure every community and person in Saskatchewan has access to crisis intervention and support systems services for victims. Expansion will cost a total of \$1.8 million and will be funded entirely by revenue in the Victims' Fund.

This budget and ministry plan will enable us to continue to work collaboratively with other ministries, other levels of government, policing services, the judiciary, community-based organizations, and the people of Saskatchewan to achieve our shared objectives. We're also taking steps to ensure that adequate funding is directed toward core programming to improve the effectiveness of the ministry.

In closing, the Ministry of Justice plays a key role in our province. While we are proud of our accomplishments over the past year, we recognize there is still work to do. We will continue to collaborate with our government and community partners to achieve our objectives of justice, fairness, and accountability to the people of Saskatchewan. The funding for 2013-14 fiscal year will ensure the ministry continues to play this role for our government.

Now, Mr. Chair, those are the highlights. And I'm now pleased to answer any questions about our planned budget from the Attorney General's office. Thank you.

The Chair: — Thank you, Minister Wyant, and welcome to your officials. Mr. Nilson, do you have some questions for the minister?

Mr. Nilson: — Yes I do. Thank you. My first question is just a practical one. Will all of the officials that are on this list that the Chair has provided me be here tonight, or are some not going to be here? Because we have questions in a whole number of areas, and some of the people we were going to question aren't here yet.

The Chair: — Mr. Nilson, you ask the questions, and the minister will do his best to answer them. Thank you.

Hon. Mr. Wyant: — All our officials are either here or just outside the House.

Mr. Nilson: — Okay. Well then I'm going to start off. I have my colleague with me, Mr. Forbes, and he'd like to ask questions about the Human Rights Commission. And so is that . . . Are the officials that were going to deal with Human Rights Commission here in the room or . . .

Hon. Mr. Wyant: — We'll have those officials come in.

Mr. Nilson: — So when they arrive, then Mr. Forbes will take over. But I'll ask some questions right now about the overall readjustment of the Department of Justice. You now end up basically putting back together Corrections and Policing and all of these different pieces, but obviously for the purposes of this committee, it isn't all together yet. I guess I can put it that way, although all the notices are there, but practically, can you explain what administrative steps have been taken, and is the department organized the way it used to be or is it in some new format?

Mr. Tegart: — It's Gerald Tegart. It isn't quite the way it used to be, and one of the things that makes it significantly different . . . Well there are two things. I'll start with the fact that young offenders was never part of that original configuration. So young offenders came across from Social Services at the time when the Ministry of Corrections, Public Safety was formed in 2002.

But in this most recent configuration which came about on the 25th of last year, we do have all of those components in the single ministry. But the difference is that we have two deputy ministers with separate responsibilities. So Minister McFee has responsibility for Corrections and Policing. That includes both adult and youth corrections and the policing function. And I

have responsibility for what was in the Ministry of Justice and Attorney General prior to May 25 of last year.

As you will understand from, in particular from the days when you were the minister, Mr. Nilson, a great deal of the authority that leads to day-to-day decision making within the organization comes through the deputy minister. So the fact that you have two deputy ministers means that in many ways you have two entities within that one ministry.

So all of the pieces are together. I wouldn't describe this as a work-in-progress. I think we're very comfortable where we've arrived. Deputy Minister McFee and I work very closely together, as do our officials, but there always has been a high level of co-operation and integration among the programs that comprise the criminal justice system in particular. So that's where the main intersection lies between the two parts of the ministry. It's within criminal justice programming, adult and youth corrections, policing on the corrections policing side. And on the justice side, principally prosecutions, courts, and our community justice programming.

The Chair: — Thank you. Mr. Forbes.

Mr. Forbes: — I have just a few questions about the Human Rights Commission and the implementation of its new directions. So I don't know if the commissioner wants to come forward or does he want to hear the question first and then come forward?

So just to start, just a general how are the new implementation going? How is it . . . Any successes or that you'd like to say as opening remarks around this? And then I have a couple of very specific ones.

Mr. Arnot: — Well, Mr. Forbes, the Act was proclaimed in July of 2011, and since that time then we've been implementing a new four pillars approach to human rights in Saskatchewan. That's gone very well. You know, there's a number of good news stories coming out of it.

Fundamentally we're solving problems at the front end. We're seeing ourselves as a problem-solving organization where a number of issues are being dealt with very early, actually prior to them actually becoming formalized complaints. And as a result, we're focusing significantly on mediation as a resolution to the cases, a situation where we're applying restorative justice principles to human rights issues.

And we think that the application of restorative justice principles fits very well with human rights issues because fundamentally you have a breakdown in a relationship between at least two parties, and if you focus on restoring the harmony between the two parties and having those parties fashion their own solution to the issue, they own the issue and they make the issue work. And because of the ownership there's a satisfaction factor that goes with that, that we're hearing from complainants and respondents as being very, very helpful.

[20:45]

Mr. Forbes: — Have you developed a set of benchmarks so you'll be able to measure over the course of the next several

years the success that you're talking about?

Mr. Arnot: — The goal is to measure the results with both the complainant and the respondent. And we're establishing a system to do that because that's . . . You feel that we want to learn from both sides of the issues. And the only way you can do that . . . Fundamentally, I guess, our goal is to be the best Human Rights Commission in Canada bar none. We want to be an exemplar model on every aspect of our work.

We feel that we are very good at investigation. We're very good at gate keeping, and we're very good at the litigation component. We've always done that. We've done that well for 40 years or so. However when we looked at the issues, we wanted to look at other best practices from other jurisdictions and see what we can learn from them. So with respect to pillar two of our new direction, directed mediation, we borrowed that best practice from Manitoba. It's gone very well in Manitoba. They've been doing it for well over a decade, and they're producing very good results.

Similarly we incorporated a practice from Ontario which is the systemic advocacy approach, on the basis that in the old model where you are myopically focusing on litigation or prosecution of complaints, you weren't necessarily able to fix the situation for a larger cohort of individuals. You may do it for one individual, but that didn't necessarily translate to a larger cohort of individuals. And for that reason we adopted the Ontario model of systemic advocacy.

Mr. Forbes: — Now one aspect of the changes were the use of the Court of Queen's Bench. And you've had one, or how many have been referred to the Court of Queen's Bench?

Mr. Arnot: — One case referred to the Court of Queen's Bench, which was a very positive, constructive result.

Mr. Forbes: — Okay.

Mr. Arnot: — Now it should say that if you look at the Manitoba model, in their model — and we knew this to be the case because it's, you know, more of an emphasis on problem solving, less of an emphasis on litigation — we'll continue to litigate if cases are required to be litigated, as in Manitoba. So for instance in Manitoba, they do one or two prosecutions or litigations a year, and we're on track to do the same thing.

We currently have 21 cases pending in a directed mediation, which is the Manitoba model. And those cases, I've looked at every one of those cases. And quite likely all of those cases will be settled, and they won't go through to a full Queen's Bench trial.

Mr. Forbes: — Has the tribunal process been disbanded, or are there cases still involved? Will that still be ongoing for a few years as you wrap up some of these . . .

Mr. Arnot: — We wrapped up all of the cases. There is one case pending in the Saskatchewan Court of Appeal which could potentially come back for a tribunal hearing. However that's, I would say, unlikely at the moment in our assessment.

And there is one case that is in the hands of the tribunal now

that we're waiting on a review. And that's been in the hands of the tribunal for just under three years. We haven't got an answer from the tribunal yet with respect to that case.

Mr. Forbes: — One of our concerns was the ability for the commissioner, I think if I recall correctly but I can find in our speeches, the ability of the commissioner to refuse to hear a case. Has that happened?

Mr. Arnot: — You mean when the commissioner dismisses cases?

Mr. Forbes: — Right. I could find that specifically if you want, but . . .

Mr. Arnot: — Well, I guess what I could say is traditionally the Chief Commissioner of the Human Rights Commission has always exercised discretion as to whether or not cases would be dismissed, cases would go to hearing, cases would be investigated, cases would move to mediation. And that discretion still resides with the Chief Commissioner.

Mr. Forbes: — And has that happened?

Mr. Arnot: — Yes.

Mr. Forbes: — And how many times has that happened?

Mr. Arnot: — Dismissal of cases?

Mr. Forbes: — Yes.

Mr. Arnot: — Well I'd have to go back. I mean that's the usual mechanism, that was the mechanism for, you know, I'd say 13 years. And a high number of cases were always dismissed. And that's one of the problems because what you need to do is to focus on the front end of a complaint instead of the back end of the complaint.

So what was happening is cases would come in, they'd move fairly quick . . . Well they would move in a litigation model, so they'd be investigated. Those investigations took a long time and really created a bottleneck in the system. When they got to the end where it was given to the Chief Commissioner and — there would have been, I think, four chief commissioners involved in the past before I arrived there — the highest, the high majority of them would be dismissed. In other words, they wouldn't go on to a litigation. You know, I think the largest number of cases litigated in a tribunal in any one year was somewhere in the order of 12 cases. So it was never that many.

Mr. Forbes: — This has always been the case that the chief commissioners had the power of dismissal?

Mr. Arnot: — Yes.

Mr. Forbes: — Okay. From what I understood that it was an expansion of the powers in Bill 160, that wasn't changed? That wasn't addressed?

Mr. Arnot: — Well in Bill 160 there were a couple of additional grounds articulated, but the majority of cases are still dismissed and always were dismissed on the basis that there

wasn't sufficient evidence to take the case forward because it would be unable to be proven on a balance of probabilities.

So the traditional grounds of dismissal have still been used, and I don't think we've used the new grounds of dismissal that were put in. There were two new grounds. I don't have the code right in front of me but, in other words, we haven't resorted to those because they haven't been necessary. And you know, I'm not sure that they will be necessary.

Fundamentally we look at the cases and we see, can we prove this case on a balance of probability, which is a civil threshold? It's a very low threshold, and usually the cases are dismissed on an assessment of the evidence.

Mr. Forbes: — Okay. And is that reported in the annual report, reported out in the annual report? How many have been dismissed because of lack of evidence and different reasons?

Mr. Arnot: — I don't have the annual report with me but I believe so, you know. We report just the number of dismissals but not the reasons for the dismissals.

Mr. Forbes: — And the other one is the change from the limitation period being changed from two years to one year and what impact that will have. But that we can talk . . .

Mr. Arnot: — We can answer that question because that's a good question. In 1996 the commission created a document which spoke to potential, a range of amendments that could have been made by the government. And the government did make a number of amendments in the year 2000. The commission in 1996, in a document called *Renewing the Vision*, recommended that that time limit be dropped from two years down to one year with discretion. In the year 2000, the government of the day decided not to adhere to that recommendation made by the commission, but to retain that two-year limitation period.

