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**Proceedings of the Standing Committee on  
Social Services**

June 1, 2021 – Issue 1

Department of Justice and Public Safety

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Honourable Derek Bennett, MHA

## **SOCIAL SERVICES COMMITTEE**

Department of Justice and Public Safety

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Chair: Sherry Gambin-Walsh, MHA

Vice-Chair: Joedy Wall, MHA

Members: James Dinn, MHA  
Jeff Dwyer, MHA  
Paul Pike, MHA  
Scott Reid, MHA  
Lucy Stoyles, MHA

Clerk of the Committee: Kimberley Hammond

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Appearing:

### **Department of Justice and Public Safety**

Hon. John Hogan, MHA, Minister

Donna Ballard, Assistant Deputy Minister, Courts and Corporate Services

Danielle Barron, Director of Communications

Chief Joe Boland, Royal Newfoundland Constabulary

Andrew Green, Departmental Controller

Thomas Hayward, Manager of Budgeting

Tara Kelly, Assistant Deputy Minister, Public Safety and Emergency Services

Jennifer Mercer, Deputy Minister and Deputy Attorney General

Philip Osborne, Acting Deputy Minister, Legal Services

Lloyd Strickland, Director, Public Prosecutions

Joanne Turner, Director, Provincial Court Services

Denise Woodrow, Acting Deputy Minister, Corrections and Community Services

### **Also Present**

Derrick Bragg, MHA, Minister of Fisheries, Forestry and Agriculture

Steve Crocker, MHA, Minister of Tourism, Culture, Arts and Recreation

Paul Lane, MHA

Helen Conway Ottenheimer, MHA

Andrew Parsons, MHA, Minister of Industry, Energy and Technology

Perry Trimper, MHA

Megan Winter, Researcher, Official Opposition Office

Scott Fleming, Researcher, NDP Office

Pursuant to Standing Order 68, Andrew Parsons, MHA for Burgeo - La Poile, substitutes for Lucy Stoyles, MHA for Mount Pearl North.

Pursuant to Standing Order 68, Steve Crocker, MHA for Carbonear - Trinity - Bay de Verde, substitutes for Scott Reid, MHA for St. George's - Humber.

Pursuant to Standing Order 68, Derrick Bragg, MHA for Fogo Island - Cape Freels, substitutes for Paul Pike, MHA for Burin - Grand Bank.

Pursuant to Standing Order 68, Helen Conway Ottenheimer, MHA for Harbour Main, substitutes for Jeff Dwyer, MHA for Placentia West - Bellevue.

The Committee met at 9:07 a.m. in the Assembly Chamber.

**CLERK (Hammond):** Good morning, everybody.

This is the first meeting of the Social Services Committee for the 50th General Assembly, First Session.

My name is Kimberley Hammond and I'll be the Clerk for this Committee meeting this morning.

The first order of business is the election of the Chair.

Are there any nominations from the floor?

Any nominations from the floor?

**D. BRAGG:** I nominate Sherry Gambin-Walsh.

**CLERK:** Are there any further nominations from the floor?

Ms. Gambin-Walsh is acclaimed the Chair.

**CHAIR (Gambin-Walsh):** All right folks, we are going to start.

I do have a seating plan here so hopefully I can identify everyone correctly.

First, we have to nominate the Vice-Chair.

**AN HON. MEMBER:** I nominate Helen Conway Ottenheimer.

**CHAIR:** We have a nomination of MHA Helen Conway Ottenheimer.

Unfortunately, Ms. Conway Ottenheimer is a substitution this morning. It has to be somebody who is on the Committee.

**H. CONWAY OTTENHEIMER:** I'll nominate MHA Joedy Wall.

**CHAIR:** We have a nomination for MHA Joedy Wall. Any further?

By acclamation, it is MHA Joedy Wall.

We will move on to announce the substitutes for this morning. For Mount Pearl North, MHA Stoyles, we have Minister A. Parsons substituting, Burgeo - La Poile; for Burin - Grand Bank, MHA Pike, we have Minister Bragg, Fogo Island - Cape Freels, substituting; for MHA Reid, St. George's - Humber, we have Minister Crocker, Carbonear - Trinity - Bay de Verde, substituting; we have myself here as the Chair; we have MHA Wall from Cape St. Francis; substituting for the MHA for Placentia West - Bellevue, MHA Dwyer, we have MHA Conway Ottenheimer; and we have MHA Jim Dinn who is on the Committee.

Just to give you a general sense of how this is going to go, hopefully we'll be able to take a break somewhere between 10:15 and 10:30, depending on where we are at the time. Also, for the Members who are attending who are not Members, substitutes of the Committee, we can solicit an agreement on how this is going to proceed.

I believe last evening there was an agreement – now, this is a different Committee I'm aware; however, there was an agreement that the Opposition would speak for 10 and the NDP would speak for 10. It would go 10,10,10,10 and then the independents could speak for 10 for a maximum of 20. Is everyone in agreement with that?

MHA Conway Ottenheimer.

**H. CONWAY OTTENHEIMER:** Yes, I would support that proposal, Madam Chair. That way we do give the independents an opportunity to participate. We believe that's a fair and reasonable proposal that's been put forth.

Thank you.

**CHAIR:** Thank you very much.

Does anyone else wish to contribute to that? No? Okay.

I'm just reminding everyone to please identify yourself when you speak and to wait for your button to come on there so that it's recorded in *Hansard*.

Now, we're just going to go around and get everyone to introduce themselves. Kim, does it matter what side I start on?

**CLERK:** (Inaudible.)

**CHAIR:** Okay.

We'll start on this side and we'll start with Minister Hogan.

**J. HOGAN:** Thank you.

I'll introduce myself. I'm John Hogan, the Minister of Justice and Public Safety and Attorney General.

This is my first Estimates meeting, having been sworn in as minister on April 8. I'll thank all of you in advance for your patience as I endeavour to answer as many of your questions as possible here this morning.

As I know you can all appreciate, I'll take the liberty to pass your questions on to my officials, who are in the room as well this morning. I invite them to fill any details at any time, if necessary, as they're the experts in the department regarding the content that's before this Committee today.

I think now, perhaps, is a good time to let all of them introduce themselves and then I'll have a few more comments before we get going this morning. I'll start to my right.

**J. MERCER:** Good morning.

Jennifer Mercer, I'm the Deputy Minister and Deputy Attorney General for the department.

**A. GREEN:** Good morning.

Andrew Green, Departmental Controller.

**T. HAYWARD:** Good morning.

Thomas Hayward, Manager of Budgeting.

**D. BARRON:** Hi. Danielle Barron, Director of Communications.

**J. TURNER:** Joanne Turner, Director of Provincial Court Services.

**D. BALLARD:** Donna Ballard, Assistant Deputy Minister responsible for Courts and Corporate Services.

**P. OSBORNE:** Hi, Philip Osborne. I'm the Acting Deputy Minister for Legal Services.

**D. WOODROW:** Denise Woodrow, Acting Deputy Minister for Corrections and Community Services.

**L. STRICKLAND:** Good morning, Lloyd Strickland, Director of Public Prosecutions.

**T. KELLY:** Hi, Tara Kelly, Assistant Deputy Minister for Public Safety and Emergency Services.

**J. BOLAND:** Joe Boland, Chief of Police, Royal Newfoundland Constabulary.

**CHAIR:** Okay.

**J. HOGAN:** Thank you to everybody. As I said, I've only been working with this group of people for a very short time but I want to thank –

**CHAIR:** Excuse me, Minister Hogan, I'd just like to do this side.

**J. HOGAN:** Sorry.

**H. CONWAY OTTENHEIMER:** Helen Conway Ottenheimer, MHA for Harbour Main.

**J. DINN:** Jim Dinn, MHA for St. John's Centre.

**S. FLEMING:** Scott Fleming, Researcher, Third Party caucus office.

**P. TRIMPER:** Perry Trimper, MHA, Lake Melville.

**M. WINTER:** Megan Winter, Researcher with the Official Opposition caucus.

**J. WALL:** Joedy Wall, MHA, Cape St. Francis.

**D. BRAGG:** Derrick Bragg, MHA, Fogo Island - Cape Freels.

**A. PARSONS:** Andrew Parsons, MHA, Burgeo - La Poile, Montreal Canadians fan.

**S. CROCKER:** Steve Crocker, MHA, Carbonear - Trinity - Bay de Verde.

**P. LANE:** Paul Lane, MHA, Mount Pearl - Southlands, disappointed Leafs fan.

**CHAIR:** I ask the Committee Clerk to call the numbers, please.

**CLERK:** 1.1.01 to 1.3.01 inclusive.

**CHAIR:** 1.1.01 to 1.3.01 inclusive.

Minister Hogan.

**J. HOGAN:** Thank you.

Sorry about that for jumping the gun. I guess to Member Lane, disappointed Leafs fan is probably redundant. Everybody realizes that by now.

As I was trying to say, I want to thank my team here behind me. I've only worked with them for a short time, but as you'll see over the next few hours they're very knowledgeable, they're hard working, they're great and I want to thank them for putting all the time and effort in to what we're about to do here this morning.

I will just make a few quick comments, a slight overview for everyone here today. It is a large department and the total budget for the Department of Justice and Public Safety is roughly \$258 million.

Given the size of the department, you'll see throughout there are, of course, some small variances of hundreds of dollars or a few thousands of dollars here and there. I'm happy to address these. In the interest of time, we may be better served by focusing on some of the larger areas in the department's Estimates. I will, of course, leave it to you asking the questions to decide how to spend your time here this morning.

Budget decisions this year include approximately \$5.2 million for public inquiries; \$1 million has been allocated for this fiscal year to conclude the Ground Search and Rescue inquiry and \$4.2 million has been allocated to establish the inquiry into the treatment, experience and outcomes of Innu in the child protection system.

In Capital, we are continuing with the Royal Newfoundland Constabulary's four-year fleet replacement strategy in an effort to replace aging patrol vehicles. As of May 4, 2021, across the department, there are 1,647 total position control numbers. Of those, 1,353 are full-time staff, 259 are temporary and 35 are on contracts. These numbers do not include the RCMP.

The departmental attrition target balance for '21-'22 is \$127,000, which is intended to cover two positions. The difference has been allocated proportionately across the department. In 2020-2021, JPS identified five positions for attrition totalling \$337,900. Government wide this is achieved through the elimination of vacant positions and retirements. You will notice salaries across the board are largely down this year, that's due to the removal of the 27th pay period offset by adding salary increases. Department wide that cost decrease is \$1,974,700 outside of the Royal Newfoundland Constabulary and Legal Aid.

I'm sure as we go through this, we will get requests to provide information that we may not have here this morning. Anything that we provide to one MHA during this process, we will endeavour to provide to all of you.

With that said, I'm happy to get down to business this morning.

**H. CONWAY OTTENHEIMER:** Thank you, Minister.

This will be my third Estimates and I can say that it has always been a valuable learning experience for me. I have always been impressed in the last two occasions with the tremendous knowledge and expertise that comes forth from the government officials. I look forward to another very informative Estimates meeting and I thank you all for your attendance. I also ask for your patience with my questions as well in case there is any repetition.

Thank you.

**CHAIR:** MHA Dinn.

**J. DINN:** Thank you.

This is, what, my second time or third – I can't remember now; I lose track of it – but I do find these more informative sometimes than the debate in the House.

I do thank you in advance for your questions and also for your patience with any of the questions, which more likely will get repeated.

Thank you.

**H. CONWAY OTTENHEIMER:** Okay.

First of all, I have a few general introductory questions before I get into the subheads.

As the minister has indicated, there is an attrition plan. Minister, could you just explain if the structure has changed of the attrition plan? For example, what are the changes for last year and this year, if there are any?

**J. HOGAN:** Okay, I will pass that on to one of my officials here, but if there's something you can point to specifically. We're here to go through this line by line and it might be a little bit easier if we can do that. So if there are going to be sort of questions like that, I would ask maybe if we could focus to what's in the binder before us, but we will try and answer that question, I'm sure.

Maybe the deputy has an answer for that.

**J. HOGAN:** Andrew, sorry.

**A. GREEN:** With respect to the attrition plan we're currently working under, that was assessed under *Budget 2020* and it was a two-year target for the department. I believe our totals were around \$442,000, total, over two years, which also included seven positions. Last year, in that plan, we were able to identify five positions, totalling I think \$373,000, as the minister alluded to earlier, which means we have a remaining balance of \$127,000 for two positions.

The attrition plan, in general, hasn't changed since *Budget 2020*, so we're really looking for an assessment of vacant positions and potential retirements.

**H. CONWAY OTTENHEIMER:** Okay, thank you, that's very clear.

**A. GREEN:** You're welcome.

**H. CONWAY OTTENHEIMER:** Thank you very much.

Minister, how many people are employed in the department, again, please?

**J. HOGAN:** I can confirm – I guess, maybe, again, Andrew will know – the numbers that we just gave are accurate. It's 1,647 total position control numbers: 1,353 are full-time staff, 259 are temporary and 35 on contracts.

**H. CONWAY OTTENHEIMER:** Thank you.

With respect to retirements in the last year, I know that in the previous year there had been 35 retirements. Could you clarify, again, what the number of retirements are?

**A. GREEN:** (Inaudible) I was going to answer the question on retirements.

**J. HOGAN:** Yeah, go ahead.

**A. GREEN:** So for retirements we had 45 retirements in fiscal year '20-'21. We had a retirement expenditure of approximately \$690,000 related to those retirements.

**H. CONWAY OTTENHEIMER:** Thank you.

How many vacancies are not filled in the department? I realize there were 104 last Estimates.

**A. GREEN:** I would say approximately 90 to 100. That number is very fluid, depending on the status of requests for staffing actions.

**H. CONWAY OTTENHEIMER:** Have any positions been eliminated? If so, what are they?

**A. GREEN:** No positions have been eliminated, to my knowledge.

**H. CONWAY OTTENHEIMER:** Okay, thank you.

Layoffs: Have there been any layoffs occurring in the department in the last year?

**A. GREEN:** There have been no layoffs in the department.

**H. CONWAY OTTENHEIMER:** Thank you.

With respect to new hires, did we see any new hires take place in the last year?

**A. GREEN:** We would always have new hires, just based on the number of retirements that we have. It's a very fluid operation. We often have people move within divisions or outside the department and into the department.

