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

April 8, 2022 – Issue 6

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  
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Appearing:

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

Hon. John Hogan, MHA, Minister and Attorney General

Denis Mahoney, Deputy Minister and Deputy Attorney General

Heather Jacobs, Special Advisor

Denise Woodrow, Acting Deputy Minister, Corrections and Community Services

Gerrie Smith, Assistant Deputy Minister, Public Safety and Correctional Services

Dan Chafe, Superintendent of Prisons

Susan Foss, Registrar, Supreme Court of NL

Kim Harding, Executive Director, Support Services, Royal Newfoundland Constabulary

Lloyd Strickland, Director, Public Prosecutions

Kellee Martin, Director of Policy and Strategic Planning

Lesley Clarke, Director of Communications

Kerry Sears, Manager of Equipment, Training and Organizational Development, Office of the High Sheriff

Sharleen Simmons, Strategic Policy Analyst - RCMP

Andrew Green, Departmental Controller

Tom Hayward, Manager of Budgeting

Emily-Jane Gillingham, Media Relations Manager

Glenda-Hearn-Ellis, Executive Assistant to Minister

### **Also Present**

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

Hon. Sarah Stoodley, MHA, Minister of Digital Government and ServiceNL

Helen Conway Ottenheimer, MHA

Lela Evans, MHA

Scott Fleming, Researcher, Third Party

Megan Winter, Researcher Policy Analyst, Official Opposition

Ben Pollard, Political Assistant, Government Members Office

David Hamlyn, Shared Sessional Assistant, Government Members Office

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.

Pursuant to Standing Order 68, Sarah Stoodley, MHA for Mount Scio, substitutes for Scott Reid, MHA for St. George's - Humber.

Pursuant to Standing Order 68, Lela Evans, MHA for Torngat Mountains, substitutes for James Dinn, MHA for St. John's Centre.

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

**CHAIR (Gambin-Walsh):** Okay, I'd like to call this Estimates to order, please.

I'd like to bring the Committee's attention to the minutes dated for June 8, 2021, and ask for someone to move those minutes.

**D. BRAGG:** So moved.

**CHAIR:** Okay, Minister Bragg moved those minutes, and I don't need a seconder for that.

On motion, minutes adopted as circulated.

**CHAIR:** I just want to say that it's 9:02 so we'll probably take a break about 10:30. I just want to put that on the record for those that are on the other side of the screen here, for about 10 minutes at that time.

Let's see if there's anything else – substitutes. So we do have some substitutes here today. We have substituting for Burin - Grand Bank, Fogo Island - Cape Freels, Minister Derrick Bragg. We have substituting for St. George's - Humber, MHA Reid, Mount Scio, Minister Sarah Stoodley. We have substituting for Placentia West - Bellevue, MHA Helen Conway Ottenheimer. And we have substituting for St. John's Centre, Torngat Mountains, Lela Evans.

So I just want to remind you before we start here. I ask you to wait until your light comes on. Then identify yourself and if your light doesn't

come on, if you could just give a little wave so that they can see you and then they'll be able to identify you.

We've quite the crew here this morning. So I'm going to ask the minister to introduce those who are with us and start Estimates.

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

Good morning, everybody. Thanks for being here today.

For the record, I am John Hogan, Minister of Justice and Public Safety and Attorney General. I want to provide you all with some suggestions on how to handle the questions here today. I'll take your questions, of course, but when necessary, I will take the liberty to pass your questions to one of the many department officials here and invite them to fill in details, as they are the experts of the content in the department.

I would like to acknowledge the officials that are unable to join us today from our courts and police services. I would like to thank them for their hard work and thank those that have stepped in today on their behalf.

I think now would it be a good time to do introductions. So if we can probably start down here at the end and go down the line and we'll snake around.

**G. SMITH:** Gerrie Smith, Assistant Deputy Minister, Public Safety and Correctional Services.

**D. WOODROW:** Denise Woodrow, Assistant Deputy Minister of Legal Services.

**A. GREEN:** Andrew Green, Departmental Controller.

**D. MAHONEY:** Denis Mahoney, Deputy Minister of Justice and Public Safety and Deputy Attorney General.

**H. JACOBS:** Heather Jacobs, Advisor, Justice and Public Safety.

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

**K. SEARS:** Kerry Sears, Sheriff's Office, Manager of Equipment, Training and Organizational Development.

**S. FOSS:** Susan Foss, Registrar of Supreme Court, standing in for Shelley Organ, the Chief Executive Officer of the Court of Appeal and Supreme Court.

**K. HARDING:** Kim Harding, Executive Director, Royal Newfoundland Constabulary, standing in for Chief Patrick Roche.

**K. MARTIN:** Kellee Martin, Director of Policy and Strategic Planning.

**D. CHAFE:** Dan Chafe, Superintendent of Prisons.

**S. SIMMONS:** Sharleen Simmons, Strategic Policy Analyst.

**T. HAYWARD:** Thomas Hayward, Manager of Budgeting.

**L. CLARKE:** Lesley Clarke, Director of Communications.

**E. GILLINGHAM:** Emily-Jane Gillingham, Media Relations Manager.

**G. ELLIS:** Glenda Ellis, Executive Assistant to the Minister.

**J. HOGAN:** We'll take a few minutes before we get to the questions to just provide some highlights in the packages. The package that has been handed to you this morning.

The total budget for the Department of Justice and Public Safety this year is approximately –

**CHAIR:** Minister, we are just wondering if you want to say a few words but before you start in Estimates, we need to call the numbers.

**CLERK (Barnes):** We are proceeding according to subhead.

So it is Executive and Support Services, 1.1.01 to 1.3.01.

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

**J. HOGAN:** I don't know how long I can keep relying on: I'm new.

**CHAIR:** We're good.

**J. HOGAN:** So the total budget for the Department of Justice and Public Safety this year was approximately \$273 million. Budget decisions this year include almost \$21 million for the new province-wide radio system that will enable emergency responders to communicate in a timely manner with one another; an additional \$17 million in annual funding to support the work of the RCMP in Newfoundland and Labrador – the first big increase they have seen in almost a decade; more than \$1.8 million is allocated for fire protection vehicle and firefighting equipment; \$1 million in additional funding for the NL Search and Rescue Association, which stems from a recommendation from the ground search and rescue inquiry; \$326,000 for the Drug Treatment Court; almost \$400,000 to expand the Family Violence Intervention Court; \$4 million for the Inquiry into the Treatment, Experiences and Outcomes of Innu in the Child Protection System.

In response to a request from the Provincial Court, this year's budget will include funding to establish one judicial position that will travel and be deployed as necessary to other court centres and circuits as needed to help address areas of concern where there is an increase in demand for extra judicial resources. The Supreme Court Family Division will be allocated funding for two court officer positions. The funding will assist in the process of establishing and filling these positions to put the department in a position to engage the federal government on its commitment to appoint an additional federally funded judge.

As of March 31, 2022, across the department there are 1,655 total PCNs, Position Control Numbers. Of those, 1,355 are full-time staff, 269 are temporary and 41 are on contracts. These numbers do not include the RCMP.

I am sure as we got through this, we will get requests to provide information and anything we provide to one MHA who asked for it during this process, we will endeavour to provide it to you all.

With that said, I'm ready to get started with some questions.

**CHAIR:** We will start with the Official Opposition.

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

I must say, first of all, this has always been a valuable experience for me in terms of the whole process. This is my fourth Estimates and I've been always impressed with the expertise and the knowledge base from the government officials. I'm sure that will continue these Estimates.

I also look forward to what we hear today. I thank you all for your attendance. I also ask for your patience in case there is any repetition. I'll try my best not to ask repetitive questions.

Thank you.

**CHAIR:** You can start.

**H. CONWAY OTTENHEIMER:** Minister, can you please outline the department's attrition plan?

**J. HOGAN:** I'll pass that over to Mr. Green.

**A. GREEN:** The Department of Justice and Public Safety's attrition plan has not changed from last year. We still have two positions that we need to achieve through attrition. We weren't able to achieve that this year, partially due to executive turnover. In order to achieve attrition, we would need to have wholesome conversations with our executives. So we're hopeful that we will achieve those two positions this current fiscal year.

**H. CONWAY OTTENHEIMER:** So did you say there were positions that have been removed this year through attrition? I'm sorry I didn't catch it.

**A. GREEN:** We would have attrition positions – part of our plan from last year that we would have removed this year, but they were part of our last year's plan. The timing of it was that they occurred this year, for the removal.

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

How many retirements have occurred in the last year?

**A. GREEN:** There were 48 retirements in 2021-22 and the total retirement cost was approximately \$1.6 million.

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

With respect to vacancies, how many vacancies are not filled in the department?

**A. GREEN:** As of March 28, there were 121 vacant positions.

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

Have there been any positions eliminated? If so, what are they?

**A. GREEN:** No positions eliminated outside of attrition.

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

Any layoffs occurred in the last year?

**A. GREEN:** There have been no layoffs.

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

What about new hires? Has there been any new hires take place in the last year?

**A. GREEN:** There were 89 new hires in 2021-22.

**H. CONWAY OTTENHEIMER:** Okay.

I'm just curious about the – I know that the minister spoke about the employees, but how many contractual and short-term employees are there in the department?

**A. GREEN:** So we have 41 contractual positions currently and there are 269 temporary positions.

**H. CONWAY OTTENHEIMER:** And what about long-term vacancies? Do you have any in the department? In other words, like positions that have been vacant more than six months.

**A. GREEN:** Of the 121 vacant positions, there would be an allocation of those that would be vacant greater than six months. But I don't have the exact number of positions that are greater than six months.

**H. CONWAY OTTENHEIMER:** Okay, could you provide that to us?

**A. GREEN:** Yes, we can.

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

Did your department ever receive any funds from the contingency fund? If so, what was it for?

**A. GREEN:** The Department of Justice and Public Safety did not avail of any funding from the contingency fund.

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

That concludes the general questions that I have.

So with respect to subhead 1.1.01, Minister's Office, under Transportation and Communications, last year there was \$58,100 budgeted, but only \$15,000 was needed. Can you discuss how you found these savings?

**J. HOGAN:** I'm sure Mr. Green can comment a little further on this. But, I guess, the change in transportation, certainly part of it is due to the fact that the current minister is a city MHA as opposed to a rural one. The last two as far as I know – I don't know how far back it goes – have been rural MHAs from outside the city, so the travel costs were obviously reduced by me being here locally.

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

Subhead 1.2.01, Executive Support, under Salaries, in '21-'22 Salaries were budgeted to be \$1.2 million, but revised to \$1.5 million, almost \$1.6 million. Can you please explain this increase?

**J. HOGAN:** I'm always going to ask Mr. Green to correct me if I'm wrong, but I think what that is, is that we did have some turnover in the Executive in relation to a deputy minister who left, who was appointed to the provincial bench; an assistant deputy minister who left who was appointed to the Supreme Court; an assistant deputy minister who retired, so there were some payouts with regard to when they left the Department of Justice and Public Safety.

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

Under Transportation and Communications, last year there was \$41,000 budgeted; only \$14,500 was needed. How were these savings found?

**A. GREEN:** The budget here was impacted by COVID restrictions to travel. So the allocation would assume some executive travel to FPTs across the country and that didn't occur last year.

