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

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Department of Justice and Public Safety

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Honourable Tom Osborne, MHA

SOCIAL SERVICES COMMITTEE

Department of Justice and Public Safety

Chair: Lisa Dempster, MHA

Vice-Chair: Gerry Rogers, MHA

Members: Paul Davis, MHA
Carol Anne Haley, MHA
Betty Parsley, MHA
Scott Reid, MHA
Brian Warr, MHA

Clerk of the Committee: Sandra Barnes

Appearing:

Department of Justice and Public Safety

Hon. Andrew Parsons, MHA, Minister

Owen Brophy, Superintendent of Prisons

Dan Chafe, High Sheriff

Virginia English, Departmental Controller

Robin Fowler, Assistant Deputy Minister, Courts and Corporate Services

Andrew Green, Manager, Finance and Operations

Kim Hawley-George, Chief Legislative Counsel and Assistant Deputy Minister Legal Services

Theresa Heffernan, Executive Director, Support Services

Heather Jacobs, Deputy Minister

Frances Knickle, Director of Public Prosecutions

Wilma MacInnis, Director, Court Services, Provincial Court

Shelley Organ, Chief Executive Officer, Supreme Court

Rolf Pritchard, Director, Civil Division

John Samms, Executive Assistant

Amy Stoodley, Director of Communications

Also Present

Mark Browne, MHA

Paul Lane, MHA

Sandy Collins, Researcher, Official Opposition Office

Veronica Hayden, Office Manager, Official Opposition Office

Ivan Morgan, Researcher, Third Party Office

Pursuant to Standing Order 68, Mark Browne, MHA for Placentia West – Bellevue, substitutes for Betty Parsley, MHA for Harbour Main.

The Committee met at 6 p.m. in the Assembly Chamber.

CLERK (Barnes): Good evening, everyone.

This is the first meeting of the Social Services Committee for this session of the House of Assembly. Before we can proceed, in accordance with our Standing Order 65(2) we need to elect a Chair for this session. So I call for nominations for the Chair.

MR. WARR: I nominate Ms. Lisa Dempster, Cartwright – L’Anse au Clair.

CLERK: Any further nominations?

I declare Ms. Dempster, the Member for Cartwright – L’Anse au Clair, acclaimed.

CHAIR (Dempster): Good evening, everyone.

It’s hard to believe that a year has gone by and here we are back at the excitement of Estimates again.

So I’ll let the –

CLERK: You have to do Vice-Chair first.

CHAIR: Sorry, I told you I was rusty. It’s been a year.

I call for nominations for Vice-Chair, before we begin.

MR. BROWNE: I nominate the Member for St. George’s – Humber.

CLERK: It has to be a Member from the Opposition.

CHAIR: Thank you for that, Mr. Browne, but it has to be a Member from the Opposition.

MR. P. DAVIS: I nominate Ms. Rogers.

CHAIR: Okay, Ms. Rogers has been nominated.

You have been nominated for vice-Chair to the Social Services Committee.

Do you accept?

MS. ROGERS: Sure, all right.

CHAIR: Any further nominations?

Seeing none, we’ll move –

CLERK: We have two sets of minutes from the last meeting.

CHAIR: We have two sets of minutes that I need to have a motion to approve.

Okay. We’ll now call for a motion to approve – do we need to do them separately, Sandra?

CLERK: Yes, please.

CHAIR: Okay, we’ll call for a motion to approve the minutes of the Department of Health and Community Services, May 11, 2016.

MR. P. DAVIS: So moved.

CHAIR: Mr. Davis.

I call for a motion to approve the minutes of the Labour Relations, May 11, 2016. I need a motion to approve the minutes of Labour Relations, May 11, 2016.

MR. REID: So moved.

CHAIR: Mr. Reid, thank you.

I’ll turn things over to the minister. He can introduce his Estimates and his team, if he wishes; 15 minutes for that, Minister Parsons. The responder will have 15 minutes and then we’ll go 10 and 10 back and forth.

Just on a procedural matter, if it’s the wishes of the Committee, will we go through by subheading department? So we’ll start with Executive and Support and we’ll move through that and then we’ll – a little bit faster maybe or more efficient in –

AN HON. MEMBER: (Inaudible.)

CHAIR: Yeah, okay.

Minister.

MR. A. PARSONS: All right, thank you.

I'm not going to waste much time here. We have a lot to cover. I'm just happy to have the full team with me. As I do every other day, I rely very heavily on them, so I'm going to probably rely heavily on them tonight as well.

I'm Andrew Parsons, MHA Burgeo – La Poile, just in case.

I'll let them introduce themselves and then we'll get right to it.

MS. JACOBS: Heather Jacobs, Deputy Minister of Justice and Public Safety.

MS. ENGLISH: Virginia English, Departmental Controller.

MR. CHAFE: Dan Chafe, High Sherriff, Sheriff's Office.

MR. SAMMS: John Samms, EA to the Minister.

MS. STOODLEY: Amy Stoodley, Director of Communications.

MS. HAWLEY-GEORGE: Kim Hawley-George, Chief Legislative Counsel, ADM, Legal Services.

MR. FOWLER: Robin Fowler, ADM, Courts and Corporate Services.

MS. KNICKLE: Frances Knickle, Director of Public Prosecutions.

MS. ORGAN: Shelley Organ, Chief Executive Officer of the Supreme Court of Newfoundland and Labrador.

MS. HEFFERNAN: Theresa Heffernan, Executive Director of Support Services, RNC.

MR. BROPHY: Owen Brophy, Superintendent of Prisons.

MS. MACINNIS: Wilma MacInnis, Director of Court Services with the Provincial Court of Newfoundland and Labrador.

MR. PRITCHARD: Rolf Pritchard, Director of the Civil Division.

MR. GREEN: Andrew Green, Budget Manager.

MR. A. PARSONS: And on that note, if you guys are ready, we can get going.

CHAIR: Okay, I'll ask the Clerk to call the subheading.

CLERK: 1.1.01 through 1.3.01 inclusive.

CHAIR: Shall 1.1.01 through 1.3.01 inclusive carry?

Mr. Davis.

MR. P. DAVIS: Thank you, Madam Chair, congratulations.

Thank you, Minister, and your officials for joining us tonight. I think last year we went around three and a half hours? I'll try not to make that happen this year, but there was a lot of information shared. We appreciate that and I'm sure this year will be much the same way.

Minister, maybe I'll, if I may, start with a very high-level question so I don't have to repeat it constantly through many of the sections here. One of them has to do with staffing. I'm looking for an overview on – I know there were a number of changes in the department this year.

Now, we can go through them, if you want, section by section, but, for example, under Executive Support under 1.2.01 there's a \$168,000 decrease. We know there have been changes, especially in the executive and management level, and I was looking for some indications of, if you can tell me how many terminations there were or how many new hires – those types of questions.

So do you want to do them – can we do that generally or do you want to go through them –

MR. A. PARSONS: Yeah, we start generally, and then as we go through, if you have more specifics.

MR. P. DAVIS: Sure.

MR. A. PARSONS: That works for me.

I think we had 21 positions that were eliminated out of those eight that were vacant. I can go through all the names of those now if you want, or you can wait until we go – I have a list here.

MR. P. DAVIS: Well, it's up to you. Or you could provide them.

MR. A. PARSONS: Or we can go itemized if you want, whatever, but that's – or I can provide you with a list after.

MR. P. DAVIS: That'd be fine, yes.

MR. A. PARSONS: I will say on the record, any information I provide to one will obviously automatically go to the other. So it will be the same list going out.

MR. P. DAVIS: Yes.

Okay, so 21 positions; eight vacant.

MR. A. PARSONS: Yes.

MR. P. DAVIS: And then you created some new positions through your processes?

MR. A. PARSONS: Yes, we've added three new sheriff's officers, three new Crown attorneys, two lawyers in the Civil Division and the court manager in Happy Valley-Goose Bay.

Oh, there's going to be positions added under what's called the *Contraventions Act*. What I'd like to do, if you'll indulge me, I'm going to let Virginia sort of give a high-level explanation of that because that is relevant to almost every section in here. You'll see extra money added.

MR. P. DAVIS: Okay.

MR. A. PARSONS: So the best bet is for Virginia to – because she's a heck of a lot better than me, she can explain what it is, how the money is coming in. That way as we're going

through, we'll say that is contraventions money; that will be the explanation there instead of doing it every time.

MR. P. DAVIS: There's a separate section right on *Contraventions Act*, I think.

MR. A. PARSONS: It shouldn't be in there, but under a number of different headings, under courts and a few others, sheriffs, once we get in we'll say that's contraventions money.

MR. P. DAVIS: Yes.

MR. A. PARSONS: I don't know if there's an actual physical –

AN HON. MEMBER: (Inaudible.)

MR. A. PARSONS: There shouldn't be a (inaudible). What it is, there are some changes coming down federally that apply here and there's some revenue coming in, and with that there's also positions being created. So what I'll do is I'll let Virginia give a good explanation, certainly better than what I could do.

MS. ENGLISH: Basically, Justice and Public Safety is entering into a memorandum agreement with Justice Canada. Under the *Contraventions Act*, which allows for federal tickets to be prosecuted by means of a ticket, that's not possible right now and they have to go through the court system.

There is funding available under the *Contraventions Act* fund to allow the federal government to support initiatives in both official languages. As a result of that, there is additional funding for salaries and operating in fines administration division which processes the tickets in the provincial court where, of course, tickets can be contested, and also under the Sheriff's Office.

So at this particular point in time we're looking for an agreement for one year. We'll bring in \$900,000 in federal revenue, and to offset that we have \$900,000 in our budget and you'll find it in those three places.

MR. P. DAVIS: Then you could remind us when we get there of where they are.

Under the *Contraventions Act*, I understand, while we're on the topic, I believe it was in British Columbia has an administrative court or administrative process for impaired-related offences. I believe it is impaired driving offences.

MR. A. PARSONS: Yeah.

MR. P. DAVIS: Would that be part of this?

MR. A. PARSONS: No, I don't think that forms part of it, although I am aware of what you're talking about. They've changed impaired. In fact, we've had a discussion about that just over the weekend. So that's not part of this. I don't know if that's a conversation you want to have later on but, no, that doesn't fall into this that I'm aware of, no.

MR. P. DAVIS: But that's something you're looking at?

MR. A. PARSONS: It was something that came to my attention this weekend. Actually, I had a police officer email me and bring it up. So, as I usually do, I sent it off to all the executive and just having a discussion. It's literally less than 72 hours old in terms of when I first became aware of it, but what they've done is they've turned impaired, basically, into administrative events where you still get the fine, you still get the prohibition from driving, but I think the aim was to reduce the court time, reduce the amount of time officers are putting into it.

I haven't done any research into how it works – is it successful, does it have deterrents, nothing like that – but I am aware of it just from the weekend actually.

MR. P. DAVIS: When I read some notes on the \$900,000 in funding, I wondered if it could be applied to that as well because in BC they do have this, I think they call it administrative court, is what it's actually called, where impaired driving and related offences – and they follow that standard where, you're right, it does decrease the demand on court process and also decreases the demand on police officers and waiting times. God knows, they spend hours and hours sometimes sitting in a courtroom waiting to go to trial.

MR. A. PARSONS: Yes.

MR. P. DAVIS: Apparently it was a much improved process also from the offender's perspective on being able to implement stronger rules and guidelines coming out of the process.

It's good, and I look forward to you having further discussions on it.

MR. A. PARSONS: Well, it's an interesting idea. I'm always willing to consider ideas but that one is pretty recent.

MR. P. DAVIS: Okay.

We'll go back to staffing, if I may.

MR. A. PARSONS: Yeah.

MR. P. DAVIS: The other thing I'd be interested to know is besides the 21 positions eliminated, you've listed nine new positions, I think. I'd be also interested to know if there have been any temporary employees retained in the last year or anticipated in this year's budget.

MR. A. PARSONS: I don't know if we have the numbers here.

AN HON. MEMBER: Seven of the new contraventions people will be temporary.

MR. A. PARSONS: Yes, seven of the new contraventions people will be temporary.

MR. P. DAVIS: Like, will they be 13-week temporaries?

MR. A. PARSONS: No, I don't think 13 weeks. Like maybe a year contract type deal.

MR. P. DAVIS: Okay.

MS. JACOBS: As well, the three new prosecutors, I think that money is for two years.

MR. A. PARSONS: Yes, that's contractual.

MR. P. DAVIS: Okay.

And 13-weekers, do you know if they have any

–

MR. A. PARSONS: I can get a list of that. We have some right now within the system, certainly they continue on, but I can put together a list if you want.

MR. P. DAVIS: Yes, certainly; yeah, if you wouldn't mind.

The other question related to that, which you can include, is on PCNs.

MR. A. PARSONS: Yes.

MR. P. DAVIS: When you eliminate those 21 positions, would the PCNs be maintained or would they be eliminated?

MS. JACOBS: No, those positions will be eliminated with the PCNs.

MR. P. DAVIS: The PCNs are gone now.

MS. JACOBS: Yes.

MR. P. DAVIS: Okay.

Minister, I don't know, it's a hard question but I'm interested to know. I think I asked it last year if I remember, but do you know the total complement of the department today? Or better yet, I suppose we could find it in some of the salary details, but I thought I'd ask you.

MR. A. PARSONS: The number I always use, and which doesn't include RCMP, is around 1,600. That does include RNC. RCMP, I would put around, there are 421 officers. The number I always use when I talk is Justice has about 2,000 employees.

MR. P. DAVIS: Okay.

I see under 1.2.0.1, under Executive Support, the salary last year budgeted was just over \$1 million and about \$168,000 less this year. Is that for a particular –?

MR. A. PARSONS: Which heading is that?

MR. P. DAVIS: Salaries, 1.2.01, under Executive Support.

MR. A. PARSONS: Okay, just one second now.

It's less because there's one less ADM and one less Administrative Assistant.

MR. P. DAVIS: Madam Chair, I don't know, before we turn the page if you wanted to –

CHAIR: Okay. You still had some time on the clock, but okay.

Ms. Rogers.

MS. ROGERS: I'm fine with that section.

Thank you.

CHAIR: All right.

We can vote section by section. Is that okay? That's normally what we do.

MR. A. PARSONS: It doesn't matter to me.

CHAIR: Shall 1.1.01 to 1.3.01 carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

MR. A. PARSONS: Did you go to 1.3? I thought it was just the first two.

CHAIR: That's what I called in the beginning.

MS. ROGERS: If I could just do with a little clarification, I'm fine.

MR. A. PARSONS: Yes, not a problem.

I thought we only done the first two there, the Minister's and the Executive.

CHAIR: So did you have something, Ms. Rogers?

MS. ROGERS: No, I'm fine with that first section.

Thank you.

CHAIR: Okay.

When we started, I called 1.1.01 to 1.3.01.

MR. A. PARSONS: It's not passed, so ask the questions.

MS. ROGERS: If I might make a suggestion, maybe we could go through the whole one section as a block and then –

CHAIR: That's what we're doing. That was what I called, all of the ones.

MS. ROGERS: Right.

CHAIR: To have discussion on that and then move to two.

MS. ROGERS: I know where it is, yes.

MR. A. PARSONS: She's tough, man; she's moving through.

CHAIR: You just have to pay attention to the headings I call; that's all.

Okay, so we're going to continue on one.

MS. ROGERS: Yes.

CHAIR: Ms. Rogers.

MS. ROGERS: Okay, thank you very much.

So under 1.2.02 –

MR. A. PARSONS: Okay.

MS. ROGERS: – when we look at the Purchased Services, can we just have an idea of what some of those purchased services might be?

MR. A. PARSONS: Yes, just one second now.

Virginia?

OFFICIAL: (Inaudible.)

MR. A. PARSONS: No, no, I'm calling out to the people that are –

MS. ENGLISH: Oh, okay.

Most of the costs that are included in there include printing – we cover printing for a lot of the divisions. We cover repairs to furniture and

equipment, photocopier rentals, also contributions toward miscellaneous office rentals, specialized training and monies included for contracts under the family violence intervention court.

MS. ROGERS: Okay, and I also want to say thank you very much, everyone, for coming out. I know some of you have done incredible work at times under very difficult circumstances. I know that both the people of the province and all your colleagues really appreciate the work and the leadership that you have shown in all of the work that you do, and I know that this evening makes for a long day. So thank you very much.

Back up to 1.2.02, under Salaries, 01, we see a difference there of \$470,000. I know we're going to be getting a list of some of the positions lost, but what positions were lost there, if lost?

MR. A. PARSONS: That, I believe, if I'm correct – and if I'm not correct, you'll tell me – there was one management position reduced. I think last year there was funding there for the expansion of the family violence intervention court, which has been pushed forward one year. So that was funding we were anticipating but never got there.

MS. ROGERS: Okay.

Can you tell me the status of the family violence intervention court now in Labrador?

MR. A. PARSONS: Well, basically, I have a mandate letter where I have to expand it to Labrador and to Central. Labrador, quite frankly, I don't think it's ready to go yet. And by all means, I have a couple of people back here that could probably speak to it even better than me.