The problem the commission always had with the two-year limitation period was it's very difficult to start investigating a case when it's been cold for two years, when you have to first of all get a response from the respondents on an issue that happened two years ago. But also the fact was it was very difficult to find evidence from witnesses on behalf of the complainant who could corroborate the complainant's version of the facts for the same reason: that it was just simply, you know, too long a time, too much of an . . . [inaudible] . . . of time for an individual's memory to be of assistance in a tribunal or a court of law.

So what happened there, that was borne out. I mean we were, the commission was burdened with a number of investigations. These kinds of investigations that were that old by definition before they even got started were very, very cumbersome and awkward and difficult, and most of them would not have gotten through that threshold, as low as it was. So the one-year time limitation has been a long-standing recommendation of the commission to the Department of Justice in the legislature. And of course in the most recent amendments in 2011, that recommendation was acceded to by the government and showed up in the legislation.

Now, quite frankly, there is discretion for the chief commissioner to exercise, in a situation where a complainant comes forward after one year, and we've exercised that discretion quite liberally so far, especially in transition. So you know, it has to be exceptional circumstances in the future. But I'd say for the first two to three years we're making sure that complaints that are legitimate and that it was through no fault of the complainant that they missed the timeline, we're making sure that those cases come into the system.

Notwithstanding that, it doesn't overcome the difficulty of looking back at cases that are that old. The other I think very important point to make is that actually brings this legislation in line with other jurisdictions in Canada, you know. So the majority of jurisdictions have a one-year time limit. Some are not with discretion but ours is. So there's always discretion for equity to be exercised by a Chief Commissioner, whoever that person is.

Mr. Forbes: — And a question about the fourth pillar, and that's the development — now this may be Education; I'm also the Education critic so I can remember to take it to them — but the development of a pre-kindergarten to grade 12 civics material. Is that coming along? And how's that . . . Is it on track? Or what is . . . And who is actually paying? Is it coming out of the Education funds, or is it a Justice initiative?

Mr. Arnot: — In 2009 it was just Justice money. In 2010 and 2011, it was a combination of a 50/50 partnership between Justice and Education. At the end of the year 2012, a foundation was created to assist in the funding of the fourth pillar, financing the fourth pillar. And that foundation received \$250,000 from the Government of Saskatchewan. It was a 50/50 partnership: \$125,000 from the Ministry of Education, \$125,000 from the Ministry of Justice.

In addition to that, the commission sought a grant from the Law Foundation of Saskatchewan for an additional \$250,000 for the calendar year 2012. And that grant was granted by the Law Foundation. So the funding so far up until that point came from the Minister of Education, Minister of Justice in a 50/50 partnership, and that sum of \$250,000 was matched by the Law Foundation of Saskatchewan for the calendar year 2012.

And the purpose of that foundation, it was created so that in effect the Human Rights Commission could seek funding from other sources other than government — other foundations in particular. And it was a way that the monies could be administered for that purpose.

[21:00]

Mr. Forbes: — On governance of the foundation, who governs the foundation?

Mr. Arnot: — The members of the foundation are the six commissioners of the Saskatchewan Human Rights Commission with the deputy minister of Education as an ex officio officer. The Chair of the foundation is myself, and the directors are: Jan Gitlin, a member of the commission; and Paul Flavel, Q.C. [Queen's Counsel] as well a commissioner. There's three people on the board of directors and six members of the foundation. It's essentially the Saskatchewan Human

Rights Commission.

Mr. Forbes: — Sure. I see that you've signed a strategic agreement with the Canadian Museum of Human Rights. And does that involve any funds flowing either way?

Mr. Arnot: — No, unfortunately.

Mr. Forbes: — Okay. I don't think they have a lot.

Mr. Arnot: — The strategic alliance was constructed for this reason. What we're working on in Saskatchewan is really a pre-K to 12 [pre-kindergarten to grade 12] strategic pedagogy on rights, responsibilities, and respect. We call it the new three Rs. So the whole foundation is to . . . The fundamental purpose of the education piece is to ensure that Saskatchewan citizens in particular understand their rights, but they also know their responsibilities that go with citizenship. And part of that is to build respect for one another. So we call it the rights, responsibilities, and respect.

Since it's essentially Canadian rights and responsibilities, these things are easily transferable to other jurisdictions in Canada. And I can say that at CASH or the Canadian association of human rights commission, the other commissioners are very interested in what's happening in Saskatchewan because what I've said to them is, we hope to share these materials with you, other commissions in Canada, because they are Canadian rights, Canadian responsibilities, and the respect that we want to see in all our citizens. So that interest is strong.

And the reason we signed a strategic alliance with the Canadian Museum of Human Rights is that we see that as a natural vehicle to be a clearing house to disseminate these materials to other areas of Canada once they're created. We want to share them. There'd be no reason not to share them. There's no financial . . . You know, we're not expecting anything from the museum.

The museum has a goal that every citizen, every student in Canada would visit that museum, whether in person or virtually. And if they meet that goal, then the materials we create — which will be fundamentally electronic, in other words accessible through the Internet, etc. — will be available through the museum for distribution to other places in Canada. So that's the goal of the . . .

The strategic alliance was signed in March of 2012. And you know, we've had discussions with the museum since I got to the Human Rights Commission in 2009, when it was still just an idea actually, but that's the goal.

Mr. Forbes: — I just wanted to ask about, I had asked a written question about out-of-scope salaries, and it has increased dramatically since 2007 to 2012. And I don't know if you have a copy of the written question and the answer you provided. And so just to elaborate a bit on that because you do say that three full-time positions moved out of scope in April 2012. So my question is, would there be any other consultants or fees or other contracts that are involved in this? Or how many people are involved in the salaries of \$667,000?

Mr. Arnot: — It's just the seven out-of-scope employees of the

Human Rights Commission. Fundamentally there is just the senior counsel for the Human Rights Commission was an in-scope employee. The person who oversaw the investigations and the mediation was an in-scope employee, and the secretary to the commission and/or the Chief Commissioner was an in-scope employee.

And an application was made to the Labour Relations Board which was successful which moved the lawyer position from in scope to out of scope. It moved the supervisor of investigations and the operation of mediation, so the main supervisor I guess was moved to an out-of-scope position, and as well, the secretary to the commission was moved to an out-of-scope position. As a result of that, those salaries moved from in scope to out of scope, and that's referenced in those numbers.

Mr. Forbes: — Thank you very much. I appreciate the answers.

The Chair: — The Chair recognizes Mr. Nilson.

Mr. Nilson: — Thank you very much. So now that my colleague's got some questions answered, he can go back to the other committee where he's been busy. So we'll proceed.

I think we'll start right at the top of the estimates. And you are going to have to explain to me which things apply to you and which don't because it's not very obvious from the material that's provided, and that may be something that needs to be addressed in dealing with this part of the budget.

But if we start right at the top with central management and services, it's clear that there are two minister's salaries now reported. And obviously the '12-13 is a restated amount, but it shows that your executive management's got almost \$200,000 more money. What's the extra money for, and what extra activities are there?

Mr. Tulloch: — What that funding is is we moved the funding for the law students from a corporate services area into the exec admin area, so it's just a change from one budget to another so wasn't really an increase. It's just a redirection of funding.

Mr. Nilson: — So it's money that came from what you call central services?

Mr. Tulloch: — Yes. It would've come from the corporate services area, my branch area.

A Member: — Can we get your name?

Mr. Tulloch: — Sorry, Dave Tulloch.

Mr. Nilson: — Okay, so that's — thank you — that's a straightforward explanation. Now the central services, \$11 million, what's included in that?

Mr. Tulloch: — The program areas that go through are the executive direction, my branch, which is just the corporate services function, which includes internal audit, expenditure management and planning, accommodations planning. We also have the information management branch in there, and that's more or less about it.

Mr. Nilson: — So when you say the information management branch, is that all of the numerous information IT systems within Justice or just the one that's the management side?

Mr. Tulloch: — This would just be the administrative component of that. The larger IT investment projects would come out of our capital budget. In the past, inside of the Corrections ministry, they had it embedded along with the corporate services function. We've decided to move it into one area where it can be seen. So all of the IT projects that are happening that are capitalized now gets spent out of our capital budget.

Mr. Nilson: — So just for clarification, that's on page 104 under major capital projects, and I see an increase of almost \$7 million for office and information technology. So is that what you're referring to?

Mr. Tulloch: — Yes. And there are several projects that would comprise that, that total amount for IT, and if you like, we can list you what that might be.

Mr. Nilson: — I think you should because I know that you've been doing some of the Justice information systems updates, and that's always of interest to the public about how much money is spent there. It's well spent I think, but it's also important to know how much.

Mr. Tulloch: — And in that area we've got now, and the deputy just pointed out, it's also a shared function across both sides of the ministry. So for example there's a staff workforce scheduling budget that's in there that's largely related to the Corrections side of the ministry. We've got the CJIMS [criminal justice information management system] project, and I'm just looking for the number on that. It's about \$3.1 million that goes in there.

Mr. Nilson: — What one is that?

Mr. Tegart: — Criminal justice information management system.

Mr. Tulloch: — And that's a project we've been working on for a few years to manage how we better manage our information related to the courts and that we're staff workforce scheduling, and that's related to the corrections which allows us to better manage the scheduling of our staff inside of correctional facilities. Just looking to see if I have another list of that: database modernization for prosecutions, that's about \$500,000; money judgment enforcement project, which is \$500,000 as well.

Mr. Nilson: — Okay. So it's divided up, so you have some money in your central services, but the actual capital expenditure all goes into this major capital projects side. And is that kind of what's happened throughout the whole budget? Every time there's a capital expenditure, it flips over into that capital projects section?

Mr. Tulloch: — Yes. We've placed all of the capital now in the one area. So any capital projects including bricks and mortar as well as IT, that would all be spent out of that capital subvote.

Mr. Nilson: — And then for accounting purposes, that allows for the amortization of all of those projects. So on an annual basis, you just record 1.3 million even though you've effectively spent 45 million? Would that be a way of putting it?

Mr. Tulloch: — Yes. In that place we follow the rules from the Provincial Comptroller's office around how to allocate the amortization. But it didn't matter where we budgeted for it. We would still account for the amortization the same way.

Mr. Nilson: — And do you amortize buildings at a different rate than computer systems?

Mr. Tulloch: — Yes. All of those rates would be set in the financial administration manual that the Comptroller's office directs that we follow.

Mr. Nilson: — Okay. Thank you. Then the next item is \$33 million for accommodation services. And I know that there's some that's a restatement in that amount, but does that effectively mean that you're paying \$33 million in rent for your facilities this year? Would that be an accurate statement?

