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

March 28, 2018 - Issue 1

Department of Justice and Public Safety

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Honourable Perry Trimper, MHA

## **SOCIAL SERVICES COMMITTEE**

Department of Justice and Public Safety

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Chair: Carol Anne Haley, MHA

Members: David Brazil, MHA  
Jerry Dean, MHA  
Betty Parsley, MHA  
Kevin Parsons, MHA  
Scott Reid, MHA  
Gerry Rogers, MHA  
Brian Warr, MHA

Clerk of the Committee: Sandra Barnes

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Appearing:

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

Hon. Andrew Parsons, MHA, Minister  
Andrew Green, Manager, Finance and Operations  
Dan Chafe, High Sheriff  
Virginia English, Departmental Controller  
Theresa Heffernan, Executive Director, Support Services  
Dolores Hutton, Director, Court Services, Provincial Court  
Jennifer Mercer, Director of Public Prosecutions  
Shelley Organ, Chief Executive Officer, Supreme Court  
Rolf Pritchard, Assistant Deputy Minister, Civil Division  
Mark Fleming, Executive Assistant  
Don Roche, Superintendent of Prisons  
Todd Stanley, Deputy Minister  
Amy Stoodley, Director of Communications  
Paula Walsh, Assistant Deputy Minister, Public Safety  
Kendra Wright, Assistant Deputy Minister, Courts and Corporate Services  
Nicole Abbott, Manager of Budgeting

### **Also Present**

Paul Davis, MHA  
Paul Lane, MHA  
Sandy Collins, Researcher, Official Opposition Office  
Ivan Morgan, Researcher, Third Party Office

The Committee met at 5:30 p.m. in the Assembly Chamber.

**CLERK (Barnes):** Good evening, everyone.

This is the first session for the Social Services Committee in the third session of the 48th General Assembly. So under our Standing Orders, I have to call for nominations; we have to elect a Chair of the Committee. So I call for nomination of the Chair.

**MR. WARR:** I so move Carol Anne Haley.

**CLERK:** Okay. Are there any other nominations for Chair?

Having seen no further nominations, the Member for Burin - Grand Bank will be Chair of the Social Services Committee for the duration of the third session.

**AN HON. MEMBER:** Congratulations.

**SOME HON. MEMBERS:** Hear, hear!

**CHAIR (Haley):** All right. Good evening, everyone.

I'm new to this role, so you'll have to bear with me.

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

**MR. A. PARSONS:** I move, Mr. Davis.

**CLERK:** Mr. Davis, you're not a permanent Member of the Committee, are you?

**MR. P. DAVIS:** No, I'm not, no.

**CLERK:** No, okay.

We can defer that until a later time.

**CHAIR:** Okay, we'll defer.

We now have to approve the minutes of May 4.

I'll call for a motion to approve the minutes of May 4.

**MR. WARR:** So moved.

**CHAIR:** All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Carried.

On motion, minutes adopted as circulated.

**CHAIR:** Okay, at this time, I guess, I would ask the Committee to introduce themselves, beginning with Mr. Davis.

**MR. P. DAVIS:** Thank you.

Paul Davis, the MHA for Topsail - Paradise.

**MR. COLLINS:** Sandy Collins with the Office of the Opposition

**MS. ROGERS:** I'm Gerry Rogers and I work for the good people of St. John's Centre.

**MR. MORGAN:** Ivan Morgan, researcher, NDP caucus.

**MR. REID:** Scott Reid, St. George's - Humber.

**MR. LANE:** Paul Lane, MHA, District of Mount Pearl - Southlands.

**MR. DEAN:** Jerry Dean, MHA Exploits.

**MR. FINN:** John Finn, MHA Stephenville - Port au Port.

**MR. WARR:** Brian Warr, MHA Baie Verte - Green Bay.

**CHAIR:** Thank you.

I'll now turn things over to the minister.

Minister, you can introduce your staff as you wish, and of course you have 15 minutes to speak and then the responder will have 15 minutes. I think, well, I know, thereafter, every other speaker will get 10 minutes back – it will be back and forth for 10 minutes.

**MR. PARSONS:** Okay.

I'll introduce myself first. Andrew Parsons, MHA Burgeo - LaPoile, Minister of Justice and Public Safety and Attorney General.