I wouldn't have the exact numbers on new hires for '20-'21 with me right now, but I can definitely provide that at a future time.

**H. CONWAY OTTENHEIMER:** Thank you, Andrew.

Did your department receive any funds from the COVID fund? If so, what were those funds for?

**A. GREEN:** The department received no funding for COVID. We did incur COVID expenditures of approximately \$875,000 across the department, which were absorbed from within savings, operating savings that occurred just because of the COVID shutdowns for various areas.

**H. CONWAY OTTENHEIMER:** Okay, thank you.

How has COVID impacted service delivery? In answering that, could you please speak about any backlogs, which are occurring within the court system; RNC, for example, Corrections. There are a couple of areas: the courts, RNC and Corrections.

**J. HOGAN:** Again, we'll try to answer some of those questions this morning. Our preference would've been to go through this line by line, but there are – Chief Boland here, I'm sure he can speak to it as well. We'll give him an opportunity and we can speak to the courts.

It is a very broad general question, which my understanding wasn't the purpose of Estimates this morning. Perhaps I will hand it over to the chief first to talk a little bit about it, because I know it is an important issue. Obviously, COVID affected everybody and it certainly affected the RNC, our courts and our department.

Chief.

**J. BOLAND:** Helen, if you could, could you just repeat the question that you ...

**H. CONWAY OTTENHEIMER:** Chief, we're just wondering about the backlogs that may have occurred. Specifically, with respect to your area, the RNC – for example, with respect to RNC service delivery – have there been any impacts with respect to service delivery or counter service or anything like that?

**J. BOLAND:** Yeah so, certainly, we changed our model. We took some of our priority trees, which would be lower, and we went to an online reporting system. We found that to be very helpful. Quite frankly, it allowed us to be able to capture the information, and through intelligence-led, be able to apply our resources more effectively and efficiently in that way.

There were areas where we incurred significant cost when it came to especially PPE and some of the changes that we had to do with regard to technology, but I would say overall that we saw savings when it came to travel, for instance. It's a significant travel budget that we have to take us outside, especially for training, in that area. That came out of our budget.

Then we would have seen areas impacted. There is no doubt that we had an impact, but I don't think it crippled us in any way in being able to provide a very effective and efficient service to the people.

**H. CONWAY OTTENHEIMER:** Okay, thank you.

**CHAIR:** Any further?

Minister Hogan.

**J. HOGAN:** You had two other entities. There was Court Services –

**H. CONWAY OTTENHEIMER:** Yes, the other two areas – I mean I'm asking them now; I could ask them later. It doesn't matter –

**J. HOGAN:** Donna Ballard would be able to speak to the Court Services.

**H. CONWAY OTTENHEIMER:** Okay, that's great.

Thank you, Donna.

**D. BALLARD:** Ms. Conway Ottenheimer, I can speak to the Supreme Court.

**H. CONWAY OTTENHEIMER:** Okay.

**D. BALLARD:** The Supreme Court actually fared very well over the course and where we are now with COVID. As was experienced by all of us in the early days, there were shutdowns and we were trying to respond to that, but right now, the courts are functioning very, very well. What has happened in the early days, of course, bail hearings and criminal matters and things that had to be heard were heard. We expanded from CourtCall. We're now using some Webex, we're using some Skype and we're using video conferencing more.

We've increased our e-Filing in the courts. If you need to go into probate, you can go by appointment. If you need to drop something at the probate office, you can do so at the door. We've expanded in terms of space, for example, with our juries. In St. John's we would use the School for the Deaf where we have more space

and also audiovisual. It's the same as what we're doing in the regions.

Right now, anything that was delayed, in terms of those early days in the Alert 4 period, has been rescheduled. In all senses, the courts are pretty much working well because we responded with technology. It isn't open to the public in the way that it had been. So if you wanted to attend a criminal trial as a member of the public, that's not necessarily available, but there is some video available in certain circumstances. Right now, we are managing very well in the Court of Appeal, the Family Division and the Trial Division.

I'll pass it over to Joanne Turner, who's the director of the Provincial Court, to speak of the Provincial Court.

**H. CONWAY OTTENHEIMER:** Thank you.

**J. TURNER:** Provincial Court fared very well also. In the March 2020 lockdown, obviously, we had to return home, but Provincial Court had to maintain its operations to some level, which we did so. We quickly pivoted to an online world and video conferencing was available within a month or so. We've been operating with the video conferencing, Skype and there is e-Filing, as Donna Ballard had mentioned.

Our operation has kind of flown quite well with the changes with the chief medical officer announcing various levels from 4 to 2 and whatnot. It's still an experience that we're dealing with. In all court centres throughout the province, there was an individual present throughout the entire time.

Yeah, we've done very well with the COVID-19 lockdown. We also went to teleconferencing instead of CourtCall, which made it much easier for people to have access to the court. While our doors may have been closed throughout various Level 5 scenarios, people could always access every courtroom throughout the province, whether it be video or teleconference. That was for media, for family members and whatnot, because we are still operating in a relatively limited environment.

Even though it's the people's court, not everyone can just walk in off the street today, sit



down and watch a random court matter. That's why we have the teleconference and video conferencing available there for anyone who requests to access the court. So while our doors may be closed in some court centres during Level 4, for example, which we're experiencing right now in Gander, Grand Falls and Stephenville, our court is very much still accessible to the public.

**H. CONWAY OTTENHEIMER:** Thank you.

**CHAIR:** We're going to move to MHA Dinn now, please.

**J. DINN:** Thank you, Chair.

Before getting into just a few general questions, with regard to a recent article that "Labrador's slow courts dissuade sexual assault victims from reporting." Is there an explanation as to why the courts are slow and what is being done to address that? Is it a personnel problem?

**J. HOGAN:** Go ahead.

**J. MERCER:** Good morning.

There are two sitting Provincial Court judges in Happy Valley-Goose Bay right now. Yesterday, Justice Stacy Ryan was sworn in at the Supreme Court. She is a resident of Goose Bay and sitting in that court. The Crown's office is all but fully staffed now. I'm turning to the DPP to tell me I'm wrong, but I think it is fully staffed. Legal Aid, I think, has a full complement.

There certainly is turnover in those offices and there always has been and I suspect there always will be, but efforts are continually made to ensure that any need is met, whether that's flying people in from the Island to cover or otherwise.

With Provincial Court and Supreme Court, I think they experience the same sort of turnover but are close to fully staffed on most occasions. Again, I'm looking for Joanne or Donna to tell me I'm wrong.

I don't know specifically the article. Unfortunately, there are delays in Labrador sometimes due to weather, due to witness availability, that sort of thing. To my

knowledge, we are not experiencing any concerning delays with sexual assault prosecutions in that area or any other area of the province.

**J. DINN:** Thank you.

That was a Globe and Mail article.

**J. MERCER:** Yes.

**J. DINN:** Okay. So, as I understand it, the staffing issues have been addressed then?

**J. MERCER:** Yes.

**J. DINN:** Thank you.

Have we put more money into crime prevention, especially towards resolving issues around drug use or family violence?

**J. HOGAN:** As was announced yesterday in the budget, and something that I've dealt with already when I've talk to members of the judiciary and members of my team, you would have seen yesterday announcements about specialty courts. I think it a very important thing and it is a modern approach to judicial services in this province.

I'm sure the Member will be happy to see that money is being put towards those specialty courts and we'll grow them over the next few years. That, I think, will allow these services and justice to be better served as we move forward. I look for the support of all Members in those initiatives. The judiciary supports them and has asked for them and is very happy with how they've gone so far. Obviously, they'll go better as we expand across the province including into Labrador.

**J. DINN:** Thank you.

When we will be seeing action to implement recommendations from the ATIPPA statutory review?

**J. HOGAN:** I haven't – nobody has to my knowledge – received the report from former Chief Justice Osborn on that yet. Obviously, it will be impossible for me to comment on that when we don't have his recommendations yet.

As soon we get them we'll obviously review them and members of the public can look at them and all Members of the House of Assembly can look at them and give their opinion and input. We'll certainly look at them closely and make decisions on what changes, based on the recommendations, need to be made to that legislation.

**J. DINN:** Thank you.

Has there been any work since the last budget to advance the necessary work in response to the Missing and Murdered Indigenous Women and Girls inquiry? Which initiatives are coming and which have been implemented?

**D. BALLARD:** Missing and Murdered Indigenous Women and Girls: There is a national action plan that is set to be released. It's not just a federal plan. There's a federal plan that's separate and there is a national plan that is set to be released on June 3. Internally, the province has reviewed all of the 231 calls for justice. That's an ongoing project in which we are looking at this calls for justice and lining them up with work that is ongoing and how we can enhance that work.

Our intention is to continue to collaborate with the Indigenous organizations and with the federal government as we move forward for an implementation plan.

**J. DINN:** Thank you.

Is it possible to have an update on the Restorative Justice Program for offenders not accused of violent crime? What are the results from this program and are there plans to expand it?

**L. STRICKLAND:** The program went very well in the Western region, that pilot program. We are certainly very eager to expand beyond there. It is a matter of trying to finalize arrangements with various partners, various charitable organizations that would assist in implementing that program. But it has gone very well in Western.

**J. DINN:** Thank you.

Is it possible to have an update on the expansion of the Mobile Crisis Response Team services, how many cases they're handling and is there evidence that they're resolving crises with more success?

**J. BOLAND:** I can get you the numbers. But what I can tell you is that there is a significant increase in the number of calls for service for the mobile crisis unit.

We currently have approximately 70 per cent of our patrol services in St. John's trained in crisis intervention training, with 100 per cent in Labrador and Corner Brook trained. It's a very effective response, as you probably are aware. We have taken basically a uniform response and incorporated a responsive of the health care clinician, along with an officer.

It's been a drastic change in improvement into how we respond to these types of crises in our community. I don't ever see policing changing and going away from that model, quite frankly.

**J. DINN:** Thank you.

In a given year, how many ATIPP requests come to government –

**CHAIR:** Excuse me, MHA Dinn, Minister Hogan would like ...

**J. DINN:** My apologies.

**J. HOGAN:** Sorry. Thank you.

I just wanted to follow up on what the chief said, and certainly as is a bit of a theme for me, I've only been here a short time, but I've gotten emails from people who have used the mobile crisis service unit and have been very satisfied with it. As the chief said, it's a change to the way policing has been done and this is fantastic to see that Chief Boland has implemented that. I think him and his team should be very proud of the work that that's done and the service that's provided to people in our communities.

**J. DINN:** Thank you.

In a given year, how many ATIPP requests come to government departments? If we can't have a breakdown by department is there a total figure?

**D. BALLARD:** I have the total for 2019-2020, which is 2,879; government departments: 1,943; and the others being public bodies: 936.

The most recent number I have for '20-'21 is 2,800 altogether; government departments: less than 1,800; and other public bodies: 1,000.

I don't have the breakdown, but I expect that we can provide that to you.

**J. DINN:** Thank you very much.

Just one final question in general questions. There was a comment made – and I forget by who – that there was an assessment carried out of vacant positions, I guess, in determining whether they're going to be filled or how they're going to be filled.

Is it possible to get an understanding of how you go about those assessments in determining, I guess, if a position is needed or if it should be eliminated through attrition?

**A. GREEN:** As I alluded to earlier, we have approximately 90 vacant positions. That's very fluid so that changes weekly, definitely monthly.

With the requirement to kind of come up with some positions through attrition based on the parameters that we are working with, which is an assessment of vacancies or pending retirements, we would kind of work with our divisions on any vacancies to assess if the ability to perform that work can be done from within existing resources. It's an assessment we do on every position that we fill: Have you considered this for attrition and have you considered the duties? Are they able to be absorbed from within?

The positions we identified last year were long-term vacancies, so any of the duties that were being performed by these positions would have long been absorbed from within existing complements within the department.

**CHAIR:** All right.

We're going to move back now to MHA Conway Ottenheimer.

**H. CONWAY OTTENHEIMER:** Thank you.

Just going back to the impacts of COVID with respect to Corrections, I'm just wondering, for example, if someone could comment on Corrections and the impact of COVID.

**D. WOODROW:** Overall, COVID certainly has been felt throughout Corrections. At the beginning, our numbers in many counts were very low, but they slowly crept back up to a more regular number. I think it corresponds with court opening, closure and their operations as well.

Financial, I don't have an overall number, but COVID certainly impacted several of the areas, for example, some of our revenues would be down in Fines Administration. As well, costs were low because of care of inmates. Medical costs and that kind of thing would have been low when our numbers were lower.

**H. CONWAY OTTENHEIMER:** Okay, thank you.

One final general question: Did your department receive any funds from the contingency fund? If so, what was it for?

**A. GREEN:** No, JPS did not avail of the contingency fund from the Department of Finance.

**H. CONWAY OTTENHEIMER:** Thank you.

Okay, going to subhead 1.2.01, Executive Support, under Salaries: In '20-'21, Salaries were budgeted to be approximately \$1.2 million, but revised to approximately \$1.4 million. Can you please explain this increase?

**A. GREEN:** The increase is related to an ADM position, which was on sick leave for a significant portion of the year. That was backfilled, so we wouldn't have had to budget for the backfill. Then when that ADM position eventually retired, there were retirement expenditures related to that person.

**H. CONWAY OTTENHEIMER:** Thank you.

Under subhead 1.2.02, Administrative and Policy Support, under Salaries: In '20-'21, there were salary dollars unspent, yet the budget is

still being increased to \$2 million. Can you please provide an explanation?

**A. GREEN:** The actual expense for '20-'21 for this budget included block funding for the expansion of the Family Violence Intervention Court, approximately \$400,000, around there, and block funding for students, which is approximately \$100,000 for the department, which we didn't avail of last year because of COVID reasons. The other variance would be some vacancies throughout the year for these divisions.

The budget increased, so in this budget is a block for the Gun and Gang agreement and that agreement went up. In addition to that, we have a new agreement for the *Divorce Act* funding and there's a position funded here to be the implementation coordinator of that *Divorce Act* funding agreement. There's a new divorce act coming which requires bilingual services in the courts, so we have funding in here to hire an implementation coordinator to get that agreement up and running.

**H. CONWAY OTTENHEIMER:** Okay, thank you.

Under Supplies, in '20-'21 Supplies went over budget, \$167,200 was spent. Can you please explain why?