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

Subhead 1.2.02, Administrative and Policy Support, under Salaries. In '21-'22, Salaries were budgeted to be almost \$2.1 million, but revised to \$1.2 million. Could you explain the variance? Were the positions left vacant? Also – answer that, please, first.

**J. HOGAN:** You go ahead with Salaries.

**A. GREEN:** So the salary allocation here includes block funding for the expansion of Family Violence Intervention Court, which didn't happen last year. There's a \$400,000 block of funds for that. There's also the Guns and Gangs federal agreement, it's block funded in this allocation. We do that to be able to respond to needs rather than put it out in the department. We did achieve our Guns and Gangs funding, but it was achieved throughout the department, so we would have moved that funding somewhere else in the department. But there are no vacancies currently within this staffing group.

**H. CONWAY OTTENHEIMER:** Okay.

The budget is being increased to \$2,319,700. Explain that increase, please.

**A. GREEN:** So the increase again is related to the annualized impact of salary increases, which was minor in this division, plus there's expansion of the Drug Treatment Court, there's some extra federal funding for the Drug Treatment Court. Then we have the *Divorce Act* agreement, which is a federal agreement, mostly occurs in Supreme Court, but we do have a policy analyst position here.

**J. HOGAN:** Just to reiterate what Mr. Green is saying. Obviously, the budget has increased there, but a lot of that, or a good portion of that, is federal funds that are coming into the province to support programs that we work with them on, those initiatives.

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

Employee Benefits, I note that last year there was \$442,500 budgeted but \$855,000 spent. Can you explain the overage?

**J. HOGAN:** That's due to greater amount paid out for departmental workplace health and safety costs in relation to PTSD issues involving individuals that might work at the RNC or corrections facilities.

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

Under Purchased Services, last year there was a small savings in the Purchased Service budget but this year more money is being asked for; \$513,500 is being estimated. Can you please outline the variance and what this money is for?

**J. HOGAN:** You go ahead, Andrew.

**A. GREEN:** So there was some funding allocated from within during the ZBB process; we just analyzed spending. Part of the federal agreements that I referenced up above in the salary element have purchased services costing as well. So it would have been increased for the federal agreement, which is offset by the revenue.

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

Under Grants, who receives these grants, and how are the recipients determined?

**J. HOGAN:** So the increase in the grant – which was announced in the budget yesterday – was for the Newfoundland and Labrador Search and Rescue Association. So that's why it's gone up from \$450,000 to \$1.35 million. The \$450,000 was for ...

**A. GREEN:** So there's the allocation for grants outside of the \$900,000 increase. There are community constables; this is an annual grant that we provide to community constable groups for \$220,000.

NLSARA get their annual operating grant of \$91,000 out of this grant allocation. NLSARA also get an annual equipment replacement grant for \$100,000, and then internally we support the National Judicial Institute for \$20,000; Uniform Law Conference of Canada for \$12,000; and then we provide the PUB for their motor carrier costs, which they cannot get from the way they get their funding. The annual motor carrier and audit for them costs us between \$3,500 and \$5,000.

**H. CONWAY OTTENHEIMER:** So the \$900,000 increase over last year, just explain on that – elaborate on that, please.

**J. HOGAN:** So that was an increase that was announced – can you hear me?

**H. CONWAY OTTENHEIMER:** Yes, I can hear you now.

**J. HOGAN:** That was announced yesterday in the budget; that's a \$900,000 increase for the Newfoundland and Labrador Search and Rescue Association, which was in response to the recommendations from the ground search and rescue inquiry.

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

Under Revenue - Federal, where is this revenue coming from and how are the amounts determined? We see that last year more revenue was received than anticipated – \$700,000 more.

**A. GREEN:** So, with respect to last year, more revenue was received. That would have been old-year revenue that didn't come in in time from the previous year, so it was just attributed here. The federal revenue here is for our federal agreements, which are Drug Treatment Court, guns and gang, and some divorce act.

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

Under subhead 1.2.03, Legal Information Management, one question on that under Supplies. Last year supplies went over budget by \$38,000. Can you please explain why?

**J. HOGAN:** There was an increase in legal publications and subscriptions. Increase in cost for those.

**H. CONWAY OTTENHEIMER:** Okay.

Under subhead 1.2.04, Administrative Support, Capital, Property, Furnishings and Equipment, I note that the budget is being decreased to \$312,500, a cut of over \$500,000. Will this impact the RNC's ability to purchase vehicles and equipment?

**J. HOGAN:** My understanding, it's the end of RNC vehicle replacement plan. This is coming to an end this year. The plan has been in place and now coming to an end, so the funding is stopped. Not that the funding has stopped, the plan for the funding ended in last year's budget.

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

Under Fines Administration, 1.3.01, Salaries, last year there was salary savings of \$76,200. Was a position or positions left vacant?

**A. GREEN:** Pardon me? What was the question?

**H. CONWAY OTTENHEIMER:** There was salary savings of \$76,200; was a position or positions left vacant?

**A. GREEN:** There were multiple vacancies in that division. There are administrative positions that do ticket processing and there are also

collector positions. There was turnover in that division.

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

Under Revenue - Provincial, only \$310,100 of the budgeted \$920,600 was received. Why is this?

**J. HOGAN:** This would have been due to less third party ticket processing fees collected. Less tickets are being issued during the COVID-19 pandemic. That's why the number will hopefully, not hopefully, but it does go up again as a budget for next year.

**H. CONWAY OTTENHEIMER:** So less tickets during COVID?

**J. HOGAN:** Fewer tickets, fewer dollars, yes.

**H. CONWAY OTTENHEIMER:** What's the total amount of fines outstanding currently?

**J. HOGAN:** Total amount outstanding?

**H. CONWAY OTTENHEIMER:** Yes.

**H. JACOBS:** Forty-seven million dollars.

**H. CONWAY OTTENHEIMER:** I think that's it for this subhead.

**CHAIR:** Okay, thank you.

We will move on to MHA Lela Evans.

**L. EVANS:** Thank you.

**CHAIR:** Is your light on?

**L. EVANS:** Yes, it is.

Can you hear me?

**CHAIR:** You're good.

**L. EVANS:** What I'll do is try to cut down on duplication and repetition. Just going through the general questions: How many people are currently employed in the department and how many vacancies are there currently?



**A. GREEN:** In the department, we have 1,655 positions, excluding RCMP and Legal Aid, which wouldn't be inclusive for core department. As of March 28, there were 121 vacancies.

**L. EVANS:** Thank you.

I hope I don't repeat some of the questions earlier on. I was having trouble hearing and I just put my earpiece in a bit late.

When will we be seeing action to implement any of the recommendations from the ATIPPA Statutory Review?

**J. HOGAN:** That report which was provided to the Department of Justice and Public Safety by David Orsborn is under review right now. Obviously, it will take some time; it is a very comprehensive report. Certainly when we are done having a thorough look at the recommendations and doing an analysis within the department, we'll bring forward any proposed legislative amendments to the House when it is ready.

**L. EVANS:** Thank you.

Can we have an update on the implementation of the Missing and Murdered Indigenous Women, Girls, and 2SLGBTQIA+ People National Action Plan that was released June 3, 2021?

**K. MARTIN:** Work is ongoing right now with the Office of Women and Gender Equality and the Office of Indigenous Affairs and Reconciliation to address the calls of justice of the MMIWG national inquiry. This group participates in the FPT working group as well. Our intention is to continue to collaborate with this group and the Indigenous organizations and with the federal government as we move forward with these initiatives.

**L. EVANS:** Okay.

Is it possible to get an update of that collaboration? Are you actually implementing anything? Have you identified any of these calls to action that actually falls under the provincial government? We are actually kind of in the dark when it comes to what is going on. We haven't heard anything in over a year.

**J. HOGAN:** I don't know if we can provide you with a list of tick boxes of what you're looking for of what has been done since the recommendations came out. I'm sure you're aware that a lot of the recommendations that came out are within the federal jurisdiction and not anything within the control of our department. But as Ms. Martin said, we are working with them. There are FPT groups that are working towards fulfilling as many, if not all, of those recommendations as we can. But it is not as simple as just the provincial government (inaudible).

**L. EVANS:** I do understand that it is complicated and it is layered, as such.

Can we have an update on the review of the Ground Search and Rescue inquiry report? And what will the \$1 million in additional funding for the search and rescue associations go towards that's in this budget?

**J. HOGAN:** So that money was a grant to NLSAR. We're going to work with them to determine exactly where that funding is going to go in relation to the direct recommendations and which ones we are going to fulfill through that \$1 million. There's also \$775,000 out of last year's budget that has been given to NLSAR as well. So it's a sizeable increase in what they've received over the years.

We look forward to working with them to implement the recommendations as we move forward. A big part of that will be work that will be done in Labrador.

**L. EVANS:** Yes, and one of the things that we did hear from the inquiry was local volunteer agencies actually have to fundraise so they could get the equipment to be able to, actually, do the searches and also to maintain their own personal safety. So that \$1 million will be a good benefit to a lot of those needs that came out of the search and rescue.

**J. HOGAN:** Some of that funding will be for equipment. Absolutely.

**L. EVANS:** Yeah.

Can we have an update on the Community Justice Connect initiative? Has the program seen much uptake?

**H. JACOBS:** That program that is housed in Human Rights has been very successful and, as you know, it's a unique program using restorative justice. Human Rights is going to continue with that program this year.

**L. EVANS:** Okay. Have you seen a lot of uptake?

**H. JACOBS:** I'm sorry; I don't know the answer to that question.

**L. EVANS:** Okay.

**H. JACOBS:** But I know when I was talking to the executive director she said it's very successful, but I don't know the numbers.

**L. EVANS:** Okay. Well, that's a good indication.

Does the department have any other plans to advance restorative justice programs?

**J. HOGAN:** So we do have plans. We were actually approached by a group from Memorial University probably within the last couple of months. They approached the Department of Justice and Public Safety, Minister Dempster's department and Minister Osborne's department as well looking for some funding in relation to restorative justice program, a three-year plan, \$200,000 a year.

What we decided to do was give them the full \$600,000 right upfront. That was done very recently. Actually, I believe, I made the telephone call one week ago today to provide that \$600,000 for a restorative justice program.

Part of the deal was that we will work with them because the Department of Justice has a role to play in restorative justice. So it's a pretty exciting announcement. I really look forward to working with that group as we move forward over the next three years with that block funding.

**L. EVANS:** Thank you.

Following last year's cyberattack will this department be working with OCIO and other departments on initiatives to better secure the province's IT systems? A straightforward question.

**J. HOGAN:** We work with all departments in relation to anything that affects the Department of Justice and Public Safety.

**L. EVANS:** Can you provide an update on the progress of implementing the recommendations for improving the Office of the Chief Medical Examiner from the 2017 review by Dr. Matthew Bowes?

**G. SMITH:** Dr. Bowes, when he completed his review, made a total of 65 recommendations, 47 which have been fully completed, 18 have been actioned or will be actioned in the short term. The themes of the recommendations were legislation, facilities, staffing, records management, policies and procedures. So, as I said, of the 65, 47 to date have been fully actioned and completed and 18 are ongoing.

**L. EVANS:** Thank you.

I don't know if this question was asked earlier, but how many cases is SIRT currently investigating?

**G. SMITH:** The statistics that the Office of the Chief Medical Examiner gave us is that they've investigated a total of 530 cases in the last fiscal year.