Just one thing off the top, having gone through enough of these, usually we'll get requests for information. So anything that we provide to one MHA during this process, we'll endeavour to provide to all offices to make sure – so there's no need to – we're obviously going to make sure everybody gets the same information.

I'll probably say a little more at the end of this, but I think everybody wants to get down to business. So I'll turn it over and let my staff – all the members of the Justice league – introduce themselves.

**MR. STANLEY:** Todd Stanley, Deputy Minister and Deputy Attorney General.

**MS. ENGLISH:** Virginia English, Departmental Controller.

**MR. CHAFE:** Dan Chafe, High Sherriff.

**MS. STOODLEY:** Amy Stoodley, Director of Communications.

**MR. ROCHE:** Don Roche, Superintendent of Prisons.

**MR. PRITCHARD:** Rolf Pritchard, Assistant Deputy Minister for Legal Services.

**MS. WRIGHT:** Kendra Wright, Assistant Deputy Minister, Courts and Corporate Services.

**MS. MERCER:** Jennifer Mercer, Director of Public Persecutions.

**MS. WALSH:** Paula Walsh, ADM for Public Safety and Enforcement.

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

**MS. ORGAN:** Shelley Organ, CEO, Supreme Court.

**MS. HUTTON:** Dolores Hutton, Director, Provincial Court.

**MS. ABBOTT:** Nicole Abbott, Manager of Budgeting.

**MR. A. PARSONS:** And on that note, I'd say we'll kick off and go through the Estimates.

I guess I'll turn it back over to –

**CHAIR:** I just have one thing to remind you of.

When you speak, before you speak, if you could say your names so that the Broadcast Centre can pick it up, and pick up your mics, so that they'll be able to pick it up down there.

**CLERK:** 1.1.01.

**CHAIR:** Shall 1.1.01 carry?

**MR. P. DAVIS:** Thank you.

Minister, just a couple of quick notes. Last year, you provided us copies of your notes.

**MR. A. PARSONS:** Yeah.

**MR. P. DAVIS:** Do you –?

**MR. A. PARSONS:** I have a binder here for everybody; more is being printed. I wasn't sure about Mr. Lane, so that's going to be provided. I have them here.

**MR. P. DAVIS:** Do you want to share them now or do you –?

**MR. A. PARSONS:** I have one here now. The other one is gone up to get copied so that ....

**MR. P. DAVIS:** Oh, okay.

**MR. A. PARSONS:** I have one here that I can pass – I can give it to you and then ....

**MR. P. DAVIS:** We'll do rock, paper, scissors or something there.

**MR. A. PARSONS:** The other two will be down right away.

**MR. P. DAVIS:** Thank you. I appreciate that because that might help to explicate the process a little bit.

**MR. A. PARSONS:** Yes, definitely.

**MR. P. DAVIS:** The second thing is – just thought I'd clarify because I was going through last year's notes. When we got into Estimates last year, we found there were some errors in the published Estimates.

Do you know if there is any errors in this one? Just thought if there are, that we can clear it up before we begin.

No, we can't clear them up or there's no –?

**OFFICIAL:** I'm not aware of any off the top of my head, no.

**MR. P. DAVIS:** You don't think so, okay, perfect.

I don't have any questions on – did you just call 1.1.01?

**CHAIR:** Yes.

**MR. P. DAVIS:** We're just dealing with that one heading so far, are we? Because I don't have any questions on 1.1.01.

**CHAIR:** Okay.

**MR. A. PARSONS:** Did you want to go as far as you go in your opening and then – I mean we can come back –

**MR. P. DAVIS:** Yes.

**MR. A. PARSONS:** – if you want and then – well, you won't vote on the –

**MR. P. DAVIS:** We'll vote on them all after.

**MR. A. PARSONS:** Yeah, we can do that –

**MR. P. DAVIS:** I'm fine with that, yeah.

**MR. A. PARSONS:** Whatever you guys want to do, I mean that's –

**CHAIR:** That's fine.

**MR. P. DAVIS:** Okay.

1.2.01, Executive Support, under Salaries you budgeted last year \$864,000, revised is \$1,171,000 and this year is \$859,000, which is more in keeping with what was budgeted last year. Can you explain to us the increase in the revised?