**A. GREEN:** With that Gun and Gang block funding, so it's block funded up in Salaries and that's a crime-prevention initiative. Because COVID shut down some of the training that we would've received for that agreement, we were able to pivot to get approval from the federal government to buy equipment for police. It was bought by the police but we charged it here because that's where the agreement is, that's where the budget for the revenue is. But I think we bought some vests for the police.

**H. CONWAY OTTENHEIMER:** Thank you.

Under Property, Furniture and Equipment, in 2021 this went over budget significantly: \$146,400 was spent. Can you please explain that?

**A. GREEN:** The majority of that over budget would be a large departmental laptop purchase.

We realized the first shutdown in March that we were very deficient in our ability to work from home and we had a lot of aging assets so there was an initiative to replace aging assets. We have approximately 250 laptops that are 2015 and older and we were given the ability to purchase 110 to replace some of those assets.

We bought the laptops and then when we had the second shutdown in February, they weren't assigned yet, we were in the process of getting ready to reassign them to replace those aging assets. We were able to pivot about 50 of those laptops to staff to be able to work from home that otherwise wouldn't have been able to.

**H. CONWAY OTTENHEIMER:** Okay. Thank you.

Under Grants, who receives these grants and how are the recipients determined? Last year, I believe in Estimates, these were referred to as ministerial discretionary. I don't understand, can you please explain that?

**A. GREEN:** The large percentage of this grant funding is not discretionary for the minister. There is \$220,000 budgeted here for community constable positions. They are in Hopedale, Rigolet, Nain and Makkovik.

There is \$100,000 budgeted for NLSARA, or Newfoundland and Labrador Search and Rescue Association, for equipment replacement. There is \$91,000 budgeted for NLSARA for an operating grant.

The remaining balance is about \$39,000 and we support, annually, we pay the motor carrier expenses for the PUB, we pay the National Judicial Institute and we pay to be part of the Uniform Law Conference of Canada. The balance remaining for what we would call discretionary grants is approximately \$15,000. Those would be requests to the minister or to the department for things that are related to Justice.

**H. CONWAY OTTENHEIMER:** Okay. Thank you.

Under Revenue - Federal, can you please explain where this revenue comes from and how are the amounts determined?

**A. GREEN:** The federal revenue in this division is specific to the Drug Treatment Court, which we have a federal agreement; the Gun and Gang funding; and in the actuals you see \$1.288, that was an incorrect allocation for drug-impaired driving agreement. We received about \$620,000 for that agreement that really should have been in the RNC's revenue, but it was an incorrect allocation by staff in my division.

**H. CONWAY OTTENHEIMER:** Okay, thank you.

Can the minister give an update on the Labrador and Central Family Violence Intervention Courts? Last year, the minister said it would be hard to bring them out of the city because of the wraparound services. How does the minister think we can overcome this challenge?

**J. MERCER:** We have hired somebody to work specifically on expansion of the Family Violence Intervention Court.

I think the reference last year to the wraparound service was on the challenges that are faced with partnering with community groups and their existence or availability in smaller, rural areas throughout the province. For example, John Howard provides a support service here in St. John's for the Family Violence Intervention Court, but there's no existing Family Violence Intervention Court in Central. We contract with them to provide service in Stephenville.

Trying to find, I guess, ways of doing this that are not going to be incredibly expensive and where we can tap into resources that already exist. For example, a client at Family Violence Intervention Court may very well be on a probation order, so we look at what services are provided if one were on probation and how can we capitalize on those in the Family Violence Intervention Court setting.

We've hired a policy analyst to do work on that expansion. She started – time is a bit fluid for me over the last six months as it is, I think, for many, but she started within the last couple of months. We're really hoping to get that moving forward.

**H. CONWAY OTTENHEIMER:** Okay.

I know the original intent was to have four Family Violence Intervention Courts. We know that this has not happened and I'm understanding the information you're providing. Is it still the intent?

**J. MERCER:** Our focus right now is on moving towards Central. We have St. John's and Stephenville. We'll look at Central and then, yes, Labrador after that for sure.

**H. CONWAY OTTENHEIMER:** Okay, thank you.

**CHAIR:** Okay, we're going to MHA Dinn now.

**J. DINN:** Thank you, Chair.

Referring to 1.1.01, I note that the actual spending for Transportation and Communications was much lower this year. I assume that's because of the pandemic. Correct?

**A. GREEN:** Yes, that's correct.

**J. DINN:** Okay.

Under 1.2.01, Executive Support, there is an actual increase in spending on salaries here last year. What accounts for this sudden increase? What accounts for that sudden increase, please?

**A. GREEN:** The increase in salaries for Executive Support was an ADM position that was sick, that was backfilled and then there were retirement expenditures for that ADM position.

**J. DINN:** Okay, thank you.

Again, spending on Transportation and Communications and Supplies and Purchased Services also lower, why was that?

**A. GREEN:** That would be COVID related.

**J. DINN:** COVID related, thank you.

Under 1.2.01, I note that again Employee Benefits are higher than anticipated last year. I think you explained in the Salaries that there is block funding for Family Violence Intervention Courts and students. Would that be the same reason why this is budgeted higher, that the Employee Benefits are higher as a result?

**A. GREEN:** Did you say 1.1?

**J. DINN:** 1.2.02, sorry.

**A. GREEN:** For Employee Benefits?

**J. DINN:** Yes.

**A. GREEN:** Employee Benefit costs are the workers' compensation payments that the department incurs. We incur them in this division.

**J. DINN:** Under 1.2.02 only a fraction of money set aside for Professional Services was actually spent, why? Why is this budget for this item reduced this year by another \$16,500?

**A. GREEN:** The Professional Services in this division is for the Commissioner of Lobbyists. Also the expenditures related to the Criminal Code review board. My understanding is because of COVID some of those review board meetings did not occur as planned or as scheduled.

The reduction in the budget is based on zero-based budgeting and historical analysis. We would assess spending over a number of years and determine that the spending is actually down in this line. We would have moved it somewhere else in the division or the department to cover overages.

**J. DINN:** Thank you.

Given that COVID has created a recession and its effects are leading to increased partner violence, mental health problems and drug use, will we expect to see an increase in the use of the Family Violence Intervention Court and the Drug Treatment Court? I noticed, I think, in an answer to my colleague's question, that a person was hired specifically for this. Are we expecting an increase?

**J. MERCER:** Certainly, there's an interest in directing more files to our wellness courts or our therapeutic courts, as we would refer to the Mental Health Court, the Family Violence Intervention Court and the Drug Treatment Court. Our numbers in the Drug Treatment Court I think have been less than 20 in total. I'm

looking to Donna, she can fill that in, perhaps, after I finish in terms of numbers.

I think we're going to try and move more files towards those courts with the goal of having better outcomes at the end of the day. So our policy analyst is going to try and push that through. We're hoping to see an expansion through the federal government of the Drug Treatment Court pilot project so we'll get funding there. We don't know the details of that yet, but the goal is, again, to expand that as well. I think, as the minister said, that's really the new focus, and how we should be looking at rehabilitation and reduced recidivism is using those therapeutic courts.

Donna may be able to give you some numbers for the courts.

**D. BALLARD:** The Drug Treatment Court, the latest numbers that we have are April, so for the last fiscal, 2020-2021, I think the most significant number is the people who are active because, of course, it's a long-term treatment plan. So we have 20 people active in that court last year.

With regard to the Mental Health Court, we had 30 people appearing in that court, 18 completing the programming and 10 pending, still in the program. For the Family Violence Intervention Court, for the last fiscal, we had 135 people appearing, 25 completed programming, 14 currently in programming and some people opted out or were ineligible.

As the deputy indicated, we're putting a focus on these specialty courts in the coming year.

**J. DINN:** Thank you.

I thoroughly, totally agree and support this approach.

I would assume, then, based on what the answer was, that there will probably be more people diverted to this, but better outcomes and less expense and stress on the rest of the system.

**CHAIR:** Minister Hogan.

**J. HOGAN:** Yeah, that obviously is the goal. As Jen said, and as I talk to some judges down

there, some people are down in these courts that shouldn't be there. They have committed crimes and they do need to appear and justice needs to be done, but rehabilitation is the goal. To streamline them away from the normal system or the old system is the goal. Obviously, they don't have to keep coming back. It won't be a revolving door for these individuals who get caught in the system for whatever reason. But to keep them coming back year after year for other issues that they can't get out of. So to put them in these therapeutic courts and to find a solution for them would be the goal. Obviously, if they're not coming back it will reduce the burden on the courts now, we won't need as many resources and it's better for society and it's better for these individuals.

**J. DINN:** I agree.

Has there been, or is there any sort of a cost-benefit analysis being done? I'm sure it's got to save the system and it's probably going to have better outcomes, but is there any analysis being done of the benefits of that?

**J. HOGAN:** I'll let Jen speak to that. But to be clear, this does require resources, right.

**J. DINN:** No, I understand that.

**J. HOGAN:** Just having a different court with a different name on it doesn't mean that we don't need people down there. I guess the system now – and Lloyd can speak to this – is there's a Crown, a lawyer and a judge and the therapeutic courts require other things like social workers and psychiatrists and rehabilitation workers, et cetera, et cetera.

I will let Jen speak to if there's a cost-benefit analysis, but it's not as easy as just saying let's just do these different courts and everything is going to be great. We need to put effort and time and resources into these so that people that are in the system that are stuck in it, we can help them. It does cost money, it does take time and it does take resources. It's a priority of this department and, as you can see in the budget yesterday, it's a priority of this government.

**J. DINN:** And let me rephrase it then, because I agree with that.

**J. HOGAN:** Yeah.

**J. DINN:** In terms of, obviously, if you're not putting people in prisons and so on and so forth, obviously, I agree that you're going to need other resources, but I'm just looking is there, in terms of the outcomes, any analysis being done as we're going through that? That's what I'm looking at.

**J. MERCER:** So I can say with the Drug Treatment Court that's a federally funded pilot project. Part of that pilot is to do an evaluation. That is under way. I don't believe it's concluded – I'm looking to Donna to tell me I'm wrong. We don't have a built-in assessment system for the Family Violence Intervention Court or mental health care and Treatment Court. We do track recidivism and it's something that we can certainly look at in terms of accountability.

The minister is right though. I don't know that it's about necessarily pushing people through more quickly, it's about the positive outcome at the end of the day. I think that probably costs some additional dollars. For example, someone who is in Drug Treatment Court has, as the minister said, a judge, Crown, Legal Aid lawyer, court staff, of course, but we have two people on staff for Drug Treatment Court right now and then they partner with other departments and community resources to support one individual. We've had some very successful graduations from Drug Treatment Court. Hopefully, that assessment will serve us well in a positive outcome at the end of the day.

**J. DINN:** I fully support that. A great idea. Thank you.

**CHAIR:** I would ask if one of the independents would like to ask – MHA Lane.

**P. LANE:** Thank you.

First of all, just a quick comment. I was glad to see some movement in the budget with the specialty courts. I agree, it's a positive move. I definitely noted that actually when the Budget Speech was being read. I think it's positive.

Just wondering about, first of all, the Jordan rule. Since we did this last year, has there been any cases dropped as a result of the Jordan rule?

I guess sort of a follow-up question to that: Would COVID-19 impact the Jordan rule? Will there be other cases now because things have been delayed for another year because of COVID? Are we at risk of having more cases thrown out, say in this coming year?

**L. STRICKLAND:** I'm only aware of one case in the last year that has been dismissed on account of a violation of the Jordan ceiling in terms of delays in criminal cases.

In terms of the backlog that has been occasioned by the pandemic, courts across the country have consistently found that postponements and adjournments caused by public health shutdowns do not count towards the Jordan ceiling, because they are obviously something that could not have been foreseen and can't be avoided.

COVID doesn't cause any issues in that respect for us. We are beginning to address the backlog now. I understand in the Eastern region in particular, the number of cases is beginning to level off.

**P. LANE:** Perfect, thank you for that. I appreciate it.

I've ask this, I think, every year I'm sure, but has there been any analysis done on the Whitbourne correctional centre or boys' home or whatever you want to call it? Again, this is just hearsay, I suppose, but the last conversation I had with somebody I was told there was one person there, one resident, yet we have three or four buildings and staff and everything else and only one young offender, which seems like a total waste of money. Maybe the information is not accurate, but if you could give me an update, I'd appreciate it.

**J. HOGAN:** If there's been a recent analysis, I'll pass it over to Jen to just answer that question. It's something that I have talked about with people in the department. They've expressed the same question, I guess, as you: There are very few individuals out there for a large space.

I think the downside is that there is a great deal of space that's required for youth that are out there. You can't just sort of put a small building out there. There needs to be a kitchen; there

needs to be an area for schooling; there needs to be an area for a gym and outside time, et cetera, et cetera. That's something that has to be there. It's something that maybe we will look in the department about how we can deal with it, but it's not an easy answer just to say: Well, there's only one person out there. Put them somewhere else where they're smaller.

Jen can probably provide some further details on that.

**J. MERCER:** The minister is correct. We have two youth out there right now, but two youth means we still have to have a principal and I think we have two teachers on staff right now. There's a gymnasium; there's art. That is all required by law because if we're detaining youth in custody, we have to provide them with schooling. There's a cafeteria to serve them food and they have a bed. They have counselling, obviously, psychologists. We have a nurse practitioner who's contracted to provide. It's something that we are required by law to do. We can't put a youth in an adult facility. When a youth is sentenced to serve custody, we have to have an appropriate place to put them.

It's a very challenging and I will even say frustrating situation because of the costs that are associated with running Whitbourne and the numbers. I think we're left with little choice in terms of what we have to provide. I don't know if the minister can ...

**J. HOGAN:** Yes, so the bad news is – I don't know if it's bad news, but the unfortunate situation is we do have to provide all these services and items and issues. I guess the good news is that there are very few youths out there. In that respect, it's good that we're having that conversation, as opposed to saying: Look, the facility is overrun and we need to solve that problem. I guess we have to look at the bigger picture context.

It is something that we will continue to look at. If anyone has any solutions or ideas send them over.

**P. LANE:** I have to say that I understand what you're saying but I find it kind of astounding when you say we have to have a principal and two teachers and there are two youths out there.