**J. HOGAN:** Sorry, the question was how many has SIRT?

**L. EVANS:** Yeah.

**J. HOGAN:** Yeah, we'll get that.

Sorry, I know it's hard to hear back there.

**L. EVANS:** Yeah, I was –

**J. HOGAN:** I don't want you thinking that was the answer for SIRT.

**L. EVANS:** Yeah, I was a bit confused there, sorry.

**D. WOODROW:** SIRT has 12 files this year.

**L. EVANS:** Instead of 530 – (inaudible) her answering so it’s expanding her role.

**J. HOGAN:** Yeah.

**L. EVANS:** Can we have an update on the progress of the implementation of the Jesso report recommendations?

**D. WOODROW:** To date, most of the Jesso recommendations have been implemented. This year, the major one was we finalized the transition of the health care services from the Department of Justice and Public Safety into Eastern Health, with the assistance of the Department of Health and Community Services.

**L. EVANS:** Thank you.

My last general question is what specific measures are being taken to expand the Family Violence Intervention Court?

**K. MARTIN:** We’ve actually hired a dedicated policy resource to work towards this. We hope to have our first appearance in 2022.

**L. EVANS:** Okay.

I’m just running out of time, actually. Helen actually asked quite a few questions, so I’ll just stop here.

**CHAIR:** All right, the Member’s time is up.

Do you have any additional questions for this subgroup?

**H. CONWAY OTTENHEIMER:** No, no additional questions.

**CHAIR:** Okay. So I’ll ask Clerk to recall the grouping.

**CLERK:** Does Ms. Evans have any more?

**CHAIR:** MHA Evans, do you have additional questions?

**L. EVANS:** Yes, actually.

**CHAIR:** Okay.

**L. EVANS:** Just looking at 1.1.01, what actual spending on Transportation and Communications was down significantly last year? While the spending was down, the budget actually increased. Now with COVID somewhat behind us, will there be more travel done by the department and less reliance on digital communication?

I know that we’ve moved a lot of meetings and a lot of things relating to Justice to online.

**J. HOGAN:** So one of the reasons that the spending was down was because me being the minister, as a city MHA, as opposed to a rural MHA, who the last minister was, that’s one of the reasons the spending was down.

The budget is going higher than that number next year because I do anticipate there will be more travel as the COVID restrictions have lifted. But, as you can see, it won’t be as high as was budgeted in the previous year.

**L. EVANS:** What are the sources of federal and provincial revenue this year? Why are there variances in the actuals from last year and the budget amounts for this year in federal revenues?

**J. HOGAN:** Can you specify what number you’re looking at?

**L. EVANS:** Sorry about that. I skipped ahead, 1.2.02.

**A. GREEN:** If you’re asking specifically about revenue, last year’s budget would have been the allocation for guns and gangs and *Divorce Act*. What we actually received was money from previous years’ agreements that wasn’t received in the previous years, so that is why it was up. Then this year it is the expansion of guns and gangs, the expansion of the Drug Treatment Court – both of those agreements have additional funding. Then there is some *Divorce Act* money in there as well.

**L. EVANS:** Okay.

1.3.01, Fines Administration, how much revenue was collected on fines last year?

**J. HOGAN:** On fines?

**L. EVANS:** Fines.

**H. JACOBS:** This year we collected revenue of \$7.1 million.

**L. EVANS:** That's all of my questions for this section.

**CHAIR:** MHA Conway Ottenheimer.

**H. CONWAY OTTENHEIMER:** One further question that I forgot to ask about the fine option program. Last year during Estimates, an official said that development is still ongoing with the fine options program, but it was delayed because of COVID. Can you just give us an update on the fine option, please?

**H. JACOBS:** Yes, it is the status quo there, just because with the COVID restrictions not lifted we weren't able to work with the community groups. Hopefully we can move forward with that program this year.

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

That's it.

**CHAIR:** MHA Evans, are you finished? Good.

All right. I ask the Clerk to recall the subgroup.

**CLERK:** Executive and Support Services, 1.1.01 through 1.3.01 inclusive.

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

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

**CHAIR:** All those against, 'nay.'

Carried.

On motion, subheads 1.1.01 through 1.3.01 carried.

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

**CLERK:** Legal and Related Services, 2.1.01 through 2.4.01 inclusive.

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

Go ahead MHA Conway Ottenheimer.

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

Under Salaries, last year there was salary savings of \$157,700: Was a position or positions left vacant?

**A. GREEN:** There was turnover within the division, but there weren't any intentional vacancies.

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

Under Professional Services, can you please review how the budget is being decreased by \$2 million to \$3,084,200?

**J. HOGAN:** Those are professional services – a large chunk of that, if not all of it, is for external legal counsel. So last year was a busy year with regard to having to retain legal counsel – just some of the matters: large class action lawsuits; large employment matter in relation to a correctional issue; and some litigation related to Indigenous matters around rate mitigation. So we don't anticipate being as busy or as litigious this year.

**H. CONWAY OTTENHEIMER:** Okay, that's good to hear.

Thank you.

Under Purchased Services, last year Purchased Services went over budget by \$22, 300. Why was this and what was purchased?

**A. GREEN:** So with respect to the increased cost, personal services was up in terms of litigation. So this would have been extra transcription or translation costs. But nothing was generally purchased in addition.

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

Under Allowances and Assistance, last year \$5 million was budgeted; \$17.85 million was spent. This year \$5 million is budgeted again. Could

you please provide an explanation of these amounts and who receives this funding?

**J. HOGAN:** So this increase was for a class action lawsuit. The money has been paid into court for this class action lawsuit and we await final approval from the courts to sign off on what has been proposed by both sides. So that money wasn't allocated in the budget, as you can see, in 2021-2022 but, certainly, the litigation moved I would say fairly fast fairly recently, which is why the money was allocated towards this heading (inaudible).

**H. CONWAY OTTENHEIMER:** So what did the class action lawsuit involved? What was that?

**J. HOGAN:** So who can give some details?

**D. MAHONEY:** The class action involved the Whitbourne class action lawsuit that was mentioned publicly recently and so the parties had reached a settlement in principle. It requires approval of the court. The parties are working with a justice in the Supreme Court to schedule the matter for an approval hearing in the very near future and, as the minister said, the money has been paid into court.

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

Under subhead 2.1.02, Sheriff's Office, with respect to Salaries – in 2021-2022, there were salary savings of \$572,400. Again, was a position or positions left vacant?

**A. GREEN:** Yes, there were Sheriff's Office positions and administrative positions vacant last year.

**H. CONWAY OTTENHEIMER:** How many positions were left vacant, do you know?

**A. GREEN:** As of March 28, there were 12 vacancies in the division.

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

Under Transportation and Communications, last year there was \$285,000, but only \$170,000 needed. Can you discuss how you found these savings?

**K. SEARS:** Yes, these savings were based around travel with regard to circuit court. With the regulations and health measures with courts being either cancelled or postponed, much of the travel was not required.

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

Under Purchased Services, \$243,000 was budgeted, but only \$96,500 was needed. Could you please explain why?

**K. SEARS:** Yes, this decrease was largely in part due to jury trials being either cancelled or postponed or not going ahead.

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

Under Property, Furnishings and Equipment it appears there was an unexpected \$30,000 expenditure. Can you explain what was purchased?

**K. SEARS:** Yes. This was with the new building of the Happy Valley-Goose Bay courthouse. There was a requirement for CCTV for security purposes.

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

Under Revenue - Federal, \$109,900 was budgeted last year but only \$25,000 received. \$109,900 is budgeted again for this fiscal. Could you please explain why?

**A. GREEN:** So that federal agreement is the *Contraventions Act* agreement, which is in Fines Administration, the Sheriff's Office and the Provincial Court. So that funding is for a position and then some operating expenditures to support that position. What we received would have been the time that we would have had a bilingual position filled, but that position was vacant at the time so we only received a small amount. We anticipate that we would try to staff that position again.

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

Under Support Enforcement, subhead 2.1.03, under Salaries. Salaries are being increased to \$1,006,100. Can you explain the budgeted salary increase?

**A. GREEN:** For the Salaries, the Support Enforcement officers recently had a reclassification award, so we had to adjust our salary plan to support the increased salaries that they were awarded through reclassification.

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

Under Purchased Services, last year Purchased Services went over budget, \$98,000 was spent. Can you please explain why?

**H. JACOBS:** Yes, this is due to banking fees because in that program money comes in and comes out. You'll notice that we've tried to fix the budget in this year so that it reflects more accurately that cost.

**H. CONWAY OTTENHEIMER:** So could you just clarify banking fee? What accounts for that over budget?

**H. JACOBS:** The payer submits the money to the program and then the program gives the money to the payee. So we pay a cost for each one of those transactions in the bank account.

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

Under subhead 2.1.04, Access to Information and Protection of Privacy, under Salaries, last year Salaries went over budget by \$35,000. Can you please explain why?

**A. GREEN:** The delay of the ATIPPA Review meant that we carried some salaries into the new year. We didn't have the funding for it because it was too late in the budget cycle to add some funding for that. So we just incurred increased salaries to support the conclusion of the ATIPPA Review.

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

Under Purchased Services, could you please give an explanation of the variance in this line

item? Last year \$42,800 was budgeted, \$28,800 spent and now \$34,900 is budgeted.

**A. GREEN:** So the intent for the Purchased Services here is for the staff to go out and do some training with the municipalities. This would include rental of facilities or AV equipment in order to support that training. Because of COVID, we weren't able to do the training in person. I think we were able to do some virtual training.

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

Now, I know that this question was asked but I'm going to ask a related question to the Access to Information statutory review. It has been completed for some time now. So can you please give us some estimate as to when you think the changes will be brought back to the House for discussion?

**J. HOGAN:** No, I can't put a timeline on that. Obviously, we're doing a review. We want to do it properly. You say the changes that will be brought to the House, I guess, that's the point. I don't know if any changes will be made or not. That's part of the analysis that we're doing to see which ones, if necessary, from the report from Mr. Orsborn will be legislatively changed.

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

Under 2.2.01, Criminal Law, Salaries, last year Salaries went over budget by \$250,000. Why was this?

**L. STRICKLAND:** I think Mr. Green may be able to answer this better than I am because it relates to having three extra Crown attorneys on contract.

**A. GREEN:** In our salary plan, we carry a couple of extra solicitors to be able to meet all of our Jordan requirements in the criminal law division.

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

With respect to Jordan, do we have any cases before the court now with respect to Jordan?

**J. HOGAN:** Sorry, what was the question?

**H. CONWAY OTTENHEIMER:** With respect to the Jordan case, do we have any delays as a result of Jordan?

**L. STRICKLAND:** I didn't hear the question, I'm sorry.

**H. CONWAY OTTENHEIMER:** With respect to the Jordan case, do we have any cases that are before the court in relation to a delay?

**L. STRICKLAND:** There is only one outstanding Jordan application filed in a criminal case in the province right now and that is being litigated.

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

**CHAIR:** MHA Evans.

**L. EVANS:** 2.1.01, Civil Law, actual spending on Salaries was lower than expected last year, why was this?

**A. GREEN:** So that was just general turnover within the division and delays in recruitment.

**L. EVANS:** Delays in recruitment, was it because of vacancies that couldn't be filled?

**A. GREEN:** All the positions are currently filled; it's just the timing of filling them.

**L. EVANS:** Okay.

Spending on Employee Benefits was a bit higher than expected last year. What was the reason for this?