I've been up there a couple of times. I think there are a number of issues there. We still have some kinks that could be worked out, the ones we have here on the Island, even out in Stephenville. It's getting better, but I don't think it should be expanded if we haven't got it completely figured out. And Labrador brings its own challenges, especially with the infrastructure up there. It's an extremely busy court, with a huge caseload. As you see, we've got the court manager hired up there now.

Having visited there, we have to figure out what's the best model to use. Is it going to be the same? I don't know if my colleagues back here have anything. Maybe Wilma can speak to it, as she knows more about the Provincial Court than me.

MS. MACINNIS: Certainly, yes, we've been in a bit of flux, we'll say, in Labrador certainly at the Provincial Court. We've had a number of vacancies there and only since probably last fall have we sort of, I think, turned the corner in terms of establishing some stability there. We actually contracted a court manager then and that's the position, actually, that we sought permanent funding for because we certainly saw some really great strides being made since the fall and we have stabilized some staffing there as well.

So right now, I think we just have one vacancy there in a court officer position. Our staff person actually took a position with the Supreme Court in Goose Bay, so we're in the process of recruiting there. So it's doing much better, so I certainly agree with the minister in terms of it's been a bit of a turbulent time in terms of establishing, taking on another court process there for sure. But we're certainly getting there in terms of stability and the help with this new position will certainly be of great assistance.

MS. ROGERS: So for Labrador, what is the new time frame for the domestic court?

MR. A. PARSONS: Well basically, everything I've operated on has been sort of within the mandate. I'm always hesitant to put timelines on things, especially when there may be things that are outside my control. My timeline is still to get it done within this mandate. But having been up there now on a number of occasions and having visited the circuits, I'm not going to be silly enough to promise it by a certain time because I think there are some more foundational challenges, as Wilma has mentioned. I think we've got a lot of work to do in Labrador in terms of justice anyway.

My next thing I'd like to do – we had this justice summit here in St. John's just a couple of weeks ago. My next plan is to have one of those up in Happy Valley-Goose Bay, and bring the Labrador partners and players into a room to talk

about what are some of the fixes because there's a lot of challenges, not just with the family violence intervention court, even regular Provincial Court, we have infrastructure challenges, we've got logistical challenges.

We're lucky in terms of staffing. Our Crowns, we have a full complement there. But that's sort of where I am. I'd still want to see it within the mandate, because I think the court is necessary, I think it is positive and it's a good thing, but I don't want to say it's going to be in the next six months, 12 months, whatever, because I don't want to overpromise.

MS. ROGERS: So is there anything being done in the interim in terms of monies available to community to provide support services for victims?

MR. A. PARSONS: Well, we still have family violence service – was it family –?

OFFICIAL: (Inaudible.)

MR. A. PARSONS: No, no, the family justice services. We had family justice services, which is there. In fact, that's just recently gone under the control of our court again. It was sort of outside; we're putting a back under there. I think there's a lot we can do to make it better.

OFFICIAL: (Inaudible.)

MR. A. PARSONS: Yes. We're just having a chat about – so you're talking about Labrador specifically?

MS. ROGERS: Yes.

MR. A. PARSONS: We still have a number of programs that are always already there. We've got some more ideas, but we can't put it out there right yet. There are things we need to do, but overall I'd like to think that we got to get up there and find a way to just look at the caseload too. There's a huge caseload there, so it sort of all ties in together. But, no doubt, there are challenges.

MS. ROGERS: And then the Stephenville court, is that still called a pilot project, or was it called a pilot project or temporary, was it?

MR. A. PARSONS: I think it started as a pilot project, but it's not something that's going to go anywhere; it's going to stay there. Maybe Robin –

MS. ROGERS: So it's established and –

MR. A. PARSONS: Yeah, Robin Fowler can talk about it. Robin has been out to visit the court. Actually, I was out there as well, but Robin knows a bit more. So maybe he can talk a bit about it.

MR. FOWLER: The issue that we've been having with the family violence court, both for Stephenville and St. John's, is that in order to qualify for the family violence court the applicant, the accused person who becomes the applicant, has to meet with a social worker and they go through an assessment process that includes risk assessment.

MS. ROGERS: Yes.

MR. FOWLER: That's done before any plea is entered and it's been done under the protection of a solicitor-client privilege. It's done with counsel. What's been happening is there's been a difficulty in communication between that beginning process and then when it moves on so that the person goes and enters a plea in court and it's dealt with in the family violence court. They then have to deal with our probation officers. There's been difficulty in allowing the communication from that beginning stage to the probation office and we need to deal with that.

We're working on a way of creating some sort of waiver that everybody is going to be happy with to allow the process to keep going. Right now, we don't have everybody in agreement on what that waiver is going to look like. So that's the holdup right now, the difficulty that we're having, whether it's Stephenville or St. John's, with the family violence.

MS. ROGERS: Was that a difficulty with the first incarnation of the family violence intervention court?

MR. FOWLER: My understanding is the first time around it was set up a little bit differently.

MS. ROGERS: Yes.

MR. FOWLER: They decided to go with this version for a lot of reasons; one being that it was easier for the applicant to make an informed decision of what they wanted to do upfront. But right now the whole question becomes – because what happens now is that a lot of the evaluation process is repeated again, and then if there's disagreement it can cause issues. Right now, we're looking into the possibility of having a waiver but we haven't been able to completely deal with that yet.

MS. ROGERS: Okay. Thank you.

Thank you very much.

Under Salaries again, under 1.3.01.

MR. A. PARSONS: 1.3.01, Fines?

MS. ROGERS: Yes.

And the Salaries there – so we'll again get information on those positions that are lost.

MR. A. PARSONS: Yes.

MS. ROGERS: Okay.

MR. A. PARSONS: That was one management position that's gone there. One management position at Fines Admin and we're adding a position back with the contraventions money.

MS. ROGERS: Right.

Okay, I'm fine then.

Thank you.

CHAIR: Okay.

Thank you.

Mr. Davis.

MR. P. DAVIS: Yes, if I can just run back to 1.2.02, Administrative and Policy Support. There's a reduction in Salaries, as you explained, of \$470,000, but there's an increase in Employee Benefits. Can you explain that one?

MR. A. PARSONS: I believe, if I'm correct, that's workers' comp costs. That's not just for this section, that covers off all the department.

MR. P. DAVIS: I think we saw that same thing last year, did we not?

MR. A. PARSONS: Yes.

MS. JACOBS: We were just trying to rightsize that amount of money because we know we're spending more all the time.

MR. P. DAVIS: Okay.

So they're under each section. That's fine.

As I understand it then, where I see Employee Benefits and see those changes, then workers' comp is a factor with many of those. Is that what you're telling me?

MS. JACOBS: Workers' comp is only for this activity.

MR. P. DAVIS: Yes.

MS. JACOBS: But the other increases you may see in Employee Benefits may be for another reason. When we get to those you can ask.

MR. P. DAVIS: Okay.

Thanks.

Under 1.2.03, under Legal Information Management, there was about \$122,000 revised from last year's budget, and then a reduction from there of \$170 from what it was last year, but \$46,000 in Salaries. I'm not sure if you explained that one or not.

MR. A. PARSONS: There is one position gone. We also dealt with a retirement there and the backfill to sick leave. That explains some of the discrepancies there. Did I get that right? Yeah.

MR. P. DAVIS: One of the positions that you –

MR. A. PARSONS: What was the name of the position? Director of Legal Information Management, yeah, that's the position that was eliminated.

MR. P. DAVIS: Okay.

You may have explained this one earlier. Under 1.2.02, on Revenue – Federal, it goes from \$30,000 to \$120,000.

MR. A. PARSONS: Yes.

The \$30,000 last year was our federal funding for the drug treatment feasibility. The \$120,000 is new federal money we're getting to further on the drug treatment court work, which I'm hoping to have some further announcements on in the very near future. That is the federal money for that.

MR. P. DAVIS: Okay.

Over on Fines Administration – I've got a sense that there's been some work done on Fines Administration. We talked about the Salaries, but I also see here a federal revenue portion that didn't exist before.

MR. A. PARSONS: Contraventions.

MR. P. DAVIS: That's contraventions. Okay.

Any idea what the outstanding fine level is now?

MR. A. PARSONS: I think the number I got today is \$36 million and change: \$36,692,472.

MR. P. DAVIS: Just by memory?

MR. A. PARSONS: My God, no.

I remembered the \$36 million but after that it got a little –

MR. P. DAVIS: I think that's all I have on that one.

What's the provincial revenue? Is that fine collection?

MR. A. PARSONS: Yes.

MR. P. DAVIS: Ticket revenue?

MR. A. PARSONS: Yes.

MR. P. DAVIS: Besides the fact that the RNC now are doing a lot of work on proactive

enforcement – I guess that’s the best way to put it. I know they’ve been doing a lot of work and working towards that. Is that –?

MR. A. PARSONS: There was also a change in the fee from \$7 to \$9, so that accounts for some of the increase there. It would be a full year of that increase.

MR. P. DAVIS: A change in fees from what, sorry?

MR. A. PARSONS: It went from \$7 to \$9 on the processing.

MR. P. DAVIS: Oh, okay.

MR. A. PARSONS: Is that right? Yeah, okay.

MR. P. DAVIS: Would that include processing like City of St. John’s parking tickets and that kind of thing?

MR. A. PARSONS: Yes.

MR. P. DAVIS: That’s almost \$100,000. That’s a lot of processing.

Okay, I think that’s all I have on that section, Madam Chair.

CHAIR: Good. Okay.

I’ll call it again.

Shall 1.1.01 to 1.3.01 carry?

All those in favour?

SOME HON. MEMBERS: Aye.

CHAIR: Those against?

Carried.

On motion, subheads 1.1.01 through 1.3.01 carried.

CLERK: Subheads 2.1.01 through 2.1.05 inclusive.

CHAIR: Shall 2.1.01 to 2.1.05 inclusive carry?

Mr. Davis.

MR. P. DAVIS: Thank you.

On 2.1.01 in Salaries, a \$364,000 change there.

MR. A. PARSONS: We’ve increased the complement of civil lawyers up by two.

MR. P. DAVIS: Okay.

Under Professional Services there was \$3.3 million down to \$2.3 million.

MR. A. PARSONS: The logic behind it is that we’re hoping – that’s the money we pay outside counsel. The logic is that we want to do more in-house. We think there are ways that we can do it basically cheaper within. I don’t know if you’ll see that full change right away but that’s what we’re trying to do there.

Some of it’s uncontrollable. Of that \$3.5 million, if I get this right – and, Rolf, if I’m wrong, you’re going to correct me – 28 per cent of that is AG-funded counsel. We have absolutely no control over that. I think the other one is – I’ll go to Rolf, he knows it better than me.

MR. PRITCHARD: Once again, as the minister said, 28 per cent is AG appointments over which we have no control. Those are things where the judge appoints counsel in criminal matters or judicial indemnification.

About 23 per cent are costs that arise in litigation; for example, if the department retains an expert witness. Then the remaining 49 per cent is for where services are needed that can’t be provided within the Department of Justice; for example, perhaps we need to retain a lawyer in Quebec to deal with the civil code there and who speaks French, things like that where we don’t have the expertise in-house.

MR. P. DAVIS: The two additional salaries, it’s not meant to offset the \$1 million reduction?

MR. A. PARSONS: No. Basically, the logic behind it is that we’re adding more solicitors. Our goal is to decrease the amount of work that has to go outside and basically find efficiencies there.

MR. P. DAVIS: So it will. One is connected to the other.

MR. A. PARSONS: Yes, definitely.

Is it an actual correlation, like the two lawyers cost this much money, you're going to save exactly this? No. That's just the logic that I'm using in making that decision.

Again, the other thing is when it comes to stuff like AG, we can't get around that nor do you have any control over that. You're talking about almost 30 per cent of the budget there. But that's the plan. We think that we can do more within.

MR. P. DAVIS: This is just Civil Division, not Criminal Division.

MR. A. PARSONS: That's right. Yes.

MR. P. DAVIS: I've heard from time to time and still hear from time to time – and I'm sure you won't disagree – of the significant demands that are on lawyers within the department, including Civil Law Division which we're talking about here now. If there's a movement of using less professional services to try and increase the complement of lawyers in-house so that more of that can be done in-house, does that do anything to elevate the overburden and the significant workloads that exist on civil law lawyers?

MR. A. PARSONS: No doubt there's a burden. Rolf can speak to this as well; he's been around a long time.

I think if anything, in my meetings with them lately I've given them a vote of confidence. What I've told them is I think we can do more within. And I think we all agree that it can, but I've said look, instead of us sending out work – I come from a private law background where if a file came in, for me to send it out, it has to be pretty bad. I don't want to send it off to another firm to do it. That's money that I'm not going to make and so I want to have the same sort of mindset here.

I think we can do it but it's like anything, there are a lot of pressures on them. We have a lot of very, very good lawyers. I think that if we add more we can still look at ways to do more. Myself, Rolf and the executive are also looking at the division to see are there places where we need extra work.

I don't know if there's been a review done of the Civil Division. We're doing that now. My review is not about having less, my review is about where are the challenges, what can we do better. That's why I've added more rather than cut.

MR. P. DAVIS: Yeah, it sounds like we're probably expressing the same concern. One of the continuing or consistent concerns that has been heard and known within Civil Law Division as well as Criminal Law Division – I guess we'll have the same conversation when that comes up – is the enormous amount of workloads that exist. I know lots of lawyers within the Civil Law Division who at 4:30 could only dream about going home and they're here much longer than that and later than that. Look at the smile on Rolf up there when I'm talking about this.

They work long hours and have heavy responsibilities. Lawyers do have that, but I know that in Civil Division it's been an issue.

MR. A. PARSONS: Yes. Like I say, there's no doubt this line of work, you're going to put long hours in whether you're private or you're within. We're lucky that we have a really good complement of lawyers who work hard and know their files.

What I want to do, it's not a case of looking at them and saying we should do the same amount or more work with less people, I think we can look at it and say we can do more within. We're always looking at finding ways to save money, but I would rather to save the money on outside counsel and get more done with them.

No doubt there are pressures, but we've got to – again, coming from that background where I did a little bit of that work, certainly nothing near what they do. Again, Rolf can speak to it, but I'm trying my best to work with them.

There were some times over the last number of years where they faced constant fear of who's not going to stick around. So what I've tried to do this year is say, look, that's not what I'm looking at. I'm looking at ways of having all of you here, but can we do things differently, are there different ways we can do business?

MR. P. DAVIS: Sure.

MR. A. PARSONS: I don't know if Rolf wants to speak to that.

MR. PRITCHARD: Thank you, Minister.

Just by way of an example, one of the things that we're trying to encourage within the Civil Division is to have some of the younger lawyers develop expertise in areas where previously we have not had expertise and have gone out of the department to get that expertise.

When you consider the hourly rates that are charged by some of these lawyers downtown and in other provinces, if you can do some of that work in-house, the savings can be quite dramatic. So we think there's an opportunity there and that's one example.

As you say, there will be some things – for example if we need someone who specializes in civil law in Quebec, well, we won't be able to do that – but some of the areas of the oil and gas, some of those things, we think that some of our younger lawyers can develop that expertise and then there would be a commensurate savings.

MR. P. DAVIS: Yeah, good. I know it takes a lot of years to develop expertise, skills and experience. We've seen that in the RNC with no middle – and I'm sure the minister knows what I'm talking about – no middle in the RNC right now, and the continuing recruitment and so on will be necessary to keep those skills advancing.

Minister, under the same section, 2.1.01, Allowances and Assistance, there was \$1.5 million budgeted but \$5.3 million under that line. What does that include?

MR. A. PARSONS: Okay, that's the historical sexual assault settlements, which you try your best, and we usually get pretty good analysis on what we think is going to settle and not settle, but obviously it's not an exact science. Sometimes these can progress faster than expected. Sometimes you think they're close to settling and they don't. These are historical, and when I say historical, I mean decades old.

So we've always budgeted the \$1.5 million, last year there was the \$5.3 million. So I think we

actually had to go to the contingency fund to use, and that would have been tabled here in the House.

The other thing, too, is I don't know if it's a realistic fear or not, I think there's something to it, but if you budget that up and people see there's this big sum of money that might change attitudes in terms of coming after it.

MR. P. DAVIS: Okay.

MR. A. PARSONS: But that's sometimes what we've used the contingency fund for, which is tabled here. I believe we're anticipating more this year.

MR. PRITCHARD: Yes, we're embroiled in various litigations. The fund is used to settle matters where a recommendation is made by one of the Civil Division lawyers, or if there's a settlement ordered by the court at the end of a trial, but those matters continue.

We think we have a pretty good sense of what we can win and what we can't. So the settlements usually reflect where a lawyer has advised the department that it would be in everyone's interest to settle a matter. It's difficult to predict at the start of the year, as the minister said, how many cases may settle in a given year. Some years it's more, some years it's less.