Why can't we have one teacher and do we need a principal? If you need a psychologist or something can't you transport him to an appointment as opposed to – let me ask this question: We have two youth, how many staff in total? How many people are employed to look after two youth?

**A. GREEN:** Quickly, I just want to say that the division is approximately 50 per cent funded by the federal government, partially because of the requirements to have some of the facilities and staffing that we are required to have.

In terms of positions, I don't have the position count for them right now but I can definitely –

**P. LANE:** Do you have a rough idea?

**A. GREEN:** Pardon?

**P. LANE:** Do you have a rough idea? Are we talking 20 staff or a hundred?

**A. GREEN:** I would say anywhere from 30 to 45 maybe.

**P. LANE:** Thirty to 45 people to look after two kids, in this case. Wow.

**A. GREEN:** So you would have staffing 24-7 for the youth facility, so any 24-7 model would have to have a significant number of staff because I think they can only work 37.5 hours a week.

**P. LANE:** Yeah. Okay, thank you. I appreciate the information, I understand you are saying there is no easy solutions. I'm sure if there was they'd be implemented, but I'm just saying you're looking at it and we have two kids and 30 to 40 salaries and I suspect they're fairly substantial salaries to look after two youth. Something, to my mind, is amiss but anyway.

**J. HOGAN:** Two quick comments, boys youth and girls youth have to be kept separately as well, that just adds an extra layer.

**P. LANE:** I understand that.

**J. HOGAN:** I totally understand the question, that is a lot of people to look after two youth as you say. But it is two youths today, right.

**P. LANE:** Yeah.

**J. HOGAN:** That's not a set number, as you know.

**P. LANE:** I understand that.

**J. HOGAN:** That can go up and down so that's why those staff need to be out there in case that number goes up, I hope it never does. It is a very complex issue, it is not as easy as –

**P. LANE:** I understand, but I really think, Minister, it needs analysis to try to –

**J. HOGAN:** Yup.

**P. LANE:** – find some solution around it. It just seems, I don't know, crazy to me. But anyway, I'm no expert in anything.

Now –

**J. HOGAN:** Hansard, got that?

**P. LANE:** Oh, I don't mind saying it. Put it on *Hansard*. I'm the first to admit that.

Just wondering about capacity at HMP. Where are we to with capacity at HMP? Again, these are hearsay and so on, I don't have facts, I'm asking the question, but I know that there used to be issues, for example, someone gets picked up for impaired driving and they're supposed to serve weekends. They go into the pen, they sign the book saying they tried to check in at the inn, there was no room so they go home so they're really not serving any time because there is no room to put them.

I'm just wondering is that still happening and is it happening for other crimes besides impaired driving? How many people are getting turned away from the inn on, say, on a weekly basis or a monthly basis?

**D. WOODROW:** I don't have the number of how many people are getting turned away on a weekly basis. I can try to see if I can get that number for you. At the moment, we're not at full capacity but we are close. For example, at the moment, we have 138 people at HMP. The numbers are lower at the women's correctional centre.

**P. LANE:** Okay, thank you.

I'm wondering about – I guess it will be my last question – Support Enforcement. I've had a couple of constituents over the last year or so dealing with the department on support enforcement. I understand there can be issues if someone loses their job and whatever, but, in these cases, at least, it was more about vindictiveness and just trying to keep the money away from the spouse and so on. But that spouse is having to go through a lot of hurdles and delays and everything in dealing with Support Enforcement trying to get paid, trying to get her money. It seemed like a lot of delays.

I'm just wondering is there a staffing issue or is it Support Enforcement perhaps is not being as aggressive as they could be or are there any issues there?

**D. BALLARD:** No, we have a full staffing component at Support Enforcement right now. As you can appreciate Support Enforcement is just that. We're a conduit for money in and money out. The money coming in and the money going out, we're basically implementing or the staff are implementing the orders. The orders are from the court. If there is a circumstantial change that an individual has, they have to go back to court to have the order changed. It's not necessarily a matter of the staff because the staff can't change the order, it has to go back to court.

Now, I know, Mr. Lane, there's been a number of calls that have come in through my office that I've sent out to the agency and, in my view, they're handled quite promptly in terms of trying to deal with individuals and give them the information that they have in order to move forward.

We don't have a backlog right now. Of course, people are frustrated because a person loses their job, they still have an order that they have to pay Support Enforcement, but that can only be changed by the court. I'm not sure if there's any – there's definitely no backlog in terms of addressing those issues through our people in Corner Brook.

**P. LANE:** Thank you.

The issue wasn't about someone being ordered to pay. The couple I dealt with was more about the person who is supposed to pay still having the ability to pay but just being lax on doing what, in this case, he was supposed to do and perhaps out of vindictiveness on certain issues.

**CHAIR:** Okay, we're going to move to MHA Conway Ottenheimer now.

**H. CONWAY OTTENHEIMER:** Thank you.

I just want to go back to subhead 1.2.02, just two questions there.

In reference to the federal revenue with respect to Gun and Gang, can we please have an explanation, specifically, how the province is using this funding?

**A. GREEN:** (Inaudible.)

**H. CONWAY OTTENHEIMER:** How we're using this funding.

**A. GREEN:** I can definitely get that information from the analyst who's providing it.

The intent of the agreement is to reduce gang involvement and some of that could be police resources, some of it could be Crown resources and some of it could be training and community supports. But we have an analyst who would have the plan built out for the full agreement and we can certainly provide how we intend that plan to be implemented.

**H. CONWAY OTTENHEIMER:** Thank you, a breakdown would be great.

**A. GREEN:** You're welcome.

**H. CONWAY OTTENHEIMER:** Thank you.

The last question on this subhead: Can you please provide an update on the electronic monitoring program? I know there were three units in service last Estimates and I would just like an update on that, please.

**D. WOODROW:** Currently, we have seven offenders on our electronic monitoring program. Close to the end of the fiscal year, we awarded a

contract for new units, so we have a contract for the next couple of years for further units.

**H. CONWAY OTTENHEIMER:** Okay, thank you.

Under subhead 1.2.04, Administrative Support, Capital, and I know that there was mention about the fleets, there's a four-year fleet replacement plan. Can you just repeat what the current size of the RNC fleet is again, please? That includes cars, trucks, snowmobiles, ATVs, et cetera.

**J. BOLAND:** I don't have the exact number of vehicles. We have about 125 in our fleet. The challenge that we had, Helen, is with our Patrol Services, which run 24-7, and the stress that goes on that vehicle. The mileage was up on that and we were lucky to be able to come up with a replacement plan that is done out over four years.

On average, we would get in about 16 vehicles. Mainly those vehicles would be identified for our Patrol Services here in St. John's, Labrador and Corner Brook. There is flexibility within that budget when you look at our CID cars. A CID car in an RNC fleet would last somewhere around 10 years. You take a patrol vehicle; you're lucky if you get three years out of a patrol vehicle.

**H. CONWAY OTTENHEIMER:** Okay, thank you.

Last year we heard that some RNC vehicles were having trouble with their computers. Is this still happening? If so, what's being done about it?

**J. BOLAND:** We just had a purchase of MDTs for the vehicles. I'm not sure exactly where it is, but I think we ended up with 20 new MDTs, which covered the pressure that we had in that area.

**H. CONWAY OTTENHEIMER:** Okay, thank you.

**A. GREEN:** OCIO were supportive in providing the funding to replace the 20 mobile units.

**H. CONWAY OTTENHEIMER:** Okay, thank you. That's helpful.

Under sub 1.3.01, Fines Administration, Revenue - Federal, \$74,900 was budgeted last year, but not received. It's now budgeted for this fiscal.

Could you please explain, Andrew? Thank you.

**A. GREEN:** That is revenue related to the *Contraventions Act* agreement. We did not receive any revenue related to fines for that agreement, mainly because we didn't have the position filled. We currently have the position filled, so we expect that we will see that revenue.

It's revenue for the position and some of the operating expenditures that the position would incur. The position is filled and we expect that you'll see revenue received there in next year's budget.

**H. CONWAY OTTENHEIMER:** Okay, thank you.

Revenue - Provincial: Only \$232,700 of the budgeted \$920,600 was received. Why is that?

**D. WOODROW:** There are a few things behind – at least a good portion of that related to COVID. The Canada Revenue Act intercepts have ceased for a period of time because the federal government didn't want to run into taking money from CERB payments that were coming out. So there was some revenue down there. As well, MRD and City of St. John's ticketing. A lot of our revenue is generated from the ticket-processing fees. There was simply less movement, less tickets issued and therefore less tickets processed.

As well, the courts closed and that kind of thing. There was less revenue paid through the courts that way, so there was less. But the fines admin program has been accepting payments throughout COVID and so I think it's just a matter of the balance there.

**H. CONWAY OTTENHEIMER:** Okay, thank you.

Can you provide an update of what is outstanding to date to be collected in terms of fines?

**D. WOODROW:** So the recent number that I have for year-end was \$32.5 million outstanding.

**H. CONWAY OTTENHEIMER:** Okay.

I note that from last Estimates it was approximately \$42 million, I believe. Can you account for that difference?

**D. WOODROW:** Sorry, I have to correct an error there. The outstanding is \$43.5 million and \$32.5 million is what we're looking at as potentially being uncollectable.

**H. CONWAY OTTENHEIMER:** Okay, thank you.

We've talked about this in Estimates in the past about the ability of people to volunteer to pay off their fines and we know the difficulties that were experienced with implementation due to COVID. Can you provide some commentary and update on that?

I know last Estimates we were told that there was an increase in people making payments and they're still in the development stage. Where are we with that now?

**D. WOODROW:** We're still in the development stage with the fines options program. Again, there have been some impacts with COVID because we need to partner with community groups for supervision of people offering volunteer placements. That's been kind of stagnant as a result of not being able to place people out in the communities in order to do that.

**H. CONWAY OTTENHEIMER:** Thank you.

That completes my questions for this head.

**CHAIR:** I was just looking at the time. We'll probably continue on to MHA Dinn, finish this section and vote before we take a break. Is everyone okay with that?

**J. DINN:** Thank you, Madam Chair.

In 1.2.03, spending on Salaries came in about \$100,000 below budget last year. Is this due to vacancies? If so, which positions remain unfilled?

**A. GREEN:** This is due to vacancies within the Legal Information Management Division, all positions are currently filled.

**J. DINN:** Thank you very much.

Again, in that section, spending on Supplies and Purchased Services are also slightly higher than anticipated last year, what was the reason for that? Was that related to the positions that were filled?

**A. GREEN:** No, the Supplies allocation is for legal publications and there was just an increase in some of the costs of those publications have gone up over the number of years. Then for Purchased Services, the increase is related to shredding, document storage and document retrieval.

**J. DINN:** Thank you.

Though we were anticipated to receive modest provincial revenues here last year and this year we received none in the actuals for 2021, I think we're still in section 1.2.03. Why is this?

**A. GREEN:** The revenue allocation here is revenue provided – it is grant funding from the Law Foundation and it's based on their ability to receive funds from their trust accounts. That's how they receive their funds, they get interest on their trust accounts. They just had less revenue to provide grants. This is one of the area that they reduce their grant funding.

**J. DINN:** Thank you.

One last question in this section for us, that has to do with – we're now actually in 1.2.04, Administrative Support. Which capital projects received funding from this source?

**A. GREEN:** This allocation is specifically for vehicle replacements within the RNC.

**J. DINN:** Okay. Thank you.

That's it for us.

Thank you.

**CHAIR:** Okay.

I ask if there are any additional questions for this section.

Hearing no additional questions, I will ask the Clerk to call the grouping.

**CLERK:** 1.1.01 to 1.3.01 inclusive.

**CHAIR:** Shall 1.1.01 to 1.3.01 carry?

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

Carried.

On motion, subheads 1.1.01 through 1.3.01 carried.

**CHAIR:** All right, we'll take a short break now for 10 minutes. It's 10:27

### Recess

**CHAIR:** I ask the Clerk to call the next set of headings.

**CLERK:** 2.1.01 to 2.4.01 inclusive.

**CHAIR:** Shall 2.1.01 to 2.4.01 inclusive carry?

We will start with MHA Conway Ottenheimer.

**H. CONWAY OTTENHEIMER:** Thank you.

Under Professional Services, can the minister please explain what matters required outside counsel for the past year? As well, in another related question, can you please explain why the budget is being increased to \$5,084,200? It is a significant increase of expenditure.

**P. OSBORNE:** Due to solicitor-client privilege we can't tell you the exact nature of what funds were spent on; however, I'd be happy to provide you with a list of the firms that have received money from last year.

Generally, there are 40 lawyers at Justice. There are seven that do litigation, 10 that do family

litigation and the rest service government. That sounds like a lot, but there are a lot of complex issues. We go to outside legal counsel, for instance, for class actions. We have several class actions on now, so we've hired outside counsel to train local counsel so we have that expertise for that.

With respect to expenditures, there are three basic heads of Professional Services; one is AG – Attorney General – funded counsel. That breaks down as amicus attorney, court-appointed counsel, or judicial indemnity. We have no control over that. The court orders it; we pay it. General is other matters. When we lack capacity or if we need expertise, we retain that. Or there's litigation expense if we need to hire an expert for litigation.

With respect to the increase for next year, I think NAPE has said publicly that there are employees that are covered by the agreement who need legal services in relation to the matter at the penitentiary. So we're anticipating increased fees for that.

**H. CONWAY OTTENHEIMER:** Okay, thank you.

A list would be appreciated, thank you, with respect to the firms, other than the counsel involved. You mentioned several class actions. I know there are privacy issues, but can you just identify ...?

**P. OSBORNE:** Sure, there's a class action in Deer Lake. It's related to flooding. There's one in Mud Lake, also related to flooding. There's a youth-in-care class action and there's one related to the travel ban.

**H. CONWAY OTTENHEIMER:** Okay, thank you.

Under Allowances and Assistance, last year \$10 million was budgeted and \$1.2 million spent. This year, \$5 million is budgeted. Could you please provide an explanation of these amounts and who receives this funding?

**P. OSBORNE:** No, that's a product of settlement privilege. That's not a statute, that's the common-law privilege. The court made the law. It doesn't just belong to us as paying it. It

belongs to the recipients. We can't go into the specifics on who's received what. It was lower last year because of COVID.