Mr. Tulloch: — Yes. That would include the correctional facilities, which are quite large in terms of square footage and all the rest of that, all of the courthouses, and then all of the locations around the province. The restatement, if there is one in there, it's related to the programs that would have transferred to Government Relations.

Mr. Nilson: — Okay. Well I think there was . . . It listed like accommodation services, yes, from Corrections, \$19 million. So is the amount that comes . . . So is that amount then actually paid to government services as rent? Is that where it goes?

Mr. Tulloch: — Central Services. And the way it was in the restatement, more or less the old Corrections vote was terminated and they were brought into the Justice vote. So that's why there's the notion of a restatement there. But more or less what it is is we just glued the two ministries together. And vote 3, which was Justice's, that's the one that kept living, and the old Corrections subvote or vote, it was terminated.

[21:15]

Mr. Nilson: — Okay. So then the . . . So that covers all of the accommodation. Now is there any plan to move the main offices for Justice that are downtown in Tower I in the near future? Has there been any discussion about that?

Mr. Tegart: — Gerald Tegart. Not with us, so I assume that there are no discussions of that sort going on.

Mr. Nilson: — No. It's just a question you ask because you never know on something like that, but okay. Well then going through the budget, I see you still have the land titles assurance claims set at a statutory amount of \$1. Does this change with the new legislation, and what happens with that particular issue?

Ms. Amrud: — Susan Amrud. The reason that it's in there now is because under the current system any liability that arises out of something done before ISC being established is the

responsibility of the Ministry of Justice. But it's impossible to estimate an amount and there hasn't been an amount paid for a while. So it's a placeholder.

At the current time it stays there through the transition, and after ISC becomes a private corporation the government will retain responsibility for everything that happens up to that point. So there will continue to be some financial liability on the part of government.

Mr. Nilson: — And so then your answer is that that liability will be there for the next 50 or 100 years probably, because of the nature of the land titles system. Is that accurate?

Ms. Amrud: — Probably. Yes.

Mr. Nilson: — So when was the last time any amount was paid under the land titles assurance claims provision?

Hon. Mr. Wyant: — We can't recall when there was a significant claim paid out with respect to the assurance fund. So we'd say that not in anyone's recent memory.

Mr. Nilson: — Were there any insignificant claims paid?

Hon. Mr. Wyant: — Well I'm not aware of any. Perhaps what we can do is we can undertake to get you the answers to that question.

Mr. Nilson: — Okay. I appreciate that, Mr. Chair, if we can get an answer. It is an interesting question because one of the issues, as we look at this whole transfer, is whether you can actually get out of this responsibility. You might be able to create some contracts, but ultimately I think the way our system works is that the Minister of Justice will always be responsible no matter what happens. So I'm not sure if you agree with my assessment of that, but that would be my perspective.

Hon. Mr. Wyant: — There's certainly no intention of getting out from any responsibility that the ministry has.

Mr. Nilson: — And I think you know my perspective on that is if you're going to keep the responsibility, you might as well keep all the fees too. So that's the quid pro quo on that one.

So basically on the central management and services budget, you've lumped them all together, and you kind of operate them all together with one financial manager, but you end up having different wings, I guess if I can put it that way, in how the system works. And it's a bit hard to look at the books and understand what's happening, the way it's presented. And so I just suggest that if you're going to continue to operate that way, you may want to provide a little more information for us.

Let's go on to the courts and civil justice budget. I see that the court services budget has gone up slightly. And is that just related to accommodation issues, or is accommodation all included up in the top? Or perhaps you can explain what that is.

Mr. Tulloch: — If you'd like, I could run through all of the adjustments to that subvote. So the judges wound up with \$815,000. That was a statutory movement. Increased salary costs for COLA [cost-of-living adjustment], so that's 582,000.

We've added some funding to annualize the funding for our money judgment enforcement project. So that is — just trying to follow along here — 331,000. There were a number of series of folks inside of court services that received a reclassification. That's \$257,000. We received a new position in our fine collection area for \$46,000, and that was offset by some funding we centralized for how we pay the phone bills of about \$28,000. Workforce adjustment where we're making some savings with our staff of about \$260,000, and some work related to Queen's Bench services in Wynyard of \$37,000. So that's the net of that is \$1.707 million, and that's comprised of those numbers I just read to you.

Mr. Nilson: — So how many Queen's Bench court judges do we have right now in the system?

Hon. Mr. Wyant: — Thirty-two full-time Queen's Bench judges.

Mr. Nilson: — Plus then supernumerary that are available for some work. Okay. And then Provincial Court judges, how many Provincial Court judges?

Hon. Mr. Wyant: — Forty-nine.

Mr. Nilson: — Okay. And in the Provincial Court, are there . . . I know that there was some readjustment of the designations for judges over the last couple of years. How has that changed or what has changed? Because I know that there was some discussion about putting together the civil justice, small claims court judges, and everybody else all into the same pool. Has that happened? Or maybe that hasn't happened.

Hon. Mr. Wyant: — Well we don't have any increase in judges. If you're talking about the differentiation between civil and criminal, in Regina for instance, there is a dedicated civil court judge that deals with small claims matters; Saskatoon for example, the judges rotate through that court. Is that, is that . . .

Mr. Nilson: — Yes.

Hon. Mr. Wyant: — Okay yes. So it's dealt with differently in those two cities.

Mr. Nilson: — Okay. And my question relates to some of the questions I was asking earlier about the wait times for criminal justice cases because I know that we had a few situations where there wasn't sufficient court time to deal with cases in a timely manner. And that caused a problem, and I think was the impetus for the change in the Provincial Court legislation to allow the minister to designate what judges would be rather than how it was set up before.

Hon. Mr. Wyant: — I think I'll answer that by saying as far as time to . . . And I'll let the officials deal with this specifically, but if the question relates to time to trial, we've seen a reduction in the time to trial over the last period of time. We have some numbers on that if that's your question.

Mr. Nilson: — Well that's my question, because the Corrections official said that the number of people on remand is over 600. And that sounds to me like a pretty high number from where it's been in other years.

Hon. Mr. Wyant: — The general time frame for time to trial is between four to six months. Where we have situations where we find some stress in the system, there are some mechanisms available to the Provincial Court, the chief judge, to get those, to clear those backlogs in those courts.

Mr. Nilson: — Has that mechanism been used in the last while to deal with some of the delays?

Hon. Mr. Wyant: — Where we've seen some time to trial issues, they have resorted to having some judges move into those areas to have those delays sped up so that they do increase the time to trial in those areas, in those Provincial Court points where there's been some delays.

Mr. Nilson: — Are there any cases now where there are a possible danger of people being acquitted because of the time that it takes to go to trial?

Mr. Rayner: — That's a difficult question to answer until an application is made and until it's actually decided by the court. There's certainly some cases which have been in the system for significant periods of time. But unless and until an application is made for a stay, it's very difficult to assess, you know, the exact number.

Mr. Nilson: — I appreciate the answer and I respect the fact that it's a hard one to answer. But when the number of people in prison on remand is up to over 600, and they're staying in dormitories or extra space and other things like that, I have questions about the interplay between prosecutions, the courts, and the jails as far as just dealing with these cases so that we can end up having many fewer people waiting for trial.

Mr. Rayner: — Perhaps to answer that, I can give you a bit of indication as to the process. When an individual is on remand they are given priority. And of course any matter proceeding to Queen's Bench goes through pretrial conferences. And that is one of the issues that's identified at the pretrial conference, is the priority that should be given to cases going through the Queen's Bench court. And as well in the Provincial Court itself, depending on the location, there's either pretrial conferences such as in Saskatoon or else what they do is they set aside specific courts to handle individuals who are on remand so that their matters can be expedited.

So there are processes in place to try to deal with individuals who are on remand and try to ensure that they, I don't want to say jump the queue, but they are at the front to try to get their matters heard quickly.

[21:30]

Mr. Nilson: — So are there any trigger points in the numbers? And I just, I was surprised earlier to hear that there were that many people on remand and in not necessarily ideal conditions where they're kept. Is there some trigger point that says, we need more judges or we need more prosecutors or we need just more people within this system, so that we don't end up having so many people who haven't been convicted serving time in jail?

Mr. Rayner: — Certainly the system itself is under a great deal

of pressure. There's no question about that. We do work closely with the courts particularly, not so much with Corrections, you know, who are essentially just housing the individuals on remand. But we do work closely with the courts in trying to alleviate some of that pressure. And as I previously answered, you know, we try to deal with those individuals who are in custody first. There's a number of factors that go into play, as you can appreciate, in assessing when the matter proceeds to trial. And oftentimes even individuals on remand, there's delays, both systemic delay but also delays brought on by the accused himself or herself which all factor into individuals being held on remand for a substantial time.

Mr. Nilson: — So is the rule still the same that you get two days credit for every day on remand?

Mr. Rayner: — No.

Mr. Nilson: — I know that they changed that, but every once in a while you seem to see in the paper that somebody gets credit. Are you appealing those cases, or what's happening?

Mr. Rayner: — Yes, where it depends on for how long the individual has been on remand. If the individual has been on remand prior to the new legislation taking place, then of course they get the benefit of the previous legislation. Anybody who has been on remand since the new legislation came into being, no, we are appealing those cases where appropriate.

Mr. Nilson: — So is that making a difference on how quickly these cases are coming to court? Because I know that was the original idea behind the legislation.

Mr. Rayner: — I don't think that there's been any studies so far. There has been no studies either provincially or nationally so far to assess, you know, the impact of the new legislation. I think it's a little bit preliminary. I think probably . . . I don't know if the federal government is going to or is planning any reviews of it. But thus far there's been no review as far as I'm aware either nationally or provincially to assess, you know, its impact on the prison population.

Mr. Nilson: — Would that be the case also with the increased numbers of people going through the courts as a result of some of the federal criminal law changes, or is that maybe not able to be answered yet either?

Mr. Rayner: — There hasn't been any reviews thus far, and it's a little bit preliminary to assess, you know, what the impact of Bill C-10 or any of the other legislative changes have caused.

Mr. Nilson: — So also in this whole area of the courts, there is a sort of, a drunk, drug treatment court or a mental health court. Is that still in existence, or has that been changed?

Mr. Rayner: — There is no mental health court but there is a drug treatment court in Regina in addition to three domestic violence courts. Those are the specialized courts which presently exist. So there is a drug treatment court in Regina and one domestic violence court in Regina, one in Saskatoon, and one in North Battleford.

Mr. Nilson: — Has there been any assessment of the value to

the system of the drug treatment court? I mean just on the face of it, it sounds like a good idea but is there evidence that shows that it's providing something positive in our judicial system?