MR. P. DAVIS: So that line, the Allowances and Assurances, are for all settlements not just the historical – the historical ones are thrown –

MR. A. PARSONS: Those have been decreasing in fairly significant size.

CHAIR: I remind members again as well, before you speak, if you could say your name for the benefit of those in the Broadcast Centre.

MR. A. PARSONS: I might say there, that number is not actually \$5.33 million; it's actually \$3.9 million. This would have been done in February. So I think – maybe you can explain, Virginia, because she understands the accounting better than me.

MS. ENGLISH: When this book was done, when the book was being prepared, that

particular number, the revised number was our expectation of potential costs to the end of March for the fiscal year. At that time, when that was done, we still didn't know exactly what would come out of that fund, but that was the estimation of what could be paid out. We've actually only paid \$3.9 million to date. It was the best estimate at that time.

MR. P. DAVIS: Okay.

CHAIR: Do you want me to go to Ms. Rogers and come back? Your 10 minutes is up.

MR. P. DAVIS: I'd just rather monopolize all the time myself, but she can go ahead. I have some questions on the Sheriff's Office, but she can certainly go ahead.

CHAIR: Ms. Rogers.

MS. ROGERS: Thank you.

Can you tell us some of the larger cases, some of the large files that you're dealing with right now in Civil Law?

MR. A. PARSONS: To do that justice, maybe I'll let Rolf talk about some of the bigger files. The offshore one's, Hibernia has always been a big one, but I think Rolf might do a better job of this than me.

MR. PRITCHARD: Yes, Ms. Rogers, you're curious about some of the large files that we're currently litigating –

MS. ROGERS: Yes.

MR. PRITCHARD: – not necessarily with respect to settlements, just what we're litigating?

MS. ROGERS: That's right, yes.

MR. PRITCHARD: Sure.

Well, as the minister indicated, this year we had arbitrations involving offshore royalty regimes and various costs, what were included and what were not, and that's actually being appealed. We have litigation ongoing with Oceanex this year to do with the federal subsidies and whether or not they're reasonable or not, and that's being challenged by judicial review. We've had

lawyers on a number of ATIPP appeals. That's an ongoing issue.

As well, there are a number of other matters. For example, occasionally we get applications with respect to some of the sexual abuse claims, procedural issues, trying to move those matters along. Those are some of the key ones that come to mind. I can probably think of a few others. If I do, I'll bring them up, but the Oceanex is one that comes to mind because I'm working on that one, spending a lot of time on that lately.

We have a number of judicial reviews, decisions of ministers that are challenged for various reasons in various departments; some successful, some not.

MS. ROGERS: And where is the tobacco file? That would come under this?

MR. A. PARSONS: Yes, there's a contingency fee with Roebothan McKay Marshall. I don't know – were there any monies actually spent on that last year? I don't know if there was a lot of work done on that one.

MR. PRITCHARD: No, what's happening with that right now is the stage they're at is they're gathering up the information. There have been researchers with the Department of Justice who have been going from department to department collecting documents, and then those documents have been deposited with the law firms that are acting for the province. The intention then is to generate the lists of documents that have to be filed as part of litigation.

So those matters are a long way from coming from hearing. Once the documents are filed – and it'll be a while before all the documents are filed – then there'll be discoveries and then we'll see if it gets to the point where there are pretrial certificates filed. That's moving slowly.

MS. ROGERS: So for the tobacco file, is there any guesstimate end in sight or are we still looking years and years down the road?

MR. PRITCHARD: Needless to say, the tobacco companies, through their legal counsel, raise objections. They file applications and it tends to slow the matter down. So it has been in the process for a while. We've tried to move

those matters along but where you have another party that's actively involved in slowing the matter down, it's really difficult to predict.

MS. ROGERS: Okay. Thank you very much.

If we move on to 2.1.02, Sheriff's Office, we see an increase there, and there were new positions in the Sheriff's Office.

MR. A. PARSONS: There were three new positions just created. There would have been some funding there through contraventions. That's down at the bottom, right?

MS. ROGERS: Yes.

MR. A. PARSONS: One position created out of that. Then there were positions that we had anticipated not needing last year with the court closures, which ended up being reinstated and stayed around.

MS. ROGERS: Okay.

Transportation and Communications, we see from the budget from '16-'17 and then the estimate, the revised, can you tell me what that jump is?

MR. A. PARSONS: Yes, occupational health and safety made up a portion of that, and I think a large portion of that would have been the Muskrat Falls situation back in October where the Sheriff's Office was called in to enforce court orders. So that had a significant cost.

MS. ROGERS: So it's the transportation of personnel.

MR. A. PARSONS: As well, the Labrador circuit always has a cost too; the sheriffs are on those circuits.

MS. ROGERS: The budget for '17-'18 is significantly higher than the budget for '16-'17. What would that be for?

MR. A. PARSONS: Under which one, sorry?

MS. ROGERS: Transportation and Communications. I can see the revised. We see a big bump in the revised, and so now in the actual budget estimate for '17-'18.

MR. A. PARSONS: Yes. Well, again, the Labrador circuit is there. We didn't anticipate that being there. So that's a part of that.

What else do we have?

OFFICIAL: Just rightsizing of the budget.

MR. A. PARSONS: Basically, what we're saying here is that it's a rightsizing of the budget.

MS. ROGERS: Okay.

MR. A. PARSONS: Again, we have the High Sheriff here. I don't know if anybody wants to ask him any questions.

MS. ROGERS: I don't know if there's anything particular you would like to say about – now with the new positions, does that feel we'll be able to address the issues that were outstanding for your office?

MR. CHAFE: Yes, absolutely. With the three additional positions now we can go on all the circuits that were previously taken care of by the RCMP, which then puts them back into the community, which is a better use of their time, which is really good for us.

MS. ROGERS: Okay. Good, thank you.

Under Purchased Services, we see a considerable jump there from \$250,000 in '16-'17 to \$397,000?

MR. A. PARSONS: That's the contraventions costs, I believe. They are mostly associated with the actual system that they're putting in place.

MS. ROGERS: Okay. All right, great, thanks.

MR. A. PARSONS: And if I could just add on the record here that the High Sherriff just graduated a brand new class of deputy sheriffs today down at the Supreme Court, so we've got 13 new deputy sheriffs who just graduated.

MS. ROGERS: And where is their training? Is it in-house, the training for them, and how long is their training?

MR. CHAFE: The training is 10 weeks in class, and then there are three weeks of on-the-job training.

MS. ROGERS: So there were how many new grads?

MR. CHAFE: Thirteen.

MS. ROGERS: Thirteen. And how many are women?

MR. CHAFE: One woman and three of those positions, ironically, we were able to offer the new positions that were just created. So of the four vacancies in Goose Bay currently, we're going to fill three as of tomorrow, so that's pretty good.

MS. ROGERS: Okay, so of the 13 new ones, one is a woman. What does that give us in terms of the numbers of women and number of men in your ...?

MR. CHAFE: I think we're about 24 per cent. That's something we're going to try to work through different recruitment drives.

MS. ROGERS: Okay.

MR. CHAFE: And we're trying to also hire within our own community. So in this particular class, pretty much everyone's going home when they graduate, which is really good for retention.

MS. ROGERS: Oh, great.

MR. CHAFE: Yes, we're really pleased with that.

MS. ROGERS: What do you see as some of the blocks and barriers to women entering this profession?

MR. CHAFE: I think law enforcement in general can be a challenge, so I think we need to do a little better with getting the word out there that it's for everybody.

MS. ROGERS: And then you would think more women would apply.

MR. CHAFE: I think so.

MS. ROGERS: Okay. And is there a plan to do that?

MR. CHAFE: Yes, we've actually had some focus groups within the Sherriff's Office with females in law enforcement, with some of our partners. And that's gone a long way to understand what some of the barriers are for them, and we'll include that in our strategic plan going forward.

MS. ROGERS: Yes, it's still such a challenge –

MR. CHAFE: It is.

MS. ROGERS: – in so many areas, even when you look in this House.

MR. CHAFE: Yeah.

MS. ROGERS: It's a huge challenge.

Okay, thank you.

MR. CHAFE: You're welcome.

MS. ROGERS: Okay. Under 2.1.03 –

MR. A. PARSONS: Support Enforcement?

MS. ROGERS: Yes. Under Purchased Services – and I think those were mostly banking fees, were they?

MR. A. PARSONS: All banking.

MS. ROGERS: So we see a real jump. What's happening?

MR. A. PARSONS: So what I am being told is that's historically something that's always been overspent, so this is a case of rightsizing.

MS. ROGERS: Rightsizing, okay.

MR. A. PARSONS: But again, it's a challenge all across government when it comes to fees.

MS. ROGERS: Okay, thank you.

And Family Justice Services, under Salaries, so does it look like we've lost a position there.

MR. A. PARSONS: One director position.

MS. ROGERS: One director, okay.

And Purchased Services, what kinds of purchased services would we have there under Family Justice Services?

MR. A. PARSONS: Rent is \$256 of that and the rest is the copier, printing.

MS. ROGERS: Okay.

And so when we were talking about the Domestic Violence Court in Labrador, any of the support services, the counselling services for victims then in the Labrador area would come from the Family Justice Services, would it?

MR. A. PARSONS: Wilma.

MS. MACINNIS: I was previously with Family Justice Services. Family Justice Services is a program that deals with families who are going through a divorce and separation.

MS. ROGERS: Right.

MS. MACINNIS: So they wouldn't necessarily be providing – I think that would be more Victim Services in terms of providing supports to people who are going through – because they are one of our partners with the family violence court so I would think it would be more Victim Services.

MS. ROGERS: Okay.

All right, thank you.

CHAIR: Ms. Rogers, the time is up, so I'll go back to Mr. Davis.

MS. ROGERS: Yes, fine.

Thank you.

MR. P. DAVIS: While we're on the page – I want to go back to the Sheriff's Office momentarily – under Support Enforcement, 2.1.03, I don't think Ms. Rogers asked – if she did I apologize, I missed it – but the salary, there's almost \$173,000 salary decrease.

MR. A. PARSONS: That is an admin error. There was one management position, which

makes up a portion of it, but the other one there was an actual error in the printing, or the accounting, or they took the money twice or something.

MS. ENGLISH: Thank you.

There was one position removed from that division. It was basically an accounting error. We missed it and didn't realize that it had been taken out twice. Basically, we reallocated some of the funds to another area and then realized after the fact that the funds had come out. So we couldn't correct it for the budget book, but we will correct it during the year.

MR. P. DAVIS: So what's the right number?

MR. A. PARSONS: If I might add, it wasn't Virginia who did it; it was some other budgeting crowd. I'd say it's Cathy Bennett's crowd that made the error.

It is \$81,000.

MR. P. DAVIS: Back on the sheriffs, you mentioned that there were three new sheriff's officers being hired, you got 13 just graduated today, so all 13 of them are being employed but there are three new positions. So what's the total complement now of sheriff's officers?

MR. CHAFE: I believe there are about 110.

MR. P. DAVIS: That's including the 13?

MR. CHAFE: Yes, we had vacancies across the province.

MR. P. DAVIS: So are the vacancies now filled?

MR. CHAFE: There's one additional position to be filled in Goose Bay. We'll have to run another competition for that one.

MR. P. DAVIS: Okay.

Also under Sheriff's Office there's federal revenue there of \$252,600.

MR. A. PARSONS: Contraventions.

MR. P. DAVIS: I thought Purchased Services was contraventions.

MR. A. PARSONS: It is. I guess one is there and then the other one is the offset.

MR. P. DAVIS: Okay, it's an in and an out.

MR. A. PARSONS: Yeah.

MR. P. DAVIS: Supplies are up \$61,000 under Sheriff's Office.

I was going to say I see everybody looking at each other, but –

OFFICIAL: No, Virginia is going to answer it.

MS. ENGLISH: The Supplies budget in the Sheriff's Office will cover such things as, not only office supplies and that but it also covers uniforms, gas, supplies for vehicles and equipment for handling. While we did add a small amount of money for supplies under contraventions, I believe most of the money is a reallocation of funding just to meet operational requirements.

MR. P. DAVIS: So it was previously unfunded, is that what you're –

MS. ENGLISH: Yeah, the Supplies budget would vary or the requirements on that particular budget would vary depending upon the amount of uniforms that are required in any given year, and that may change.

MR. P. DAVIS: So it is historically underfunded – the deputy is nodding her head yes.

MS. JACOBS: With a collective agreement you have to buy uniforms different years, so then you'll have your ups and downs. Probably this year, I'm assuming, Dan, you may be purchasing some uniforms.

MR. P. DAVIS: Okay.

OFFICIAL: Yes, it's \$116,000 in uniforms this year.

MR. P. DAVIS: Okay.

I think I can go over now to 2.1.05.

Is this the last section for this group, Madam Chair? It is? Okay.

Under Salaries, \$125,000 – we were at \$692,000, it went to \$350,000 and now it's \$679,000.

MR. A. PARSONS: I'll let Heather provide the explanation on that.

MS. JACOBS: Yes, we spent less in the revised because we had three new positions and we had delayed recruitment for those three new positions. That's why we still have them. Obviously, ATIPP is a very busy office so we'll be filling those this year.

MR. P. DAVIS: They were vacant positions, were they?

MS. JACOBS: Yes.

MR. A. PARSONS: They were vacant when they came over from OPE.

MS. JACOBS: Yes, when we got ATIPP in September, they were vacant, and then it just took us a while through the HRS process for classification. We just got them classified in February. I believe one position is filled and we're in the process of filling the other two right now.

MR. P. DAVIS: Were there any terminations under Access to Information?

MS. JACOBS: No.

MR. P. DAVIS: Any new hires, other than the ones you must mentioned?

MS. JACOBS: No, just the three new positions, but they were from last year's budget that weren't filled. There were none in this year's budget.

MR. P. DAVIS: Okay, so you had three last year.

MS. JACOBS: Yes.

MR. P. DAVIS: I know the new Privacy Commissioner has expressed concern about workloads within government. I don't know if you can offer an opinion if you share those concerns. If so, then what's the plan to deal with it?

MR. A. PARSONS: Yeah, I speak to that.

Obviously, there has been a significant increase in requests. That's something that we're cognizant of. You've got the changes in legislation that has added to those workloads, but at the same time we're always operating with the constant fact that you just can't go and create the new position.

It's trying to find is there a different way to do this as well. You've got the respect the legislation, but at the same time, is there a way that we can do things differently, do things more efficiently? We're looking out to other provinces as well to see how their system is set up. There are some different set-ups and formats to ATIPP

MR. P. DAVIS: We've heard the message from time to time that there's a real struggle in government to keep up with demand. While I think everyone expected that after the new legislation there would be an increase and a peak, we don't seem to have seen the peak yet.

The Commissioner, in discussions I've had with him, is concerned about – and I think you may have been there for one of them, at least one of them, and that was probably the discussion we had when you were there – the increase in demands and the need for them to keep on time with legislation. I know he's felt it if he has three positions from last year. Do you have a timeline on how long before they should be filled?

MS. JACOBS: We're in the process of doing that now so I'm sure they'll be done within the next couple of months.

MR. P. DAVIS: Okay.

I think that's the last section for those.

CHAIR: Before we call that, I'm just wondering if Ms. Rogers had anything up to 2.1.05.

MS. ROGERS: I'm fine.

Thank you.

CHAIR: Okay.

Shall 2.1.01 to 2.1.05 inclusive carry?

All those in favour?

SOME HON. MEMBERS: Aye.

CHAIR: All those against?

Carried.

On motion, subheads 2.1.01 through 2.1.05 carried.

CLERK: 2.2.01 through 2.4.01 inclusive.

CHAIR: Shall 2.2.01 to 2.4.01 inclusive carry?

Mr. Davis.

MR. P. DAVIS: Thank you.

Criminal Law; I would expect we're going to have a fair bit of discussion about this as well. In Salaries there's an additional almost \$340,000.

MR. A. PARSONS: Three new prosecutors.

MR. P. DAVIS: Three new prosecutors.

Has there been any terminations or positions terminated in the last year under Criminal Law?

MR. A. PARSONS: Yes, we had one admin position.

MR. P. DAVIS: PCN is gone with that too, is it?

OFFICIAL: Yes.

MR. P. DAVIS: I know it's another area where there's significant pressure in significant areas, especially with Jordan. I know you have \$390,000 to address Jordan. Is this part of that? Is this part of that money there?

MR. A. PARSONS: That is the crux of it, I would think. There's been a lot of talk about it

publicly and a lot of talk about it nationally. In fact there's, I guess you would call, a special FPT meeting going on not next week, it's the end of the week after, up in Gatineau; ministers across the country as well as the federal minister just to talk about Jordan because we're all facing this same pressure since that case came down. In fact, the Supreme Court of Canada is going to be hearing a case on that again in the next couple of weeks: Cody.

I'm going to ask Frances to speak now in a second because she's a heck of a lot more eloquent than me and certainly knows the system. There are two things here; I think overall, when faced with other provinces, we're actually doing reasonably well compared to some other provinces that are just really having a tough time keeping up with the Jordan applications that are coming in.