Before government pays out any funds there's diligence done. We do discoveries; there's case management. A lot of that slowed down during COVID. We expect it to ramp up again and we've seen it ramp up this year.

**H. CONWAY OTTENHEIMER:** Okay, thank you.

Under 2.1.02, Sheriff's Office, under Salaries: Last year the salary line was under spent by \$635,700. Were positions vacant? If so, how many?

**A. GREEN:** Some of the reduced expenditures in Salaries would have been reduced overtime requirements because court was not operating. Sheriff officers would have overtime run through lunch or if court goes late. They also have WASH court overtime requirements.

There have been vacancies in the division. I had a note here on – I think we're averaging about eight to 10 and they have a complement of 104 positions.

**H. CONWAY OTTENHEIMER:** Okay, thank you.

Under Purchased Services, this year the budget is being increased to \$243,000. Could you please explain why?

**A. GREEN:** When we do the budget, we work with the divisions on what their needs would be. What we would have here are expenditures related to jury trials. There is rental of equipment, possibly AV equipment and maybe even space, to accommodate jury trials.

**H. CONWAY OTTENHEIMER:** Thank you.

Revenue - Federal: \$109,900 was budgeted last year but not received. It is now budgeted for this fiscal. Could you please explain that?

**A. GREEN:** That is *Contraventions Act* funding. That agreement hits in Fines Administration, Sheriff's and Provincial Court. This was because the position wasn't filled. We

currently have the position filled so we expect revenue to be received for that part of the agreement in this division.

**H. CONWAY OTTENHEIMER:** Okay, thank you.

2.1.03, Support Enforcement: Last year under Purchased Services, it went over budget; \$104,800 was spent. Please provide an explanation.

Thank you.

**A. GREEN:** That is the banking fees on the trust account. Because it's a trust account, we can't charge the account for those expenditures. Those expenditures are continuously rising.

You see the budget was \$24,000. We agreed to assess those expenditures and deal with it from within existing funds throughout the year. We also had a missed banking fee payment of approximately \$20,000 due to COVID last year, so it was an old-year payment that was expensed in the new year.

**H. CONWAY OTTENHEIMER:** Okay, thank you.

Just two questions under 2.1.04, Access to Information and Protection of Privacy, Supplies: Last year, Supplies went over budget; \$40,200 was spent. Can you explain why?

**A. GREEN:** About \$38,000, \$39,000 of that was an error in accounting. It's actually related to Professional Services for the ATIPPA review. When we coded it, it was originally coded in a different division. When we did what we would call the journey voucher, we moved that money; we just put a four instead of a five in the line object. Then it was coded there and it was missed until we saw it in the book.

**H. CONWAY OTTENHEIMER:** Okay, thank you.

Getting to the ATIPPA Statutory Review, the question was asked and the minister indicated that we haven't received a report from Justice Orsborn. Last year, here in Estimates, we had a discussion about proactive disclosure and some work was being done to get more information

posted proactively. Since then, we haven't really seen an increase in proactive disclosure of information, so can you please explain where we're at with that?

**D. BALLARD:** I know that it is ongoing. Proactive disclosure is ongoing, but slowed down a little because of COVID. Of course, our focus has been on the last year addressing and participating in the ATIPPA review. We expect some recommendations on that coming out of the review, so we'll be reviewing and addressing it then.

**H. CONWAY OTTENHEIMER:** Okay, thank you.

Under subhead 2.3.01, Legal Aid – actually, no, I think we've answered those. Those have been answered. The lawyer is now practicing. Actually, I'll move on from that.

2.3.03, Other Inquiries: I just want to ask, generally, about the expenses listed here for Other Inquiries. I'm aware that the amount spent in '20-'21 largely depends on the timing and the needs of the inquiry, but how were the amounts for this upcoming year calculated?

**A. GREEN:** For any inquiry, we would do a general assessment on what we expect the needs of that inquiry to be, plus anything we've learned from previous inquiries to build a budget. Again, the building of this budget would be an estimate, and once a commissioner is named in either inquiry that would really determine the driver of those costs. We try to be as accurate as possible in our Estimates based on historical – based on our experience, but, again, it's up to the commissioner on how those costs are spent.

**H. CONWAY OTTENHEIMER:** Okay, thank you.

I see that I'm running out – under 2.3.04, Office of the Chief Medical Examiner, the first question is just about Salaries. There were some vacancies; can we have an explanation as to why?

**A. GREEN:** Sorry, I didn't hear the last part of it. It was why Salaries were down?

**H. CONWAY OTTENHEIMER:** Yeah, there were some vacancies in 2021 with respect to Salaries it appears. We're assuming that there were some vacancies.

**A. GREEN:** There definitely were some vacancies in the division. We had budgeted for two investigator positions, which were vacant for the majority of the year, partially due to COVID. They are now filled. There's a 0.75 medical examiner position that's vacant.

**H. CONWAY OTTENHEIMER:** Okay, thank you.

**CHAIR:** Okay, we're going to move on to MHA Dinn.

**J. DINN:** Thank you, Madam Chair.

In 2.1.03, Support Enforcement, spending on Salaries was just over \$100,000 more than anticipated. What accounts for that variation?

**A. GREEN:** The Support Enforcement officers received a reclassification of a JES appeal. There was retro-impact going back a number of years, which was approximately \$110,000.

**J. DINN:** Thank you.

2.1.04, the low amount spent on Transportation and Communications, is that attributable to the pandemic?

**A. GREEN:** Yes, that would be attributable to the pandemic.

**J. DINN:** Thank you.

The spending on Professional and Purchased Services was far lower than anticipated and the budget for both items this year is significantly lower than last. What accounts for these variations?

**A. GREEN:** For Professional Services there was an accounting error. That would be the ATIPPA review and over \$100,000 would have been the expense there. The shutdown in February would have paused some of that review at that time, so the expense would have stopped at that point. We don't have a budget allocation for it this year, but it's intended that whatever overages

would be covered from within our existing budget complement.

The Purchased Services line, the reduction, that's also related to travel because the ATIPPA staff go and do information and education sessions to municipalities across the province. Part of that expense is room rental or AV rentals. It's the travel plus any expense related to rentals.

**J. DINN:** Thank you very much.

Under 2.2.01, I'm not sure if this question fits here or somewhere else, but I'll ask it: With regard to a sexual assault nurse examiner, I understand that there is one in St. John's, but is there one or planned to be one staffed for Labrador that would help the victims make informed choices about reporting to the police? Just wondering if that – it follows up on my earlier question on the court system.

**J. HOGAN:** That will be, I would suggest, a question directed to the Department of Health.

**J. DINN:** Department of Health? Thank you very much.

Under 2.2.01, actual expenditures on Salaries were slightly higher than anticipated than had been last year. Why?

**A. GREEN:** We would have positions that we have to meet Jordan requirements. The funding for those positions was only a couple of years but we kept the positions to still meet those requirements. We're funding that overage from within existing budget.

**J. DINN:** Thank you.

Why has the budget for Supplies more than doubled this year? The same reason?

**A. GREEN:** The Supplies budget was increased. We did zero-based budgeting analysis work with the division and one of the items that the division was hoping to avail of was redaction software. We built that supply budget up to allow them to achieve the purchase of redaction software.

**J. DINN:** Who knew there was such a thing? I thought people went through it.

Spending on Professional and Purchased Services was lower than expected last year. The budget for these items this year is also lower than last year. Any reason why?

**A. GREEN:** For Professional Services it's conflict matters where we have to hire outside if the Crown is in conflict, or if we hire – I think Lloyd can probably correct me but when they do their annual general meeting, we hire someone to perform Crown duties during those times.

For Purchased Services, some of these expenditures are related to witness fees. Because courts had reduced capacity, there were less witness fee expenditures throughout the year.

**J. DINN:** Thank you.

Under Property, Furnishings and Equipment, spending was four times over budget last year. What was bought? You may have already answered that.

**A. GREEN:** No, I haven't, I don't think, answered this one.

There was an ergonomic assessment, which would include office-related expenditures. You will see that across the board there were some erg assessment issues. Also, we had to replace a certain amount of iPhone 6s which were no longer supported by OCIO. With our new mobility contract, we saw savings in the T and C line. We used to get the benefit of a free phone on the old contract. Now we have to pay for the phone charges. Those costs are booked under 07.

**J. DINN:** Perfect, thank you very much.

Under the same section, under Revenue - Federal what are the sources for federal revenue here?

**A. GREEN:** That's the flagging agreement. If you need more information, I think Lloyd can provide it.

**J. DINN:** Thank you.



Under 2.3.01, Legal Aid, how many Legal Aid lawyers are currently paid for using the Grants and Subsidies here? Did this one go entirely to salaries or are there other expenses.

**P. OSBORNE:** I'm sorry. I missed your question.

**J. DINN:** Under 2.3.01, Legal Aid, how many Legal Aid lawyers are currently paid for using the Grants and Subsidies here? Does this money go entirely to salaries or are there other expenses?

**P. OSBORNE:** There are currently 132 positions at Legal Aid. Ten of those are management, 67 solicitors and 54 administrative. That is spread over 18 offices.

**J. DINN:** Okay. Thank you.

After removing the counsel-of-choice provision from the *Legal Aid Act*, have there been any long-term or short-term implications of doing so?

**P. OSBORNE:** I don't (inaudible). I have met with the Legal Aid board and they didn't raise any issues in that regard.

**J. DINN:** Okay. Thank you.

How are compensation policies and practices currently determined within Legal Aid?

**A. GREEN:** Legal Aid follows Treasury Board Secretariat compensation policies and practices.

**J. DINN:** Thank you.

What is the source of federal revenue here? Why is it higher than anticipated last year?

**A. GREEN:** I think all legal aids in Canada receive a portion of federal revenue to support their programming. The increase would have been an amount received in previous year for this year. We had the ability to fund up to 80 per cent of this year – usually we file those revenue agreements in June of the year, but the federal government allowed us to avail of up to 80 per cent of our current year expenditures so we got the money. We almost got two years at once.

**J. DINN:** Okay. Thank you.

Under 2.3.03, Other Inquiries, is the money in this section for the inquiry into the treatment of Innu children in care?

**A. GREEN:** Yes.

**J. DINN:** Thank you.

The cost of Transportation and Communications is slated to increase. Is this money for research trips, town halls and other meetings?

**A. GREEN:** I would expect so.

**J. DINN:** Okay. Perfect.

The amount budgeted for Professional Services has increased by nearly \$2 million. Which services will we be contracting and how many people will be paid or employed on the inquiry out of this money?

**A. GREEN:** To be determined by the commissioners of both inquiries.

**J. DINN:** Okay, good.

And I guess it might be the same here then: The amount budgeted for Purchased Services is also slated to increase by more than \$100,000. What services are we expecting to receive for this money? Similar answer?

**A. GREEN:** Yes, to be determined by the commissioners of the inquiries.

**J. DINN:** Excellent.

That would go, too, for the projected increases for Property, Furnishings and Equipment?

**A. GREEN:** Yes.

**J. DINN:** Perfect. Thank you.

Actually, I'll leave this and turn it over to my – because I'll carry on with questions at the next chance.

Thank you.

**CHAIR:** MHA Conway Ottenheimer.

**H. CONWAY OTTENHEIMER:** Thank you.

Returning to the Office of the Chief Medical Examiner, 2.3.04, under Professional Services. In 2021, Professional Services went over budget. \$349,100 was spent. Could you please explain why and what services were purchased?

**A. GREEN:** This is strictly pathology services. There was just an increased demand for those services across the province.

**H. CONWAY OTTENHEIMER:** Thank you.

For Purchased Services in 2021, Purchased Services went over budget. \$496,000 was spent. Could you please explain why and what services are included?

**A. GREEN:** The majority of the overages related to increased forensic testing with the labs and the transportation of human remains.

**H. CONWAY OTTENHEIMER:** Okay. Thank you.

Under Revenue - Federal, could you please explain why there was no revenue collected last year and explain where the \$154,900 will come from?

**A. GREEN:** We work with our partners in the federal government. I think there's a statistical agreement with whatever agency that is in the federal government. There just wasn't an agreement last year or we didn't have the staffing or – sorry, for this one, we haven't completed the forms to file to get the revenue. We're going to receive that revenue probably this summer; it just wasn't completed in time. That agreement is increased a little bit this year.

I can provide, at a future time, the spirit and intent of those agreements.

**H. CONWAY OTTENHEIMER:** I would appreciate that. Thank you.

Last year in Estimates, we were told 50 of the 65 recommendations from the Bowes inquiry were partially or fully implemented. Could we please have an update on the progress? Specifically, I'm interested to hear what has not been implemented and why.

**J. MERCER:** I think that number is still the same, 50 of the 65. Some of the outstanding recommendations will relate to the federal agreements that Andrew mentioned. We're entering into agreements with Canada to do statistical data analysis, collection and a few other things. I think we're still working through. Staffing was one of the other ones.

I'm turning to Denise to help me, to poke me if there's anything that I've forgotten.

**H. CONWAY OTTENHEIMER:** Okay.

Would we be able to have a list of what has not been implemented?

**J. HOGAN:** Sure, we can get that.

Just in terms of the staffing, a second forensic pathologist is working quarter time. Additional staff members include a manager of Corporate Services, a medical examiner investigator, an information and management analyst and two administrative supports.

**H. CONWAY OTTENHEIMER:** Okay. Yes, that would be appreciated, a list with respect to the recommendations and what has not been implemented yet.

Thank you.

Under 2.3.05, Human Rights, just two questions and then that's it for me for this area. In '20-'21, Professional Services went significantly over budget. \$76,000 was spent. Could you please explain why? What services were purchased?

**A. GREEN:** That was for a board member who was a long-serving board member who submitted invoices related to multiple fiscal years. They waited until the conclusion of their term to submit the invoices for their file, so it was a significant hit on the Professional Services.

**H. CONWAY OTTENHEIMER:** Okay, thank you.

Final question, Revenue - Federal: Could you please explain how \$55,800 was collected last year and explain where the \$109,200 will come from?

**A. GREEN:** I have a write-up on that federal revenue that I'm going to grab.

In the fiscal year, last year after the budget, the feds approved a federal agreement. It is the Canadian Heritage agreement under their Anti-Racism Action plan to develop a community-based conflict-assistance clinic. So that would be we hired someone to do some implementation around that. That would be the revenue we received and the budget is to conclude what that plan is.