Ms. Pottruff: — Betty Ann Pottruff. Yes we've done evaluations of the drug treatment court, and it demonstrates that in fact people who complete the drug treatment court program and those that actually graduate as well, because you can complete without graduating, they actually have a lower recidivism rate. They have a better chance of employment and education. They suffer reduced health effects and are able to have a much better quality of life.

We haven't been able to do a cost-benefit analysis simply because the comparators are very difficult to come up with. But yes the impressions are all very positive in terms of what the drug treatment court provides.

Mr. Nilson: — Okay. Then also with the courts, and you talked about the family violence courts, how do they operate? And how are they different than what might be a family court in Yorkton or something like that?

Ms. Pottruff: — Well of course the three domestic violence courts deal with criminal charges, right, rather than as a generalized family court. And all three models in North Battleford, Saskatoon, and Regina are slightly different. But I will give you my best summary of it.

If someone is charged with an offence that would qualify them for the domestic violence court, they're assessed by the Crown in terms of whether they would be eligible to go into that court and whether they're seen as ready. They will go to the court there. They plead guilty. There's an assessment process that is done in terms of where they're going to go in terms of treatment, etc. And then if they complete the treatment, then they come back before the court. They'll be coming back regularly during the process but they come back before the court, and if they've completed, then that's taken into account in the sentencing.

Now Daryl may be able to speak more. Do you want to add anything to that?

Mr. Rayner: — I don't think so.

Ms. Pottruff: — Okay.

Mr. Nilson: — Is there any plan to expand the number of these domestic violence courts?

Ms. Pottruff: — Not at the present time. Not at the current time, sorry. I should notice too, that when Daryl mentioned the courts, there is a drug treatment court operating in Moose Jaw that they've managed to put together themselves without any additional funding. So that's an additional one.

Mr. Nilson: — How much additional funding do the other ones get, or how much does it take to operate these courts?

Ms. Pottruff: — With the drug treatment court, that's a program that is run between ourselves and Health because there's a significant Health component with it. It's

approximately \$1 million in the budget for, estimated, in terms of what we actually put into the drug treatment court. Now a lot of that are resources that are actually allocated to it, so it's not pure budget. Of that we obtain 446,500 from the federal government in cost recovery. From the Justice costs, it's estimated around \$200,000 just for the Justice staff that's associated with the court.

Mr. Nilson: — So then going back to the court structure, and once again the 600 people plus on remand, would that number be, could you bring it down if we had more judges, either Queen's Bench or Provincial Court?

Mr. Rayner: — Daryl Rayner. I don't think it would be quite as simple, just more judges. Obviously there's got to be the accommodation. In addition to judges, there's got to be all of the support that goes with the court itself, that being the sheriffs, the clerks, and then of course you're going to have more Crown. You're going to have to increase the size of the whole justice system overall. And would that have an effect? I suppose if, you know, you built more courthouses and increased just the sheer number in the communities which are most under pressure, then yes, that would decrease. It would increase the number going through the courts, of course. But given what we have available to us, and just the whole court complex, that being the accommodation in addition to the personnel, I think we're running as well as we can right now.

Mr. Nilson: — I notice in the courts and civil justice budget, there's some money allocated for family justice service. So that must be for the domestic violence courts and other services? Or what would those services be?

Mr. Rayner: — It wouldn't be the domestic violence court. The domestic violence courts all fall under the criminal courts. Family services is civil.

Mr. Nilson: — Maybe this is my answer. Yes.

Mr. McNabb: — Lionel McNabb. And family justice services includes the maintenance enforcement office, marriage unit, social workers, parent education, family law information centre, and the fine collection branch.

Mr. Nilson: — So the obvious question is, how does fine collection fit with family justice services, other than maintenance enforcement office is a good collector of money? Would that be the answer?

Mr. McNabb: — That would be the answer.

Mr. Nilson: — Okay. So family justice services is a bit of catch-all of important things. Since we're there, can you tell us what the success rate is on maintenance enforcement for last year and maybe give a little report on that?

Mr. McNabb: — Lionel McNabb. Our collection rate is staying right around the 90, 91, 92 per cent. The year ended March 31st, we collected almost \$40 million. The year before that we collected \$36.5 million. So the dollars keep going up substantially. Trying to get good client service, we had an audit. The auditor comes in every year and is quite satisfied with how the money is being handled. We are currently building a new

computer system as well which we hope to go live sometime this summer, but that will also provide much better client service and get the money out to people quicker, plus help us collect money.

Mr. Nilson: — Okay. This morning when I was out on the front step, I had a conversation with a fellow who wanted to give money for maintenance enforcement. I said he's a few buildings too far north. But I sent him over your way, so hopefully the money got there.

But that, you know, the whole program, I appreciate the work that you do, and I know many children and families appreciate that as well. Presumably you have sufficient revenues in this budget item here so that you can do your job. Would that be accurate, or are there pressures that are creating shortages?

Mr. McNabb: — We are doing quite well. It's a balanced workload, keeps . . . The amount of enforcements we can do grows, but actually our client base is shrinking slightly each year for the last few years. I'm hoping . . . There's two reasons for that: (a) people are taking their children responsibility and, you know, are concerned about their children and are paying for them voluntarily; the second is that I think we've got tremendously good employees and they're doing a good job. And likely the word is out there that you might as well pay; if not, we'll collect the money from you anyway.

Mr. Nilson: — Well I hope that's the right answer because that's the best way to have it. Now you've been given the responsibility to collect fines. How long have you had that responsibility as, I guess, a division of the maintenance enforcement office?

Mr. McNabb: — We took that over in January of 2008. And you're quite right, we transferred a couple of our maintenance enforcement officers down there, and the collection rates have increased dramatically. We partnered in 2008-2009 with the Canada Revenue Agency and started . . . If people don't pay their fines, we . . . It's all means-tested, but we garnish their . . . Garnish is the wrong word. Canada Revenue actually . . . It's a set-off. They called it a set-off. And we will take their income tax and GST [goods and services tax] if they don't pay. So the collection rate increased from about 77 per cent. We're up about 84 per cent. In 2007-2008, we collected \$5.8 million, and in the year ended March 31st, we collected \$20 million.

[21:45]

Mr. Nilson: — So do you do contract work for municipalities and collect fines that way, or is it just provincial fines?

Mr. McNabb: — At this stage it's provincial fines, although we're currently negotiating with the federal government. We collect their fines at this point for under \$400, but our collection rate is much higher than theirs, so they're negotiating with us to take over the rest of their fines.

Mr. Nilson: — Is that just for Saskatchewan or for the whole country?

Mr. McNabb: — Just for Saskatchewan.

Mr. Nilson: — You know, I mean hopefully fines aren't a growth business. But obviously there's some things that you can do well and people are identifying that. Are there any tools that you need as a maintenance enforcement office? Because I haven't seen an amendment to the legislation come through this year, and usually there's something every year.

Mr. McNabb: — Usually there is one. I think we're getting a pretty good toolbox, you might call, where with the toolbox, each tool will help you collect a smaller percentage. So this tool may apply to that person, and this other tool applies to the next person who isn't paying. We have the ability now to charge interest. Once the new computer system is built and up and running, that is our next focus, is to start collecting interest for custodial parents in Saskatchewan.

Mr. Nilson: — So I presume then that's part of the court order or part of a judicial regulation that allows for order on all judge's orders. Or how does that work?

Mr. McNabb: — It was built in two years ago. It was built in to *The Enforcement of Maintenance Orders Act*. So as soon as we get the computer system up and going — and I think there's three jurisdictions now charging interest — but if you are enrolled in the maintenance enforcement office and have arrears, once we can get our computer system going, then you will have to pay the . . . The person who's paying will have to pay interest to the custodial parent on outstanding arrears.

Mr. Nilson: — Okay. And do you have any more things like that oncoming in the future that you . . . or things that you would like to get?

Mr. McNabb: — There are always things as you move along. There's always different things that we look at. We will keep looking at them and approach the government and ask if they will help us with those when we're ready to do them and the new system is up and running.

Mr. Nilson: — Okay. Well I think I covered all of the things that are in the family justice services, except I didn't ask a question about the education part. Is that the courses that are available for people so they can learn about what happens in a court case and maybe make some adjustments before they have to pay a lot of legal fees. Is that what you're talking about?

Mr. McNabb: — It's actually if you're going to court, Court of Queen's Bench, and . . . or fighting over your children, then you have to go. It's called parenting after separation, and it's mandatory. And the parties, the man and the woman in that case, would never go at the same time. But really what the course shows them is that, you know, you don't have to get along, but if you fight over the children and drag the children into your fights, here's how it impacts your children.

There's a number of lawyers now, before they will represent a party, will make them go to the parenting after separation and divorce. Because as you know, a lot of parties just want to fight on the front end. And quite often after they take the parenting after separation and divorce program, they're at least willing to sit down and talk and see if they can arrange a settlement so they're not dragging their kids into their disputes.

Mr. Nilson: — And do people have to pay for this or is this paid for through the budget of the Justice department?

Mr. McNabb: — It's all included in our budget. And we do get some assistance from the federal government on that, to be fair.

Mr. Nilson: — And is this available in every community in the province or only in certain communities?

Mr. McNabb: — Every place that there's a Court of Queen's Bench.

Mr. Nilson: — Is the work done through contract work with local community organizations or are there specific people hired to do it?

Mr. McNabb: — Both. We have a number of social workers. We have about 10 social workers that do some of it. But of course in a Melfort, you'd only need to run one a year or two a year, and some of them will drive into Prince Albert. So in a lot of those places, you're quite right: it's community organizations or sometimes social workers that we contract with because it's a canned program, and we train them and then get them to deliver it.

Mr. Nilson: — Good. Well that's a positive thing, and sometimes people don't know about that until they get themselves into a corner obviously. And I think that covers all the things that are in your area there. So thank you for that information. It's a warning to everybody that the sophisticated fine and maintenance collectors are even getting better. So thanks.

Next item in the book relates to dispute resolution. And perhaps you can explain that budget and how that money is used.

Mr. Crook: — Rod Crook. The dispute resolution budget is \$1.661 million. We have 15 FTEs with our staff complement of mediators. And the range of programming . . . There is a number of areas where we provide mediation services that are either court annexed or legislated. So those areas would be the Queen's Bench civil mediation program, family mediation, farm foreclosure mediation, and mediation in situations where there's an expropriation occurring where that service is useful. In addition to that, the dispute resolution office provides mediation facilitation and training services for government ministries and agencies, and that's done on a fee-for-service basis.

Mr. Nilson: — And has this expanded or contracted in the last few years or is basically providing service on a pretty standard basis?

Mr. Crook: — It's on a pretty standard basis. Of course at one point the civil mediation program was not province-wide. Over the last few it has been. So that's one area where there has been growth, but that's been fairly steady for the last period of time.