**MR. A. PARSONS:** Again, a lot of these questions – I may turn to Virginia or Nicole, but this one I believe was mainly severance. So what I'll do is –

**MS. ENGLISH:** The change there is primarily related to a retirement. So severance and retirement benefits go through there, and we had a couple of individuals who finished with us this year.

**MR. P. DAVIS:** Okay. And that's all within Executive itself, right?

**MS. ENGLISH:** Yeah.

**MR. P. DAVIS:** Sorry if we stumble a bit as we're getting going.

**MR. A. PARSONS:** Yeah (inaudible).

**MR. P. DAVIS:** Just a small one – I don't plan on highlighting all of these, but under Executive Support there was an increase in Transportation on the revised. Was that just regular usage, or was there anything in particular that caused that?

**MR. A. PARSONS:** One of the big ones, actually, there was an extra FPT meeting this year on human rights. It was the first one in, say, 30 years. Plus we had the two Justice summits. Or was there a third one came under that?

**OFFICIAL:** (Inaudible.)

**MR. A. PARSONS:** Yes, we've had three Justice summits: Happy Valley-Goose Bay, St. John's and over in Corner Brook. So the extra cost would cover those. I think last year actually we had, at least two FPTs as opposed to usually one.

**MR. P. DAVIS:** Yeah, the –

**MR. A. PARSONS:** Yeah, there was more travel for that.

**MR. P. DAVIS:** Yeah.

**MR. A. PARSONS:** Yeah. What (inaudible) was that, Ottawa?

**OFFICIAL:** The one for human rights was Ottawa, yes.

**MR. A. PARSONS:** Yes, yeah.

**MR. P. DAVIS:** Thank you.

I think it comes under Executive Support. In Salary Details there was reference to a new ADM for Courts and Corporate Services. Would that come under that?

**MR. A. PARSONS:** That would fall under Executive wouldn't it, Virginia?

**MS. ENGLISH:** Yes.

**MR. A. PARSONS:** Yeah.

**MR. P. DAVIS:** So that'll come under Executive Support?

**MR. A. PARSONS:** Yeah.

**MR. P. DAVIS:** And there was also reference to a contractual position that was concluded, I think, or eliminated; \$101,809.

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

**MR. P. DAVIS:** We're going through the Salary Details.

**MR. A. PARSONS:** Oh, okay.

**MR. P. DAVIS:** So we're just trying to plug them in to the particular areas.

**MR. A. PARSONS:** Got you. Are you aware of a –

**MR. P. DAVIS:** Yeah, so 2017 – just so you know, in 2017 under the salary report there was a contractual position for \$101,809 under Executive Support that's not there this year.

I can leave it with you.

**MR. A. PARSONS:** Yeah, leave it with us and we can find out.

**MR. P. DAVIS:** Yes, that's fine. Yes, absolutely.

Yeah, and for any of that, Minister, any of that is perfectly understandable.

**MR. A. PARSONS:** Yeah, excellent. I appreciate that.

**MR. P. DAVIS:** 1.2.02. Again, under Salaries the revised was down from budgeted; yet, the salary estimates for this coming year is significantly higher.

**MR. A. PARSONS:** Yeah, I think this is where – Virginia?

**MS. ENGLISH:** Okay. The revised is down this year because we had some vacancies and some turnover in policy division. In addition to that, we had funding for students which didn't get completely utilized there. So that's for the revised, and the '18-'19 Estimates are increased because we had a one-time adjustment last year. We took out family violence intervention court funding which is now back in the budget.

**MR. P. DAVIS:** So that was taken out last year but put back in here this year. What was it again, sorry? Family –

**MR. A. PARSONS:** Family violence intervention court services.

**MS. ENGLISH:** Domestic violence.

**MR. P. DAVIS:** Domestic violence.

**MR. A. PARSONS:** Yes.

**MR. P. DAVIS:** There's an estimated decrease in Employee Benefits of about, almost \$50,000 this year.

**MS. ENGLISH:** Most of the funding that goes through there – or most of the expenditures that go through there relate to workers' compensation costs for the whole department. Our costs do tend to go up and down.

Last year, we moved some money around as part of our zero-based budgeting in an effort to smooth out some of the variances. And one of those changes – we added extra money for workers’ comp last year. We put it back in another place this year. Just moving it around, try to smooth out our operating and get it in the right places.