**H. CONWAY OTTENHEIMER:** Okay, thank you.

**CHAIR:** MHA Dinn.

**J. DINN:** Thank you, Chair.

With regard to the Office of the Chief Medical Examiner, a question about security of bodies – especially in light of the cremation of the wrong one. I'm just wondering though, in terms of security of bodies that may be from a forensic point of view from criminal cases, what security measures are there to ensure bodies that are part of an investigation are secure from tampering and the like?

**J. HOGAN:** I will let Denise Woodrow answer the question about security of bodies, but I just want to clarify that the issue you're referring to with the bodies was not an issue with the chief medical examiner. That wasn't the recent one in the news. That was an issue with Eastern Health.

**J. DINN:** No. In light of that I'm just wondering –

**J. HOGAN:** I just want to clarify it. You're saying in the light of it. You brought it up here in the Department of Justice. For his sake, too, we don't want to talk about a mistake that wasn't made by him. I know he expressed to me that he wanted to make sure that it wasn't an issue with his office. Not to say that it wasn't, obviously, an important issue and a sad and terrible mistake.

Go ahead, Denise.

**D. WOODROW:** For security of the bodies, they would have two people confirm all of the

information that identify the body; otherwise, I can get some information for you. I'm not exactly sure if your question was relating to security of the bodies and what happened with the incident that Minister Hogan referred to; otherwise, I can get back to you on that.

**J. DINN:** My understanding is that the bodies that might be used in, let's say if it's in a murder investigation or what, are stored in the same facility as people who might die of natural causes and so on and so forth. I'm looking at in terms of considering how the evidence there might be used in a court case, tampering and so on and so forth, I'm just wondering what layers of security are there, because I would assume those bodies would certainly require an extra layer of security. That's what I'm asking about.

**J. MERCER:** I can answer that. I know the chief was going to weigh in as well, but when a body comes in as a suspicious death, comes into the OCME, the initial review I'll call it, is done. If the cause of death is not determined to be suspicious, then that body goes to the Eastern Health morgue. It is a shared facility in that sense, but there is a separate location to hold bodies until the medical examiner has concluded their examinations. I don't know if the chief has anything to add to that.

**J. BOLAND:** Yes, the continuity of the body is encased. It goes into a case; it's locked in. The officers then take the keys. The keys are kept with us. I think the medical examiner has as well, so it's a two-lock system. When the medical examiner is going to do the examination to determine the cause of the death, then they unlock. The officers come back in and the investigators. From, say, the scene to the hospital, it's constantly under the continuity and care of the investigating officer.

**J. DINN:** Thank you very much.

Under 2.3.05, Human Rights, what accounts for the rise in Salaries? Is there a new position being created?

**A. GREEN:** The increase in Salaries is related to the federal agreement.

**J. DINN:** Okay, thank you.

**A. GREEN:** That position has already been created.

**J. DINN:** Spending on Professional Services was lower than anticipated last year, though we're budgeting more money towards them this year. Why is this?

**A. GREEN:** Do you mean Purchased Services?

**J. DINN:** Professional Services I had here, I figure, but maybe – it's lower than anticipated.

**A. GREEN:** The lower Purchased Services was related to the cancellation of the Human Rights Awards. We're anticipating or hoping that will go ahead this year.

**J. DINN:** Thank you.

Under 2.3.06, what accounts for the rise in actual revenues this year?

**A. GREEN:** The revenue receipted from the Office of the Public Trustee is revenue that they have on files that they cannot find an estate to. Part of their act is that if they cannot find an estate, they have to submit it over to the Consolidated Revenue Fund. There was just an increase in the ability to get through some of those old files.

**J. DINN:** Okay. Thank you very much.

Finally, under 2.4.01, Legislative Counsel, it's not much but I'm just wondering. The actual spending on Salaries was approximately \$35,000 over budget last year. Why is that?

**A. GREEN:** At the time of budget last year, some of the positions were vacant. We have a policy in government to budget positions at the lowest step, but when we filled the positions, they were filled with senior solicitors. That would account for the difference.

**J. DINN:** Thank you.

That's it for section 2 for us.

**CHAIR:** All right.

MHA Trimper.

**P. TRIMPER:** Thank you, Madam Chair, and thank you to the Committee for an opportunity to ask some questions of this department.

I think I'm going to start, first of all, with the Labrador Correctional Centre. I wonder if the minister or if some of the staff could explain the \$6.17 million and how it's going to be used. Also, two years ago \$1 million was indicated to be allocated to that facility to support the accommodation of women. I wonder if those two points could be tackled in a response.

Thanks.

**J. HOGAN:** Do you have a specific line that you're referencing here?

**P. TRIMPER:** Yeah, it was identified in the budget yesterday: \$6.17 million for extension of the Labrador Correctional Centre.

**J. HOGAN:** From the budget yesterday? That wouldn't be in this department. It would be Transportation's budget.

**P. TRIMPER:** Okay, I understand.

Does the department have any opportunity to explain how that's going to be used? Specifically, is it to – I won't put words in your mouth; I'm just wondering what is it being used for?

**D. WOODROW:** Generally speaking, it's going to be used towards increasing capacity, housing for females, and to allow for increased programming in culturally sensitive areas such as smudging ceremonies and that kind of thing. There will be some space built into the designs for that. Otherwise, the design would rest with Transportation and Infrastructure and their planning.

**P. TRIMPER:** Thank you. That's great news.

I feel that the \$1 million announced about two years ago, 2019, was probably insufficient to meet some of the needs. It sounds like it's getting to where we want. It's also rolling into my next question.

Just for an update on the cultural programs at the LCC. I've participated in some of them in the

past; I think they're very, very important. It sounds like you have some plans coming as part of this announcement. Thank you very much for that.

I look to the deputy minister. I thank her publicly for her support and that of her team – years gone by with the correctional officer recruitment training, the court. I'm not sure where we are with staffing but I sense a need for another court. I just wondered if it's in the works to address the ongoing staffing challenges.

**D. WOODROW:** Agreed. Staffing is always an issue, particularly, in Labrador. We're looking at doing some training for new officers and recruiting for some officers specifically in Labrador.

**P. TRIMPER:** All right. Thank you.

I think that next I'll go to caseloads. Moving very carefully here, certainly caseloads in the two detachment locations in Upper Lake Melville, in Happy Valley-Goose Bay and Sheshatshiu, there's no question, I think, statistics-wise I've had presentations from municipal leaders, through discussions I've had with Innu Nation the last several weeks.

I'm just wondering if the department is moving to respond. There have been overtures in the past at previous Estimates discussing the idea of having meetings between senior officials in Justice and Public Safety and municipal leaders on the need for more resources. Everything from dedicated drug enforcement teams through to additional officers and so on, but certainly the caseload, I believe, is the highest in the province at those locations.

**J. HOGAN:** I'm not sure what the specific question is there, to be honest with you MHA Trimper.

**P. TRIMPER:** I'm just wondering if the department is aware and if it's thinking how it might respond to the caseloads that we are seeing as community leaders, if that's been translated to the department. I believe the answer I've had in the past is – and certainly in both of those locations – it's the responsibility of the RCMP and they would probably come to the department saying we're going to need to deploy

more. I'm just wondering if there's any overture in that way in terms of interaction.

**J. HOGAN:** So that is the answer. The RCMP makes operational decisions about detachments and staffing and where the resources are allocated. The funding that is provided from the government is then given to the RCMP to make those operational decisions. I haven't had any discussions with the RCMP. I've only had one meeting with them since I've been minister.

We've broadly discussed the resources and allocations and detachments and things like that. I'm sure we'll talk about it more in the future, but I didn't have any specific conversations about the detachments you mentioned. I don't know if the deputy has anything further to add. But you are correct, the money is provided to the RCMP. There's federal money as well that comes to the RCMP for other specific issues that the RCMP have to deal with. The allocation of those resources is solely within the authority of the RCMP.

**P. TRIMPER:** Okay, thank you.

Innu Nation also have been raising with myself the department's position on more use of things like sentencing circles, halfway houses, opportunities for people who, instead of facing incarceration, perhaps to do time in the country – Nitassinan they call it – if that would be a possibility of any cultural explorations between your department and Indigenous leadership?

**D. BALLARD:** Yes, absolutely.

We work with the Innu Nation as a part of the Innu Round Table, which are provincial representatives and federal representatives and there is a subcommittee of the Innu Round Table on Justice and Policing services. There certainly are ongoing conversations with regard to – and they have a proposal to the federal government. We're hoping to have some federal funding for those restorative type of initiatives, as well as community officers. So there is ongoing dialogue as a part of that Round Table on those issues.

**CHAIR:** Minister.

**J. HOGAN:** If you do want to pass it on; I think you said someone asked you to ask that question.

I've had one brief conversation with the federal minister of Justice and that was something that him and I did discuss. It's something that certainly, obviously, the department has been working on for some time and it's something that I've talked to the federal minister about as well.

**P. TRIMPER:** Sounds like we're – somebody in the back (inaudible).

**T. KELLY:** I just wanted to add that there is new funding in the federal budget as well for expansion of the FNPP, which is the First Nations Policing Program. So there's new initiatives coming out there and we've been engaged with our federal counterparts. Also, like Donna said, through the Innu Round Table, and we're exploring how that will roll out, what could be done and the models that could put in place in those areas that you referenced.

**P. TRIMPER:** Okay, thank you.

I guess another thought is, you know, I always think about jurisdictional scans as someone else may be showing us the way elsewhere in the country, and if there are other jurisdictions that we may be paying attention to. I'm just wondering if you had any comment to about that.

**T. KELLY:** For me? Yeah, certainly.

Well, the issue of Indigenous policing, in general, is one that has come up quite a bit lately. Like I said, there's an enhanced federal focus on it and therefore, quite rightly, we're all quite interested in it as well. I'm sitting on a number of FPT groups where this is a topic of conversation and we're really trying to learn about the different models. Across the country we see very different, I guess, stages of readiness and activity from the different Indigenous groups. So that's something that we're continuing to discuss, really, and try to figure out what would be most appropriate, I guess, for our people in our province, right, the residents here.

**P. TRIMPER:** Okay, thank you.

I wonder if I can get an update on the Senior Officials Working Group, I believe the deputy is involved, for transient homelessness and addictions issues that we're facing in Upper Lake Melville.

**J. MERCER:** I should defer on that to the deputy minister of Labrador Affairs who's leading that. I can tell you that I had a call last week, I think it was, with Michelle Kinney, who is the deputy minister with Nunatsiavut, along with Michelle Watkins, the deputy minister of Labrador Affairs. Actually, I was chatting with Michelle Kinney yesterday via text and we're going to circle back and have further discussion later this week. That is still moving along.

For particulars, Michelle Watkins would be the best one to engage with. I can certainly alert her to that inquiry as well.

**P. TRIMPER:** I raised it here, unfortunately, because I don't think that department is scheduled for Estimates, so I raised it here.

Unfortunately, I'm out of time.

Thank you.

**CHAIR:** Okay, are there any additional questions on this section?

Seeing no additional questions, I ask the Clerk to recall the grouping.

**CLERK:** 2.1.01 to 2.4.01 inclusive.

**CHAIR:** Shall 2.1.01 to 2.4.01 carry?

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

**CHAIR:** Carried.

On motion, subheads 2.1.01 through 2.4.01 carried.

**CHAIR:** I ask the Clerk to call the next heading.

**CLERK:** 3.1.01 to 3.2.01 inclusive.

**CHAIR:** 3.1.01 to 3.2.01 inclusive.

I'll start with MHA Conway Ottenheimer.

**H. CONWAY OTTENHEIMER:** Thank you.

3.1.01, Supreme Court, I have two questions.

**Purchased Services:** This year the budget is being increased to \$217,500. Could you please explain why? What services are being purchased?

**A. GREEN:** The increase is related to the *Divorce Act* agreement and it's to provide, potentially, interpretation services in the French language.

**H. CONWAY OTTENHEIMER:** Okay, thank you.

**Under Revenue - Federal,** could you please explain how \$368,600 was collected last year and explain where the \$744,900 will come from? What accounts for the increase?

**A. GREEN:** The revenue for last year was Family Justice Services's federal agreement. That is budgeted every year. The increase in revenue is related to the *Divorce Act* federal agreement. It's the Family Justice plus *Divorce Act*.

**H. CONWAY OTTENHEIMER:** Okay, thank you.

**Under 3.2.01, Provincial Court subhead,** with respect to Supplies, last year Supplies went over budget, \$72,700 was spent. Can you please explain why?

**A. GREEN:** Supplies would have been PPE expenditures, the majority of which was cleaning supplies, masks and wipes.

**H. CONWAY OTTENHEIMER:** Okay. Thank you.

**Purchased Services:** Last year Purchased Services went over budget. \$556,900 was spent.

**A. GREEN:** There was a renovation at Atlantic Place to expand the court to accommodate

people in a socially distanced fashion. That renovation came in at approximately \$172,000.

**H. CONWAY OTTENHEIMER:** Okay, so COVID related. Thank you.

**Revenue - Federal:** Could you please explain why \$397,400 was collected last year? Explain the \$715,200. Where will that come from and what accounts for the increase there?

**A. GREEN:** The Revenue - Federal here is the *Contraventions Act* agreement. We had a budget of \$429,000 and we were able to achieve approximately \$400,000 of that agreement.

The agreement allows for \$900,000 to be split across the department. We had previously reduced that funding a couple of budgets ago. Joanne can speak to this. She's worked with her federal partners to maximize the funding agreement. We've increased it back up to \$900,000 and the \$900,000 would be here, Sheriff's Office and Fines Administration.

**H. CONWAY OTTENHEIMER:** Okay. Thank you.

**My final question under the Provincial Courts subhead is:** Last year in Estimates the minister spoke about the various infrastructure needs for the courthouses across the province. Minister, what renovation work is scheduled for this year, if any?

**J. TURNER:** In terms of renovation work, we would work closely with TI to plan and execute. The courthouse in Happy Valley-Goose Bay is, I think, on schedule and planning a new courthouse there. It's a build-to-lease space. I think we're supposed to be in that July, September on schedule.