Family mediation is an area where we do see growth. There is increased demand in that area. We get work from a number of sources. Court of Queen's Bench judges will ask our unit to assist in family files where they feel that that would be useful. The family justice services branch that Lionel McNabb runs

will refer cases where, you know, assisting with the custody or access issue may actually help to resolve something that will ensure that the maintenance payments are made because there isn't another issue. So there's a variety of family mediation that we do get.

The farmer-lender mediation I think is the one area where that's declined fairly significantly over the last few years, and it's something that we historically did quite a bit more of. And so that would be one area of change.

Mr. Nilson: — So now that the whole area of farm debt, I know, was the original start of all of this work in dispute resolution back, I guess it goes 30 years now, when the interest rates were 17, 18 per cent and were lots of trouble.

Just for my own sort of clarification, are you still responsible for the Provincial Mediation Board or whatever remains of that? And has that got a separate budget item in here, or is it that in this dispute resolution area?

Mr. Crook: — It's not in the dispute resolution office, but the ministry is still responsible for the Provincial Mediation Board. And its funding is . . . It's run as a combined operation with the Office of Residential Tenancies. So its funding is included in the line you'll see later in estimates under boards and commissions.

Mr. Nilson: — Yes. So that's a separate area but kind of related in a way in that they're . . .

Mr. Crook: — That's right, depending on the nature of the issue.

Mr. Nilson: — Okay. Now let's see if I have any more questions about the courts right now. Well one other, I'm not sure if this is quite the right spot for it, but I think it is. And that relates to the work around missing women and men. And I know that there's a special emphasis on that, but I haven't heard anything about that for a year I think probably. And perhaps you could give me an update on that.

Ms. Pottruff: — Betty Ann Pottruff again. There is a provincial partnership committee on missing persons that is still operating and still has . . . We now have 20 sectors involved in that committee. We continue to work away at trying to ensure that the recommendations made in the 2007 report are implemented. For example in the past year, there have been three victim services workers to work with families of missing persons developed and are operating in Regina, Saskatoon, and Prince Albert. And that's with the benefit of some federal funding.

The Saskatchewan Police Commission have finalized a standard policy for the province and forms for how you take in a complaint about a missing person and how you assess it. And that was just approved this last couple months and is now being implemented across the province. And that includes working with the RCMP.

In fall of 2012, a strategic business plan for how you support the families of missing persons was published by the partnership committee, and it was distributed widely across Western Canada to our other partner agencies. And it sort of

sets out a game plan obviously as to how you can go forward and address the needs of the families of missing persons in terms of prevention and awareness and response. So we've been busy doing that.

We've continued with other work and are hoping to continue on next year with further initiatives, which may involve meetings with the families. It may involve other initiatives.

We're certainly continuing to work with other jurisdictions. For example, ministers last fall directed officials to develop a report for them for this fall on how to deal with violence against Aboriginal women and girls. And so that will be coming back to ministers.

We're continuing to implement an FPT [federal-provincial-territorial] report on missing women which had 52 recommendations, many of them taken from the Saskatchewan report. So it's a very active file.

Mr. Nilson: — Is there a provincial registry of missing women, or maybe a national registry in place?

Ms. Pottruff: — I think there are two answers to that. The first is that the Native Women's Association of Canada has done their research of course and have their files on the women that they have identified. But there's no registry per se, other than the Saskatchewan Association of Chiefs of Police of course has a website which on it has the cases that are the long-term missing persons. So anyone can go there and see the cases that are from 1940 on. At this point there are 30 missing women on that website. Only 17 of those are Aboriginal.

As well there are some jurisdictions which have operated voluntary databases, and that's where you can count our high-risk individuals. And they agree to give the police information so that they can be identified in the case of a tragedy. There are some individual areas in the province where some of that work is being done, but it's not a province-wide registry. We're just aware of some incidents where in fact people are taking that information.

[22:00]

Mr. Nilson: — So is that part of the agenda of this group of people you were talking about? I think you said 20 different people. There's 20 that are coming together? I know it's a very difficult area, but it's also one where if we can get some of the right procedures in place, maybe we can stop or prevent some of the incidents from happening.

Ms. Pottruff: — Yes, the partnership committee includes organizations like Child Find, the Alzheimer Society, the Federation of Saskatchewan Indian Nations women's commission, Métis Family & Community Justice Services Inc., Saskatchewan Aboriginal Women's Circle Corporation, the coroner, police, and various ministries.

And so through that network, yes we are working on these issues. And we're certainly having discussions about these voluntary databases for example, as to whether they're appropriate, how they're appropriate, whether there's a role for the committee in looking further at that.

Mr. Nilson: — Okay. Well that's, you know, there's been some fairly high-profile cases again in the last couple of weeks. And so it still obviously is a big issue, so keep working on it. I think it would also probably be helpful to let the public know what you're doing because I'm interested in it, but I don't . . . You know, you end up having to ask questions here to find out what you're doing.

Hon. Mr. Wyant: — Just from a public awareness perspective, we will be declaring the first week of May to be Missing Persons Week. So there will be some awareness programming around that that week.

Mr. Nilson: — Well that sounds like another idea because I think practically there are many people affected and sometimes they have ideas that can be very helpful in the whole process.

I think it's sort of this same area too with the courts relates to the victim services kind of work and all of the programs around I guess other ways of, you know, alternate measures or other ways of resolving situations, and I know the victim services side is. They were honoured today and that was nice to have them here in the legislature. But perhaps you can give me an update on the whole victim services program so I can understand where it's at now and which or how many communities are being served. And if it's primarily . . . Well I'll let you give me a report and then I'll ask a few questions.

Ms. Turner: — Jan Turner. As you are aware, today was the start of Victim Services Week in the province and we had the pleasure of honouring some of the long-time volunteers. I know they were recognized here in the House.

This past year we've been working on expanding the police-based victim services program, provincial wide. The program about a year ago had covered about 87 per cent of the population, but that left about 34 RCMP detachments that did not offer victim services. So our staff have been working with the communities and with the RCMP very hard this year to develop a plan to cover all of those other remaining parts of the province. And we hope in the coming months, certainly by the end of this coming fiscal year, to have that plan complete. Announcements will be made later this week in a couple of locations of how that will roll out, including one in Yorkton on Thursday of this week, and the minister will speak in La Ronge on Friday about the plans for the North.

Mr. Nilson: — So that's the police-based victim services program. You're hoping to have it cover the whole province by the end of this fiscal year, so that's a continuation of getting that right combination of the good, competent volunteers along with police that understand their role in this whole area. So I appreciate that report.

There's also a whole aspect of compensation for victims, and perhaps you can give me a report on what's happened in that area. I know it's always a very difficult thing because there really aren't methods of sort of ensuring that everybody who's a victim of crime gets compensated. But there are some methods of doing that. So perhaps you could explain what we have in 2013.

Ms. Turner: — The compensation program has been in place

now for 20 years in the current form. In the past fiscal year, there were 416 victims of violent crime who received compensation through that program which totalled \$379,319. The items and the circumstances that can be compensated are specified in *The Victims of Crime Regulations* that sets out both the type of offences that would be compensated and the types of compensation.

This program is fairly steady at this point in time. The number of victims receiving compensation does not vary very much from one year to the next. However, it's very timely for the program to do a review to ensure that the rates of compensation are what they should be and also that we're consistent with other compensation programs across the country in the kinds of things that we would be compensating. So that program is currently under review, and we hope to be making some recommendations in the coming months about that.

Hon. Mr. Wyant: — I could also add a comment to this as well. I will be meeting with the federal Minister of Justice later this week to talk about this issue, not only to talk about victims' rights but to talk about the whole area. So we'll see what happens after we've had a discussion with the federal minister about what their plans are around a victims' bill of rights. So we'll have something further to report on that once we've completed those discussions.

Mr. Nilson: — So that, you know, that sounds good to work on these things, and I know it's a difficult area. Are there discussions around — well I guess it's, how do I put this — are there any discussions around the injury as a result of crime? Because we know we have no-fault insurance with vehicles, we have workers' compensation, and then there's this other place where there really isn't a system in place to deal with people who are injured. So is there any discussion at all about something like what they might have, well I think they have it in New Zealand where if you're injured, there's a public insurance fund to help you out?

Hon. Mr. Wyant: — We're not currently considering any kind of an insurance scheme to deal with these issues. That said, we will be looking to see what other jurisdictions are doing across Canada. We know that in some jurisdictions around the world, and Britain is one example where they have an insurance scheme, they're starting to back away a little bit from that. But we will be looking to see what other jurisdictions are doing, but we don't have any current plans to introduce any kind of an insurance scheme to deal with this.

Mr. Nilson: — Are there any plans to increase the number of or the types of crimes that are compensated for in the regulations? Or is it . . . Maybe that's what the review is about.

Hon. Mr. Wyant: — Yes, that will be part of the review. And again we will be looking to see what other jurisdictions are doing, what their breadth of remedies are, and what the breadth of things that they compensate for are. So that will be part of our discussions.

Mr. Nilson: — Can you give me a bit of an idea what happens in Alberta and Manitoba compared to Saskatchewan?

Ms. Turner: — Yes, I do have some information about

Alberta. Again each of the provinces is quite unique, so it's . . . Their program is more similar to an insurance plan and it does provide benefits that are set out based on their verified injuries. They do not cover losses related to the crime such as medical expenses, loss of income, funeral costs — and those would be some of the things that currently we cover here — but rather it pays a financial benefit to acknowledge the victimization. So we could find out more information about that, if you'd like, and provide that.

Mr. Nilson: — Well and I was just curious because I think that's where the comparisons come, is with our neighbours. And I know there are situations that arise where people are kind of at a loss what to do. And so if there are some things that can be done, well I encourage you to do that and I look forward to getting further reports.

Where in the budget do your funds show up? Are they in something we've already looked at or is there a special line that I didn't see?

Ms. Turner: — The Victims' Fund is a dedicated fund. It's a revolving . . . It's a special purpose fund, so it doesn't show in the budget book. It's stated later in the budget book, so you won't have a line to look at there.

Mr. Nilson: — So it's in some other part of the budget book. Okay. Well perhaps you could . . .

Mr. Tulloch: — Yes, just to be clear, the funds aren't . . . No funds are appropriated to the Victims' Fund. The funds come out of a surcharge on fines, so it's not actually disclosed that way.

Mr. Nilson: — Well yes, I appreciate that answer. But when you're sitting on Treasury Board, as I know some people are, any money that you get through effectively a tax on something is an appropriation. But it doesn't show up in this book. So what you're saying is that 15 per cent on fines goes into this fund and pays for all of the expenses. And was that the one that was increased recently, so it went up?