The second part is that it's really hard to go back and deal with pre-Jordan. The emphasis from here, from us, has been since that case came out, what can we do and what have we done? Again, I'll let Frances speak to it because she can talk about the measures her office has taken, what she's seen and maybe her thoughts and views on it. Feel free to ask any questions as well.

MS. KNICKLE: We found ourselves in a very interesting situation last fall. Jordan was released at the end of July, but as you probably heard in the news – and it was something that we identified ourselves – our caseload has increased substantially over a number of years; I'll give you a statistic in a moment. But particular in that are our major cases, specifically homicides.

Something that we had been trying to do that came out of the Lamer Inquiry – which most provinces across the country do, most public prosecution services – is ensure that when we have these kinds of major cases we have two prosecutors assigned. When we started looking at what we were facing, we had 14 homicides. Well, we have 48 prosecutors. That means we assign two prosecutors, we have half our service assigned to homicide prosecutions.

We actually approached government last fall in relation to this, in light of Jordan, seeing that we have quite what I'm seeing as a bit of bottleneck and then with the increased pressure of Jordan.

The addition of these three prosecutors allows us to meet our obligation or our desire to have two prosecutors assigned to our homicides and then have more junior prosecutors pick up some of the bulk of the caseloads.

Just so you know, for example, in 2007 we had 78 cases opened and closed over the course of the year – 7,829 cases and we had 41 prosecutors. But in 2016 we had 44 Crown attorneys and we had over 12,000 cases. We suffered a significant cut in 2013. We lost prosecutors and a number of support staff, yet our caseload has been increasing steadily. It's increased 60 per cent since 2007 and the number of Crown attorneys increased less than 10 per cent. So we needed to get some prosecutors in the office, and that's what this is about. I have to say we're very excited. We've got people on board already. We've got a new one starting.

So that's just kind of like the numbers. In terms of Jordan across the country, we have pockets, but Newfoundland is actually not doing badly relative to some of the other jurisdictions. We haven't had any homicides, for example, stay of proceedings entered.

We've had middling results. We've got 12 pending applications. We've had four judicial stays entered as a result of findings that there was unreasonable delay. We've actually appealed three of those. We've had two that were dismissed, we've got two applications pending and we've had about four cases that we ended ourselves, looking at the facts and the circumstances.

What you have to remember, all of these cases are cases that were already in the system before Jordan even came down. So the prosecutors, counsel and the courts were operating under a different legal framework. And what has to happen essentially, and one of the reasons Cody is up at the Supreme Court of Canada, is that we just simply have to litigate Jordan because there's a lot of reasoning within the decision that has to flush itself out, and that's what a lot of this is about.

I don't know if that answers your question.

MR. P. DAVIS: Yes, it does and the next one, and the next one, and the next one.

I was trying to copy and trying to make note of some of your statistical information and data, which I think paints a pretty clear picture. So you've said there have been four judicial stays.

MS. KNICKLE: Yes.

MR. P. DAVIS: Three were appealed.

MS. KNICKLE: Yes.

MR. P. DAVIS: Two successfully, is that what I understood?

MS. KNICKLE: Yes, and we're still waiting on –

MR. P. DAVIS: And there's still two pending you said then, I thought.

MS. KNICKLE: Yes.

MR. P. DAVIS: I'm trying to make the math work but –

MS. KNICKLE: Well, then we've had a couple that we resolved for other ways.

MR. P. DAVIS: Okay.

MS. KNICKLE: We either worked out a plea, or we withdrew it, or –

MR. P. DAVIS: But there's 12 pending?

MS. KNICKLE: No, 12 total applications. Sorry.

MR. P. DAVIS: Oh, total of 12.

So how many are pending, or outstanding, or haven't been heard?

MS. KNICKLE: We've just got two pending right now. I was advised that we may have another one being filed. I mean, this is a really fluid statistic because I'm sort of updating. We may have a new one entered, so we're trying to keep track of them.

They cover the gamut in terms of the kinds of offences. We haven't had any filed in relation to any of our homicides yet. Fortunately, those are rolling along. You may recall we had a homicide

trial before Christmas. There was an acquittal for Mr. Stacey and then the next day there was another homicide and an arrest. So we just sort of get ahead of the game and then something else happens.

MR. P. DAVIS: Yeah.

I thought you said 14 homicides, two prosecutors per each; so the hire of three new prosecutors, two homicides and you're back worse off than you were yesterday, really.

MS. KNICKLE: Yeah. Well, there is actually one homicide file that we actually haven't assigned a second prosecutor to it yet just because while it's something that you want to do, some cases are more complex than others. And some of these prosecutions, for example there are three joint accused – well, four accused together, three of them are jointly accused – so you definitely need to have two prosecutors there; other files, not necessarily so.

We are trying to use our article clerks as well to assist on some of our other more complex prosecutions. We have a drive-by shooting trial that will be starting, hopefully, in January depending on what happens with the pre-trial application, so we'll be assigning a junior prosecutor to assist with that one as well.

MR. P. DAVIS: It's kind of hard to believe really we're talking about Newfoundland and Labrador, isn't it?

MS. KNICKLE: I hate to say it, but it sure has changed from when you and I were down in court doing impaired driving.

MR. P. DAVIS: Absolutely, yes.

MS. KNICKLE: It's a different kettle of fish.

MR. P. DAVIS: Absolutely, it sure is.

Minister, lots of concern about Jordan and I've talked to people, certainly not every day, but regularly, about cases upcoming and looking for an assurance that Jordan won't be a problem into the future. I understand the cases you have now, and as Ms. Knickle just explained, if I understood her correctly, cases since Jordan

haven't been an issue – of course, it's only been last year anyway.

Do have any sense or can you give us any kind assurance that you believe you're going to be able to deal with Jordan appropriately in the future, and that no other cases may be in jeopardy?

MR. A. PARSONS: I guess that's more of a general question. I'm very confident that (a) we've shown that we're willing to put the resources in that are necessary; (b) we've looked to the rest of the country to see what best practices are; and (c) since Frances has been in this position, she's immediately gone out and put in best practices in place in terms of talking to police about working on increased – not increased, expedited disclosure, talking about different ways to eliminate things like preliminary inquiries, things that are not necessary.

So I'm extremely confident in our department, whether it's our courts, our police, our Crown prosecutors, you name it. I'm just as confident as any Attorney General in this country that we are going to be able to make sure we do what's necessary. That being said, if new challenges arise, we'll deal with them accordingly. The second part is that, as Frances said, there may be changes coming, that's why they're all getting applied and getting dealt with in court now, because there are so many different wrinkles that may happen. It's going back to Supreme Court now.

So we'll adapt as quickly as possible. It's one of those things that since it came down in July, it's been a top issue in the department. Because that's all you hear about. We're lucky we haven't had a murder, as Frances said, but you see any of these cases not going to court for a decision based on the facts, that's troubling for anybody. Whether you're me or just a person watching TV, nobody likes to see that. You'd rather see a matter decided on its facts, acquittal or conviction. That's how I feel about it.

MR. P. DAVIS: Before I relinquish some of my time to Ms. Rogers – I did give her a couple of minutes earlier, maybe she'll give it back to me now – because it's on the same topic area. I know from time to time there is utilization of

outside out-of-province resources for some investigations, SIRT, those kinds of things, also in prosecution. Is that included under this in this area?

MR. A. PARSONS: Where would that one fall? Would that fall under Civil?

OFFICIAL: SIRT (inaudible).

MR. A. PARSONS: Yes, but you're talking about the outside prosecutor, right?

MR. P. DAVIS: Yes.

MR. A. PARSONS: Is that Purchased Services for this one? We had a prosecutor from Nova Scotia. I think that comes under our Civil that we were just on.

MR. P. DAVIS: Oh, does it? Okay.

MR. A. PARSONS: Because that would have been under Professional Services there, would it not?

OFFICIAL: Prosecutions that are being handled by outside (inaudible).

MR. P. DAVIS: I can't hear you.

MS. KNICKLE: We have two prosecutions being handled by outside counsel because of conflicts.

MR. P. DAVIS: And the budget line for those is under Civil, is that what I'm –

MS. KNICKLE: Yes.

MR. P. DAVIS: – hearing the minister saying?

MS. KNICKLE: We've had to go, because we normally wouldn't do that.

MR. P. DAVIS: Yes, I was looking for the budget line for them.

MR. A. PARSONS: That would be back under Civil division, 2.1.01, am I right?

OFFICIAL: Yes, under Professional Services.

MR. A. PARSONS: Under Professional Services of Civil.

MR. P. DAVIS: Okay. And I would imagine then the outside investigations, such as SIRT and those, probably comes under enforcement under policing, does it?

MR. A. PARSONS: Yes.

MR. P. DAVIS: Okay.

Thank you, Madam Chair.

CHAIR: Good?

Ms. Rogers.

MS. ROGERS: Thank you.

Yes, I'd like to go back to the issue of the lost prosecutors in 2013. I know that we'd lost a significant amount. So I can't remember if we had any new positions before this year since the deep cuts in 2013. If so, I wonder, when we look at the increasing number of cases and the demand on the system, whether three new positions – although I'm sure the news was heralded and people were very happy about that – can that really address the growing caseload.

MS. KNICKLE: It's something we're really sensitive – I would like to have as many prosecutors as possible.

MS. ROGERS: Of course.

MS. KNICKLE: Alberta just hired 50. That's our entire service, but we have to be – when looking at what's going on, for us to have, for example, 14 outstanding homicides, it's highly unusual. I went back and looked at the statistics and talked to our friends at the police forces and two or three prosecutions ongoing in any given year, maybe four, maybe five.

So it's hard to know right now whether that's a bottleneck and something that requires a permanent increase in prosecutors or is it something that we can deal with. Like, let's just hire a few for a couple of years and see how things work out and maybe we'll be able to go back, but we're very sensitive to – is this just a

bottleneck or is it an actual trend that's going to require a permanent increase in the complement.

MS. ROGERS: Frances, can you provide us – we also tried very hard to write down all your stats you gave us. Is it possible to give us those stats?

MS. KNICKLE: Yes, absolutely.

MS. ROGERS: Oh, great.

I'm not sure if this is the best place to ask this, but I will anyways. The program which will be offering support to complainants of sexual violence, would that come under here?

MS. KNICKLE: No, it doesn't.

MS. ROGERS: Where would that –

MR. A. PARSONS: Adult Corrections.

MS. ROGERS: Adult Corrections. Okay, so we can talk about that there then.

MR. A. PARSONS: Yeah.

MS. ROGERS: Okay, great. Thank you.

Let's move on to Legal Aid. Just in reference to the royal report, it's been three years now. I wonder if we can have a bit of an update on some of the recommendations, the status of some of the recommendations.

MS. HAWLEY-GEORGE: I have recently taken over responsibility within the department for the Legal Aid Commission. I'm working with Nick Summers at the Commission and understand that yes, certainly those recommendations have been put in place.

With respect to any changes or so forth, I know Minister Bennett has recently announced a review of ABCs. With respect to management organization, the royal report recommendations will be taken into consideration when those are done.

MS. ROGERS: So we will get a formal update then? Is that what you're saying, Kim?

MS. HAWLEY-GEORGE: Certainly, I can request that from Nick – absolutely.

MS. ROGERS: Okay.

I have another question in terms of the tariff, particularly in homicide trials when we see the tariffs that were established – and, again, it's been three years. Is there any appetite or plan to increase those tariffs, or that's it until we have another review?

MR. A. PARSONS: Yes, there's no plan right now. This is a topic I've actually planned – we've discussed it internally – that I want to have a look at. We're spending a significant amount of money on this.

In cases – and I think we just talked about this, this morning actually, where we have cases where legal aid looks at it and decides there's no merit to doing the appeal. People will then apply for outside counsel to do the appeal that legal aid looked at and said it wasn't worth it.

MS. ROGERS: So how do you deal with that?

MR. A. PARSONS: Court orders, we have no control. So it's frustrating and it's difficult. It's hard work for these people.

Yes, there's no plan to look at that right now in terms of increasing it, but there are plans to look at legal aid as a whole, the legal aid tariff, AG funding, counsel, things like that. It's one of those things that you look at what you have control over and what you don't have control of, and it becomes frustrating.

MS. ROGERS: Okay.

How is legal aid in terms of vacancies and complements in Labrador, particularly?

MS. HAWLEY-GEORGE: Legal aid has recently retained three solicitors on a contractual basis. With respect to Labrador, I believe that is filled but I can certainly come back to you with that information.

MS. ROGERS: Okay, because that's been another difficult area as well.

MS. HAWLEY-GEORGE: Exactly, yeah.

MS. ROGERS: Okay. Thank you very much.

So, 2.3.02, Commissions of Inquiry, I would imagine the revised amount is because of the Dunphy inquiry.

MR. A. PARSONS: Yes. Basically, when we had budgeted last year, I think it was \$1 million for Humber Valley. Then, obviously, when we got the report and decided to move in that different direction there was some re-budgeting there. So that would explain a lot of the differences there.

MS. ROGERS: I can't remember how much – so it was allocated a million dollars for the Dunphy inquiry?

MR. A. PARSONS: No, we originally said a million for Humber Valley.

MS. ROGERS: Yes.

MR. A. PARSONS: I think when it's all said and done Dunphy is going to cost about \$2.6 million.

MS. ROGERS: Okay.

They'll start the search and rescue inquiry this year?

MR. A. PARSONS: That's our plan. We'd like to see that happen.

MS. ROGERS: How much is budgeted for that?

MR. A. PARSONS: We're not – in terms of reference cost model, because it may be a different model of inquiry. We use different options. So we're not that far yet, but given that we've gone through this once – doing the first one, never having done it before, it was brand new. Having been through this now, I think that we'll be able to move in terms of setting it up quicker.

MS. ROGERS: Do you have a timeline in mind for it?

MR. A. PARSONS: I'm saying by the end of 2017. Again, knowing there may be some

aspects that are out of our control in terms of the fed's side of it.

MS. ROGERS: So that would be to start by the end of 2017.

MR. A. PARSONS: I'd like to see that.

MS. ROGERS: Okay. Thank you.

So 2.3.03, Office of the Chief Medical Examiner; we see a difference in Salaries of \$51,000.

MR. A. PARSONS: There was a part-time person there, Dr. Nash Denic who's no longer there – not a reduction on our end. Dr. Denic decided to do another job at Eastern Health. So, yes, that's the reduction there.

MS. ROGERS: Okay.

Professional Services, we see a drop there of \$100,000.

MR. A. PARSONS: Yes, there was some there allotted for the study that we did with Dr. Matthew Bowes in Nova Scotia. So that was the \$100,000 there.

MS. ROGERS: Okay. Thank you.

I think I'm good there.

Human Rights, 2.3.04, Professional Services have dropped \$10,000. What would have been under the Professional Services?

MR. A. PARSONS: Going through the zero-based budgeting process, that was a rightsizing. That money traditionally is not spent.

MS. ROGERS: Okay.

Purchased Services for the Human Rights –?

MR. A. PARSONS: Most of that is the lease. There's an anticipation this year – after talking to Remzi – he talked about the fact that a different lease arrangement could possibly be arranged. They had too much space there basically, so we've talked and we're anticipating that there will be a move there or sharing of space.

One of the things – and I think it's probably across government and this was led by Remzi. He came in and saw me and said: I think we can have different bodies and maybe do shared services. Like a copier, because that's a big expense across government, is just copying.

I think it's a good idea. We're willing to work with them and other groups that have similar needs, services and clientele and trying to work together to fix the leases like that.

MS. ROGERS: There was a concern, because of previous cutbacks to the Human Rights Commission, of the inability to really fulfill its mandate in terms of doing proactive work and a significant amount of educational work which is so very important. Do you know where they sit with that now?

MR. A. PARSONS: Well, I can say that it's been a tremendous fight to keep it where it is. There have been no cuts. I'd love to see more money put there but, to be quite honest, I'd like to see more money in every part of the department, whether it's Criminal Division, Civil Division, everywhere else. That's just the tough part.

Everybody is the same; I'm sure every department will come in and say the same thing, so I'm happy that they stayed where they are. There has been a slight increase in the number of files that they do. But I agree, after talking to Remzi, if anything, I wish we could do, like you said, more education. I really think we could do more, but maybe there's a different way to do it that's not as cost heavy as the travel. Some of it is just the travel going out there.

There are a number of changes coming there in terms of the board. Some people have fulfilled their mandate so we have a new board. We're in the process of filling that again. I'm looking forward to sitting down with them and saying: What are your ideas and what can we do differently or better?

MS. ROGERS: Do we have any idea how many cases they have and what the wait-list is like?

MR. A. PARSONS: I thought I saw 81 or 91? Ninety-one new official complaints accepted as of mid-March for 2016-'17.

MS. ROGERS: Ninety-one new cases?

MR. A. PARSONS: And the year previous it was 80.

MS. ROGERS: Of those 91 cases, were any of them completed in the year?