**A. GREEN:** The Employee Benefits here would be Law Society fees for all the solicitors, and then we had some articling students that we had to pay their bar course fees. That was the increased expenditure.

**L. EVANS:** Okay.

2.1.02, Sheriff's Office, the department has linked the Sheriff's Office inability to provide financial statements to the Auditor General in part due to outdated accounting processes. Is

there any talk about updating these? If so, how will they be changed?

**K. SEARS:** This is a priority for the Office of the High Sheriff. We recently hired a new manager for the accounting section with further interviews going this week. The financials have been provided and have been returned for revision. With regard to the outdated processes, it's something that can certainly be looked in to.

**L. EVANS:** Thank you.

2.1.03, Support Enforcement, there's a projected increase in Salaries this year. Are there any new positions being created? If so, what's their function?

**A. GREEN:** There are no new positions. This was a reclassification for the existing staff. So it was to increase their salaries to match what the reclassification award was.

**L. EVANS:** Okay. Thank you.

2.1.04, Access to Information and Protection of Privacy, spending on Employee Benefits was lower than anticipated last year, and in the budget, this item is down compared to last year. What accounts for these variances?

**A. GREEN:** So the Employee Benefits here is for membership fees for all ATIPP coordinators in the government in the International Association of Privacy Professionals. I think there were some vacancies within some ATIPP positions.

**L. EVANS:** Okay. Thank you.

2.2.01, Criminal Law, there's an increase in the Supplies budget this year. What accounts for this increase?

**J. HOGAN:** Can you say that again, please?

**L. EVANS:** 2.2.01, Criminal Law, there's an increase in the Supplies budget this year. I was just wondering what accounts for the increase?

**A. GREEN:** So that would have been a zero-based budgeting spending analysis. We increased the Supplies budget to match what we anticipated expenditures will be for this year. I

think they're going to buy some redaction software for the Crown attorneys to do disclosure.

**L. EVANS:** Okay. Thank you.

Spending on Professional Services came in over budget last year and this year's budget shows an increase of about \$10,000, over last year's budget. Why is this the case? Why the increase?

**L. STRICKLAND:** The increase from last year – for us, Professional Services relates to retaining external counsel when there are conflicts of interest; for instance, a situation that did arise where a Crown attorney is the complainant in an uttering threats charge. We hire external counsel. It's a matter of happenstance that we had an increased expenditure and we expect it to go back to historical norms.

**L. EVANS:** Thank you.

2.3.01, Legal Aid: Has there been any discussion about cutting grants to Legal Aid in the years to come?

**J. HOGAN:** No.

**L. EVANS:** I'm glad to see that.

2.3.03, Other Inquiries: Could we have an update on the work of the Commission of Inquiry into the Treatment, Experiences and Outcomes of Innu in the Child Protection System?

**J. HOGAN:** Because the same commissioner, Igloliorte, was doing the ground search and rescue inquiry, and is also participating as one of the three commissioners, as you know, for this inquiry into the custody of Innu children, we have been working with them very closely a lot over the last couple of months to finalize. There has been a lot of work gone into the terms of reference and the rules of procedure in relation to this upcoming inquiry.

We work very closely with Innu council. The deputy minister has taken on a heavy load since he has been here, and he hasn't been here for very long. We're very, very, very close. We couldn't be closer to announcing the terms of

reference. Legal counsel has been hired by the commissioners and they are working together already, so I anticipate an announcement on the actual timeline of that to be very, very soon.

**L. EVANS:** Okay, thank you.

I'm struggling – I left my reading glasses, so I am just trying not to lose focus here.

I think you partially answered my next question. There is a significant decrease in the annual salary expenses over last year – I'm still in Other Inquiries, actually – but this year there is a budget of \$866,000 under this heading. Will there be any carryover in the staff between the ground search and rescue and the Inquiry into the Treatment, Experiences and Outcomes of Innu in the Child Protection System?

**D. MAHONEY:** The staffing structure for the ground search and rescue inquiry will be different than the Innu inquiry. We have already started preparations for the staffing of the Innu inquiry, but there has been a gap between the staffing of the ground search and rescue because their work is now completed and we're just getting ready to staff up the Innu inquiry. So there will be differences in the staffing structure and we generally expect that there will be more staffing required for the Innu inquiry than we had for the ground search inquiry.

**L. EVANS:** Thank you.

Just as an aside, the way that the ground search and rescue inquiry was carried out was very respectful of the Indigenous people who were greatly impacted but the Burton Winters tragedy. If you could see more of that, more respect in the communication and supports, it would be greatly appreciated. I think it was one of the reasons why the ground search and rescue inquiry was so successful, from a Labrador perspective. So thank you for that.

And I think it had a lot to do with the staff and the support that was actually there.

**J. HOGAN:** I will just comment. Thanks for that comment, and that issue has been addressed in the terms of Reference, and obviously Commissioner Igloliorte – it was credit to him for doing that properly and respectfully and I'm



sure he will continue to do that on the Innu inquiry as well.

**L. EVANS:** And his support with Budden was quite an asset as well.

Continuing on in Other Inquiries, the variances in the actual and budgeted figures under Operating Accounts – does this have anything to do with the inquiries finishing up and others, which would be the Innu inquiry, just getting started, or does it have to do with lower expenses as a result of COVID?

**J. HOGAN:** No, I think your first option was the right one. It just had to do with the transition from one finishing up and moving into the next one.

**L. EVANS:** Section 2.3.04, Office of the Chief Medical Examiner: Both the actual expenditures and those budgeted for this year under Salaries are lower than the budget from last year. Why is this?

**A. GREEN:** We would have had salary savings for the additional medical examiner position, which was vacant last year.

**L. EVANS:** Thank you.

Just looking at – why is there a slight increase in the budget for Professional Services this year, under that section?

**A. GREEN:** This would be a zero-based budget spending analysis, so we would have seen an uptick in trend in professional services spending, which is why we would have increased the budget.

**L. EVANS:** Why are we expecting no federal revenue this year? In this year's budget, we're not expecting any federal revenue under that section, under the chief medical –

**A. GREEN:** The federal revenue agreements that were with the Office of Chief Medical Examiner have expired. I know the staff are working on additional help from the federal government, but there wasn't any finalized by the time the budget was ready.

**CHAIR:** MHA Conway Ottenheimer, please.

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

Under 2.2.01, Criminal Law, under Transportation and Communications, last year there was \$427,500 budgeted for T and C but only \$295,000 needed. Can you discuss how you found these savings?

**L. STRICKLAND:** Basically, there were fewer court circuits because of Public Health measures that eliminated the ability to conduct in-person hearings. As well, annually, we send Crown attorneys for further education at what is called the Ontario crown school. Again, because of Public Health measures we did not send anyone last year. So those were the savings.

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

Under 2.3.01, Legal Aid, how many lawyers are now practising at Legal Aid?

**A. GREEN:** So there would be approximately 51 lawyers.

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

The Member for Torngat Mountains did touch on this question, but I'm going to ask as well. With respect to the Greene report, they had recommended that the operating grant to Legal Aid be reduced by 2 per cent. Has your department done any analysis or has Legal Aid completed any analysis on what impact that this would have on services?

**J. HOGAN:** The answer to her was that we don't have any plan to cut any money right now.

**H. CONWAY OTTENHEIMER:** No plans to cut, okay.

Good, I just wanted to confirm.

**J. HOGAN:** I should say right now that there is no plan to cut money to Legal Aid.

**H. CONWAY OTTENHEIMER:** Okay, good. That's good to hear.

Thank you.

Under 2.3.03, Other Inquires – I know this has been, as well, touched upon, but I would like to ask a general question about this. If you could please speak generally about the expenses listed here for Other Inquires. I'm aware that the amount spent in any year largely depends on the timing and the needs of an inquiry. But how were the amounts for this upcoming year actually calculated? Specifically I'm wondering about the variance, for example, in Salaries, Transportation and Communications, Professional Services and Purchased Services.

**J. HOGAN:** The variance is that the last budget would have been the end of the ground search and rescue inquiry, and now the budget for this year is for the Innu inquiry. This is an estimate based on, I guess, a historical look on what inquires cost and we try to figure out how long this one is going to go for compared to ones that we've seen in the past and the cost in the past. This \$4 million for this budget will go to standard things for an inquiry: legal fees, travel in Labrador for this one and things like that. Nothing out of the ordinary, just a comparison to previous inquiries.

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

Under 2.3.04, Office of the Chief Medical Examiner, I know that the Member for Torngat Mountains had asked about the Bowes inquiry. I just wanted to clarify; last year when I asked, we were told that 50 out of the 65 recommendations of the Bowes inquiry were implemented. Can I get an update on the other 15 outstanding recommendations?

**G. SMITH:** So there are still a number that have been actioned and are ongoing, and some that will be actioned – I don't have the specific count of which specific recommendations have been completed. However, there were some, as I indicated earlier, broad headings in terms of the recommendations, and some would require more time in terms of records management and some of the recommendations around changes in facilities. So those are still ongoing.

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

Under Supplies, last year Supplies went over budget by \$9,700. Can you please explain why?

**A. GREEN:** So that was increased supplies for PPE equipment for COVID.

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

Under Purchased Services, last year Purchased Services went over budget spending \$500,000. Can you please explain why?

**A. GREEN:** In the Purchased Services here, we would have lab expenditures, so there was an increase in lab expenditures. We have transportation of human remains expenditures, which we can't tell what we're going to spend there. It's not something we can anticipate; it just happens. So they would have been the two cost drivers in Purchased Services.

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

Also now, under subhead 2.3.05, Human Rights, Salaries, the salary budget is being decreased to \$703,600. Why is that?

**A. GREEN:** There was a federally funded position last year that the federal agreement is finalized, so the salary expense would not be offset by the revenue.

**H. CONWAY OTTENHEIMER:** Okay.

What was that position, exactly?

**A. GREEN:** Pardon me?

**H. CONWAY OTTENHEIMER:** What was that position?

**A. GREEN:** The position? It was a policy analyst, I believe, that was helping with Community Justice Connect and anti-racism.

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

**J. HOGAN:** That's right.

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

Under Purchased Services, the budget for Purchased Services is being reduced to \$6,000. Can you please explain why?

**A. GREEN:** That would have been the operating expenditures as part of the federal agreement.

**H. CONWAY OTTENHEIMER:** Okay.

**J. HOGAN:** Anti-racism.

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

Under Revenue - Federal, could you please explain where exactly this federal revenue comes from?

**J. HOGAN:** The same issue as the federal; it is the anti-racism position.

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

Under 2.3.06, Office of the Public Trustee, Salaries, this year the salary budget is being increased to \$758,000. Are there extra positions being added?

**A. GREEN:** No, there are no new positions. This is the full-year impact of annualized salary increases plus, as you know, which I have explained in previous years how we apply attrition, we allocate it proportionally across the department. So this is kind of funding back some of the attrition block that we took in previous years.

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

Under Revenue - Provincial, could you explain how an extra \$200,000 was collected last year?

**A. GREEN:** We get expenditures for undistributable estates that come into the Consolidated Revenue Fund. We also have fees to manage estates that come in. So it was just an increase in undistributable estates.

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

Under subhead 2.4.01, Legislative Counsel, Salaries, there is a slight salary increase. Is this just annual step increases? What is it exactly?