Ms. Turner: — There has not been a surcharge increase, I believe, since '08 was the last time there was an increase for . . .

Mr. Nilson: — I guess though some of the fines were increased, so it effectively increased the revenue for that fund. Okay, thank you for that answer. I understand what you say. It's another one of those parts of provincial financing which is a bit mysterious, maybe in a positive way. So we'll thank you for that.

Mr. Tulloch: — Excuse me. Just on that, it is on page 191 in the Estimates book. It discloses how the fund is funded . . . [inaudible] . . . Oh, Dave Tulloch. Yes, the listing of the Victims' Fund.

Mr. Nilson: — Yes, so it lists a description of the Victims' Fund, but it doesn't say how much money was collected and how much money was spent, which must be I guess in the Ministry of Justice's annual report? Would that be there? Or would there be some place where it's publicly reported?

Mr. Tulloch: — We would table the fund documents. The fund statements are tabled each year.

Mr. Nilson: — Tabled in the legislature?

Mr. Tulloch: — Yes.

Mr. Nilson: — Okay. So I'll watch for them. I assume they're coming either in the spring or in the fall. But how many other revolving funds are there in the Ministry of Justice?

[22:15]

Mr. Tulloch: — Right now there's just the two revolving funds. There's the prison industries one and then there's the Queen's Printer. So those are the revolving funds. But there are a number of special funds. So for example, the . . . I'm just looking through the page here myself. For example, the Office of Residential Tenancies, we publish those documents as well. All of those financial statements get published as well. Provincial Mediation Board's a further one, Public Complaints Commission, Automobile Injury Appeal Commission, Human Rights Commission — all of those are special funds that we table the documents. We table that before the end of July. I think it's 120 days after fiscal year-end.

Mr. Nilson: — Okay. So we'll watch for those. And maybe I'll save them for next year. We can ask some specific questions about those. So is there anything . . . I know there's a whole area that I think must come under the area that you work with with respect to restorative justice. And are there projects and things happening in that particular area?

Ms. Turner: — The other programs that you're interested in fall under vote 05, under the community justice heading. And the first item under there is community service and the services branch, and that, you know, that is where the funds for restorative justice and adult alternative measures and the Aboriginal court worker program are.

You'll note that there is a change in the budget, for us a fairly significant change of 947,000. The majority of that is the enhancement for women's shelters: 400,000 of it to enhance the food costs for women's shelters, and 375 which enhances or provides support for the services in Regina Transition House, the P.A. [Prince Albert] transition house, and provides the starting funds for the recently announced Melfort transition house. There's another 152,000 of that is the increase for the community-based agencies that was announced, the across-the-board agencies, and then a bit for salary enhancements for the staff.

Mr. Nilson: — So the community agencies increase, that's the extra amount to try to bring those wages up a bit. So you worked at it every year. Is that correct?

Ms. Turner: — That is the amount that was committed by government across the board for all the community-based agencies.

Mr. Nilson: — The restorative justice programs, are there any specific ones there related to sentencing circles and things like that anymore? Or is that something that's not funded in the

same way?

Ms. Turner: — The community justice programs, you know, vary from one location to the other. And there's an opportunity in all of those programs to participate in sentencing circles or healing circles to undertake victim-offender mediation or family group conferencing.

There is not a lot of sentencing circles that are held, and again that's really at the request of the court that the communities are responding to that. That's not to say that there isn't a lot of healing circles and a lot of other types of mediation and circle activities that's going on in those communities. The numbers in . . . Saskatchewan is still the leader in the country with respect to the number of cases that we do with respect to adult alternative measures and youth extrajudicial sanctions, and the work continues. It is again a fairly steady work across the province, but there is services available in the majority of the communities.

Mr. Nilson: — And is there an annual contracting basis? Or do people get five-year contracts or ten-year contracts to provide the services of the different communities, or how does that work?

Ms. Turner: — The Justice ministry has been in the habit of having multi-year agreements for a number of years. Our agreements tend to be three-year agreements for a service, yet every year we assess against the objectives of how the programs are meeting their goals, what their objective are, how the work is progressing. There's an opportunity then to look at the kind of work that needs to be done in each particular community and redo a work plan at that time together with a budget.

Mr. Nilson: — You indicated there's money, and we heard the announcement on budget day, for Melfort and area. And I assume that's for the whole northeast part of Saskatchewan. Can you explain how that project works because I think you . . . I'm not sure how much money you said, but it didn't sound like enough money really to get the whole thing going right away.

Hon. Mr. Wyant: — While the initial amount of funding that is being provided by the ministry will be enough for the initial operating cost for the facility, it hasn't been built yet. But that will annualize in next year's budget for the full amount of the operating costs, well the full amount that we'll be dedicating to that subject to the, you know, the commitments from the community and things. So that's the initial amount of money that's required this year.

Mr. Nilson: — So what is the annual cost anticipated to be then?

Hon. Mr. Wyant: — It'll be \$500,000, the annualized amount.

Mr. Nilson: — Is that similar to what the other transition houses get then across the province?

Hon. Mr. Wyant: — Yes, for that number of beds.

Mr. Nilson: — Pardon?

Hon. Mr. Wyant: — For that number of beds.

Mr. Nilson: — And so the construction's going to take place over the summer and fall, and then it'll be in full operation by next year. Is that the plan?

Hon. Mr. Wyant: — That's the plan. The cap is all in place for the construction, and they are going to be doing some more work in the community, but construction will start this year.

Mr. Nilson: — I think you've answered my questions here. I'll see whether I spill back into some of the areas where you have responsibilities. But often I think people forget that the Ministry of Justice has all these other things that you're responsible for and they're important things, so I wanted to make sure I asked about them.

Now I've kind of flipped into a little bit different area and we'll see whether . . . I'm not sure who's going to answer the questions here. But the first question is how many lawsuits are there against the Government of Saskatchewan at the present time and who's our biggest . . . I don't know. What's the word, defendant? The one that's causing the most trouble in the department. Which minister?

Hon. Mr. Wyant: — Well I'll start with the initial answers to that. Currently as I understand it . . . [inaudible] . . . any particulars that need to be . . . There's 29 lawsuits against the government where Justice is a defendant. That includes Corrections and Policing. 18 of the 29 lawsuits are primarily Corrections and Policing related. And the 29 lawsuits include actions out of policing and police activity, incidents at correctional facilities resulting from prosecutions through court activity, and sheriffs carrying out their duties as a result of other ministry activities.

There are 17 lawsuits that are active, having either been brought in the last three years or brought prior to that, that have activity within the last 18 months.

Mr. Nilson: — So you've indicated 29 lawsuits against the Ministry of Justice, 18 related to Corrections and Policing. So there's another 11. What kind of lawsuits are they?

Hon. Mr. Wyant: — I'll ask Deputy Minister Tegart to answer the question.

Mr. Tegart: — Well we just compiled this information . . . It's Gerald Tegart. So we have six of those 29 suits arise out of prosecutions, five of those being malicious prosecution actions. There are two claims arising as the result of a sheriff carrying out his or her duties, and six other matters from various activities that we haven't categorized. So if I can just continue, it's clear that we're only talking about a very small segment of actions against the Government of Saskatchewan or litigation more broadly, where the government is a party. So we're in the business of handling litigation for the Government of Saskatchewan and we are talking about, if we add everything in, including not just the files where the government is a defendant but if we add in the ongoing child protection matters we're handling, the maintenance enforcement matters we're handling, all of those things, we're literally not just in the hundreds but up into the well over 1,000 matters at any given time.

Mr. Nilson: — I appreciate the answer. My specific question relates to some unusual ones, if I can put it that way, ones that are civil lawsuits that maybe aren't that public. Well they're public because all lawsuits are public, but that I, you know, don't know about. So I mean, I'm wondering if there are any situations where the government is suing somebody that we should know about.

Ms. Zarzeczny: — Mr. Nilson, you said where the government is suing or where the government is the defendant?

Mr. Nilson: — Sure. Let's start with the defendant ones and then we'll go to the ones where the government's suing.

Ms. Zarzeczny: — I don't show that we have anything that I would call particularly unusual. We have civil forfeiture files, we have a number of class-action lawsuits or actions relating to sales taxes and other taxes.

Mr. Nilson: — How many class-action lawsuits are there?

Ms. Zarzeczny: — There's a total of 27 class-action lawsuits at the moment.

Mr. Nilson: — And these are all claims against the government?

Ms. Zarzeczny: — Yes they are.

Mr. Nilson: — And can they be categorized or are they each individual ones? I mean, you indicate some are taxes.

Ms. Zarzeczny: — Many are taxes. Some are residential school issues. Others are . . . Yes, I think that covers most of the categories. There'd be taxes, residential schools. There was a class action involving pension plans, and that one has been concluded by virtue of a recent decision of our Court of Appeal which found in favour of the government.

Mr. Nilson: — And that's the long-standing pension plan case?

Ms. Zarzeczny: — Correct. Yes.

Mr. Nilson: — And it's finally resolved then?

Ms. Zarzeczny: — It's finally resolved.

Mr. Nilson: — Okay. I have to admit I haven't gotten any letters on that recently, so that must be the answer to that particular one.

Now on the residential school issues, does this relate to issues around Ile-a-la-Crosse and that residential school?

Ms. Zarzeczny: — That's correct. A number of lawsuits were commenced by former students starting in the year 2000, and a class action was then commenced in 2005.

Mr. Nilson: — And so that all relates to Ile-a-la-Crosse because it doesn't fit into the federal residential school system?

Ms. Zarzeczny: — That's correct. That's correct.

Mr. Nilson: — So what's the status of that particular case?

[22:30]

Ms. Zarzeczny: — I'm just trying to see, Mr. Nilson, if the . . . It presently is awaiting a certification application on behalf of the plaintiffs.

Mr. Nilson: — Oh, okay. So it hasn't even been certified yet?

Ms. Zarzeczny: — It hasn't even been certified yet.

Mr. Nilson: — Okay. But it's in that process right now?

Ms. Zarzeczny: — That's correct.

Mr. Nilson: — And are there any other residential school claims? I don't think there are, but I'd be curious if there are.

Ms. Zarzeczny: — I suppose it . . . There's a, quote, residential school. It's called the Timber Bay residential school, and again there is a class action brought with respect to that, claiming damages for alleged abuse of students.

Mr. Nilson: — And once again that's a school that doesn't fit under the federal system, so it's not included. So it's dealt with here?

Ms. Zarzeczny: — That's correct. And a certification hearing is proceeding today and tomorrow, as it turns out, on that one.