The Supreme Court works directly with – the CEO of the Supreme Court, who unfortunately isn't here today. She had hoped to be, but she was at Justice Ryan's swearing-in and is on her way back. She works closely and directly with TI to plan renovations for the Supreme Court facilities, Duckworth Street and throughout the province.

Generally, my infrastructure meetings with TI would include courthouse renovations, but other

than – I mean if the question is are we moving, are we expanding or are we building something new, that's not in the plan at the moment.

**H. CONWAY OTTENHEIMER:** Thank you.

That completes all of the questions I have under the Law Courts head.

Thank you.

**CHAIR:** MHA Dinn.

**J. DINN:** Under 3.1.01, there is an increase in the budget for Salaries of over \$200,000 for this year. Is this in anticipation of increases to justices' pay?

**A. GREEN:** Supreme Court justices' pay are not budgeted here, this is federal pay. The increase is related to *Divorce Act* funding.

**J. DINN:** One follow-up on that. You noted in an answer to Purchased Services that it is for interpretation in French and English. Is there also interpretation then provided for Indigenous groups in Indigenous languages, or is it just strictly to French and English?

**A. GREEN:** My understanding of the *Divorce Act* is that it's a bilingual agreement with French and English.

**J. DINN:** Thank you.

**J. MERCER:** While we are funded federally for bilingual, French-English, we do provide interpretation services in Provincial Court and Supreme Court. We would pay for those out of our budget as well.

**J. DINN:** The *Divorce Act* agreement as well?

**J. MERCER:** The *Divorce Act* agreement would be to allow for French-English translation. That is – oh, legislation, yes. There is a legislated requirement to provide bilingual services, French-English.

**J. DINN:** Okay.

**J. MERCER:** But both courts would have interpretation services available as needed.

**J. DINN:** Thank you.

Just two last, maybe three. Under 3.2.01, Provincial Court, even though Transportation and Communications came in under budget last year there is an increase to the budget for this year. What extra activity is anticipated?

**A. GREEN:** Some of the allocation there is an historical budget analysis. In a non-pandemic world, this is a pressure account for Provincial Court. They often have to travel to circuits along the Coast of Labrador and the Northern Peninsula on the Island. It has always been a pressure issue, so we're trying to fund what we anticipate the pressures to be in a non-pandemic world.

**J. DINN:** Thank you.

Almost none of the budget for Professional Services was spent last year and the budget for this year has also been cut approximately three-quarters. What accounts for this? I am assuming that it's the same issue?

**A. GREEN:** The budget last year was an error. It was money accounted there for the Provincial Court judges' tribunal, which should be in a different allocation, not Provincial Court. We just corrected it. The spend here is for court-ordered psychiatric assessments, which are demand-driven, I would say. We can't determine – they were down this year; they may be up again next year.

**J. DINN:** Thank you.

Finally, why was spending on Property, Furnishings and Equipment over budget last year? What increases in cost are anticipated this year?

**A. GREEN:** Some of this would be related to COVID expenditures for I think some Plexiglas that we installed in the courts to provide for staff and the patrons of the court. There were also some laptops purchased throughout the year, in addition to the departmental laptop purchase, to support work from home or to replace aging assets.

**J. DINN:** Okay. Thank you.



That's it, Chair, for me.

**CHAIR:** Were there any additional questions?

Seeing no further questions, I ask the Clerk to recall the group.

**CLERK:** 3.1.01 to 3.2.01 inclusive.

**CHAIR:** Shall 3.1.01 to 3.2.01 inclusive carry?

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

**CHAIR:** Carried.

On motion, subheads 3.1.01 through 3.2.01 carried.

**CHAIR:** I ask the Clerk to call the next group.

**CLERK:** 4.1.01 to 4.2.02.

**CHAIR:** 4.1.01 to 4.2.02.

I'll start with MHA Conway Ottenheimer.

**H. CONWAY OTTENHEIMER:** Thank you.

Under the subhead 4.1.01, Royal Newfoundland Constabulary, I'm wondering if it would be possible in the interest of time and efficiency if I could just submit. There are only five or six questions on that and they are pretty perfunctory. If that's acceptable.

**J. HOGAN:** (Inaudible.)

**H. CONWAY OTTENHEIMER:** Okay, thank you.

The other two subheads that I have some questions on are 4.2.01, Adult Corrections, and then I have a couple of questions on 4.2.02, Youth Secure Custody.

With respect to Adult Corrections, can the minister explain, with respect to Revenue - Provincial, more revenue was received last year than anticipated. Could we have an explanation as to why that is the case?

**A. GREEN:** The collection of revenue here would be the provincial fine surcharges. I guess it just was increased – there were increased payments made. Every court conviction or fine would have a provincial fine surcharge attached to it, so there must have been an increase in those payments.

**H. CONWAY OTTENHEIMER:** Do we have an explanation as to why there would be such an increase in those fine surcharges?

**J. MERCER:** It's victim fine surcharges. It funds our Victim Services Program. Every fine that's ordered has a surcharge attached.

**H. CONWAY OTTENHEIMER:** Okay, thank you.

Can the minister provide an overview of the capacity of each facility? If they are full, if they have space available and, if so, how much?

**D. WOODROW:** I can give you an idea of the counts for each facility for recently, in the last day or so. At Bishop's Falls, we had 22 inmates; Labrador Correctional Centre, 41; Corner Brook lock-up, one; HMP, 136; Newfoundland and Labrador Correctional Centre for Women, there are 11; West Coast Correctional Centre, there are 38. I think that's the numbers. When it comes to capacity, we do have some capacity. We're not full in any of our facilities at the moment.

**H. CONWAY OTTENHEIMER:** Okay, thank you.

**D. WOODROW:** That's a point in time, I should just say, though. That's a very fluid number, but that's where we are at the moment.

**H. CONWAY OTTENHEIMER:** Okay, thank you.

Can the minister please provide an update on the new adult correctional facility, the replacement for HMP? Do we have an updated timeline available for the build?

**J. HOGAN:** I can say that we are working with the Department of TI now and we expect that the RFP will be issued for that soon.

**H. CONWAY OTTENHEIMER:** Pardon?

**J. HOGAN:** The RFP we expect will be issued soon, the request for proposals for that.

**H. CONWAY OTTENHEIMER:** Okay.

With respect to the Jesso report, there were 17 recommendations. How are those recommendations going in terms of implementation? Can we get a list of what ones have been implemented?

**D. WOODROW:** There were 17 recommendations from Jesso, all of which were accepted in principle. I don't know the exact number of the ones that are outstanding, except to say that several of them were related to the replacement of the new facility. Some of those will be forthcoming when the facility is replaced.

**H. CONWAY OTTENHEIMER:** Thank you.

Under subhead 4.2.02, Youth Secure Custody, two questions, one under Salaries: Last year Salaries went over budget with approximately \$4.47 million being spent. Could we please have an explanation for that?

**A. GREEN:** Some of the overage for Salaries would be retirement expenditures. Salary increases overall in the department weren't budgeted here, so they're now reflected in the budget. There would've been some salary increase impacts. Plus, we had to backfill some long-term sick positions.

**H. CONWAY OTTENHEIMER:** Okay, thank you.

And my final question under this subhead is Revenue – Provincial: Last year, \$9,400 in revenue was received but not anticipated. Where did this revenue come from?

**A. GREEN:** What subhead?

**H. CONWAY OTTENHEIMER:** That would be the last subhead, which is 4.2.02, Youth Secure Custody, with respect to Revenue - Provincial.

**A. GREEN:** I don't have Revenue - Provincial.

**H. CONWAY OTTENHEIMER:** 4.2.02, Youth Secure Custody, we don't have that?

**J. HOGAN:** We have federal revenue. Provincial revenue is zero, zero, zero. That's what I have.

**H. CONWAY OTTENHEIMER:** Okay. Thank you.

I guess that completes all of my questions for this head of Public Protection.

**CHAIR:** MHA Dinn?

**J. DINN:** Thank you, Chair.

4.1.01, Royal Newfoundland Constabulary. Spending on Salaries was over budget by \$13 million. Why was the amount higher than expected? And the budget for Salaries this year has also increased by \$3 million over last year.

How many officers do we currently have on staff – I think you might've mentioned that – and by how much are we planning to expand the force?

**A. GREEN:** I can speak to the salary overages and increases. In 2021 there was a retro-impact for a collective agreement. That was approximately \$14 million. The difference would've been offset by some vacancies, because I don't think it was over by \$14 million. The increase would've been the forecast adjustments for those increases.

**J. DINN:** Thank you.

And do we have how many officers then on staff now then? Just to make sure I got that right.

**J. BOLAND:** We have 403 officers on staff. That's our full complement.

**J. DINN:** Thank you.

Are we planning to expand the force?

**J. BOLAND:** Not that I know of.

**J. DINN:** Okay.

Why is spending on Supplies and Property, Furnishings and Equipment lower than anticipated? COVID, or ...?

**A. GREEN:** I would expect supplies to be down – basically we had less fuel expenditures, probably related to COVID.

**J. DINN:** Okay. And the overruns in Professional and Purchased Services?

**A. GREEN:** Professional Services overruns would be related to external legal costs required for internal investigations for labour employment and civilian oversight. The overages in Purchased Services would be related to – some COVID-related expenditures were here and some of it is repairs and maintenance. Then we had the cadets who went to Holland College, so that expense would have been booked here as well.

**J. DINN:** Okay.

Federal and provincial revenues were lower than expected last year, any reason for that?

**A. GREEN:** The federal revenue, we identified earlier, was mistakenly put in Administrative and Policy Support. So we would've expected to see around \$620,000 there and that was for the drug-impaired driving agreement.

**J. DINN:** Under 4.1.02, Royal Canadian Mounted Police: How many officers are currently providing provincial policing services and how many detachments are in operation?

**T. KELLY:** We have 44 detachments and we have 436 members between the provincial policing agreement and the FNPP.

**J. DINN:** Why did we receive no federal funding last year?

**A. GREEN:** The federal funding is related to the drug-impaired driving agreement and that expense is actually netted against their invoices as opposed to revenue.

**J. DINN:** Okay.

Under 4.1.03, the RNC Public Complaints Commission: How many complaints have been

received in the previous year and does this represent an increase or a decrease in complaints?

**D. BALLARD:** Sorry, if you just give me a minute, I'm looking for those stats; I may not have it at my fingertips. I have last years. Just give me a second.

**J. BOLAND:** I can tell you that all our stats are down. Our public complaints, our criminal complaints and our internal investigations are down significantly over the last five years and we've seen a steady decrease. To give you an idea: The public complaints are around 27; the criminal complaints, we were down to one, I believe; and the internal complaints were at 17.

**J. DINN:** Thank you.

Professional Services were more than double the budget last year. The amount budgeted this year is also significantly higher than last year. What will account for these variations?

**A. GREEN:** The overage last year was related to greater than anticipated requirements for the division in terms of external counsel. That was just based on the nature of how the matter proceeded. The increased budget allocation is related to the salary for the new commissioner.

**J. DINN:** Okay. Thank you.

Under 4.1.04, can we have an update on how SIRT is doing now that it's fully operational? Last year, the minister mentioned it was working on 25 cases. How many are currently under investigation by SIRT?

**T. KELLY:** I just got an update from the director there yesterday. He told me that they have done 41 files: 27 of those are concluded and 14 are active. He's released seven reports and two files have led to charges being laid against subject officers.

**J. DINN:** Thank you.

Spending on Salaries last year was nearly \$50,000 under budget. Is there a vacancy here?

**A. GREEN:** There was a vacancy.

**J. DINN:** Okay.

The actuals last year for all Operating Accounts, except for Employee Benefits, were far lower than anticipated. Why is that?

**A. GREEN:** Partially related to COVID and just getting operational in the fiscal year.

**J. DINN:** Getting operational after coming out of COVID more or less.

Okay. Thank you.

The budget for Supplies this year has increased fivefold. There is also a budget increase for Professional Services. What new expenses are anticipated?

**A. GREEN:** No new expenses per se. We've built the budget without fully knowing what a fully operational division would look like. That budget may change as the expenditures are incurred.

**J. DINN:** Thank you very much.

Why is the budget for Property, Furnishings and Equipment being decreased? The same reason?

**A. GREEN:** Yes.

**J. DINN:** Okay. Thank you.

4.2.01, Adult Corrections: Last year, we asked for an update on the government support program, which was providing free legal advice for victims of sexual violence offered through the Public Legal Information Association of NL, PLIAN. Could we have another update on funding for this program? Has it increased? Has uptake of this service increased from last year?

**D. BALLARD:** That is the funding through PLIAN. To date, since the program was put in place, we have 227 clients have accessed the legal support and 187 referrals have been made to participating lawyers. Legal navigators have offered 165 accompaniments and in-person meetings to clients and 786 hours of direct client support.

Interestingly, despite COVID, in this current fiscal year – or in the 2020-21 fiscal year – the

actual number of clients served was increased to 88.

**J. DINN:** Thank you.

Are there any plans to revamp the current training and support programs for corrections officers in the wake of the murder of Jonathan Henoche?

**D. WOODROW:** Yes, we'll be looking at policies of adult corrections to determine where we can improve, and to the extent that if there were training issues that contributed to that incident or any incident for our correctional officers.

**J. DINN:** Thank you.

Could we have an update on the staffing issues at HMP? How are we dealing with the challenges related to overtime, sick leave and addressing the stresses that come with these jobs?

**D. WOODROW:** We are continually recruiting for positions and looking to ways we can improve those recruitment efforts.

**J. DINN:** Thank you.

Once the new penitentiary is open, it's being considered to use the extra capacity to house federal inmates, especially since we are expecting our own crime rates locally to decrease with an aging population. Has there been any discussion about how to support the extra influx of federal inmates after they serve their terms and begin to reintegrate them into society? Will there be additional costs associated with this?

**D. WOODROW:** Yes, we are continuing to work with community groups to find ways that we can support inmates on their reintegration into the communities.

**J. DINN:** Thank you.

**CHAIR:** MHA Conway Ottenheimer, no additional questions?

MHA Dinn.

**J. DINN:** Workplace safety for the folks at HMP has been raised in the media a number of times. Is it possible to provide us with an outline of any initiatives that have recently been undertaken to address workplace safety issues?

**D. WOODROW:** Workplace safety is a significant issue for us. It's going to be something that's front and centre with our advising and our development of our new facility in the way we do security and other issues. For the immediate, we have increased training and we are getting all our training up to date with respect to the correctional officers.