Generally speaking, though, our operating expenditures, the whole operating account is an envelope that we can spend from. We’re just trying to get the numbers right in the specific lines. So that was part of that.

**MR. P. DAVIS:** Okay, thank you.

Is that a similar circumstance for Professional Services or is that something separate?

**MR. A. PARSONS:** That’s actually the funding allotted for the SIRT team. That’s where that’s been allotted, right there.

**MR. P. DAVIS:** Okay.

**MR. A. PARSONS:** Professional Services, there.

**MR. P. DAVIS:** What plan would that include this year, Minister?

**MR. A. PARSONS:** I think there’s \$250,000 allotted. We’re still working towards figuring out what we want to do there in terms of model. There have been some delays because – as many people know, and I’ve said a number of times, we’ve been working with, mainly, the Halifax team. They lost MacDonald, he’s gone out to BC to run their team and they just appointed somebody in the last number of weeks. Felix Cacchione is the new head of SIRT in Nova Scotia. So we need to reach out and have a conversation there.

It’s our anticipation that, either way, we are likely going to have to hire sometime this year, a civilian director, which I think we’re going to need. Regardless if you go with an integrated model or if you go with a stand-alone model, you’re going to need your own civilian operation. Some of the other money will be able to handle admin costs and everything else.

So there’s still a bit of work there on what model, but the plan is – I’d still like to see it moving forward this year.

**MR. P. DAVIS:** Thank you.

There’s a significant difference, as well, in Federal Revenue under 1.2.02.

**MR. A. PARSONS:** Now that is, I think, the drug treatment court money.

**MS. ENGLISH:** Yes.

**MR. A. PARSONS:** So, it was – that’s how much we got spent. What was the difference there?

**MS. ENGLISH:** Okay. The money that we receive this year or the money that we project to receive this year is partly for the drug treatment courts. Some of it relates to last year. That didn’t get up and running as early as anticipated, so the projection is slightly down.

Next year, the funding for drug treatment court will be funded by the feds is expected to be higher at \$200,000 versus the \$120,000 that was budgeted for this year.

**MR. P. DAVIS:** So that’s fully funded by the federal government, is what you said?

**MS. ENGLISH:** Yes.

**MR. P. DAVIS:** So the reason for the \$59,900 revised instead of \$120,000 is because there were delays in getting progress as quickly as you wanted. Is that what I understand?

**MR. A. PARSONS:** Delay in hiring, yes.

**MR. P. DAVIS:** Delay in hiring. Thank you.

Okay. We’ll move over to 1.3.01, please: Fines Administration. There’s a \$100,000 decrease in revised versus budgeted for Fines Administration.

**MR. A. PARSONS:** Yeah, that would’ve been just turnover; people going in, people coming in, delays in hiring, trying to get them through PSC and everything else. So that would explain the variance there, I believe.

**MR. P. DAVIS:** Do you know off hand how many people work in Fines Administration right now?

**MR. A. PARSONS:** There are 14 and it's about to go to 15. There are six financial collections officers, three clerk IIIs, two clerk typist IIIs, two clerk IVs – if I'm going fast, you can tell me to slow down by all means – a director –

**MR. P. DAVIS:** It's in our binder anyway, I guess, is it?

**MR. A. PARSONS:** It should be, I think.

**MR. P. DAVIS:** All right.

**MR. A. PARSONS:** And then we're hiring one more additional bilingual financial collections officer, which is coming through some agreements with the feds. So that will be up to 15.

My understanding is that with some of these positions you have turnover, people going in and out into other divisions and stuff. So that would explain that one.

**MR. P. DAVIS:** One thing that often stays the same is change, right?

**MR. A. PARSONS:** Exactly.

**MR. P. DAVIS:** Minister, can you give me an idea of where Fines Administration is? What's outstanding? Where are we compared to previous years? What your projections are, maybe, for the future? Can you give us a bit of a narrative maybe on that?

**MR. A. PARSONS:** Definitely.

Right now, the provincial receivables stand at – is this for June 30 –?

**OFFICIAL:** (Inaudible.)

**MR. A. PARSONS:** Okay, so as of December 31, 2017, it's at \$38,364,113.

I've got a little sheet here. The vast, vast majority of that, over \$36 million, is outstanding for well over a year. I think, in fact, closer to

\$30 million is probably historical debt, decades old.