Mr. Nilson: — Okay. We'll watch for the report on that one in the next few days. Are there other . . . I guess one of my questions relates to, some of the class action lawsuits against Crown corporations are not included in your list. Or are they included in what you report here?

Ms. Zarzeczny: — They're not included in my list.

Mr. Nilson: — Okay. And so the Ministry of Justice doesn't get involved in cases like I think there's some that went against SaskTel along with a whole bunch of other communication services providers who have these mysterious fees that they've been charging for years that we all pay, and if we get lucky, we might get the money back, but we'll have to see on that. But the process is that you don't get involved in those Crown corporation cases unless you're specifically named and included in them.

Ms. Zarzeczny: — Exactly. Unless there's some interest of executive government involved.

Mr. Nilson: — Are there any cases where the provincial government is the plaintiff in a civil lawsuit?

Ms. Zarzeczny: — I'm just checking through my list. I don't believe . . . That's actually not correct. The tobacco litigation would be a situation where the Government of Saskatchewan is the plaintiff.

Mr. Nilson: — And can you describe the status of that particular lawsuit?

Ms. Zarzeczny: — There was a piece of legislation that was passed — proclaimed in force, rather — on May 31st, 2012 entitled *The Tobacco Damages and Health Care Costs Recovery Act*. It's similar to laws that are passed in virtually every other jurisdiction I think except perhaps Nova Scotia. The legislation provides the legal basis to pursue an aggregate lawsuit against tobacco manufacturers for the recovery of past, present, and future health care costs expended by the government to treat tobacco-related illnesses of Saskatchewan residents. Saskatchewan is part of a national approach to this litigation.

The lawsuit right now is at the discovery stage. It's extremely complex. There's a great volume of documents involved. And just by virtue of the number and the size of the plaintiffs, the number of individuals involved, and the number of defendants, it's proceeding but certainly not at a lightning pace, again just because of the complexity and size.

Mr. Nilson: — I'm especially interested in this particular case so that it's . . . Is it being handled by Justice lawyers, or is it handled by outside counsel or a combination?

Ms. Zarzeczny: — A combination. Saskatchewan has retained, like almost every other jurisdiction involved in the lawsuit, a consortium to represent it. I mean there are a number of law firms involved across the country, but Ministry of Justice counsel are also working on the file.

Mr. Nilson: — Are there any Saskatchewan law firms involved in the consortium?

Ms. Zarzeczny: — Yes, Wallace Meschishnick Clackson Zawada.

Mr. Nilson: — That's the firm in Saskatoon?

Ms. Zarzeczny: — That's correct.

Mr. Nilson: — Okay. I'm especially interested in this one because many years ago when I was the minister of Justice, I wanted to start this lawsuit, but I couldn't persuade the Finance department people. They said it was too risky. In 1997 maybe it was.

But I went to a meeting of US attorneys general and Canadian attorneys general to discuss the US lawsuit and the settlement. And I'm sitting around the table, and there's, you know, 50 states and Puerto Rico and Guam and all these places and then Manitoba, Saskatchewan, British Columbia, and the Yukon — and really interesting discussion. And I get a tap on the shoulder from the lawyer for all of the states, and they said, you have to get out of the room because you're not suing a tobacco company. If you hear what we say, then you'll be a witness next week on the behalf of the tobacco companies, explaining what was going on. So I went to go, and I got to watch, along with Vic Toews, the World Cup soccer game on TV.

But anyway I especially have a long interest in this one and will continue to ask about it and encourage people to proceed with it because the US states all got many millions of dollars, which have assisted them in a number of ways, and the smart ones still have it in trust. Others have spent it a long time ago. So I

appreciate that one.

I'm also interested to know if there's any litigation or any, I don't know if it would be court cases or commission hearings around things like NAFTA [North American Free Trade Agreement] or CETA [Canada-European Union Comprehensive Economic and Trade Agreement], the new European one, or whether that's being contemplated because it strikes me that there are some changes that could affect us in Saskatchewan as big world traders that . . . And I don't know if that's part of your preparation.

Ms. Zarzeczny: — I can speak to NAFTA. There are almost always cases going on under the North American Free Trade Agreement. It's been in force now since '94 or '95, and there are a number of cases usually brought under chapter 11 of the NAFTA.

The Chair: — Perhaps before we continue, could I get the witness's name for the record?

Ms. Zarzeczny: — I'm sorry. Linda Zarzeczny.

The Chair: — Thank you.

Ms. Zarzeczny: — I believe that CETA is still being negotiated. It hasn't been signed by either the European Union or Canada, so there wouldn't be any action being brought under CETA as yet. Theoretically or strictly speaking, it doesn't exist.

Mr. Nilson: — Okay. Now I appreciate that answer, but it strikes me as it's one that will affect some of our trading relationships in ways where we may end up in litigation.

And I assume that the litigation that was started around the whole of getting the fair share of equalization in Saskatchewan is dead and gone. Is that correct? The litigation was started a few years ago? Or where is that at?

Ms. Zarzeczny: — I believe that's not active. I certainly have no information on that.

Mr. Nilson: — Maybe I can ask the minister if there's any discussion with a new minister in place to take another look at that, given that we really haven't gotten a lot of money from the federal government.

Hon. Mr. Wyant: — There's no discussions taking place at the moment.

Mr. Nilson: — I appreciate that answer. And I like the qualification of at the moment because that means there may be some chance to resurrect that. Because I think that it had a little more substance than when we all let on, and we haven't received other things that we thought we were going to receive.

So I'm not sure if there's any more questions here on the litigation, but I do appreciate those answers. And as it relates to these residential school files, are they being managed in Justice or are they being dealt with in Social Services or in Education or some other place? Or would you know?

Ms. Zarzeczny: — I mean they're litigation, and to the extent

that they involve litigation, they would be managed within Justice or from Justice.

Mr. Nilson: — Okay, thank you. Because I know that some of my colleagues are quite interested in those cases, and they do get regular questions about them, and so they'll be happy to hear that certification processes is ongoing.

Now I think I've got a few more questions, and I'm moving right down through the areas. I guess the next . . . So thank you for the response on the civil law side. I have to get used to all of the titles that you have.

But I now have some questions on I think it would be the public law side, which I assume is the policy area and development of legislation. And I guess this continues from some of the questions that I had earlier today in another committee around the Information and Privacy Commissioner and his sense, and I guess more so my sense, that there's legislation that's showing up here, coming from Justice, where there hasn't been consultation with the Privacy Commissioner. And we have, I think he said, five examples in this session. So I'm curious what the process is of vetting privacy issues as legislation is developed.

Hon. Mr. Wyant: — Well I think it's fair to say that as we, you know, move forward with the development of legislation, we give some consideration to the privacy issues. Where there is a sense that we need to consult with the Privacy Commissioner, we do that. We do give privacy some consideration as the matters proceed, as the legislation is being prepared. We don't always seek the Privacy Commissioner's input in the front end, but if there's issues that arise that we identify, we will speak to him.

Mr. Nilson: — Okay. Well I guess I would just say that this particular session seems to be more things showing up where just on first glance, when we see the legislation, we say, oh, this is an issue. And so I'm, you know, especially curious about the legislation. We'll have a chance in other . . . I guess maybe in this committee to look at it.

But some of the issues around not protecting information of Saskatchewan people as it relates to this new registry or the other one which gives a super protection to corporate information, those were ones that surprised me. And I'm just wondering if that was intentional or if we're going to maybe get some fixes on those things.

Hon. Mr. Wyant: — I think it's fair to say that, you know, there are times that we have disagreements with the Office of the Privacy Commissioner. That said, we have received some commentary from him with respect to a number of pieces of legislation which we have, and which we're giving some consideration to.

Mr. Nilson: — Okay. And I appreciate that response, and that means the conversation is ongoing, and we will sort out some of those particular issues. And I guess putting the best construction on things, I didn't think there was an attempt to sideline the Privacy Commissioner or not include him, but there are some ones that cause me to wonder about that.

[22:45]

Hon. Mr. Wyant: — Well that's fair to say. But that said, we do have some commentary from him with some legislation that's been introduced, and we will give that, his comments and his concerns, some consideration as this legislation moves forward. And presumably there will be some more questions that come out through committee on those issues.

Mr. Nilson: — So I note that the public law section ends up with about \$300,000 more or maybe not quite — \$250,000. Is there some specific project that's ongoing, or is that just part of the regular increases that are needed to keep doing the work in that area?

Mr. Tulloch: — Hi, it's Dave Tulloch. When we put together the budget, we put in some funding and government granted some additional funds for the pressures that were being felt in that program. So about \$200,000 of the increase is related to that, with the remainder related to COLA, cost of living.

Mr. Nilson: — To?

Mr. Tulloch: — Cost of living.

Mr. Nilson: — Oh, okay. Thank you for that. So I assume when legislation is drafted, you know, in the department, this would be where the budget is. Is there any work that's done outside of Justice? Or would that kind of contract money show up here, or is it in some other place?

Hon. Mr. Wyant: — The only thing that would appear outside would be translation services.

Mr. Nilson: — Okay. And where would the translation services be?

Hon. Mr. Wyant: — It's about \$40,000.

Mr. Nilson: — And it's in this amount then? Yes, okay. But if there is contracting of somebody to do some legislative drafting, that shows up in this budget as well. Is that correct?

Hon. Mr. Wyant: — There's no legislative drafting that's contracted out.

Mr. Nilson: — I think I was told or we were told that some of the legislation related to the labour bill was all done by contract people. Is that not done through Justice then? Would that be the answer?

Hon. Mr. Wyant: — The drafting was done by our legislative drafters.

Mr. Nilson: — And what about the policy work?

Hon. Mr. Wyant: — That would be a question that I think needs to be posed to the Minister of Labour.

Mr. Nilson: — So the information that I received — I thought it was here in the legislature — that a lot of the work was done by a contract person writing and combining all those pieces of legislation, is that not accurate? Or maybe I'll have to check

where I got that information, but that was my understanding that it was done by somebody outside of Justice.

Mr. Tegart: — It's Gerald Tegart. So we're actually trying to determine here what we think you're focusing on, Mr. Nilson. So I think it's with respect to the policy development that underlies the work that was done recently on the labour code. I think that's . . . Is that what your question is focused on?

Mr. Nilson: — That's right.

Mr. Tegart: — Yes.

Mr. Nilson: — It's the legislation that's before the House.

Mr. Tegart: — Right. And Labour Relations and Workplace Safety did use the services of a lawyer, who's actually a former lawyer with the Ministry of Justice, to help them work on their policy development. But he wasn't involved in drafting the legislation. The drafting actually took place in the Ministry of Justice.