MR. A. PARSONS: Fifty-six closed.

MS. ROGERS: Yeah.

MR. A. PARSONS: Twenty-seven were settled through settlement, basically. Six were executive director dismissals, two were withdrawals, 20 were dismissed by the Commission, one was resolved after a board inquiry and there are three that they're awaiting decision on.

MS. ROGERS: They've been busy.

MR. A. PARSONS: They're really moving towards this mediation, really trying to work to settle them that way rather than have the full hearing.

MS. ROGERS: Great, yes.

MR. A. PARSONS: So I think they've really put an emphasis on that.

MS. ROGERS: Okay.

MR. A. PARSONS: We're lucky to have Remzi in the board there, and very lucky to have Carey and her staff there.

MS. ROGERS: Great, thank you.

CHAIR: Okay.

Mr. Davis, did you have anything else in that section up to 2.4.01?

MR. P. DAVIS: Yeah, if I could go back to Legal Aid just for a moment. Minister, you were talking about appeals and Legal Aid making a recommendation now not to appeal and people getting counselling. You made a comment, you said: Court orders we have no control. What did you mean by that?

MR. A. PARSONS: Well, sometimes courts can order the AG to fund counsel for somebody

and we have no say. There was a recent case where the person who was later convicted was appointed amicus. This is a person who went through X number of lawyers which frustrated everybody, so they ended up appointing amicus, a friend of the court. So they had to bring in a private lawyer to basically sit and watch the trial in case somebody got dismissed again.

It's a significant cost; we have no control over that. The courts can go ahead and do that stuff and we all have to pay.

MR. P. DAVIS: Yes, absolutely.

Under the Office of the Chief Medical Examiner, 2.3.03, you said Dr. Denic has moved on to other responsibilities. Has he been replaced?

MR. A. PARSONS: Hmm?

MR. P. DAVIS: Dr. Denic. You said he's gone on, he's left –

MR. A. PARSONS: Yes, he's moved on so we've only got Dr. Avis there now.

MR. P. DAVIS: Yes.

MR. A. PARSONS: He's got people that are helping him. Although I'm very interested to see what Dr. Bowes' report is going to say because I anticipate that there will likely be – I'm hoping to have that very soon – changes necessary.

I can't say what they are, can't prejudge them, but one of the things I am looking at – I mean this is not a big secret, Dr. Avis is getting towards the end of his career, he's even said that himself. So we have to start setting succession plans in place and there are not a lot of pathologists out there. This is something that, actually, Dr. Bowes is going to work with us on because, again, if Dr. Avis said tomorrow that he was going, we'd have to find someone.

MR. P. DAVIS: Yeah, certainly not a lot of pathologists with his experience.

MR. A. PARSONS: Not at all.

MR. P. DAVIS: Thank you.

We'll move past Human Rights to Office of the Public Trustee; \$167,000 in salary change.

MR. A. PARSONS: There was one position. I think the Deputy Public Trustee position was eliminated. What happened there is the Public Trustee retired last year. The person who was in that role stepped up and is the acting Public Trustee. We've gotten rid of the Deputy Public Trustee position; there was nobody actually in there.

There is also an admin error there too; the same thing as described previously where there was like a double accounting, taking away the money twice. I don't know who to blame for that.

OFFICIAL: Me.

MR. P. DAVIS: So where's the error? What is the error?

MR. A. PARSONS: I think what it is, they –

MR. P. DAVIS: Yeah, I know, but what numbers are –

MR. A. PARSONS: That would have been under Salaries, right?

OFFICIAL: Yes.

MR. P. DAVIS: What's incorrect? The \$614,000 is incorrect?

OFFICIAL: Yes. It should only have been (inaudible).

MR. A. PARSONS: What should the number be? Do we know?

MR. P. DAVIS: Instead of being \$614,600, what should it be?

OFFICIAL: (Inaudible) only reduced by \$80,000.

MR. A. PARSONS: So basically you add \$80,000 on top of that, right?

OFFICIAL: Yeah. It should have only been a reduction of \$80,000.

MR. P. DAVIS: It's \$694,600?

OFFICIAL: Yes.

MR. P. DAVIS: Under Revenue – Provincial, can you explain those numbers to me?

MR. A. PARSONS: Yes, and we've got to give credit to the current Acting Public Trustee, John Goodland. Basically, what he's done is he's gone out – and Robin might do a better job of explaining this than me, but he looked at all these old files that were just there, sitting there, hadn't had the work done on them because they're busy.

Basically, that's the extra revenue that they found and managed to haul in. We only anticipate it to be one time; I don't think they're going to go out and find this much extra money every time. But this comes down to them looking out to those files, getting them done. So we're pretty lucky that they did that.

MR. P. DAVIS: What would the revenue be created by?

MR. A. PARSONS: Hmm?

MR. P. DAVIS: What's the revenue created by?

MR. A. PARSONS: Well, it's through the estates, right? You might have an estate file that's sitting there and hasn't been touched in some time. When you go and dig into it you find the assets that are out there, because every estate that's done, there's a fee paid into the Public Trustee.

There might have been cases that had been sitting there, hadn't been touched and hadn't been disposed of. It's just a matter of going back and getting these old files and just getting them done, just following up on them.

MR. P. DAVIS: I'm not sure I understand what creates the revenue.

MR. A. PARSONS: Okay, so basically if I pass away and I have nobody to handle my estate, I don't have an executor.

MR. P. DAVIS: Yeah.

MR. A. PARSONS: The Public Trustee can handle that estate and they have to pay a fee to the Public Trustee –

MR. P. DAVIS: The estate pays a fee to the trustee?

MR. A. PARSONS: Yes.

MR. P. DAVIS: Okay.

That's a lot of fees, \$3 million in additional –

MR. A. PARSONS: Yeah. And in some of the cases, estates would have been sitting there undistributed.

MR. P. DAVIS: Oh, yeah. Okay.

OFFICIAL: The legislation requires (inaudible).

MR. P. DAVIS: I never got a call.

MR. A. PARSONS: Yeah, and I've heard – and that falls under Robin, who's been down to meet with John – there are still more out there. Some files have been around for a hundred years just sitting there. Some of this money, you'll never get. It's too late.

MR. P. DAVIS: 2.4.01, Legislative Counsel. That's pretty much all the same from last year.

MR. A. PARSONS: No changes there that I'm aware of, except Kim works twice as hard.

MR. P. DAVIS: All right.

Just if I may go back to – I apologize for jumping back there again.

MR. A. PARSONS: That's no problem.

MR. P. DAVIS: Back on Legal Aid again, my colleague, Ms. Rogers, raised an issue and I've heard talk of in the past and heard public discussion on it as well on tariffs for Legal Aid, particularly in homicides. Do you see that as an issue? Is that a major issue in the province today? You have 14 homicides. I know many of them, just by nature, quite often are represented by Legal Aid.

MR. A. PARSONS: Maybe what I could do is just talk about the money that we're spending outside.

MR. P. DAVIS: Mr. Pritchard, while we're waiting for your microphone to come on, maybe you can make commentary if an accused has expressed – I've heard accused express difficulty in retaining the legal representation that they would like to have or hope to have. Maybe you could comment on if that's an issue as well.

MR. A. PARSONS: (Inaudible). There's an unfair perception out there that Legal Aid is not good –

MR. P. DAVIS: No doubt, yeah.

MR. A. PARSONS: Completely unfair, completely ridiculous. In fact, Legal Aid has some of the best lawyers, but that's just the perception that's out there. I think it's completely unfair. I think it's ridiculous. They work their butts off. I can tell you when I practised myself, you see them coming in with these boxes and boxes of files and they do good work, but that's the problem.

The other thing is that we do have private counsel out there that is going out of their way to try to – I have to be careful how I say this. Like I say, people are asking for these lawyers. I think that Legal Aid can do it. I think they are able to do it.

Some of the lawyers there, you take someone like Derek Hogan who's been at it a long time, he's appeared at every level, major, major cases. He can handle any file that comes in front of him as far as I'm concerned, as with the rest of them, but that perception is there. People want to get private counsel. It goes in front of the court, they make the assessment and like I say – am I right when I say no control?

OFFICIAL: (Inaudible.)

MR. A. PARSONS: If the courts order it, it what it is.

MR. P. DAVIS: Yes.

MR. A. PARSONS: It is frustrating, though, because these lawyers are good lawyers.

MR. P. DAVIS: There's no argument from me. I know some Legal Aid lawyers who've spent their entire career – I spoke to one recently, retired the last couple of years and his entire career was with Legal Aid – a person who I've always had great respect for. I'm sure Mr. Fowler and Ms. Knickle can speak to some of them as well because they've dealt with them themselves in the court room.

As you've mentioned, some of them are really good, but I've heard the discussion and I understand sometimes the complications with it. From an accused person, I'm sure there are some who it seems like, sounds like, that they're not getting the representation they want.

Maybe you can answer this question for me. Ms. Knickle mentioned that for complicated homicide files, quite often there would be two prosecutors. Would the same kind of policy happen for defence counsel?

MR. A. PARSONS: Yes. We pay for certain files. We pay for multiple counsels within firms and stuff.

MR. P. DAVIS: Yes.

MR. A. PARSONS: You can have multiple lawyers.

MR. P. DAVIS: Okay.

I think that's all, Madam Chair, I have under those sections.

CHAIR: Okay.

MR. A. PARSONS: If I might jump in here, Madam Chair, can we take five minutes for a quick recess?

CHAIR: Yes, I was waiting to call this section. We'll do it now and then we'll take a five-minute break.

MR. A. PARSONS: Perfect.

Thank you.

CHAIR: All right.

Shall clauses 2.2.01 to 2.4.01 carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, subheads 2.2.01 through 2.4.01 carried.

CHAIR: Okay.

We'll take a five-minute break, come back and start at 3.1.01.

Recess

CHAIR: Okay, everybody back and ready for the final half hour of this exciting segment.

I'll ask the Clerk to call the next subhead.

CLERK: 3.1.01 through 3.3.01 inclusive.

CHAIR: Shall 3.1.01 to 3.3.01 inclusive carry?

Mr. Davis.

MR. P. DAVIS: Thank you, Madam Chair.

Under 3.1.01, Supreme Court – which includes the Supreme Court, Court of Appeal, Trial Division and Family Division – \$135,000 reduction in Salaries, Minister.

MR. A. PARSONS: Okay.

There are actually no cuts there. That's just annualization to my understanding.

MR. P. DAVIS: Oh, sorry.

MR. A. PARSONS: There are no cuts there. There would have been more spent last year. There was a retirement, I think.

OFFICIAL: Four.

MR. A. PARSONS: Four retirements, so that's where the money was spent. There are no positions – not this year, no.

MR. P. DAVIS: Okay.

If you've had four retirements and replaced them, then you have lower salary scales. Would that be accounted for that?

OFFICIAL: (Inaudible.)

MR. P. DAVIS: Under Purchased Services, a \$404,000 difference.

MR. A. PARSONS: That has to do with the Family Division renovations. There's \$450,000 for that and \$195,000 has to do with some work on renos, basically a facelift of the Supreme Court on Duckworth.

MR. P. DAVIS: What's happening at the Family Division?

MR. A. PARSONS: The Family Division, there's – you might talk about it a little better.

MS. ORGAN: We're creating an extra courtroom. We now have five judges. We have four full-time judges, well seven – five full-time judges and two supernumerary judges. We have four courtrooms and a small boardroom.

We are busting at the seams down there so we are renovating to create an extra courtroom and a larger boardroom, an extra judge's office, or judge's chambers. The registry will be enlarged as well and the funding was over three years.

MR. P. DAVIS: This is the first year, is it?

MR. A. PARSONS: Last year was the planning. This year and next year are the build phases.

MR. P. DAVIS: Right.

The Budget Speech referred to \$450,000 to address increase in demands for the Supreme Court Family Division and \$195,000 for the Supreme Court Trial Division, so that's those funds. That's this year's funds of those amounts, right?

OFFICIAL: Yes.

MR. P. DAVIS: Okay.

Under Provincial Court a fairly significant salary change there, Minister.

MR. A. PARSONS: That was the change – I think, the money was allocated last year for the tribunal and basically it's just taken out of there. That hasn't been decided yet, but I think it's parked elsewhere is what it is. That's the big difference there. There was no change, I understand, to Salaries besides that.

OFFICIAL: Yes.

MR. A. PARSONS: Yes. There is one change in the sense that we added the court manger up in Happy Valley – Goose Bay and the contraventions, five positions?

MR. P. DAVIS: What's the status on –?

MR. A. PARSONS: Five positions for contraventions.

MR. P. DAVIS: What's the status on the tribunal?

MR. A. PARSONS: I think we're waiting on a decision, are we not?

MR. PRITCHARD: Yes that's correct. We're waiting on a decision. The matter was heard last December before Justice Faour but we still don't have a decision.

MR. P. DAVIS: Okay.

In Employee Benefits there was a decrease, an unanticipated decrease.

MR. A. PARSONS: That would have been tribunal retro amounts for judicial education, I think, or allowances.

MR. P. DAVIS: Tribunal retro amounts is a smaller amount, so it will still be outstanding after this year? Is that what you're ...?

MR. A. PARSONS: Yeah, there's still a liability for it. That money was budgeted last year but it's not – the same as the salary increase, it wasn't used.

MR. P. DAVIS: Yeah. Does that mean it will come up somewhere down the road like maybe in future years?

MR. A. PARSONS: Yes.

MR. P. DAVIS: And on Transportation and Communications there's a \$62,000 reduction there.

MR. A. PARSONS: There's a rightsizing there. You'll see there was a big change in the money spent because basically there were a lot of people travelling back and forth to Goose Bay from the province to run the court. That's why we actually created the position up there. So we're anticipating a significant savings in that cost in T and C.

MR. P. DAVIS: What's included in the Purchased Services? There's a \$160,000 difference.

MR. A. PARSONS: That's the rent down at Atlantic Place. That's one part. The bulk of it is rent, video-conferencing and copying too.

MR. P. DAVIS: And the revenue from federal revenue, \$572,000?

MR. A. PARSONS: That's the contraventions money.

MR. P. DAVIS: Other than the provisions on Jordan, the boundaries or time boundaries, limitations put on by Jordan, what's the current status on cases, generally speaking, before the courts versus 12 months or 24 months ago? I've heard Ms. Knickle talk about increased caseloads and so on for prosecutors. Does the same type of issue exist in the courts as far as not being able to get court time and those types of things?

MS. KNICKLE: Do you mean in terms of delay?

MR. P. DAVIS: Yes.

MS. KNICKLE: It really depends. Shelley might be able to speak to this, but my understanding is it really depends on what court you're talking about whether or not you're

running into delays that bring you up against the Jordan time limits.

In some courts it's fine; you could get a trial tomorrow if you actually needed to. Other courts, there is a problem, it's a little bit longer; our own superior court. It's very variable within Newfoundland in terms of the delay. The bulk of criminal matters happen within Provincial Court. I mean, your homicides obviously happen in the superior court, but the bulk of criminal matters are happening in Provincial Court. Most of the Provincial Courts are operating within the time limits reasonably, especially when you start comparing us to the kinds of delays that are occurring across the country.

I don't want to point fingers at other jurisdictions, but both Askov and Jordan – Askov was the original unreasonable delay case – these are situations that come out of Ontario and BC and they have massive systemic problems. I mean they're working very hard to fix them, but we run a pretty good ship down here for the most part. There are always going to be the smelly cases, but, yes.

MR. P. DAVIS: Back there, Minister.

MR. A. PARSONS: Wilma?

MS. MACINNIS: As Frances alluded to earlier at their office they certainly were eyeing this issue even before the decision. I can say at Provincial Court we were engaging in, we call it the case flow management, even before the Jordan decision came out some years back just in terms of monitoring case flow through the various courts. We continue to do that. And as we look at court dates, and as Frances just alluded to as well, we're constantly checking in with our courts to see what are the available dates like.

Actually, just prior to the summit, when we spent the day together, we canvassed all of our courts, our 10 sites across the province. With the exception of two – so that would have been the end of March – sites you could have gotten a one-day trial date within March, even at the end of March, April, May. There were two outliers: one was I think the fall and one was later this year, but it was still well within certainly an 18-

month time frame that Jordan calls for at Provincial Court.

We're constantly doing that work with our courts, looking at scheduling, working with some of the sites, as Frances mentioned, that may be more problematic such as Goose Bay. This week, actually, our provincial manager and another manager are in Goose Bay doing some work there with the staff in terms of scheduling. So we're certainly trying to keep our finger on the pulse of that, realizing that it's certainly a priority.

MR. P. DAVIS: The two exceptions would be Happy Valley-Goose Bay and Harbour Grace, I take it?

MS. MACINNIS: We would certainly say Goose Bay is definitely very challenging.

MR. P. DAVIS: You said two, what was the other one?

MS. MACINNIS: Oh, sorry. The outliers at the time were actually Grand Falls, I think one was Central and the other was Harbour – yeah.

MR. P. DAVIS: Okay.