**J. DINN:** Thank you.

Can you give us a sense of how many federal prisoners we are currently housing at the penitentiary? I know that last year the federal government was providing us with a per diem of \$303 to keep them in prison. Has this figure changed?

**D. WOODROW:** I can say that I'm not sure exactly the number of federal inmates that we have today, but the number has been slightly increased over the year just because there have been less federal transports of inmates. They're still providing us with the \$300-a-day per diem.

I see my colleague, Andrew, has his hand up so he has some more information for you.

**J. DINN:** Thank you.

**A. GREEN:** That rate is assessed every year based on previous-year accounts and expenditures. The rate currently is \$315.49.

**J. DINN:** Thank you.

Spending on Purchased Services was lower than anticipated last year. Why was more than \$1 million left unspent?

**A. GREEN:** Less than anticipated catering costs across the province.

**J. DINN:** Okay.

Under 4.2.02, spending on all items under Operating Accounts was below budget last year. Why was this? Spending on Professional

Services is projected to decrease by \$135,000 this year. What accounts for that decrease?

**A. GREEN:** Spending would be related to inmate counts, so counts would have been down. The Professional Services line has been reduced after a recommendation of the Youth Centre. That aligns with their federal agreement and how they can access the funds for special clients that require them.

**J. DINN:** Okay.

I think the last question I have is the source of federal funding under that. Is this money to cover the cost of housing inmates? How much, then, would that be per prisoner per day?

**A. GREEN:** Under 4.2.02?

**J. DINN:** Yes.

**A. GREEN:** That's part of their federal agreement.

**J. DINN:** Okay. That's it.

Thank you, Chair.

**CHAIR:** Are there any additional questions?

Minister Hogan.

**J. HOGAN:** Not a question but I just want to clarify for Ms. Conway Ottenheimer, I think you'd asked about provincial revenue under 4.2.02.

The binders that, I guess, me and Andrew have say there's none but when I look at the official *Budget 2021* Estimates it does have \$9,400 in there. The total number that we have here is all under federal: \$2,489,900. The total hasn't changed in this book but it looks like \$9,400 has been moved out of federal into provincial. He might have an answer.

**A. GREEN:** That was for canteen sales within the facility to any clients of the facility or any of their family members. The canteen would have had sales and it would have been expensed as a revenue.

**CHAIR:** Seeing no further questions, I ask the Clerk to recall the group.

**CLERK:** 4.1.01 to 4.2.02 inclusive.

**CHAIR:** Shall 4.1.01 to 4.2.02 inclusive carry?

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

**CHAIR:** Carried.

On motion, subheads 4.1.01 through 4.2.02 carried.

**CLERK:** 5.1.01 to 5.1.04.

**CHAIR:** 5.1.01 to 5.1.04 inclusive.

MHA Wall.

**J. WALL:** Thank you, Madam Chair.

Joedy Wall, MHA for the beautiful District of Cape St. Francis as always, and I appreciate the time to speak here in Estimates today.

5.1.01, Fire Services, Revenue - Provincial, could you please outline where the \$15,600 was generated from?

**A. GREEN:** This revenue is the variances on budgeted licensing fees that were collected.

**J. WALL:** Okay, thank you.

With respect to the department of FES, can you confirm the number of current employees and the breakdown of their employment status?

**T. KELLY:** For Fire Services, you were asking about?

**J. WALL:** Yes.

**T. KELLY:** Fire Services: We have 9.5 and the reason there is a point five is because in Happy Valley-Goose Bay, Emergency Services and Fire Services share an employee. So the person is a fire protection officer/emergency management officer.

**J. WALL:** Okay and the status of their employment, permanent, casual, contract?

**T. KELLY:** I'm trying to think now. I think there might be a couple of contract ones in there, but I'd have to check that. There is some regional staff – I'm trying to think now. I think we have one, possibly, who's a temporary FPO and the other ones would be permanent.

**J. WALL:** Okay, thank you.

I've had the benefit of attending your sessions over my municipal career for the provincial-wide 911 system, now it's becoming a part of the government department. I would like for you to explain the process. What would be the benefits of rolling it into the department?

**J. HOGAN:** The 911 service will not be affected anywhere in this province, but we are looking at streamlining lines of business throughout government and associated corporate services. Bringing this into government will certainly help streamline things, like human resources, payroll and financing. So we're looking forward to working with NL911 to ensure a seamless transition. But, just to reiterate, there won't be any issues with any of the 911 services in this province.

**J. WALL:** Okay, thank you.

Can you confirm that there won't be any job losses? Is there a timeline associated with this?

**J. HOGAN:** This was announced yesterday. We've only reached out to 911 yesterday afternoon, right around the time of the budget. I haven't had any discussions with them yet about jobs and where this will go in the future. But we are bringing this into government, so obviously people are still going to need to be here to operate this service.

**J. WALL:** Okay, thank you.

Under 5.1.02, Emergency Services, Salaries: Last year, Salaries went over budget by \$29,600, can you please provide an explanation?

**A. GREEN:** That was a seconded position for the director of Emergency Services and is paid more than what the budget was because it was a

vacant position and we would've budgeted it at the lower step.

**J. WALL:** Okay, thank you.

Transportation and Communications: Can you please explain why this line item was over budget and where the \$218,600 was spent?

Ms. Kelly is having an awful time getting that microphone to work.

**T. KELLY:** I don't know where I have to be waving towards.

That line item, that's the line that the expenses for helicopters for search and rescue comes out of, so from year to year that can be different. In that particular case, I believe there was an overnight search that required us to private contract a service and it went on for a couple of days.

**J. WALL:** Okay, understood Thank you.

Under Purchased Services: Can you please explain why this line item was over budget and \$280,500 was spent?

**T. KELLY:** That was a line for – I don't know if you recall – the St. Lawrence tragedy last year with the fishing vessel.

**J. WALL:** Yes.

**T. KELLY:** Yeah, that was a part of that search. It was charged to that line.

**J. WALL:** Okay, thank you.

5.1.03, Disaster Assistance: Can you please explain the variance in this line item and what items were purchased for that?

**T. KELLY:** Which line?

**J. WALL:** Professional Services under 5.1.03, Disaster Assistance.

**T. KELLY:** That was lower than anticipated adjusting. When we have a disaster, we have to get adjusters to come to people's houses and, I guess, review what the damages are. We contract for that and it was lower than

anticipated in that particular year. Then I guess this year coming up we would have less again because we hadn't had a disaster.

**J. WALL:** Okay, thank you.

Under Allowances and Assistance, can you provide some context to that line item, please? \$2.1 million to \$2.4 million.

**T. KELLY:** Allowances and Assurances is payments to private individuals or businesses for disaster costs, eligible expenses. Grants and Subsidies there, that line takes up the municipal grants, and the other one is for the private sector.

**J. WALL:** Okay, you answered my next question. Thank you very much.

With respect to the Revenue - Federal, can you please provide some explanation regarding this particular funding? How many municipalities were affected?

**T. KELLY:** The Revenue - Federal is sort of an amalgam, I guess, of the last few disaster relief that we've received for the West Coast flood. We're still receiving funds for the Thanksgiving rain event that was in 2016, and as well for the blizzard this past –

**J. WALL:** Snowmageddon.

**T. KELLY:** Snowmageddon in 2020. The way the revenue works, there are three different types of payments you can get: an advance payment, an interim payment and a final payment. We tried to estimate what we're going to be able to apply for, and then when we receive it from the feds during a year. So you'll see a bit of fluctuation there because it kind of depends on when we receive it and how much they can give us at a time.

**J. WALL:** Okay. Thank you.

With respect to the provincial fire school that FES normally has each year – of course, the last two years there wasn't any due to COVID – will there be another provincial fire school coming up this year or next? Can you confirm that?

**T. KELLY:** Yes, we're looking at having that in the fall. We normally have it in May. We had to

cancel it last year given the COVID situation. We're looking at trying to figure out how to do it with, I guess, proper social distancing and that kind of thing. The plan right now is to try to put it off in the fall.

**J. WALL:** And the amount for that fire school would be budgeted in this current budget?

**T. KELLY:** Yes.

**J. WALL:** Okay.

I do know that we have roughly 295 departments in the province and 6,500 volunteers. I just don't want to see that mandatory training come back on to the municipalities. That would be to the detriment of many towns in our province.

**T. KELLY:** Yes.

**J. WALL:** With respect to 5.1.04, Grants and Subsidies, can you please explain why there's a decrease in this grant line from \$3 million to approximately \$2.7 million?

**T. KELLY:** The \$3 million was put in place – that was kind of a one-time increase. The grant line there, it covers fire equipment, haz-mat equipment and also our fire vehicles. It kind of depends, I guess, on the mix that we're anticipating. Last year when we were trying to, I guess, catch up as far – because the payments for fire vehicles as well, the payments come due, I guess, the year after for the new vehicles. It's kind of trying to mix, I guess, when the payments are going to be coming due and when the fire vehicles will need to be paid. For example, used vehicles paid in the same year versus ones that have to be pushed out.

**J. WALL:** Okay.

But \$300,000 less, that's definitely the cost of a rescue unit for any municipality. How many vehicles is the department looking at funding for this coming year?

**T. KELLY:** The decision hasn't been made on that yet.

**J. WALL:** Okay.

Can you explain when the decision is made, how are they awarded? Is it on a ranking process?

**T. KELLY:** Every year when we get in our applications – and this year we had 62 applications for vehicles at a value of about \$18 million. As you can imagine, we don't have the funding available for all those. The fire commissioner looks at them, assesses with his staff each vehicle, sort of, in relation to the other vehicles. There is a great need, there is no doubt, right across the province.

We look at things like, for example, which fire departments provide extrication services on the highway. That might be a higher priority than some others. Which fire departments are up to date on their training? Which are attending training? Which fire departments are located in areas where there are industries where there is a high risk for fire? There are various things like that. Where the infrastructure is located with regard to fire hydrants to various things that come into play. Then he kind of gives them a ranking of sort of low, medium and high. Then we discuss internally and they're chosen from that list.

**J. WALL:** And do you take into consideration the age of the infrastructure in the current municipality?

**T. KELLY:** Oh yes, for sure.

**J. WALL:** Normally it's 20 years.

**T. KELLY:** For sure, yes.

**J. WALL:** Thank you very much.

**CHAIR:** We're going to move on to MHA Dinn.

**J. DINN:** Thank you, Chair.

In 5.1.01, Fire Services, spending on Transportation and Communication as well as Purchased Services was lower than anticipated last year. Why is this?

**A. GREEN:** For Transportation and Communications it was travel requirements due to the cancellation of the regional training program.



**J. DINN:** Okay.

**A. GREEN:** For Purchased Services, reduced training and equipment repairs in that last fiscal year.

**J. DINN:** And then conversely, spending on Supplies as well as Property, Furnishings and Equipment was higher than anticipated. Why is this?

**A. GREEN:** For Supplies, you would have some PPE requirements. Just across that board on the department, anywhere Supplies was up is more than likely PPE requirements.

**J. DINN:** Okay.

**A. GREEN:** Property, Furnishings and Equipment, there was some emergency equipment requirements that we had to purchase this year.

**J. DINN:** Thank you.

What has been funded through Allowances and Assistance and what has been funded through Grants and Subsidies? Is it possible to have an explanation of the differences between the two items?

**A. GREEN:** Allowances and Assistance is the workers compensation payments for the volunteer firefighters. Grants and Subsidies is the annual fire convention, so it covers some registrations for that.

**J. DINN:** Thank you. One last question then.

Under 5.1.02, Emergency Services: Given that meteorologists and climate scientists are saying that our province is going to be facing greater risk due to more frequent and stronger hurricanes and other weather events, do we have any plans for how to address this threat? For instance, are we tightening up our building codes? Are we working with municipalities to have a more coordinated and rapid response to these storms, and not just for the aftermath, but for preparedness as well?

**J. HOGAN:** Thank you.

That is a pretty broad question. I don't hear anything specifically directed at the Department of Justice and Public Safety there in terms of buildings and climate change issues. Obviously, there is a specific minister that deals with that. If there is a specific question related to that or any funding here related to that question we will try to answer it.

**J. DINN:** Under Emergency Services, are we preparing our emergency services to deal with climate change and the possible more intense weather events?

**J. HOGAN:** So –

**T. KELLY:** I can answer that.

**J. HOGAN:** Yes, go ahead.

**T. KELLY:** I can say that the disaster mitigation, the funding program, the DFAA, that our program mirrors the federal program. The federal program recently had a review and they're looking at making changes based on – for example, this Snowmageddon that we had last year was quite unprecedented in the fact that I think it was the only time a province had applied for snow-clearing costs and this kind of thing. There are changes coming to the program. The other thing that might be seen is how flooding is treated, because throughout the country there's been a definite increase in flooding, especially in New Brunswick, Ontario, Quebec, that area.

The program is being reviewed and we'll be looking for the changes and then also, as well, reviewing what we have to offer.

**J. DINN:** Thank you.

That's it for me, Chair.

**CHAIR:** Okay. So are there any additional questions? No?

Seeing no further questions, I ask the Clerk to recall the group.

**CLERK:** 5.1.01 to 5.1.04, inclusive.

**CHAIR:** Shall 5.1.01 to 5.1.04 carry?

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

**CHAIR:** Carried.

On motion, subheads 5.1.01 through 5.1.04 carried.

**CLERK:** Total.

**CHAIR:** Shall the total carry?

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

**CHAIR:** Carried.

On motion, Department of Justice and Public Safety, total heads, carried.

**CHAIR:** Shall I report the Estimates of the Department of Justice and Public Safety carried?

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

**CHAIR:** Carried.

On motion, Estimates of the Department of Justice and Public Safety carried without amendment.

**CHAIR:** I just thank everyone for their contribution. The next meeting is Wednesday, June 2, 2021, at 5:30 p.m. considering the Estimates of the Department of Children, Seniors and Social Development and the Newfoundland and Labrador Housing Corporation.

I ask for a mover for the motion to adjourn the meeting.

**H. CONWAY OTTENHEIMER:** So moved.

**CHAIR:** MHA Conway Ottenheimer has moved the motion to adjourn.

Meeting adjourned, thank you.

On motion, the Committee adjourned.