Mr. Nilson: — Well I was asking that question because I was hoping that maybe it wasn't drafted in Justice because it's so confusing. It's just surprising. Anyway that's a comment on it. It's a very difficult piece of legislation because the same words mean different things on different pages. And so anyway we get a chance to ask those questions in another committee, and I assume some of you may be here doing that. But my hope was that it wasn't drafted in Justice.

But anyway I'm moving along here, and I know I'm going to start hitting the deadline here in the next period of time. You have listed in this area an Office of Public Registry Administration with a new amount of \$420,000. Can you explain what that money is going to be used for.

Hon. Mr. Wyant: — As part of the move with respect to ISC, there will be an office that's housed in the Ministry of Justice that will have the master of titles, the officers that are currently . . . So the master of titles, the chief surveyor, those offices will now be housed in the Ministry of Justice and that funding is there to fund that office.

Mr. Nilson: — How many staff are we talking about?

Hon. Mr. Wyant: — Six.

Mr. Nilson: — Okay. So the two senior people and then support staff or assistants in that . . .

Hon. Mr. Wyant: — There's the registrar of titles. There's the director of the corporations branch, the registrar of the personal property security registry, and the controller of surveys. So those will be housed there.

Mr. Nilson: — Okay. We'll get a chance to probably ask some more questions about that as we proceed with the legislation, and that also relates to my previous question about the Information and Privacy Commissioner's concerns about that particular legislation. Now I'm going to see here. I see you have a heading, access and privacy, that's in this section. What is that money allocated for? Or how is it used?

Mr. Tegart: — There's a branch called the access and privacy branch, and it serves two functions. It serves a corporate function where it provides support services in the area of access and privacy to the executive government as a whole but also to the local authorities that are governed by *The Local Authority Freedom of Information and Protection of Privacy Act*. The second function it serves is as a central service for the Ministry of Justice in relation to access and privacy, and so it's an amalgam of those two things. Most of the work that it does is in that first category though where it supports the corporate responsibilities of the government in this area.

Mr. Nilson: — Okay. So we appreciate that. I know that that's an important function and that there's lots of work to do. Will the administration of the contract involving this public registry administration be dealt with in that same group, because there's going to be all kinds of access and privacy issues there, or is there an extra budget amount coming as this proceeds?

Hon. Mr. Wyant: — Well I guess the office of public registry will have the primary responsibility with respect to that, but they'll draw on the expertise of the access and privacy group if that's required. I think that's a fair answer.

Mr. Nilson: — Okay. And the six jobs that relate to that line, Office of Public Registry Administration, do they show up then under the increase in ministry staff on page 99? Is that where they would be recorded?

Hon. Mr. Wyant: — There is three FTEs reflected because it represents mid-year funding, so there would be three FTEs reflected in the budget.

Mr. Nilson: — Okay. So we're talking about a September 30th or October 1st move of these people rather than some of the more optimistic dates that I've been hearing. Is that correct?

Mr. Tegart: — I mean we're trying to get this up and running as quickly as possible. So we have mid-year funding. In fact I expect that we will have it in place well before the middle of the year, which means we will be over the allotment on both FTEs and budget. And we'll figure out how we're going to deal with the consequences of that afterwards. But we're moving pretty quickly to get this in place.

Mr. Nilson: — So do you want to suggest to your minister that you amend your budget? Well I'll record for the record that the deputy minister said, no.

Now I see and I have some questions related to the 28.8 jobs moved to the Saskatchewan Financial Services Commission. And so is this . . . This group of employees will no longer show up in Justice's books as employees, is that correct?

Mr. Tegart: — Yes. So with the creation of the Financial and Consumer Affairs Authority as a Treasury Board Crown corporation, those employees have moved into that Crown corporation, and they won't be part of the Ministry of Justice anymore.

Mr. Nilson: — So will they show up somewhere else like under — I'm not sure — under Treasury Board or some place like that? Or will they just disappear into thin air and not get paid?

Mr. Tegart: — I'm not sure anyone here knows the answer to that question, Mr. Nilson. I expect they show up somewhere, but it's just not in the Ministry of Justice. They are not part of the Ministry of Justice.

Mr. Nilson: — Well my question goes to the issue of whether these are civil service jobs that disappear so that the government can meet their goal of reducing the civil service by a certain number, or if they're actually still included in the civil service?

[23:00]

Mr. Wild: — Dave Wild. I'll answer that, Mr. Nilson. The Financial and Consumer Affairs Authority was created as a Crown corporation effective October 1st, 2012. The primary purpose of that transition was to create a level of operational independence that matched our statutory decision-making independence and our quasi-judicial nature. We continue to operate in a manner consistent with the way we operated before we became a Crown corporation in terms of the nature of our work, in terms of the number of staff we have employed for us.

But one of the side effects, if you like, of that transition was that we're no longer counted on the books of executive government. We still are held to account though. And we do create and file our financial statements with the legislature, and our budget is considered by the Committee on Crown and Central Agencies.

Mr. Nilson: — So then basically you're not included in executive government as employees anymore. Well it would be an interesting question, and maybe we have to do it with the Finance people or some other place around how many jobs have been moved that way because it's a bit of a shell game I guess, if you ask me.

Now I have some specific questions about consumer affairs, and my question I guess to the minister or the deputy minister is whether consumer affairs issues . . . So if somebody wants to talk to somebody about a problem they've got related to the, I think it's 22 Acts or something that you've got in your legislation, do they phone the Ministry of Justice, and there's somebody there that's director of consumer complaints? Or what happens?

Mr. Wild: — Complaints come to us in a variety of manner, but we are the body responsible for taking consumer complaints and inquiring and answering consumer complaints. But certainly we retain a strong connection to the Ministry of Justice. We have shared policy responsibility for all of those statutes you'd talked about, and from an operational perspective, certainly the Ministry of Justice would know when it's a matter that should be referred over to the FCAA [Financial and Consumer Affairs Authority of Saskatchewan]. But generally speaking, we're working hard to raise our public profile so that Saskatchewan consumers know who the FCAA is and what we do and will turn to us directly.

Mr. Nilson: — So does that include a consumer complaint say about a purchase of a vehicle and all the rules around that and possibly the types of financing that they get into and don't totally understand so that they would phone some number that you will publicize or have publicized?

Mr. Wild: — That's correct. We regulate all financial services under provincial purview, so that essentially is everything except banks. And on the consumer protection side, we had responsibility for all of the consumer . . . the general retail consumer protection legislation transferred to us. So as you mentioned, motor vehicle dealers, auctioneers, direct sellers, cemeteries, the whole gamut.

And yes, we do publicize a 1-800 number. The staff that were responsible within the Ministry of Justice for consumer protection were transferred to us. They remain intact as a division of the FCAA — there's a consumer protection division of the FCAA — retained their same personnel, the same contact information, the same 1-800 number, etc.

Mr. Nilson: — So are the staff moved to some new physical location, or are they still in the same places that they used to be, just with a new kind of name?

Mr. Wild: — They remain in the same spot. By happy coincidence, we were co-located in the same building, so we shared with the consumer protection branch of the Ministry of Justice and we just changed the nameplate.

Mr. Nilson: — Okay. So I ask this question because we've had a number of questions raised in the constituency office where people try to look at what the, you know, Justice department . . . They try to figure out how to get to the consumer complaints. And I haven't looked recently at the telephone book to see where things are, but the sense was that it is quite difficult to track where people should go if they have a specific problem related to some of these consumer issues. And so that's a concern because I think traditionally people have known that the Ministry of Justice handled all that, and that's where you would phone. And so I think that there's obviously some more work to do in that area.

Now you end up also working then with all of the financial regulation issues, whether it's the pensions or the credit unions, and all of those types of things. Will there still be people within the Ministry of Justice that have some responsibility for these areas as well that you relate to, or how does that work?

Mr. Wild: — As I mentioned, the Ministry of Justice and the FCAA retain joint responsibility for policy issues with or related to that legislation. From an administrative perspective though, we are charged with the administration of those particular statutes, and that's always been the case.

If you went back last year when we were the Saskatchewan Financial Services Commission, we were part of the count of the Ministry of Justice yet we retained our independent decision-making authority under those statutes. So in many ways this operational change reflects that long-standing reality that we were part of the ministry, but we were independent in terms of our authority. So joint policy making, we certainly turn to Justice for assistance on interpretation matters from time to time, but we always did have independent decision-making authority.

Mr. Nilson: — Will you have your own legal staff within your agency?

Mr. Wild: — Yes we do. It was a case that we had been identifying the need for our own legal staff for some time, and the creation of the Crown corporation actually proved to be quite beneficial in being able to establish a strong legal team within the FCAA. We have 10 lawyers on staff that, you know, are in positions requiring them to be lawyers. We have other lawyers on staff who are managers and regulators but aren't paid as lawyers, but we have 10 lawyers on our staff.

Mr. Nilson: — Will you have any role in regulating or dealing with the ISC and the public registry aspects of that, given that that'll be a major consumer area of contact?

Mr. Wild: — No, we've never had responsibilities with respect to matters falling under ISC. We are of course the securities regulator for the province and will be regulating the prospectus under which ISC will be privatized. But in terms of ongoing regulatory responsibility with respect to what ISC does or what Justice does with respect to corporate registry or land titles, no. That's never been an area that's fallen under us.

Mr. Nilson: — Even if it's a consumer protection related issue as it relates to one of these registries that they've got?

Mr. Wild: — Consumer protection can be pretty broadly applied. I mean there's a lot of matters that touch on consumers in the province. The matters that we've been assigned are generally related to transactions between a business and a consumer, and it's been confined to that transaction as opposed to say consumer to consumer or business to business. Generally speaking, our statutes relate to a transaction where a business is selling something to a consumer.

Mr. Nilson: — Okay.

The Chair: — I'd like to just interject and thank the minister and his officials and the committee at this time. It is now 11:10 p.m., and we're past the agreed time to meet. So this committee will now adjourn until Thursday, April the 25th at 1:30 p.m. Now, Mr. Nilson, you had some closing comments?

Mr. Nilson: — Yes. I thank the crew for coming, and I think I have another 15 minutes, so we'll arrange another time for that at another time. But I'd like to thank the Ministry of Justice.

I think that, as I said earlier, how Justice is reported causes some consternation for many people, and it may be that you'll have to look at another way of setting it out in the books of the province so we can totally understand what is happening here. But I'll be happy to get a follow-up on a few of the things that we were talking about at another time. Thank you.

The Chair: — Minister Wyant, did you have some closing comments?

Hon. Mr. Wyant: — Just to thank the committee and the Chair and to thank my officials for coming tonight to assist in the answering of the questions. Thank you very much.

The Chair: — Thank you. This committee now stands adjourned until April 25th at 1:30 p.m.

[The committee adjourned at 23:11.]