**A. GREEN:** It would be similar to the Public Trustee response. It was the annualized impact of salary increase plus bringing back some of that attrition money we took over the years, the little blocks.

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

That completes my questions for that heading.

**CHAIR:** MHA Evans.

**L. EVANS:** No, mine are complete, too.

**CHAIR:** You're finished?

**J. HOGAN:** Yes, she said she is done.

**CHAIR:** I ask the Clerk to recall.

**CLERK:** Legal and Related Services, 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 group.

**CLERK:** The Law Courts, 3.1.01 to 3.2.01 inclusive.

**CHAIR:** 3.1.01 to 3.2.01 inclusive.

MHA Conway Ottenheimer.

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

Under this heading, I just have some general questions. I know that the minister did speak in general about the Family Violence Intervention Courts, but last year in Estimates, officials

talked about hiring a new policy analyst. What work has this analyst completed, and what's the timeline for a Central Family Violence Intervention Court?

**K. MARTIN:** The policy analyst has been hired and they are working on an implementation plan for the court to expand to Central Newfoundland, and we expect to see that in place in 2022.

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

With respect to the Drug Treatment Courts – I think that you did speak about this, but I'm going to ask again. I apologize for any repetition. Could you please provide an update on the Drug Treatment Court?

**K. MARTIN:** The Drug Treatment Court, we are working with our federal counterparts to expand this court outside of St. John's. We are hoping that that will be completed this year as well.

**H. CONWAY OTTENHEIMER:** Okay, that's good news.

Thank you.

The Mental Health Court, can you give an update on the number of people who are participating in the program, in the court, and is there a desire to expand this court to other geographical areas?

**K. MARTIN:** In '21-'22, we had 22 individuals who completed the programming of the Mental Health Court, and 10 who were pending or participating in the court. We have not looked at any expansion with that court as of right now.

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

Online versus in-person services: I am curious about if you could give an overview of which court services are now online versus in-person.

**S. FOSS:** The Supreme Court, mostly due to the COVID-19 pandemic, did reach out to its counterparts across the country and we do have some working groups that are ongoing since, I

guess, the middle of the pandemic to try to enhance the online services.

For the Supreme Court specifically here, we do have the eFiling for the probate. We have been working on updating our website. We will be rolling out a new website over the next several months to make it a little easier for self-represented litigants, specifically, make the information a little more accessible. And I think that's all on that.

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

Under subhead 3.1.01, Supreme Court, Salaries, last year there was a salary savings of \$405,000. This year it's being increased to \$6,706,600. Could you please outline why?

**J. HOGAN:** One of the reasons is there will be two new positions in relation for the Unified Family Court. So as you know, we have a bill before the House right now to amend the *Judicature Act* to allow the federal government to provide three new UFC judges. The plan is to roll this out one at a time. The first one we've been working with the Supreme Court on, it will need two additional staff resources to assist with the judge. That's why there's an increase there for two new positions at the Supreme Court.

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

Purchased Services, last year Purchased Services went over budget by \$26,000. Why was this?

**A. GREEN:** So Purchased Services went over last year due to jury trial expenditures for audiovisual at the School for the Deaf. We had to rent some audiovisual equipment.

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

Under Revenue - Federal, could you please explain how \$606,000 was collected last year and explain where the \$772,400 will come from? I'm just curious about the variance there.

**A. GREEN:** So the revenue in Supreme Court is two federal agreements. There's a Family Justice Services agreement, which make up about half of the revenue. The other additional half is the

*Divorce Act* funding. So the \$606,000 would have been the Family Justice Services and then some *Divorce Act* funding. Then the increase would have been the annualization of the increase in that *Divorce Act* agreement.

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

Under 3.2.01, Provincial Court, Salaries, last year there was salary savings of \$353,800. Why was this?

**A. GREEN:** So there were some vacancies within the Provincial Court.

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

How many vacancies were there?

**A. GREEN:** As of March 28, there were seven vacant positions.

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

Under Purchased Services – this is my last question for this heading – can you please provide some detail on the Purchased Services budget? Last year, there was \$405,800 budgeted and \$380,000 spent. This year \$421,000 budgeted.

**A. GREEN:** So the Purchased Services budget here, we would have done an historical spending analysis and we probably would have added some funding based on five-year averages and what we saw there. There were some drops in spending due to the pandemic.

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

That completes my questions.

**CHAIR:** Thank you.

MHA Evans.

**L. EVANS:** Thank you.

3.1.01, Supreme Court, spending on Supplies and Property, Furnishings and Equipment was lower than expected last year. Why was this?

**OFFICIAL:** Supplies?

**L. EVANS:** Yeah, Supplies and Property, Furnishings and Equipment.

**A. GREEN:** So are you asking for the reduction in Supplies this year?

**L. EVANS:** Yes.

**A. GREEN:** Yeah. So that would have been *Divorce Act* funding supplies that we weren't able to fully achieve.

**L. EVANS:** Okay, thank you.

3.2.01, Provincial Court, could we have an update on how the government plans to handle the issues with judges' salaries? Will we be expecting a motion in the House soon, as per the recommendations of Justice Boone?

**J. HOGAN:** So the resolution was read in the House yesterday.

**L. EVANS:** Yeah, okay.

**J. HOGAN:** You prepared your questions before yesterday, didn't you?

**L. EVANS:** Yeah, yeah, I'm sorry, I just – I'm having trouble focusing. On our break, I will be getting my glasses.

What region will be serviced by the new travelling judge position and what areas are in highest demand for such a service?

**H. JACOBS:** All the provincial courts are working well with court dates available for September to October, but Grand Falls-Windsor is having scheduling problems so the judge, originally, I think, will be going there, but we'll have to consult with the chief judge.

**L. EVANS:** Thank you.

There's an increase in the budget for this year for Supplies. Why is this?

**A. GREEN:** So this would have been a zero-based budgeting spending analysis, looking at historical spending and then trying to allocate

our budget to what the historical spending would have been.

**L. EVANS:** Okay. Thank you.

The budget for this years Property, Furnishings and Equipment has increased, what new expenses are anticipated?

**A. GREEN:** So there aren't any generally new expenditures anticipated, it's just there are 10 court locations that they have lots of office equipment, chairs, et cetera. It's a public-facing building so it's the general replenishment of some of that equipment and we try to match it to our spending analysis.

**L. EVANS:** Thank you.

I'm finished with my questions for this section.

**CHAIR:** All right.

MHA Conway Ottenheimer?

**H. CONWAY OTTENHEIMER:** Nothing else, thank you.

**CHAIR:** All right.

So I'll ask the Clerk to recall the grouping.

**CLERK:** Law Courts, 3.1.01 through 3.2.01 inclusive.

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

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

**CHAIR:** Carried.

On motion, subheads 3.1.01 through 3.2.01 carried.

**CHAIR:** Before we move into Public Protection, Fire and Emergency Services, we're going to take a 10-minute break. It is now 10:18, so we will come back at 10:28.

Recess

**CHAIR:** I'm going to ask the Clerk to call the next grouping.

**CLERK (Beazley):** Public Protection, 4.1.01 to 4.2.02 inclusive.

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

MHA Conway Ottenheimer.

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

I'm just going to ask a general question about, first of all, the RNC replacement plan for vehicles. Minister, you said the plan to replace the vehicles has ended. Can you please provide some commentary on the current condition of the fleet? Then, I have a couple of other subquestions about that.

**K. HARDING:** Currently, the RNC has 152 fleet.

**H. CONWAY OTTENHEIMER:** Are there standards for the fleet in terms of how long a vehicle is used before replacement?

**K. HARDING:** We do an analysis on the mileage of each fleet and the operating expenses incurred for each vehicle.

**H. CONWAY OTTENHEIMER:** Okay.

Can you comment on the current condition of the fleet? Does the fleet now meet the standards?

**K. HARDING:** With the replacement plan, the RNC fleet is in good condition. Approximately 77 per cent of our fleet has less than 200,000 kilometres.

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

For example, computers in the vehicles and so forth, are there assets that are going to be replaced this year?

**K. HARDING:** In July of 2021, we purchased 20 new mobile data terminal computers for the vehicles.

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

Recently I heard a story. I was contacted about two officers who were left without their communication system functioning while on duty.

Can you provide any commentary about this? What's being done to ensure that officers are not left without communications in terms of the risk to officers, for example?

**K. HARDING:** We do have an ongoing operational file regarding our radio system. The RNC does have a business continuity plan in place in the event that the radio system fails in the cars.

**H. CONWAY OTTENHEIMER:** Okay.

Can you provide any commentary about that situation I'm referring to? Are you aware of that, about when the communication system actually didn't function properly while they were on duty?

**K. HARDING:** I can't comment on that particular incident, no.

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

How many officers are eligible for retirement?

**K. HARDING:** Currently, we have 29 police officers eligible to retire.

**H. CONWAY OTTENHEIMER:** With respect to recruits, how many new recruits are available to replace them?

**K. HARDING:** Currently, we're going through the recruiting process. We are looking at a class size of anywhere between 10 and 15.

**H. CONWAY OTTENHEIMER:** Just in terms of the recruitment, are there any plans to have any kind of training here in the province or will it be outside of Newfoundland and Labrador?

**K. HARDING:** Once the recruitment class is selected, they will attend Atlantic Police Academy in PEI. When they return from the

Atlantic Police Academy, they will do a four- to six-week course here completing online or in-service training.

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

Under subhead 4.1.01, under Salaries, can the minister please give an overview of how many employees are with the RNC? I don't know if this was answered before and I apologize if I am repeating the question.

**K. HARDING:** Currently, we have 397 police officers and we have 93 civilian positions filled.

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

The salary line item had a saving of \$1.57 million. Why is that?

**K. HARDING:** That was due to turnover in staff. We currently have 22 vacant positions with civilians and six vacant police positions.

**H. CONWAY OTTENHEIMER:** Transportation and Communications: Can you please explain the variance in this line item? There was a savings of \$248,600 found last year.

**K. HARDING:** This was due to our members not going away on training due to COVID restrictions.

**H. CONWAY OTTENHEIMER:** Okay.

Under Supplies, last year \$1,825,200 was budgeted and \$1,455,000 was spent; this year, \$1,790,400 was budgeted. Can you please provide some commentary on this variance here?

**A. GREEN:** The Supplies budget went down last year due to reduced uniform requirements. It was brought down a little bit from budget to budget, based on zero-based spending analysis.

**H. CONWAY OTTENHEIMER:** Okay.

Under Revenue - Federal, last year \$450,400 of the anticipated \$629,000 was collected. Can you explain this, please?

**A. GREEN:** So the revenue here is for the federal revenue in the budget last year, there was

a carry-over revenue that we didn't close off for the Combined Forces Special unit that was in the budget. It shouldn't have been for a number of years, so we actually corrected it; it came down a little bit. And then the revenue we actually collected was for the drug-impaired driving agreement.

**H. CONWAY OTTENHEIMER:** Okay.

Under Revenue - Provincial, where does this revenue come from? Could you please outline how the extra was obtained last year? I think \$557,800 was received.

**K. HARDING:** Revenue comes from criminal records screening certificates, background checks and fingerprinting services.

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

Under 4.1.02, Royal Canadian Mounted Police, under Transportation and Communications, I know it's only \$1,100 but I'm just curious where it was spent.

**S. SIMMONS:** That was spent for the analyst – myself – to attend Innu round-table meetings that occurred in Halifax as part of the Justice and Policing sub-committee.