Thank you, Madam Chair. That's all I have under those sections.

CHAIR: Ms. Rogers.

MS. ROGERS: Okay.

Just to go back to the discussion about seeing the increase in the loads, in the number of cases, when we were talking about the prosecutors, where is most of the increase? What kinds of cases? Is there sort of a thumbnail kind of sketch or picture of ...?

MS. KNICKLE: Sadly, they tend to be major cases is what we've seen most an increase, not all. Your basic breathalyzer takes twice as long now as it did 25 years ago. I'm a huge supporter of the Charter but it has complicated litigation. Trial management has just become more complicated.

A breathalyzer that I would have done in an hour, 20 years ago, now generally can take half a

day to a day, so it's that. But a large part of the increase that I've seen, what we define within our service as major cases, that's not necessarily what everybody else defines but we call major cases.

MS. ROGERS: So what would be ...?

MS. KNICKLE: Generally it's anything where a federal sentence could be imposed, so generally indictable offences. It doesn't necessarily have to be something in superior court. Your aggravated assaults could be your range of sexual offences, anything that involves a public figure.

At one time we would have said something that attracts a lot of media attention, but it just seems like everything that's in court attracts media attention now; a pet, cruelty to animals, summary prosecution attracts media attention. That's really stressful for a prosecutor so it can be a complex case. I would say we never used to see gun violence and now we do.

MS. ROGERS: Would a lot of that would you think be drug related?

MS. KNICKLE: I'm not the best person to ask that but, yeah, often. There are probably better, other stakeholders that question is probably better asked.

MR. A. PARSONS: Anecdotally, and Mr. Brophy could probably talk about this one, I visited our institutions and just talked to guards and management. They say that the number of people inside who obviously have gone through the court process has dramatically increased in terms of drug addiction. I would say that, yes, if that's what they're seeing inside, then that's what going through the courts obviously, definitely.

MS. ROGERS: This might be a good time, then, to ask specifically about the drug court. Where is that at?

MR. A. PARSONS: As you see, we have more money there which we're really happy about.

MS. ROGERS: Yeah.

MR. A. PARSONS: I'm expecting the feasibility study before the end of this month.

MS. ROGERS: Before the end of this month?

MR. A. PARSONS: Yeah.

I've been a firm believer that this is not a case of if, this is a case of how. There's been a lot of work done in the last year.

Myself, I actually visited the Drug Treatment Court in Saskatchewan to see how they do it out there; the people that are working on it – Patricia and Penny?

OFFICIAL: Penny.

MR. A. PARSONS: Penny Winter and Patricia visited the ones in Kentville, all over the country, Yukon. So there's been a lot of work done. We've had some good people come on board, John Duggan and others who have put a lot of work into this. I'm really looking forward to seeing the report. It's exciting because we need to do something different.

MS. ROGERS: What was the mandate of the study? Was it should we, could we ...?

MR. A. PARSONS: I think the mandate was to do a feasibility study and then further to that if it's feasible, what may be the best way. Are we talking about a bricks-and-mortar approach? Again, I can only speak to what I've seen elsewhere.

It's a case of taking pre-existing courts and then finding the way that you do it. Do you need a dedicated resource, do you need a dedicated judge, et cetera. So we've got a lot of people working on that. That's what the study is going to tell us. Then we get that, then take the new money and then work on trying to get it up and running.

MS. ROGERS: There was new money that's beyond the feasibility study, was there?

MR. A. PARSONS: The feasibility was \$30,000 and then we've got an extra \$120,000.

MS. ROGERS: One hundred and twenty thousand dollars; what's that for?

MR. A. PARSONS: I guess that's to help us implement the next step. There's a formula that the feds use. There are other provinces that are getting this money.

MS. ROGERS: Yes.

MR. A. PARSONS: Every province is different. I mean it's probably based on population or court numbers, just a number of factors. That's the amount that we were eligible for.

MS. ROGERS: There was \$30,000 for the study and then \$120,000 to the next step.

MR. A. PARSONS: Yes.

MS. ROGERS: Okay. Thanks.

MR. A. PARSONS: There's money for a position and operating within that \$120,000.

MS. ROGERS: Okay. Thank you.

Court Facilities, 3.3.01, \$500,000.

MR. A. PARSONS: That's for the study which I'm really excited about. Basically, just to speak about it generally, we've got a Supreme Court that is over a century old. We've got a Family Division that, as was said, is busting at the seams. We've got Provincial Court down at Atlantic Place which is a significant cost too. Then you throw in all the ancillary offices, whether it's Family Justice Services, whether it's Victim Services, probation, sheriffs. Our Court of Appeal has infrastructure challenges in terms of they've had a lot of repairs that had to be done.

MS. ROGERS: And accessibility.

MR. A. PARSONS: The argument we're making is that we should do a study to talk about the possibility of creating almost like a campus and what can we take to put it together. That's where we got the money for a study which I was happy that they agreed to. We went after it for a long time.

I think that when it's all said and done you'll find efficiencies. I think you'll find savings just in – if you look at the rent we're paying across

the board, the total for the next five years is about \$10 million just in rent.

MS. ROGERS: Over the next five years?

MR. A. PARSONS: In infrastructure, yes, over the next five years.

So I think there's a way we can do it better, and I think it's a – again, this is why the study is there, to see if it can be done. We know some of our buildings are at the end of their lifespan. Although, it's interesting – this is where I get a little bit geeky, more than usual. I talked to Chief Justice Green who talked about the fact that – he showed me the Benchers' minutes from 1893 and talking about how they had infrastructure issues then, but thank God the Great Fire wiped out the old courthouse. So –

MS. ROGERS: Let's not wish that on this one.

MR. A. PARSONS: So the Benchers and people in this province, for well over a century, have complained about the infrastructure. There it is, right.

MS. ROGERS: Yes.

MR. A. PARSONS: But it is an old building.

MS. ROGERS: So when will this work begin?

MR. A. PARSONS: As soon as possible. Again, there's a TW component to this. It's not just us pushing it. So I don't have as much control, we'll say, but sooner rather than later.

Is there anything I'm missing on that?

OFFICIAL: No.

MR. A. PARSONS: We have to go out and get external Professional Services to figure out the functional requirement, space requirement, cost estimates.

MS. ROGERS: Is there an intention to specifically look at the old Grace Hospital site? Is that –

MR. A. PARSONS: I think we can look at that and the possibility of a build, or is there the

possibility of taking something that is pre-existing and renovating.

MS. ROGERS: Okay.

MR. A. PARSONS: I'm open to anything if it means replacing what is out there. So hopefully it will come back with some cool ideas.

MS. ROGERS: Okay, thank you.

I have nothing further on that section.

CHAIR: Okay.

Mr. Davis, are you finished with that section?

MR. P. DAVIS: I'm just trying to clarify – there's \$120,000 referenced for a feasibility study.

MR. A. PARSONS: Oh, that's the courts?

MR. P. DAVIS: The drug treatment court.

MR. A. PARSONS: Yes. Where's that to?

OFFICIAL: Admin and Policy.

MR. A. PARSONS: Admin and Policy, yes. That was back in 1.2.02.

MR. P. DAVIS: Oh, really?

MR. A. PARSONS: Yes.

MR. P. DAVIS: You said there was \$30,000 for the feasibility study?

MR. A. PARSONS: Yes.

MR. P. DAVIS: What was the balance then – the ninety.

MR. A. PARSONS: There was \$30,000 for the feasibility, now we've got an extra \$120,000.

OFFICIAL: (Inaudible.)

MR. A. PARSONS: The \$30,000 is used for the complete feasibility study, which we should have by the end of the month. Now we've received an extra, or we're receiving an extra \$120,000.

MR. P. DAVIS: So the feasibility study was done, and what's the additional \$120,000 for?

MR. A. PARSONS: That would be going towards, I guess, implementing what comes out of the study. I haven't seen it yet. We still don't have it done, but that's money that we're eligible for. We're anticipating a position and then whatever operating costs.

MR. P. DAVIS: Okay.

MR. A. PARSONS: I don't think I have any issue with it. I'd like to meet with the committee first. I don't see any reason why it wouldn't be put out there because it's not – the usual caveats. If there's something there we're not supposed to put out according to the committee, but why not put it out to tell everybody exactly what is feasible.

CHAIR: Okay.

Shall clauses 3.1.01 to 3.3.01 inclusive carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, clauses 3.1.01 through 3.3.01 carried.

CLERK: 4.1.01 through 4.2.03 inclusive.

CHAIR: Shall 4.1.01 to 4.2.03 inclusive carry?

Mr. Davis.

MR. P. DAVIS: Thank you, Madam Chair.

I guess we'll start with salaries again, Minister. I know there were some changes last year in the RNC. Maybe you could just review the salaries for us.

MR. A. PARSONS: There are two management positions that were eliminated.

MR. P. DAVIS: What positions were those?

MR. A. PARSONS: Two inspectors –no. Sorry, an inspector in Corner Brook, a superintendent in St. John's.

MR. P. DAVIS: How would that decision have been made, or who would have been responsible for that decision, Minister?

MR. A. PARSONS: I guess ultimately I would have been responsible, but this would have been done in consultation with the RNC. Part of the process we went through looking at management across the board, all departments, all agencies. So this would have been – we did do ...

MR. P. DAVIS: Sorry, I never caught that.

MR. A. PARSONS: No, I'm just saying we reached out to the RNC and would have had this discussion.

MR. P. DAVIS: Okay, thank you.

On Transportation and Communications, almost \$250,000 decrease.

MR. A. PARSONS: That would have been a reallocation that was achieved using zero-based budgeting. Because you look at what was budgeted last year and then what was the revised. So we looked at that, and there would have been reallocations that would have been budgeted there, but they're now under Purchased Services. Am I right?

OFFICIALS: Yes, (inaudible).

MR. P. DAVIS: Reallocations that were under –

MR. A. PARSONS: I guess they would have been put there, but they actually ended up being a part of Purchased Services instead.

MR. P. DAVIS: That's why there was a revised decrease?

MR. A. PARSONS: I think that explains some of the difference there.

MR. P. DAVIS: Okay.

So the relocations now come under Purchased Services instead of – okay.

Are you able to tell me the current complement of the RNC?

MR. A. PARSONS: Hmm?

MR. P. DAVIS: The current complement of the RNC, can you tell me that?

MR. A. PARSONS: Four hundred and nine officers.

MR. P. DAVIS: That's what, March 31?

MR. A. PARSONS: Yes.

MR. P. DAVIS: I would imagine.

Sorry, you were finished were you?

MR. A. PARSONS: Yes.

MR. P. DAVIS: Oh, I didn't know. I thought there was another comment coming.

MR. A. PARSONS: No, no, sorry – 409.

MR. P. DAVIS: Because you continued to talk (inaudible).

MR. A. PARSONS: I was just looking at the note there.

MR. P. DAVIS: So, Minister, maybe you could talk to me about anticipated retirements. Maybe you can tell me how many retirements you had in the last year and what the anticipated retirements are versus new hires?

MR. A. PARSONS: Okay. There are, in terms of new hires, we have 16 recruits this year. I think we got – there were 17 last year. Right now, I'm going to guess and say 92 or 94.

OFFICIAL: Ninety-two.

MR. A. PARSONS: Ninety-two people right now are eligible to retire. Which I think is pretty consistent for the last six years. Usually they're averaging 20 retirements per year. This year there were 14. So to speak about it generally, it is a succession plan concern. That's one I'm concerned with, but obviously it's not a new fear. It's a fear that's been there for some time.

As we go through the process for the – now that Chief Janes has announced his plans and has moved to that process, I'm sure that's one of the issues the new chief coming in will put on their radar to look at. Like I say, we got a lot of people that are eligible to go. We got new people coming in trying to fill out that –

MR. P. DAVIS: Yes.

MR. A. PARSONS: – but like any organization, succession planning is necessary.

MR. P. DAVIS: Yes, and the 92 are not getting any younger. Of course, as we talked about earlier with the RNC having no middle, we're soon going to reach that period where the recruitments from the '80s and early '90s ended –

MR. A. PARSONS: Yes.

MR. P. DAVIS: – and then there's nothing coming behind them. But we know that those 92, I would think – and you can comment on it, but I would have thought the 92, as time goes on, there's a higher likelihood they're going to retire.

MR. A. PARSONS: But you can only go on the statistics. Right now, they're averaging the 20. This year, it was 14, so it's actually lower. This comes back down to succession planning. This is not something that popped up in the last 15 months. This issue has been present for – really, if you think about it, the last two chiefs, this issue has been known or on the radar, it could have been forecast.

MR. P. DAVIS: Yes.

MR. A. PARSONS: It is an issue, so what I'm suggesting is that obviously it's something I'm aware of. I mean, ultimately I'm responsible, but as the new chief comes in this might be part of their – Chief Janes finished his strategic plan, and the same way before him, Chief Johnston finished their three-year. Chief Johnston left and said as you're coming in, Chief Janes, you do your three-year strategic.

Basically, that's what Chief Janes said to me, look, there's someone new going to come in; I'll let them come up with their new strategic plan.

This may be one of the issues that needs to go into it because you don't want a scenario like you described where you could, theoretically, have a large number of people go and what's there to fill it in.

That's a challenge that any organization faces. That being said, when you're dealing with public safety, it's probably a little more pronounced than any normal company we'll say.

MR. P. DAVIS: Yes.

I remember there was a plan to hire or to increase the complement by 20. I think 10 of those were completed and then 10 were scratched from last year's budget. Plus there were four vacant positions. So that's actually 16 of the 20 weren't come to fruition. So there was, of the 20, actually 4 new positions, if I have my math right.

So I'm glad you're on top of that because I know it's a concern for many at RNC and also it could become a significant problem for the general public if, all of a sudden, you have 90 people retire and the 20 that were planned to hire hasn't happened. So –

MR. A. PARSONS: Right now, there are no vacancies. From what I'm gathering, what I'm being told, there's possibly the consideration down the road that we won't need to put as many through. We don't want to oversaturate it. We don't want to have too many. I think I might have that correct, Theresa. Maybe Theresa could speak to it.

MS. HEFFERNAN: With regard to our current – I guess the complement that's eligible to retire right now, if we continued with our average of 20 retirements per year, in five years' time, we'd be balancing I guess. So the requirement should be lessened in our police studies program. But that's not necessarily going to continue in the long term.

MR. P. DAVIS: Right; especially, as I said, 92 of them are getting older.

MS. HEFFERNAN: Correct.

MR. P. DAVIS: They've got 25-plus years now. Many of them have 30-plus years.

MS. HEFFERNAN: And there are 41 in the bubble that you mentioned earlier.

MR. P. DAVIS: What do you mean 41?

MS. HEFFERNAN: Forty-one members.

MR. P. DAVIS: Yes.

MS. HEFFERNAN: So 276 have 12 years or less and then we've got 41 between 13 and 24 years.

MR. P. DAVIS: How many was that, sorry; 226, 12 years and less –

MS. HEFFERNAN: There are 276 for 12 years or under.

MR. P. DAVIS: Yes, 276.

MS. HEFFERNAN: Forty-one between the years of 13 and 24.

MR. P. DAVIS: Wow.

MS. HEFFERNAN: And then the 92 is over and above the 25 years, which is the retirement eligibility.

MR. P. DAVIS: Right.

So far, we know now of five managers leaving.

MS. HEFFERNAN: Four confirmed.

MR. P. DAVIS: So that's two gone, two terminated, and three more put in their notice, or at least that I know of.

The RCMP, Minister, there's a reduction there of \$2.5 million. I know their services are purchased and that's generally their professional services, but the \$2.5 million, where are they achieving those reductions?

MR. A. PARSONS: There is the decrease in the funding there. So we work with the RCMP on that. There will actually be, as the term goes, no boots on the street, no detachments closing. Basically, there is going to be some civilization. When you look at their computer systems, there is basically a greening movement that will be slowed down where we won't be able to do as

quickly as we want. There will also be not as many transfers completed and there will be some reduction in police vehicles. So that's how that decrease will be handled.

MR. P. DAVIS: So civilization of some officers to civilian positions?

MR. A. PARSONS: Yes, but that won't affect street officers, administrative, et cetera.

MR. P. DAVIS: Oh, they're administrative.

MR. A. PARSONS: Yes.

MR. P. DAVIS: Any other changes – I know you said there's no changes in detachments and no changes in –

MR. A. PARSONS: No.

MR. P. DAVIS: Is there any areas that have significant pressures right now or resource issues in the province with the RCMP?

MR. A. PARSONS: I hear from communities. I haven't visited one community yet that hasn't said that they don't want more officers. Every community wants more. I mean, that's just natural.

So last year for instance, myself and the new commissioner, Peter Clark, went out to Grand Falls-Windsor and they had the same concern. There was the presence of some street gangs or bikers. What they actually did was get into changing the models so they actually saved money but increased the coverage because they wanted this 24/7 coverage. So you're seeing a lot of that.