What I'll do, because Virginia is much smarter than me and able to read this sheet better, she can talk about, maybe, the last year and what we've done in terms of what's been in and out.

**MS. ENGLISH:** In the past year, about \$10.4 million has been imposed in fines though tickets and others court imposed fines that come to Fines for collection. In that time frame, we have collected – that includes your victim fine surcharges, your tickets and your late-payment penalties as well. Right now, were projecting to collect about \$10 million. Most of that would be current fines. There are collections on older fines as well.

So, on average, we expect to receive about 80 per cent of the new fines collected in any given year, and some which are just uncollectable or they're harder to get, become part of the receivable.

So the receivable is \$38 million, but it's been gathering for years. The Office of the Controller General is making an effort this year and has held Fines Administration with trying to identify some of the older ones or ones where people are deceased or where we know that the fines are not collectable, in an effort to possibly removing some of them, which we're never going to collect through write off, that type of thing.

**MR. P. DAVIS:** So when we hear media reports of a person stopped last night with \$20,000 in fines. How old would some of those fines be? Like are they –?

**MS. ENGLISH:** So –

**MR. P. DAVIS:** Sorry to interrupt you, but maybe you can add it to your answer.

Are they included in the system? So if a police officer stops a vehicle tonight and there's a fine there that's been outstanding for, I don't know how old decades is, but if it's 20 or 30 years old, does that show up in the system?

**MS. ENGLISH:** Yes, the fines will sit there.



Some of the fines can be collected fairly quickly, depending upon the nature of the stop. For example, somebody who is stopped with no insurance, no registration, no driver's licence could easily get \$3,000 or \$3,500 worth of fines right there in that one stop. So if that same person is caught a number of times, it's very easy for the number to increase to \$10,000 or \$20,000.

**MR. A. PARSONS:** If I could jump in just to add a couple more general points when we talk about Fines Admin.

One of them is, sometimes when the numbers come out, we seem to think that it's all traffic fines, but it's not. For instance, there was one caught this year that caused some concern. I think it was \$164,000 owing, but \$150,000-odd of that was from tobacco violations. They come with pretty significant fines. So that was one of them there, because all of it is going in there.

But, again, the two big issues, everybody hears the amount, and it's troubling when you hear about it, but when you look at what's actually coming in and coming out on an annual basis right now, you're batting a pretty good percentage. Was it 9.5 out of 10.4?

They had some issues this year in terms of turnover, just some very unfortunate circumstances at Fines Admin. Some of things is when you're bringing in new people, with the training, that takes time. So, hopefully, if there's some consistency there, we'll see it, but that's –

**MR. P. DAVIS:** So there are still some in the office that work every day processing fines and people show up to pay them and they get – can you pay them online now?

**CHAIR:** Actually, the time is up, the 15 minutes.

**MS. ROGERS:** He can take five minutes, that's fine, if he wants to finish that.

**CHAIR:** It's okay? All right.

**MR. P. DAVIS:** Yes, thanks.

**MS. ENGLISH:** The department will collect fines through a number of different mechanisms:

through people coming into the office; people pay online; people pay through the mail; people will call in with their Visas or Mastercards or whatever – credit cards; people pay through MRD when they go to renew their driver's licences; interceptions of income tax refunds through the CRA federal setoff and in addition to that, monies that are collected through the Sherriff's Office for those fines that have been registered as a judgment.

**MR. P. DAVIS:** Just this last question, Gerry, thank you.

Is your office set up so that some people are working on the historic or the longer outstanding and some others working on current? Is that generally how it operates or is there –?

**MS. ENGLISH:** The collection officers will focus on all of the fines. They will try to recover some of the older fines but they're also responsible for some of the newer fines as well.

Once a fine is registered as a judgment, the collection officer will make an attempt to locate the person, send a letter, reach out to them. Then they will register them with CRA. So that is part of their process, but in addition to that, they do spend time working on the older delinquent fines as well.

**MR. P. DAVIS:** Thank you, Virginia.

Thank you, Gerry, and thank you, Madame Chair.

**MS. ROGERS:** If we could go back, please, to 1.2.02, under Salaries. I believe that was the area around domestic violence court.