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

Professional Services, could you please outline how the amount budgeted for the RCMP compares to the amount asked for by the RCMP?

**J. HOGAN:** So I think the question was the increase – what's the comparison to what was asked for by the RCMP?

**H. CONWAY OTTENHEIMER:** Right.

**J. HOGAN:** So we did meet with the RCMP, the former commanding officer, DeAnna Hill with regard to budget issues – I shouldn't say budget issues, but the budget for the RCMP, obviously, everyone knows, we've got questions in the House about it and I got letters from municipalities throughout the province on it, there hasn't been an increase in a long time.

So happy yesterday to hear the Minister of Finance say that there's an increase in the budget of about \$17 million, which is obviously a very, very large increase over last year's budget.

But in terms of the conversations with the RCMP, you know, there was a lot of back and forth and a lot of discussions about where money was needed and where we could allocate funds. But, of course, at the end of the day, the RCMP, same with the RNC, are going to make operational decisions that the Department of Justice is not going to have a say in.

So it's a little bit vague to say what was asked for in terms of the direct request from the RCMP. But we're happy to work with them. We met with them yesterday as well and they're very pleased with the large increase in the budget.

**H. CONWAY OTTENHEIMER:** That's good to hear. Thank you.

Revenue - Federal, can you please explain what program the federal revenue is for and what accounts for the increase to \$239,600 in the revenue for this year?

**A. GREEN:** That is drug-impaired driving revenue and it's increased due to just these general increases of that agreement. It has escalating increases in it.

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

Under RNC Public Complaints Commission, 4.1.03, Professional Services went over budget last year, \$333,500 was spent, why was this?

**J. HOGAN:** There were external legal fees because we had to retain a new contractual adjudicator at a higher rate of pay.

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

How many complaints does the RNC Public Complaints Commission receive on average each year? How many did we actually receive last year?



**D. WOODROW:** There were 49 last year and 49 this year as well.

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

Consistent isn't it.

Under Serious Incident Response Team, 4.1.04, I know that this was asked by the Member for Torngat Mountains, I believe there are 12 files, but I'm just curious, so the Salaries last year, there was a salary savings of \$33,000. Was a position vacant for a period of time?

**A. GREEN:** Yes, for SIRT there was a vacancy. That office is fully staffed, fully operational right now.

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

**CHAIR:** You're time is expired.

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

**CHAIR:** MHA Evans.

**L. EVANS:** Yes, thank you.

4.1.01, Royal Newfoundland Constabulary, are there any plans to implement cultural sensitivity training for staff at the RNC?

**K. HARDING:** I can't answer that question.

**L. EVANS:** You don't have the information or you can't answer it?

**J. HOGAN:** (Inaudible) to the financials here, which is what Ms. Harding is here to speak about. A policy question, I guess, would be better directed to the chief of police, who is unfortunately not here today. It's certainly something we can chat about outside of the Estimates questions.

**L. EVANS:** Thank you.

Spending on Professional Services and Purchased Services, two lines, was over budget last year. The budget for both these items is also

increased again in this year's budget. What was the reason for this increase?

**K. HARDING:** The reason for the increase was the external legal requirements for operational files.

**L. EVANS:** Okay, thank you.

4.1.02, Royal Canadian Mounted Police, we already discussed the increase in Professional Services, but what will these increases get us in terms of services? Also, what was the number of new hires coming out of this increase?

**S. SIMMONS:** The minister has established provincial policing priorities with the RCMP. So we have outlined that rural policing should be a priority as well as collaboration with Indigenous communities and traffic services. We are currently working with the RCMP in terms of their exact needs with regard to a staffing complement.

**L. EVANS:** Okay.

Do you know how many new hires will come and what types of positions they will be?

**S. SIMMONS:** Sorry, can you repeat the question?

**L. EVANS:** Out of the increase, how many new hires will there be and what types of positions would the new hires be in?

**S. SIMMONS:** We are currently still working through that process with the RCMP to determine their exact needs.

**L. EVANS:** Okay, thank you.

**J. HOGAN:** Just to add, the arrangement with the federal government, there is a maximum amount of RCMP officers that can be hired, so we do have to work within the framework agreement that we had with the federal government.

**L. EVANS:** Thank you.

4.1.04, Serious Incident Response Team, the actual spending on Supplies was up last year but it is lower than expected in the Professional

Services and Property, Furnishings and Equipment. What accounts for these variances?

**A. GREEN:** The variances reflected in this office would have been – all of them would have been an office that wasn't fully operational. But now we are expecting the budget to match full operations.

**L. EVANS:** Okay, thank you.

This year's budget for Purchased Services is up but the one for Property, Furnishings and Equipment is lower. Why are these budget numbers being adjusted? I think you may have answered my question.

**A. GREEN:** The Property, Furnishing and Equipment, there would have been some upfront expenditures that you would see, some of that \$17,000 would have occurred, so then we just kind of thought that those were one time so we brought the budget down a little bit.

**L. EVANS:** Okay, thank you.

4.2.01, Adult Corrections, how much money does the provincial government receive from the federal government for housing of federal prisoners in our facilities?

**D. WOODROW:** It was \$315 under the Exchange of Service Agreement for last year, but for this upcoming year, it will be \$415 per inmate.

**L. EVANS:** Okay, thank you.

Spending on Salaries went over budget last year and there's a budget increase for this item this year. What accounts for these figures?

**D. CHAFE:** These expenses are in relation to overtime and directly related to COVID because a position, when someone's off, has to be backfilled.

**L. EVANS:** Thank you.

At the HMP, there's supposed to be review done every time there's an incident. How many investigations were completed last year, and will the results for these investigations be made public?

**J. HOGAN:** Could repeat the question, and I guess be a little more specific about what you mean by incident?

**L. EVANS:** According to my findings, there is supposed to be a review done every time that there's an incident at Her Majesty's Penitentiary – basically one involving violence. Therefore, how many investigations were completed last year and, with these investigations, will their findings be made public?

**D. CHAFE:** Any use-of-force incident is reviewed on a daily basis, and then we try to use lessons learned. I don't have that number here today, though.

**L. EVANS:** Okay, thank you.

Do the investigations involving violence be made available to the public?

**D. CHAFE:** Not really, no. Unless it's of a serious nature.

**L. EVANS:** With regard to the Correction Centre for Women in Clarendville, what supports are currently in place for women who are released from custody but do not have financial means to return home?

**D. CHAFE:** We work with Stella Burry, and also we are required to return inmates back to their home community to which they were arrested.

**L. EVANS:** Just a further question to that. If they don't have the means to be able to support themselves in their home community, like in terms of an apartment or accommodations, are there any resources made available to help them?

**D. CHAFE:** Yeah, we do a release plan with our classification officer. We make all those connections upon release, so they have somewhere to go.

**L. EVANS:** Okay, thank you.

Are there any plans this year to improve the cultural supports for Indigenous inmates on the island, especially those who are far from home and in a foreign cultural environment?

**D. CHAFE:** We are expanding the LCC in Labrador, which will be able to accommodate females, which will be a much-needed improvement. As well, we are working with our staff to do Indigenous training that is going to happen annually.

**L. EVANS:** Okay, thank you.

The budget for Employee Benefits has increased; why is this so?

**A. GREEN:** So that's an increase as part of the FILU agreement, or Family Information Liaison Units, and that's for the Victim Services staff to avail of culturally sensitive training.

**L. EVANS:** Okay.

The actual expenditures for Supplies, Professional Services, Property, Furnishings and Equipment were over budget last year. Why was this the case?

**D. CHAFE:** That would be in relation to safety equipment and any supplies for COVID.

**L. EVANS:** Okay, thank you.

Why has the budget increased for Professional Services, from last year?

**A. GREEN:** So in this Adult Corrections allocation, there's a restatement of health expenditures, which would occur in the Professional Services line, but the middle column for the revised is what our expenditures were, so that wasn't restated. We've moved money out into the Department of Health or Eastern Regional Health Authority for health expenditures.

**L. EVANS:** Thank you.

What accounts for the variation in the figures for the federal revenue?

**D. CHAFE:** We have an Exchange of Service Agreement with the federal government, and that rate is recalculated annually. This year it's basically based on the total expenses divided by the average inmate count. So because our count was a little lower, we actually have an increase in rate of \$100 per bed-night for federal inmates.

**L. EVANS:** Okay.

4.2.02, Youth Secure Custody: Why was the spending on Salaries lower than expected last year?

**J. HOGAN:** Where were the Salaries – what?

**L. EVANS:** Sorry, why was the spending on Salaries lower than expected?

**A. GREEN:** There were some vacant positions that were held vacant because there wasn't the number of residents that required the positions be filled at the time.

**H. CONWAY OTTENHEIMER:** Under 4.1.04, Professional Services, (inaudible) when you look at last year's revised of \$70,000 saved, this year budgeted (inaudible).

**J. HOGAN:** I think that's just in anticipation of increased legal services – anticipation of increased legal fees.

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

Under 4.2.01, Adult Corrections, Transportation and Communications, last year there was savings of \$109,400 and despite saving money, the line item is increasing this year. Can you please provide some detail?

**D. CHAFE:** Basically the budget has increased because of a spend analysis that was conducted to better fit what was actually needed. We were over what was budgeted last year, due to backfilling. So we don't think that will continue once COVID goes away.

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

I have question about the inmate disciplinary process. We know that there was reporting in March about the disciplinary process within Provincial Courts, and actually in a news article the minister indicated that a new independent oversight process would replace what was referred to a kangaroo court. Can you just give us an update on that, provide some information? Is there going to be a new process and, if so, when will it be introduced?

**D. WOODROW:** We're currently working on regulations to finalize that process, and expect to have them this fiscal.

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

Do you have any further information about what it will look like?

**D. WOODROW:** Not that we're prepared to discuss. It's not been finalized at this point.

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

Under the Bail Supervision Program – I know that under the *Strategic Plan 2020-23* for Justice, by March 31, 2021, the department should have implemented the Bail Supervision Program. Then when we look at the annual report in 2020-21, the deadline has been pushed so that the Bail Supervision Program would be operationalized by March 31, 2022. Can we be given an update on the progress towards the Bail Supervision Program, please?

**D. WOODROW:** Again, this year we were impacted by the limitations of the court because the probation officers have to have time in the lock-up to meet with people who are there, to work with them to come up with a bail supervision plan. So because we weren't able to do that, we have to push forward now and see where we're going with our increased operations due to COVID being kind of at an end from that perspective.

**H. CONWAY OTTENHEIMER:** Okay.

The electronic monitoring pilot program: I understand last year that there were seven units in use. Can you give us an update? How many units do we have in the province? How many are in use?

**D. WOODROW:** Currently, we have approximately 20 or 21 people who are availing of the electronic monitoring program. We have capacity from 30 up to 60 so that we can increase the usage of that. I am looking forward to having that increase this year. There have been some technology updates that kind of

match the program with what's available, so we should see some increase in that use this year.

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

On the theme of restorative justice initiatives and the program, the minister earlier referred to a MUN group that approached him and there is a three-year plan. I think it was mentioned \$600,000 involved in this and that sounds very encouraging. I am just wondering, can you tell us the name of this group and elaborate a little bit further on it, please?

**J. HOGAN:** I'm asking my deputies. I don't want to say the person's name wrong. It is Dr. Dorothy Vaandering at Memorial University.