I think they're working on the same thing for Gander and working on the same thing for Clarendville. They say the same thing I think that the RNC are saying that we're lucky that they've got a close relationship and we have the joint task force there. Drugs, that's scary and you seeing the increased presence – the RCMP have really been sounding the bell on Fentanyl because, again, they're dealing with it nationally. That's extremely scary when you're hearing that conversation.

Other than that, that's it. I've been in pretty close contact with them and I've had an opportunity to do a number of visits with the new commissioner since he's been here, getting to speak to officers, but that's the usual stuff you're seeing. A lot of the stuff is like the iceberg, there's what we see and then there's what they see out there.

MR. P. DAVIS: Absolutely, yes.

MR. A. PARSONS: You would have been privy to that. There's what you know and then there's what everybody else knows.

MR. P. DAVIS: Thank you.

CHAIR: Okay.

Ms. Rogers.

MS. ROGERS: Thank you.

Just to go back to the RCMP, I know that there were some significant challenges in the Carbonear-Harbour Grace detachment with sick leave, stress leave and feeling that there wasn't enough, that they were short on resources.

MR. A. PARSONS: That's not a concern that's been brought to my level by the assistant commissioner. So if they're facing it, they're dealing with it internally. It's not something that they've brought to me. They're finding a way to manage.

MS. ROGERS: Okay.

And back to the RNC, there was some discussion about civilian oversight with the RNC.

MR. A. PARSONS: Yes.

MS. ROGERS: Can you tell us a little bit about where that's at?

MR. A. PARSONS: Basically, when it comes to the SIRT teams, as it's called, there will be legislation brought to this House this year. It will be the fall session, so we'll have that legislation here for debate. It has since been brought to my attention about having a civilian oversight board. My attentions hadn't really

been there before. We've been really encompassed with putting our attentions on the SIRT legislation, the team, the model, and dealing the other provinces. But the more I think about it and look elsewhere, we're starting to put some attention on that. But that one is sort of a little bit behind.

MS. ROGERS: Because those are separate issues, right?

MR. A. PARSONS: Yes. So really when you talk about policy, one of the things I've dealt with in here is that we have a lot of things we're working on, just the stuff we've talked about tonight, drug treatment courts, family violence courts, the sexual assault pilot and this stuff, but having the resources to do all the policy work that we want to is challenging. I mean, I really do put a lot on the people we have here, and we're lucky to have the good people we have, but as it relates to the oversight board, there has not been as much attention on that because it's only something that was recently sort of brought to my attention. The SIRT team, there's been a lot of work done and we'll have that in place.

We're actually having a conference here at the end of May where all the groups from across the country are coming here. So I'm looking forward to meeting with all them.

MS. ROGERS: So for the civilian oversight, the overall civilian oversight of the RNC, do you have any kind of timeline as to when you might look at that?

MR. A. PARSONS: No, I don't want to put a timeline on. I've put my attention to the SIRT team because of what we've dealt with in terms of public confidence, and the forces themselves would prefer to have that. So that's where my attention is.

As I can get a little more work done on the civilian oversight board, that concept, I'll be a little more comfortable talking about what we should do and how long it should take, what it's going to take, but I'm not in a place where I'm comfortable putting a timeline on it because I can't.

MS. ROGERS: I would think that would also be an element in terms of public confidence as well in our police service.

MR. A. PARSONS: It is, but if we just want to talk about people that contact me, I can tell you that if 10 people contact me about police, 9.5 of those would be about a SIRT team and 0.5 would be about a civilian oversight board. In terms of public attention, that's a fair ratio.

MS. ROGERS: Okay, thank you.

Police Protection, Public Complaints Commission, I don't have anything specific to ask there.

I can't remember now, are we voting on those or are we going to go on through to Adult Corrections?

CHAIR: I've called up to 4.2.03.

MS. ROGERS: Okay, all right. Thank you.

Adult Corrections; we see significant change in Salaries here, \$472,000. Were there positions cut?

MR. A. PARSONS: We had six positions that were eliminated.

MS. ROGERS: And what would they be?

MR. A. PARSONS: They would be four lieutenants, a standards and compliance officer, and one captain.

MS. ROGERS: They are from a number of correctional institutes?

MR. A. PARSONS: Yes. I think there was one in Stephenville; one from each institution.

MS. ROGERS: Okay.

MR. A. PARSONS: Two were from actually here in the department.

MS. ROGERS: Okay.

Superintendent Brophy, I simply want to say thank you, thank you, thank you, for probably one of the more difficult positions in the

province right now. The work you have to do is very well appreciated by many. I thank you for working under such very difficult circumstances, and it is such important, crucial work.

I also know that having visited a number of the correctional facilities with the All-Party Committee on Mental Health and Addictions, and also previous to that, we know that probably the majority of folks who are incarcerated are incarcerated because they have something to do with crimes that are related to drugs. We know there is one addictions counsellor at HMP for 150-170-odd inmates.

OFFICIAL: One hundred and seventy-five.

MS. ROGERS: A hundred and seventy-five.

It's clear that is insufficient; it's absolutely clear. I would use the words it is neglectful in terms of our responsibility as a society to deal with people who are in conflict with the law and who are incarcerated. Is there any money allocated to increase that?

MR. A. PARSONS: Well, I think with the report that came out, I think actually Health will be taking over the provision of those services. So that's going to be a question for John Haggie in the future.

I guess what I'd say overall is I agree with you, that we have a – and I can't give you a percentage that we have too many people inside who are there for drug addiction, substance abuse, mental health issues. That's where my focus has been on what can we do differently, rather than continue to fill a prison.

I think there should be less people there. There are people inside that it's not the best place – and it's not a public safety thing. I'm not talking about taking people outside that shouldn't be there. There's a risk assessment done on everybody, but it's proven, it's shown that if we have – and that's why I'm talking about doing bail supervision work. We can do things differently.

Yes, when you have the increase that we've seen in our numbers, and you have that – there's always more I'd like to be able to do when it comes to programming and everything else

health wise down in our institutions. John will have that challenge now. I guess it will face him, and I'm sure he'll be up to it.

You think about it, if have one person treating this many people and that number of people goes up, that's a burden on this person. We have done more when it comes to – I know Dr. Gill is down there and Dr. Craig. Dr. Gill has been doing a lot more work as well.

MS. ROGERS: I believe it's a positive step in terms of having the health and the addictions and the psychiatric services handled by the Department of Health but I also believe there is some responsibility as well from Justice to ensure that those services, whether they're delivered by Health or whether they're not delivered by Health, that there is a commitment to adequate services in terms of our responsibility to those who are incarcerated, if in fact rehabilitation is on the table at all.

So I would hope it's not just a – we need to have a commitment, whether it be from Health or a push from Justice, to ensure the neglect we have seen over the years in terms of rehabilitative services within our correctional facilities have to be addressed.

MR. A. PARSONS: Again, it might be easier for some of those services to be provided on the outside rather than just increasing the services on the inside.

MS. ROGERS: Sure, but we have people on the inside.

MR. A. PARSONS: Yes.

MS. ROGERS: We have people on the inside for up to two years.

MR. A. PARSONS: Yes.

MS. ROGERS: We have people on the inside waiting for services, begging for services.

The other services that seem to be problematic right now is the situation of schooling inside HMP. I'm wondering, I believe the position of the teacher hasn't been filled in a while and I'm wondering is that a budgetary situation?

MR. A. PARSONS: I'll let – Mr. Brophy can take that one.

MR. BROPHY: That position became vacant in December when the person who occupied it left. We are in the process of a recruitment. It's a challenge to recruit one individual for this position because they have to be qualified in all the high school credits under the ABE program. So right now we have five resumes that we submit to AES who will sanction or tell us who's qualified for that position, and we are waiting on word from them.

MS. ROGERS: Owen, is it just one teacher for the whole population?

MR. BROPHY: Yes.

MS. ROGERS: Do you know how many people – how does that relate to in terms of actual school time, education time for inmates?

MR. BROPHY: School runs five days a week. The teacher at any given time will probably have seven or eight inmates in the class, but during the week the teacher will look after different populations within the prison. We probably have six different populations within the prison.

MS. ROGERS: Is there a wait-list for school time?

MR. BROPHY: Typically not.

MS. ROGERS: One teacher for – so the seven people, are they there every day, five days a week or ...?

MR. BROPHY: Not necessarily the same seven. He might see seven one day, probably give them homework to go back to the unit and do and then the next day there might be a different group up.

MS. ROGERS: Okay.

So, in fact, there's not an extensive amount of time that folks have with the teacher during the week. They may see the teacher once a week?

MR. BROPHY: Depending on the inmate, but typically we don't receive any complaints about

the time the students spend in school. It seems as if the one teacher is sufficient.

MS. ROGERS: Okay.

MR. A. PARSONS: If I could just jump in there.

I can say actually I visited the pen, a couple of weeks ago I think. I actually sat down with the inmate committee; the first time it's been done. So basically it was a chance for them to sit down with me and give it to me straight up what are some of the issues that they're facing.

School was not an issue that was brought up by any of the inmates there. They gave me lots of other stuff that they had issues with, but that was not one of them.

MS. ROGERS: What were some of the issues that they raised?

MR. A. PARSONS: Some of them were just talking about different procedures and policies. Talking about in terms of being able to use their canteen and talking about – I have a list made there somewhere.

OFFICIAL: (Inaudible.)

MR. A. PARSONS: Yeah, they wanted to talk about the water cooler in the gym wasn't there anymore. Sometimes there are very good reasons for these things, so a lot of it was explaining what was the reason, why this was caused here, is there a safety reason. But it was a chance to work with them, too, and say is there a resolution that we can put in place.

Dan McGettigan from Turnings came down with me. He's got a great rapport with the population. I'm working a lot with him. They seem to really trust him, to be able to talk to him.

I don't know what it is; I don't know what the male intake was recently. I'm responding to all the letters I'm getting from down there and so the number of letters I'm getting has increased exponentially.

Actually, I had someone write me today and said that they demand I write back in pencil instead of typing it, so I don't know.

MS. ROGERS: Why is that?

MR. A. PARSONS: They want to make sure that I wrote it.

MS. ROGERS: Oh.

CHAIR: I'm just looking at the clock, Ms. Rogers. It's been out for some time.

MS. ROGERS: Yes.

MR. A. PARSONS: Oh, that's my fault. Sorry.

CHAIR: I just want to go back and make sure that we're fair here.

MR. A. PARSONS: Oh, sorry about that.

CHAIR: We'll turn it back to Mr. Davis. Is that okay?

Mr. Davis.

MR. P. DAVIS: Thank you.

I had my head down and every now and then I heard you say Andrew, I was wondering why you were saying it but you were trying to get your microphone on. I was saying: Who is he talking to?

Minister, could you just give me the explanation again on salaries under Adult Corrections, \$472,000?

MR. A. PARSONS: Six positions, four lieutenants, captain, standards and compliance officer –

OFFICIAL: (Inaudible.)

MR. A. PARSONS: Oh sorry, and there was one, the director of community corrections.

MR. P. DAVIS: Okay.

I know the numbers change every day but, typically, what's the number of adult male inmates at HMP?

MR. A. PARSONS: Male inmates, there are 175.

MR. P. DAVIS: Female inmates at HMP?

MR. A. PARSONS: (Inaudible).

MR. P. DAVIS: Ten.

What about at other institutions for adults for male and female?

MR. BROPHY: In total?

MR. P. DAVIS: Yes.

MR. BROPHY: Today we are at 420 in custody; that includes 22 in RCMP lockups.

MR. P. DAVIS: I know I'm going to jump over from adult to youth – how many youth in Whitbourne typically now?

MR. A. PARSONS: Three in remand and three in secure.

MR. P. DAVIS: Sorry, Superintendent Brophy, what is the complement of women in Clarendville?

MR. BROPHY: Twenty-four today and three at the St. John's City lockup.

MR. P. DAVIS: Minister, I was wondering if you had given any consideration to reopening some of the closed units in Whitbourne and utilizing it as a female facility, moving youth to Clarendville and then you'd free up space at Her Majesty's Penitentiary. You could have all the female inmates at Whitbourne.

MR. A. PARSONS: Owen might correct me if I'm wrong here; we actually did consider that last year and there was a significant cost component and there was sort of the fear of having youth incarcerated with adults. But there was a significant cost consideration on the infrastructure side to reopen the units. So that's why we did what we did.

That being said, going forward, given the fact that we have six people out in Whitbourne, that's something – I'm willing to consider anything. The other thing too is that we are in the process of doing more study on Her Majesty's. There is the possibility of looking at what do we do there. We do have women at Her

Majesty's now, is there something that will be considered in the plan going forward?

But that's the reason it didn't happen last year. There was a huge cost just for the infrastructure side to reopen one of the units. It was actually much more expensive than doing what we did.

MR. P. DAVIS: And where would you have youth mixed with adults?

MR. A. PARSONS: Pardon?

MR. P. DAVIS: You said one of the concerns was youth –

MR. A. PARSONS: Well you said if you reopened Whitbourne and brought women –

MR. P. DAVIS: To Whitbourne.

MR. A. PARSONS: To Whitbourne.

MR. P. DAVIS: But you moved the youth to Clarendville, because I know Clarendville has had some renovations in recent years.

MR. A. PARSONS: I'll put it to you this way; I'm willing to consider absolutely everything. I don't have the numbers here right in front of me, but I'm willing to consider anything. It's unfortunate actually, I was supposed to be out in Whitbourne last Tuesday but the weather prevented me from taking the drive out, but I'm hoping to get out there soon.

MR. P. DAVIS: Yes, well maybe I'll check back with you again on that consideration –

MR. A. PARSONS: Yes, by all means.

MR. P. DAVIS: Because I think it would free up space in Her Majesty's Penitentiary where the 10 female inmates are. It would move youth to Clarendville. I've been in Whitbourne facility many, many times over the years and I know it has much more potential for much more capacity than 37, but you have to reopen some of the units. I'm aware of that too.

MR. A. PARSONS: We have had those discussions on whether there could be a switch done, but I don't have the numbers to show if it's feasible or not feasible. But that's actually a

discussion that – it's funny, as you're going through these Estimates and you're talking, you're looking at the costs, we actually had this conversation as we prepared last night. I was like is there something we could do that's completely different, when you look at the numbers we have out in Whitbourne and you look at the numbers we have in Clarendville, and then the numbers that we're transporting in here.

MR. P. DAVIS: Especially with the numbers previously discussed with the courts, the prosecutions office and the demands on them. They're not going down any time soon, the numbers.

MR. A. PARSONS: No.

MR. P. DAVIS: I think it's safe to conclude that's going to have that upward impact on inmate numbers as well, I would think.

MR. A. PARSONS: Yes.

The other thing, Minister Gambin-Walsh's department is responsible for the open custody. I think they're actually having some conversations there on that side of it, so we deal with the closed, but that's the conversation that our department –

MR. P. DAVIS: Right. They're very small numbers, youth numbers now compared – one time Whitbourne was full with 80, 90, or 100 youth but now when you have six.

MR. A. PARSONS: When you look at we're averaging $7\frac{1}{2}$ – 7.5 is the number averaged over the year. That's not a very big number.

MR. P. DAVIS: No.

My recollection of it is it would be a facility that could provide great opportunities for female inmates, for women, who are incarcerated.

MR. A. PARSONS: Yes.

MR. P. DAVIS: With the classrooms and facilities and all those kinds of things that are there, it would seem that (inaudible) –

MR. A. PARSONS: We may be on the same wave length there because, like I say, we've had

this discussion. As we go through and prepare for this, we've sat down and said is there something we can do different here, and that was one of the things that came up, but not enough work actually done yet to show whether it could work or not. But it is worth looking at.

MR. P. DAVIS: All right.

And very quickly, because I want to go back to the RNC for a minute, under Youth Secure Custody is a \$172,000 change in Salaries, 4.2.02.

MR. A. PARSONS: One management position was eliminated, but that's the only position that I'm aware of. And there's some kind of attrition management. There's money from a couple of budgets ago.

MR. P. DAVIS: They were hanging onto it; is that what they were doing?

MS. ENGLISH: Built into our budget from a couple of years ago were attrition targets for departments to achieve. As part of that, Youth Secure Custody had a budget adjustment into this year to remove \$59,000 out of their budget in anticipation of retirements and salary savings through attrition.

MR. P. DAVIS: Okay.

Minister, what I'd like to do, if I may, I got an area that I wanted to talk to very quickly about. It's 8:43 so we got about 17 minutes left on the schedule time. And if we can clue this discussion up, maybe in three or four minutes, and if I may, Madam Chair, maybe we could just take a five-minute break just for me to review my notes and so on to see if there's anything else I want to clear up.

MR. A. PARSONS: While you are reviewing I could go –

MR. P. DAVIS: Yes, you could.

So on the RNC – we know that there are pending changes in federal legislation around marijuana, usage and so on. It comes to mind that a couple of things – I don't know about the legislation. I know the province will hold responsibility on sales, administration, rules and

so on. So a couple of areas that I'd like to hear what you think about; one, on the RNC enforcement for impaired driving by drug and if there's a plan to clarify what the rules will be, the laws will be, and make sure people are aware of it.