Can you give us an update on what's happening with the Labrador domestic violence court?

**MR. A. PARSONS:** Well, right now, where we are – part of my mandate was to expand the Family Violence Intervention Court throughout the province. St. John's is up and running, Stephenville is up and running, which means, if we're doing it on a regional basis, we have Labrador and Central.

Right now – actually to be honest with you, I'm concentrating on seeing where we can get

expansion. It's more likely that it's going to happen in Central in 2018.

Labrador is going to happen, but we're facing some other significant pressures up there, when it comes to justice in general, which we heard quite loud and clear; you were up there at the summit too. We've got space issues.

When we're doing these courts, they're held in the existing building. We've got some, I think, infrastructure issues when it comes to Provincial Court in Happy Valley-Goose Bay. You see a bail hearing coming in and that's a problem.

I don't want to expand something unless we can fix up some of the current issues that we have there. Even when we talk about things like retention of employees.

So it is going to happen. We've seen some challenges where if you expand something too quick and you don't have all the kinks worked out – you don't want to do that. It seems to be working quite well in St. John's and Stephenville, and the goal is still to live up to the mandate letter, which was to have four of them in place within four years. So that's still the goal.

**MS. ROGERS:** How long has it been now?

**MR. A. PARSONS:** Two years and three months.

**MS. ROGERS:** Okay, thanks.

So the biggest challenge you have right now is space issues?

**MR. A. PARSONS:** And staff issues. We just don't have the retention there when it comes to court staff. In fact, you'll see in another heading later on, in a lot of cases we've had to fly staff up to Labrador to run court, and that's going to be a tremendous challenge when you're trying to start a new type of court. It's not just the judges and the lawyers there; it's the staff that are so important. So we think we've got a fix to that now. I'd still like to see it happen.

Again, I'm still confident we can make that happen but we've had to work on some more basic issues first.

**MS. ROGERS:** Was the area being considered Happy Valley-Goose Bay?

**MR. A. PARSONS:** Yes, I think that would be the primary area.

**MS. ROGERS:** Okay. And Central would be where?

**MR. A. PARSONS:** No, decision made yet. There had been some talk, I think before I was here, that it might be Clarenville, but to me it would be Gander or Grand Falls-Windsor. So no decisions made there. Again, I can't make them unilaterally. I have to work very closely with Provincial Court and the chief judge, and to be quite honest with you, they've been doing a lot of work on the drug treatment court for us.

I'm still confident it can happen, because there are fewer issues, we'll say. No decision made but that's still something – that's a 2018 goal.

**MS. ROGERS:** Thank you very much.

If we go down to Amount to be Voted, the Federal Revenue, so that's drug court. There was a press release issued on May 17 of last year announcing – I think it was May 17, yeah it was. "Minister Parsons Announces New Drug Treatment Court Pilot Project."

Was there a pilot project? A drug court –

**MR. A. PARSONS:** Can I see the rest of the release? What did I say?

**MS. ROGERS:** I'll tell you now.

"Mr. Speaker, I am pleased to announce that following a tremendous amount of work by our working group and advisory committee, the feasibility study is complete and we are now proceeding with the planning for a new Drug Treatment Court pilot project in St. John's."

**MR. A. PARSONS:** Yes, that was the planning.

**MS. ROGERS:** That was the planning, right.

**MR. A. PARSONS:** Planning for a pilot project.

**MS. ROGERS:** That's right.

**MR. A. PARSONS:** Again, this will be a pilot. I'm anticipating an early, early fall commencement.

**MS. ROGERS:** Okay.

**MR. A. PARSONS:** And still more announcements to be made on that, but that's definitely going to happen in 2018. We've had Provincial Court working on it. Staff we hired has been around the province – sorry, around the country.

**MS. ROGERS:** Yeah.

**MR. A. PARSONS:** And John Duggan has been playing a big role in that as well. That's a passion of his.

**MS. ROGERS:** Yeah.

**MR. A. PARSONS:** So more announcements.

**MS. ROGERS:** Can you tell me what is encompassed within the drug court, aside from the court and a judge and the legal officers?

**MR. A. PARSONS:** Well, what I would say, I can't get into too much. I can talk about it generally. In terms of what our plan is going to be, I haven't announced it yet and I'm not going to be announcing it on Wednesday night.