Hansard, good luck. Google that and spell it right.

**H. CONWAY OTTENHEIMER:** Do we have any ideas to when we're going to see that or do you have any time frame?

**J. HOGAN:** Like I said, she was only made aware of the funding grant one week ago today, so we'll get working with her right away. She is quite excited.

**H. CONWAY OTTENHEIMER:** Sounds good. Do we know what the program is going to look like? Do you have any idea or is it pretty general at this point.

**J. HOGAN:** Pretty general.

**D. MAHONEY:** We have an accountability agreement with Memorial University and Dr. Vaandering for the oversight of the program. There will be a steering committee and it will be represented through the Department of Justice and Public Safety. The Department of Education will have senior representatives on that steering committee to ensure that there is a close connection between the funding that has been provided, the oversight of the program and also the lessons learned and the knowledge transfer back into government.

**H. CONWAY OTTENHEIMER:** Okay.

Also, now with respect to programming with the HMP and replacement of HMP – can you provide an update on the replacement of HMP?

**J. HOGAN:** Yes, so that's in the Department of Transportation and Infrastructure. They're working on it. The status of it has been made public in terms of sending out the request for qualification I think? Or are we doing a request for tenders? I'm not quite sure where it is with that.

Does anyone ...?

**D. WOODROW:** Yes, just to pick up on what the minister was saying, there was a request for qualification. We're currently working through the process with one bidder. It's a consultation process that goes back and forth while the technical requirements for the prison are established. We'll be expecting a bid at the end of that process.

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

While a new facility is needed – it's clear, it's obvious we need increased and new program services in our correctional facilities – are you exploring any new programs that can be implemented within HMP while we're waiting for the replacement facility?

**J. HOGAN:** So just to be clear on the question, is it what programs that are now at HMP as opposed to new programs that can be –

**H. CONWAY OTTENHEIMER:** Can be –

**J. HOGAN:** The new facility is obviously going to be built with that in mind to provide for those programs, where I'm sure those things weren't in mind 150 years ago when HMP was built. So there is a plan, of course, when it is built, to make space for those programs. But is the question what are the programs now at HMP?

**H. CONWAY OTTENHEIMER:** Well, I'm just curious if there are going to be any new programs. In the interim, until we actually see the new facility up and running, what is being done at the current HMP in terms of trying to have more programming for the inmates that are currently there?

**J. HOGAN:** I'm sure you can speak to the current programs.

**D. CHAFE:** We've got some great partnerships with Stella Burry, John Howard Society and the Canadian Mental Health Association. Ironically, through COVID we've been doing more with video because we couldn't move as much, and so even video visits have been improved. I think we're doing everything we can with the facility we have, and I'm sure that those stakeholders will give input on a new facility and perhaps expand what they do.

**J. HOGAN:** Recently, we had discussions with Stella Burry and the John Howard Society, and provided a grant to each of them in the amount of \$200,000 to help with ongoing work that they have in the province.

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

Now, the question was raised by the Member for Torngat Mountains about the Clarenville women's correctional facility. I've also met with a number of advocates and organizations in this province. A number of them have talked about the women's correctional facility in Clarenville and reported poor conditions and trouble getting health services.

I'm wondering is there a plan in place to help improve conditions in Clarenville?

**D. CHAFE:** We work with TI to make any amendments to the building itself. But as each occurrence comes up that there's a deficiency, we try to address those as quickly as possible.

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

Just going back to the minister indicating that there have been partnerships with John Howard and Stella Burry. Has there been any connection with the Elizabeth Fry organization in terms of partnering with them?

**D. MAHONEY:** We've had ongoing discussions with the Elizabeth Fry organization. Just as recently as this morning, we had received further communication from them. Myself and

one of our ADMs will be establishing a further meeting with them actually later this month.

**H. CONWAY OTTENHEIMER:** That's great to hear.

Thank you.

**CHAIR:** Your time has expired.

MHA Evans.

**L. EVANS:** Thank you.

Just going back to 4.2.02, Youth Secure Custody, the change in Salaries. You said there were vacant positions. I was just wondering, would you be able to tell us what type of positions were vacant?

**A. GREEN:** The vacancies would have been youth care counsellors.

**L. EVANS:** Okay.

Just looking at the budget there in 4.2.02, Youth Secure Custody, was there accommodation made for inflation?

**J. HOGAN:** Sorry, can you repeat that?

**L. EVANS:** Just looking at the Youth Secure Custody, the budgets there, just due to inflation. Were there any accommodations made because of the type of service that is provided?

**A. GREEN:** No, there were no adjustments made to the budget for inflation.

**L. EVANS:** Okay, thank you.

That's all my questions.

**CHAIR:** MHA Conway Ottenheimer.

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

Under 4.2.01, Adult Corrections, can the minister provide an overview of the capacity of each of the correctional facilities, if they are full or have space available, and, if so, how much?

**D. CHAFE:** What was your question about capacity, sorry?

**H. CONWAY OTTENHEIMER:** I'm just wondering what the capacity of each facility is: are they full, is there space available? If there's space, how much?

**D. CHAFE:** Sure.

So I'll go down through each facility first, for capacity: HMP has 175; St. John's lock up has 26 – and this is available beds, by the way – Women's Centre has 26; Corner Brook detention centre has 17; and both LCC and the West Coast Correctional Centre have 63.

We've been lucky over the past couple of years with COVID that we've only been about 80 per cent full. Once the pandemic hit it seems like counts went down, which allowed us the ability to move people around in spaces, so it's been good.

**H. CONWAY OTTENHEIMER:** That's good news.

With respect to the Jesso report, I know this was raised earlier, and I know there were, I believe, 17 recommendations. I understand that it was stated that most of those recommendations have been implemented – I think it was stated. I'm just curious which recommendations are outstanding.

**D. WOODROW:** I think that at this point the only recommendations that are left outstanding are in relation to the need for the new facility. So there are things that we can address when we have the new facility.

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

Under 4.2.02, Youth Secure Custody, I just have a couple questions. Transportation and Communications, last year there was savings of \$9,000. Can you please provide some detail?

**A. GREEN:** That would be reduced resident and staff travel.

**H. CONWAY OTTENHEIMER:** And that would be, again, due to COVID?

**A. GREEN:** I can't say why there were reduced residents, but it could be attributed to COVID?

**H. CONWAY OTTENHEIMER:** Okay.

Professional Services, last year \$275,500 was spent on Professional Services. Can you please provide some detail on what professional services are included here?

**A. GREEN:** So the professional services here would be medical supports for the residents.

**H. CONWAY OTTENHEIMER:** Okay.

And what would those supports be, exactly?

**A. GREEN:** That could be doctor, dentist, psychology or psychiatry.

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

And the last question on this heading for me is Revenue - Federal, there's a decrease in the anticipated revenue for this year. Can you please explain why?

**A. GREEN:** The IRCS agreement, or the Intensive Rehabilitative Custody and Supervision agreement, expired and it wasn't finalized. It's being finalized now, but it wasn't finalized in time for the budget. So when it's finalized you might see an increase in actual expenditure next year and then that will be reflected on a go forward in the budget.

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

That concludes my questions for these Estimates.

**CHAIR:** MHA Evans, are you concluded?

All right, I ask the Clerk to recall the grouping.

**CLERK:** Public Protection, 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.

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

**CLERK:** Fire and Emergency Services, 5.1.01 to 5.1.05 inclusive.

**CHAIR:** Shall 5.1.01 to 5.1.05 carry?

**J. HOGAN:** Sorry, can we just take five minutes? There's only one section left, I think we're making pretty good time, actually, so can we just take five minutes?

**H. CONWAY OTTENHEIMER:** That's fine by me.

**CHAIR:** We're going to take five minutes.

**J. HOGAN:** Thanks.

### Recess

**CHAIR:** Okay, we'll start up again.

I ask the Clerk to call the next grouping.

**CLERK:** Fire and Emergency Services, 5.1.01 to 5.1.05 inclusive.

**CHAIR:** Shall 5.1.01 to 5.1.05 inclusive carry?

MHA Wall.

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

5.1.01, Salaries: Last year there was a salary savings of \$38,800. Can you please give us some details as to why?

**A. GREEN:** That was a vacant position.

**J. WALL:** Thank you.

Can you please tell us what the position was?

**A. GREEN:** That would have been a fire protection officer.

**J. WALL:** Thank you.

Under Transportation and Communications, last year there was a savings of \$42,500. Despite saving money, the budget for this year's line item is still in the \$100,000 range. Can you please provide some insight on that?

**A. GREEN:** To address the budget, we would have built the budgets with a non-pandemic related expenditure. The reason it was down was because our staff were not able to travel to attend training. We hoping that that will be fully operational this year.

**J. WALL:** Thank you for that.

Under Supplies, last year Supplies were over by \$32,300. I guess I might know the answer, but can you please explain why?

**A. GREEN:** There were additional supplies purchased. I think, in this case, there were some satellite radios that we purchased that were aged out.

**J. WALL:** Okay, thank you for that. Satellite radios are quite important.

Under Purchased Services, last year \$110,600 was budgeted, \$82,600 was spent and this year is \$102,500. Can you please provide some insight on this particular variance?

**A. GREEN:** So again, this is related to the pandemic and the training. So when they travel for training, they have travel expenditure, but when they go to do the training, they might need to rent a facility and AV equipment. So there's a reduction in travel for training, which also impacted this line.

**J. WALL:** Okay.

Does the department have plans for training for this coming year?

**A. GREEN:** Yes, the department would expect their mandate to be delivered as normal.

**J. WALL:** Okay.

Under Grants and Subsidies, can you please outline where the \$216,000 went and why the full amount was not disbursed?

**A. GREEN:** The variance was due to the cancellation of the annual dinner for the NL Association of Fire Services.

**J. WALL:** Okay.

**A. GREEN:** The grant for fire assistance – so we have \$40,000 operating grant for Newfoundland and Labrador Fire Services; there's the annual convention dinner, which I referenced, which didn't occur. There's the Learn Not to Burn campaign, which is \$61,000, and there's funding for outside municipal boundaries regional training initiatives, hazmat response, and hazmat training, which is approximately \$125,000.

**J. WALL:** Okay, so the \$40,000 for training, that would be for volunteer firefighters throughout the province? Is that the training you're referring to?

**A. GREEN:** Yes.

**J. WALL:** And that training will go ahead this coming year?

**A. GREEN:** That's the intent, yes.

**J. WALL:** Thank you.

Under 5.1.02, Salaries, despite having salary savings last year, the salary budget has increased to \$852,400. Can you please explain why?

**A. GREEN:** So in this salary savings would have been a vacant position, and I believe it was an emergency service – regional planning position that is currently vacant. An increase in the budget for salaries here is the radio project, or the radios – we have an announcement on the radio – like, there's money in here for radios. There's an office for that radio division, and there are three positions for that. As part of the recommendations for the GSAR inquiry, there's a position here one time under Emergency Services that would work with NLSARA to support the implementation of those recommendations.

**J. HOGAN:** Yeah. Just two follow-ups on that. You saw earlier there was a \$900,000 increase for grants and that was the NLSARA, but the budget would have said \$1 million. So \$100,000



is here, that's where you get \$1 million – you get \$100,000 for the position and you get the \$900,000 for the grant that NLSARA can deal with as well.