Secondly, are there any advancements in testing for the presence of marijuana by individuals that would be driving a motor vehicle?

And I'd be interested in any other comments on preparation for you, as a province, in preparing for those responsibilities.

MR. A. PARSONS: Yes, I can speak to some of this and I don't know if Robin might be able to speak a bit more.

So the first thing is that this is obviously a huge endeavour, one that – there's a justice component, there's a finance component and there's a health component. We all know that there are various groups – and obviously it's federally driven, too. We're hearing the rollout date of July 1, 2018. Although I heard a story there the other day that they might want to change that because that could be an interesting Canada Day; that's just what I hear in the news.

Then we know that apparently the legislation is going to be tabled this week some time. So we're waiting in many cases to see where the feds want to go with this. Part of the report that was done by – was it Anne McLellan did it? She was the head of the – one of the things is that with the money that comes in, we have to put a lot of money back into education and into things, like you say, advancing studies on testing.

After talking – I never had a long enough conversation with him; I'm hoping to meet with him again. The end of this month Bill Blair was down. He is an MP now but, as you know, the former chief of Toronto Police and he's been obviously very involved in this. So he's volunteered to come back down and speak to us. Given his background, he's a legislator now but he's got that significant police career. I'd like for him to be able to come down and do a lot of the talking because he can talk about both sides of it.

MR. P. DAVIS: Yes.

MR. A. PARSONS: When it comes to the distribution side, retail, regulation, I can't definitely speak to anything because it would be a Cabinet decision. I mean, obviously Cathy Bennett or Perry Trimper and John Haggie are all going to have a say in this as well. The big thing on our end obviously – and there's a lot of discussions, too. We've had them, but is there any decision. I just read another article today on age. It shouldn't be less than 18? Should it be 21? Depending on who you talk to –

MR. P. DAVIS: Or 25.

MR. A. PARSONS: There it is; it could be 22. I read a great editorial today talking about maybe it should be 22, which is the same age as the driving regulations that we recently brought in. So there's going to be a lot of viewpoints on that, but that's where we have to look at evidence, look at other jurisdictions, look at studies, look at what the experts are saying and make what we think is the best decision.

So there's still a lot of work to do. I'm confident that we're going to be able to do it. I don't know if Robin can add anything to it.

MR. FOWLER: The only thing I'd have to add to your question that you asked to the minister was on if there is any improvement in testing when it comes to impaired driving. There isn't anything right now that the feds or anybody is ready to roll out. I know that there is ongoing work on developing something to improve on the testing but, at present, to what we know of under the *Criminal Code*, we are relying on 253(a) which is the impaired driving.

MR. P. DAVIS: The impaired.

MR. FOWLER: There is the ongoing hope, though, that they are working. Right now, the provinces aren't aware of anything, any update on the testing.

MR. P. DAVIS: Great project for some entrepreneur somewhere.

Minister, not under your purview, but of course another significant one would be occupational, health and safety requirements and how do you enforce that. That is going to be significant.

MR. A. PARSONS: (Inaudible) deal with all across, but obviously in this department with these divisions it's huge. We've seen it when it comes to sheriff's officers up in Labrador there have been a lot of changes there. They really are out of your control. You have to deal with it as it comes to you.

Actually, it's one of the issues we've dealt with since my first week on the job is just talking about how that's evolving, it's getting more stringent and how if we don't take necessary steps – you even look at – I don't have it now – but fish and wildlife we dealt with that tragedy a few years ago where I was responsible for making sure we did the changes when it came to equipment, practice, doing the work out there. So it's something that's constantly top of mind, but how do you put a cost on it.

MR. P. DAVIS: Yes.

There was – okay, I'll tell you what, I'll stop and I'll just review a couple of things that I know I missed.

MR. A. PARSONS: Okay.

MR. P. DAVIS: And I don't know if you want to carry on with Ms. Rogers, or if you're going to take a break for a few minutes.

CHAIR: Ms. Rogers.

MS. ROGERS: 4.2.03, \$100,000 – is this for a study for HMP?

MR. A. PARSONS: It's for the extension of a study. There was a lot of work done previously on a plan for HMP, which I've actually seen. This is basically I think to validate the – what's the word they used here?

OFFICIAL: Scope of the work.

MR. A. PARSONS: Validate the scope of the work that was developed three years ago, and also to do the functional requirements, space requirements, cost estimate and also to do a value-for-money analysis. So there's a lot of work done, but it is three years, so we need to look at it and say is it still what we need.

MS. ROGERS: Okay, thank you.

And I have two questions. What's happening with government's support program for complainants of sexual violence?

MR. A. PARSONS: We've got some money; it's under Adult Corrections, is it? So we've managed to get \$250,000 that we will be putting forward into it. This is something that's near and dear to me, and I'm making an announcement very soon. That's the best way for me to put it. Obviously there's a federal component to this as well, so I've been working with my colleague, the federal Minister of Justice on this. But at the risk of sounding – I plan on an announcement on this in the very, very, very near future.

MS. ROGERS: How will it be delivered?

MR. A. PARSONS: That's part of the announcement, what we're doing there. But that's something, we've actually went out and got – a lot of times you can come up with the policy, but do you have the money to do it? We have the money now to start the pilot. My plan is on announcing what we want to do with this, how we're going to do it. And we've partnered with Nicole Kieley and the sexual assault – I always getting the acronym wrong.

MS. ROGERS: I know it's a long one.

MR. A. PARSONS: Nicole Kieley and Kevin O'Shea with PLIAN. They've been working with us. We've got a group within that's been working together on this.

MS. ROGERS: The community will be involved?

MR. A. PARSONS: Oh yes. This is another one where it's a great idea in theory. I firmly believe in that, but it's also one that if we're not careful, could really go sideways and not benefit anybody. So as much as I have a habit of wanting everything done right now, I'm not going to rush it, but I am making an announcement on it very soon. I really don't want to screw it up because I think if we do it right, it's going to help a lot of people.

MS. ROGERS: Also is there any money allocated or reserved for looking at the bail supervision program study?

MR. A. PARSONS: Yeah – well, the study that we announced last week, done by the two grad students, is actually at no cost to us. So they are going to do basically a feasibility study. Once that comes back, then we'll look into what are the funding requirements. So that's the beauty of this one; we've partnered with Academia to get the work done and there's no cost to getting that actual work done.

Now, there will be a cost – once they come back and say this is what your needs are, this is what the program could look like, this is who you should partner with and they'll come with a cost, then we have to figure out what is the cost, how are we going to fund it. But I think it's a no-brainer. I think it's really necessary and it could have a lot of positive benefits. I think it could save money and I think it's better for certain people.

MS. ROGERS: So who's giving the oversight then to the study if government is not paying for it and this is their required work for their academic pursuits –

MR. A. PARSONS: Well, actually, it's not associated with – this is where I look to, because my EA has been very involved in this as well. It's not associated with MUN, is it?

OFFICIAL: No.

MR. A. PARSONS: It's not actually associated with MUN; this is just part of what they're doing. We have oversight but it's one of those fine lines between we want it to be independent in the sense that I don't want to tell them what I want to hear –

MS. ROGERS: Yes.

MR. A. PARSONS: – but at the same time they're working with us. What we're giving them is access to information, access to facilities, access to people. Anything that they need from us, we'll provide in terms of that. So they're actually going to go down and speak to the prison population, so they'll be working pretty close with Owen and his team and anybody else.

MS. ROGERS: So has your department then given them a specific mandate or instruction in

terms of really what you want looked at, what you want studied –

MR. A. PARSONS: I'm going to toss this out to my EA who has been really heavily involved in this and has a good background. There's no reason –

MR. SAMMS: So these two people, Pegah Memarpour and Hayley Crichton, came forward by email, I believe, originally to the minister a year ago. They were involved with the system in Ontario. Basically, that was the starting point. This is what is happening in Ontario. It has better outcomes for inmates in the institution but, at the same time, could potentially reduce costs.

So, as far as oversight goes, it's the same thing as the drug treatment court, a feasibility study. They're going to do the work and then we'll look at it internally as a department. Does that fairly answer your question?

MS. ROGERS: Yes. Thank you.

I'm done in terms of my questions.

CHAIR: Okay.

I'll turn it back to Mr. Davis to wrap things up.

MR. P. DAVIS: We might be out of here by 9 o'clock.

Just a couple of things, Minister, from the Budget Speech, and I probably missed them already but I'd just like to get your comments on them. One was in the Budget Speech, \$285,000 to establish Family Information Liaison Units.

MR. A. PARSONS: (Inaudible) yes.

MR. P. DAVIS: As far as the national inquiry.

MR. A. PARSONS: That's under Adult Corrections, I believe. Which section, T and C?

OFFICIAL: (Inaudible.)

MR. A. PARSONS: Also under Purchased Services it's two parts. So there's \$74,000 under T and C, and \$64,000 under Purchased Services.

MR. P. DAVIS: Yes.

MR. A. PARSONS: And there are two positions with that. In terms of what's actually being done there, what (inaudible)?

OFFICIAL: (Inaudible.)

MR. A. PARSONS: Yes, the work for that is just starting. We know the money is there but the actual work is just getting going.

MR. P. DAVIS: That's about half of it. There was \$285,000 altogether.

MR. A. PARSONS: The two positions would be under Salaries. Is that right, under victim services, because under Adult Corrections, that also encompasses victim services and probation as well?

Actually, here we go: \$144,600 would be under Salaries; \$74,000 under T and C; \$2,400 under Supplies; \$64,000 under Purchased Services. That's a complete federal offset, yes.

MR. P. DAVIS: Okay.

There's \$195,000 for renovations to the Supreme Court. That's a pretty specific number. It's not \$190,000 or \$200,000; it's \$195,000. That's under Capital, I would assume.

OFFICIAL: No.

MR. A. PARSONS: It's not under Capital?

OFFICIAL: No, it's in the Supreme Court (inaudible).

MR. A. PARSONS: It's in the Supreme Court, under purchased is it?

OFFICIAL: (Inaudible.)

MR. A. PARSONS: Yes. So it the Supreme Court under Purchased Services, \$195,000, and there's money in the out years. Is that what it is? Okay.

I think some of it is so basic that, there was some work that had to be done on the steps down there. Am I right? I remember the chief judge letting me know about it.

MS. ORGAN: (Inaudible) hired who did a study of the courthouse, and there was four phases they looked at. So the first phase would be the main floor, the public entrance area, which is the \$195,000 and the staircase and some electrical upgrades. Then phase two would be the following year, phase three each year.

MR. P. DAVIS: Okay.

Minister, you had \$100,000 for planning for HMP –

MR. A. PARSONS: Yeah.

MR. P. DAVIS: – and \$500,000 for planning for courts. How did you arrive at those very different numbers?

MR. A. PARSONS: It would have been done in conjunction with Transportation and Works. The fact is, as you know, there's a significant amount of work already done on HMP. There was study done, I can't remember the name of the group, but by –

MR. P. DAVIS: It was a consultant was it?

MR. A. PARSONS: Yeah, like there's a lot of work already done there. So basically the reason the amount is lower for that than say the court is that there has been no work done for the court. There's been a significant amount done for HMP. This is just a matter of taking it and validating what they used to make their assumptions on and then doing the new analysis on it. So that was the breakdown there.

MR. P. DAVIS: There was \$780,000 for Transition House. Does that come under your department?

MR. A. PARSONS: No. I know it mistakenly said that in one of the documents but that's under Women's Policy, I believe. I know under one of the budget documents it said under Justice, but that's not with us.

MR. P. DAVIS: Is that the only amount then that was –

MR. A. PARSONS: As far as I know, isn't it?

MR. P. DAVIS: There are a few errors this year.

MR. A. PARSONS: Like I say, there's somebody else out there. I'll take all the blame for that. Actually, I'm going to take all the credit for all that money even though it's not our department.

MR. P. DAVIS: So \$280,000, sexual assault response pilot program. Does that come under this as well?

MR. A. PARSONS: \$250,000, yes, that's us.

MR. P. DAVIS: Where is that?

OFFICIAL: It's under Adult Corrections.

MR. A. PARSONS: Adult Corrections.

MR. P. DAVIS: Adult Corrections, you just referenced that one.

MR. A. PARSONS: Yeah.

MR. P. DAVIS: And the liaison. Okay, I think I covered what I – some of the reminding ones.

Oh, the *Contraventions Act*, yes. There's \$900,000. Is it \$900,000, or \$900,000 plus \$900,000?

MS. JACOBS: No, \$900,000 for this year.

MR. P. DAVIS: That's federal money.

MS. JACOBS: Federal and we spread it under the Sheriff's and Fines and Provincial Court.

MR. P. DAVIS: Yes, I thought some were there as revenue, or were there under provincial, but they're all federal are they? I thought some were there –

MS. ENGLISH: It's federal revenue (inaudible).

MR. P. DAVIS: Say that again, sorry?

MS. ENGLISH: I'm sorry. The federal revenue, the budget is there in three separate activities, Fines Admin, Sheriff's Office and Provincial

Court, and then the associated revenue will show as federal in each of those.

MR. P. DAVIS: Okay. So the associated revenue there would be that offset.

MS. ENGLISH: And it all adds to it, yes.

MR. P. DAVIS: Okay.

Just two more things, Minister; one is a question and one is a comment. Last year you very kindly provided us with a copy of your binder and your notes.

MR. A. PARSONS: Yes. That's not an issue. I think John has them.

MR. P. DAVIS: Okay, good.

Thanks, I appreciate that, because we did reference it from time to time. Throughout the year actually, we reference it from time to time, because when you're making decisions or moves we hear announcements and so on. We're always looking around to see if that's part of the plan, or where was it and checking our notes, what did he say about that back on April 10.

The other thing is I just want to take a moment to thank you and all your staff. Justice is an area – it came up during tonight, actually, a couple of times. Justice is an area where it's not uncommon to get – you feel and believe, I know as the minister, that there's really good work being done. You got talented people in all branches of your department, all branches of government, but we're here talking about your department, and we know they're very talented, hardworking, dedicated people.

I've often said as a minister, and even my time as premier, there are many days I came in here before daylight and left when it was dark. I don't know if I can ever remember a time coming in here that there wasn't somebody here before me, and most often public servants. I can't overstate the value, the talent, the dedication, expertise that exists in your department, through all branches of your department, and I express my gratitude and thanks to them.

As well as people that are around here tonight, some participated more than others, but to sit

here and listen to us for three hours is a task in itself. The preparation and the assistance they've obviously provided to you is acknowledged and appreciated, and I extend our thanks to all of them.

MR. A. PARSONS: Thank you.

MS. ROGERS: As well, I would like to thank you so very much. I'm always amazed every year when Estimates roll around how many people it really takes to grease the wheels of our tiny province, and the dedication, the passion and the compassion that so many of you bring to your work. Again, some of your work is much more difficult than others, and I thank you so very much for that. The understanding of how important justice is in our communities is so very important. I believe we're in good hands, and thank you so very much for your work.

MR. A. PARSONS: If I might just say a few remarks. I held off at the beginning because I wanted to get down to it. Now that we're done, thank you to my colleagues for asking the questions, because that's what you need to make the system better, and to my colleagues that have sat very patiently and listened.

There's a young fellow over there who doesn't get appreciated very often, that's Brad. He does a lot of work when it comes to this budgeting process. So he deserves a big thank you.

To all the people that are sitting beside me and behind me, there's no truer sense of the word team. I am just one part of a team, and I think we've got the greatest team. In fact, I think we have the best department, and the reason we have the best department is because of all these people and the people that work with them and for them and under them and above them.

It's tough, it's tough work. I mean this not a department that – it's a department filled with conflict when you look at – I always say nobody wants to be in court, nobody wants to be in prison, nobody wants to be dealing with police. We do the tough work; these people do the tough work. I'm only as good as these people and I'm very lucky I get to work with them every day. So thank you for all you've put in.

That's why I like having a big crowd of them here, because they all know their parts so much better than I do, and it's better for you guys to hear from them because they know what they're doing, they're good workers, and I'm getting smarter – I'm getting smart by osmosis.

MR. P. DAVIS: (Inaudible) getting smarter already.

MR. A. PARSONS: Thank you to all them.

Thank you.

CHAIR: Okay.

We will call – shall 4.1.01 to 4.2.03 carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, 4.1.01 through 4.2.03 carried.

CHAIR: Shall the totals carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

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 without amendment?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

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

CHAIR: Now the date and time of the next Social Services Committee is 9 a.m. on Monday, May 1. That's Education and Early Childhood Development. So you can note that in your calendar, because there have been some changes with the Estimates schedule. If there is somebody that cannot make that meeting on Monday, May 1, please advise the Government House Leader who will then advise the Clerk.

With that, I am happy to call for a motion to adjourn.

MR. WARR: So moved.

AN HON. MEMBER: Seconded.

CHAIR: We don't need a seconder.

Okay, Mr. Warr.

Have a good evening everyone.

On motion, the Committee adjourned.