The province-wide radio was a large announcement in the budget yesterday. I think we've had one individual working on this, just by himself, one person. So he's carried a heavy load and, now, he's brought it to the point where a contract is going to be signed. Obviously, now to implement that contract it is going to cost money, we need people and we need resources. So that's what the funding is for that.

**J. WALL:** Thank you, Minister.

Under Transportation and Communications, could you please explain to us why this line item was over budget and \$255,800 was spent? I'm also interested to know why the budget is being increased to \$293,000, please.

**A. GREEN:** So the overage in the budget would have been aerial support required for the South West rain event. The increased budget is due to the radio's office. So there's intended travel for that office to go out and implement training with respect to the new radios that everyone will have.

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

Under Professional Services, the budget for this year is \$1,020,000. Can you please outline what this will be for?

**J. HOGAN:** That's the province-wide radio project.

**J. WALL:** Thank you.

Under Purchased Services, the budget this year is \$13,997,200. Can you please outline what that will be for?

**J. HOGAN:** Again, that's for the province-wide radio project. This number will be for start-up and early access services that is going to be provided.

**J. WALL:** Thank you.

Under 5.1.03, Disaster Assistance, under Salaries, last year the Salaries budget went over by \$85,500. This year the budget is being increased to \$275,900. Can you please outline the staffing complement here, and what particular changes are going to occur?

**A. GREEN:** We only really generally have one position here, so then we add staff. We have a bunch of temporary positions that are open and available when we have events. We added staff to help administer the event that occurred last year, in addition to an auditor position that is required for final processing of previous old events.

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

Under Professional Services, could you please explain the variance in that line item, and what services would be included?

**A. GREEN:** When Hurricane Larry hit, there was an expenditure related to having an assessor go out. We didn't anticipate that that was going to happen, so it happens and then we had to incur the expenditures.

**J. WALL:** Thank you.

Under Allowances and Assistance, could you please provide some context to this particular line item?

**A. GREEN:** What is included in this?

**J. WALL:** Yes, please.

**A. GREEN:** Allowances and Assistance is for claims under the DFA Program for personal property.

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

Under Grants and Subsidies, the same thing. Could you please provide some context what that's for.

**A. GREEN:** Under the DFA Program that's for claims by municipalities.

**J. WALL:** Thank you.

Under Revenue - Federal, can you please give us an explanation regarding that particular funding. There was nothing received last year and almost \$21 million expected this year.

**A. GREEN:** The \$6.8 million that we had budgeted for that was what we expected to be an interim payment from a previous event; I think it was the Thanksgiving rainstorm event from 2016. When we approached the federal government, they said we needed to audit our expenditures first, which is why we hired the auditors. So that claim was premature in our expectation for an interim payment.

Then, the allocation for the \$20.9 million – Heather, do you have that one?

**H. JACOBS:** Yes, for the \$20.9 million, we're expecting \$17 million for the rainstorm in 2016; we're expecting \$500,000 for Mud Lake and \$4.4 million for Hurricane Larry from the federal government.

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

That is all for me, Madam Chair.

**CHAIR:** Thank you.

MHA Evans.

**L. EVANS:** Thank you.

Most of my questions have already been answered. I'm just looking at 5.1.03, Disaster Assistance. We're already starting to see and feel the effects of climate change impacting our properties and our ability to carry out a lot of our programs.

With these effects being felt now – increased wind events, blizzards, floods, hurricanes even – given that we're expecting more extreme weather events, are we setting more money to deal with the damage?

**J. HOGAN:** This entire portion of the budget is based on the disaster assistance fund agreement with the feds.

**L. EVANS:** Yeah.

**J. HOGAN:** So when an event like that occurs like what you're describing, we'll make an application, if it meets the threshold, to apply to the federal government for assistance. A large chunk of the money is coming from the federal government through this plan.

**L. EVANS:** Yes but –

**J. HOGAN:** It is difficult to budget for weather events, as you can imagine.

**L. EVANS:** Yeah. And also, there's a delay in getting that money.

**J. HOGAN:** It's quite clear that the numbers here are jumping around; they're getting large and then going away and coming back. It takes time to work through the details of the plan. The federal government, obviously asking for audits, are making sure that we're being thorough and they're being thorough before the money flows.

**L. EVANS:** Yes, and like I said, there's a delay in actually getting that money.

**J. HOGAN:** Yes.

**L. EVANS:** 5.1.04, Fire Protection Vehicles and Equipment, the budget for Grants and Subsidies has decreased. How many vehicles are we buying this year?

**H. JACOBS:** We hope to buy seven or eight vehicles this year.

**L. EVANS:** Do you have the areas that they're going to be purchased allotted, identified?

**H. JACOBS:** Not at this time. We have to wait to receive the applications. The fire commissioner will evaluate them all and then, in discussion with the minister, will determine the allocation.

**L. EVANS:** Thank you.

5.1.05, NL911, how do these numbers, the numbers that are listed there, reflect the integration of the NL911 into your department?

**J. HOGAN:** As you know, this is the first time we'll take 911 into the Department of Justice and Public Safety. The numbers reflect the same

budget that's been used by NL911 the previous year.

**L. EVANS:** Okay.

Spending under Professional Services is projected to increase. What will the money for this increase be spent on?

**J. HOGAN:** That money is for the contractual positions, the two PSAP contracts that we have with municipalities in St. John's and Corner Brook. It's basically for the phone answering services.

**L. EVANS:** Okay, thank you.

I'm done with my questions.

**CHAIR:** MHA Wall.

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

5.1.04, Fire Protection Vehicles and Equipment. I have to ask: Can you please explain why there's a decrease in that grant line from \$2.7 million to \$1.8 million. I do know there's not less of a need across the province.

**J. HOGAN:** You do know (inaudible) it's less than the need.

Andrew can correct me if I'm wrong here but I don't think it's a decrease. I think the baseline is \$1.8 million; the \$2.7 million was a one-time increase.

**J. WALL:** Thank you, Minister.

I know my hon. colleague asked the question and the response was seven or eight vehicles that were going to be purchased for \$1.8 million. Do you have a breakdown of what vehicles will be purchased for \$1.8 million, because I know from a pumper vehicle point of view it's \$450,000 to \$500,000. So for \$1.8 million, do you know what the breakdown would be for those seven or eight vehicles?

**H. JACOBS:** Not at this time. We have to wait to receive the applications to see what they are. Then the fire commission will sit down and review them all and then, in consultation with

the minister, they will determine the breakdown. It's not done at this time; it's too early.

**J. WALL:** Thank you.

So the fire commissioner hasn't brought over the applications yet – the number of them? Or he has received them but just that the department doesn't have them.

**H. JACOBS:** I have not seen them at this time.

**J. WALL:** Okay.

**J. HOGAN:** I haven't seen the applications either.

**J. WALL:** Okay.

Can you give us a time frame as to when that's going to roll out or what normally would happen with respect to those applications?

**J. HOGAN:** I can tell you what happened last year. I know the applications, I think, were probably on my desk – I don't know if I wasn't sworn in on April 8, 2021, to be honest with you. I think the applications were probably on my desk that day and letters were written over the course of – I mean, this is a subject to check – maybe six or eight months or something like that, maybe a little bit sooner.

So it is on my timeline, I guess, once I have the applications, to make the decision about where the money goes, in consultation with the fire commissioner. It could all be done on day one; it could be done the day before next year's budget.

**J. WALL:** Thank you, Minister.

I do appreciate last year when we were sworn in it was later in the year, but I have heard from many municipalities with respect to Fire and Emergency Services equipment and they are, no doubt, in dire need.

Minister, the funding that was going to be given out this year, how will that be determined? Based on the need of the different areas of the province, I do know that there are a vast number of outdated vehicles throughout our province and that certainly makes a difference to the individuals in each municipality. How will that

funding be determined, just based solely on years of the infrastructure?

**J. HOGAN:** It is based on the application. I assume anyone who is making an application is in need of whatever they are asking for. Just to be clear, this is a program to assist municipalities. It is not a responsibility of the Department of Justice and Public Safety to provide all this equipment, fire trucks –

**J. WALL:** Understood.

**J. HOGAN:** That is just not possible, financially. I understand that municipalities throughout the province are looking for help and seeking help. But it is the responsibility of each individual entity to staff up and to get equipment and trucks as they need. Obviously, they do need assistance and this is the point of this program, but this program can't be delivered to every fire hall in the province, there is just not enough money.

**J. WALL:** I understand. Thank you, Minister.

Do you have a dollar figure of the total ask for this year from municipalities?

**J. HOGAN:** No, I haven't seen the number.

**J. WALL:** Okay.

**J. HOGAN:** I'm going by memory, was it \$18 million last year was the ask? That would be subject to check as well.

**H. JACOBS:** My understanding is that we have – the minister or I haven't seen these – we have a \$9.2 million in applications for fire trucks.

**J. WALL:** Thank you for that.

Under 5.1.05, Professional Services, the budget for Professional Services is increasing to \$2,382,600. Can you please explain why and what services are particularly included here?

**A. GREEN:** So, again, this is a transition budget, so we would have taken the budget that they would already had approved in the accruals for the previous year and the expenditure is for the locations in the City of St. John's and Corner Brook to provide call-centre services.

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

That's all the questions that I have, Madam Chair. I'd just like to say thank you to the minister. No doubt an important role, but as equally important and, depending on the day, more important from the team around you. So thank you very much, I appreciate it.

**CHAIR:** Okay, MHA Evans, are you finished or do you have any additional questions?

**L. EVANS:** No additional questions, Chair, but I just wanted to make a comment while everyone is here.

During COVID, we did move a lot to online and phone for court hearings and I just want to make a statement that as COVID settles down, it's very important for us actually move back, in my district, to the presence of individuals who are participating, because court is very intimidating for people on the North Coast. But, also, there's a culture of quietness and not really engaging in speaking.

And so when, I guess your freedom is at stake, protection of individuals who are showing up before the courts are at stake, it's very, very important for us to have the court present. The lawyers, the defence and that interaction, that social interaction that is so important to the individuals, whether they are the defendant or the victim in a case.

So as we move away from COVID, I just want to say to everyone here it's very, very important for us to be able to go back to the way of dealing with things where we do have a physical presence that would help people who are Innu and Inuit in my district.

Thank you.

**CHAIR:** I ask the Clerk to recall the grouping.

**CLERK:** Fire and Emergency Services, 5.1.01 to 5.1.05 inclusive.

**CHAIR:** Shall 5.1.01 to 5.1.05 inclusive carry?

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

**CHAIR:** Carried.

On motion, subheads 5.1.01 through 5.1.05 carried.

**CHAIR:** I ask the clerk to call the final vote.

**CLERK:** The total.

**J. HOGAN:** Can I make one comment before?

**CHAIR:** Yes.

**J. HOGAN:** Sorry, we have an answer that was one of MHA Conway Ottenheimer's questions that we were going to get later. So I just get it now and put it on the record.

In terms of vacancies, there are 65 vacancies greater than six months right now.

Sorry about that, thank you.

**CHAIR:** Okay, thank you.

Get the Clerk to call the final vote.

**CLERK:** The 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.

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

**CHAIR:** Just before we end, the next meeting will be on April 12, at 6 p.m., it's the Municipal and Provincial Affairs Estimates.

Can I ask for a mover to adjourn the meeting?

**L. EVANS:** So moved.

**CHAIR:** The meeting has been adjourned.

Thank you.

On motion, the Committee adjourned.