What I would say is that it's basically – and I've been out to the one in Regina. Usually you have, in most cases it's a dedicated judge and dedicated staff.

**MS. ROGERS:** Yes.

**MR. A. PARSONS:** So whether that's Crowns, legal aid, private counsel. In many ways, my understanding is it works in a system of where you work together. It has to fall into a certain category or criteria. You look at that and then the other thing about this is you have to work hand in hand with the health system.

**MS. ROGERS:** That's right, yeah.

**MR. A. PARSONS:** Right. So that's one of the things we've been doing. It has not just been totally Justice led. It's been working with Health, because there's no point in doing this if

individuals don't have access to the services they require, rehabilitation. The plan is, hopefully, you'll see people come out at the other end. Putting people in with addictions issues, just putting them through that regular system and have them come out with a conviction and no help, it doesn't help with recidivism.

So the goal is to help people with the root cause of why they are there, and then hopefully coming out of this process better off than they were before.

**MS. ROGERS:** When do you expect to have the pilot project actually off the ground?

**MR. A. PARSONS:** Early fall.

**MS. ROGERS:** Early fall. So you are confident that those wrap around services will be in place?

**MR. A. PARSONS:** Confident. I am confident that this pilot project's going to work.

**MS. ROGERS:** Okay. Thank you very much.

1.2.04, Administrative Support, what will the capital in that category be spent on?

**MS. ENGLISH:** That funding is available for the acquisition of vehicles for the RNC fleet.

**MS. ROGERS:** Okay, vehicles for RNC.

Thank you.

1.3.01, Fines Administration, under Salaries we see that \$100,000 wasn't spent in '17-'18.

**MR. A. PARSONS:** I can talk to that (inaudible).

**MS. ROGERS:** Did you already go over that? I don't think so, hey?

**MR. A. PARSONS:** What we discussed there is that we had several vacancies. Unfortunately, there was a significant loss there with one individual. There was a death in Fines Administration, and that took a while. That position was vacant for some time and we had to go through a process. I think three other

collectors actually left at some point during the year.

That time in between trying to fill the positions, that's where the savings all come from there. So you got to go through the job competitions.

**MS. ROGERS:** Yes.

**MR. A. PARSONS:** I think most of them are done. From what I gather, we should be back at full complement, all the processes done that we're all waiting for.

**MS. ROGERS:** Great.

**MR. A. PARSONS:** I think that would explain it.

Am I – covered it all off? Good.

**MS. ROGERS:** Under 1.3.01 again. Under Purchase Services, there's a significant jump there. Can you explain that?

**MR. STANLEY:** That's part of our allocation of funds that we expect to get in respect of cannabis. One of the issues with implementation of cannabis, as the year goes forward now, is going to be ticketing. So we've allocated an amount – I think it was \$500,000 that we're expecting to get.

Every government across Canada is sort of operating on the same basis with this. Nobody is exactly sure how much money is going to come or how much it's going to cost. We've spread that money across a couple of areas where we think it's going to affect – three areas we think are going to be affected by the ticketing issues for cannabis, and one of them is here.

So, you'll see there is both an increase in Purchased Services but also an increase in revenue, which is matching. The idea being that we are anticipating there will be expenditures in respect to ticketing for cannabis but there will also be offsetting federal funds available.

**MS. ROGERS:** Todd, what kinds of purchase services would you have, though, there? Is it staffing?

**MR. STANLEY:** It could be staffing. It could be the need for new ticketing implements.

**MS. ROGERS:** The tickets, themselves.

**MR. STANLEY:** The tickets, themselves.

Like everyone else, we're sort of guessing as to how this is going to look in terms of what's going to be required, especially as the federal legislation has yet to be passed, and we don't have access yet. The federal government hasn't made decisions on things, such as for the traffic stop side of it and those sorts of matters.

A lot of this is still up in the air. So we're doing our best guesstimate and trying to spread the funding where we think it's going to be, just so we don't get – while the off-side of the budget as the year goes forward.

**MS. ROGERS:** That would be for ticketing for the violations. What areas do you think they'll be ticketing in, predominately? Or do you have a –?

**MR. STANLEY:** The way this is going to work is, actually, the federal legislation will leave a significant area for provincial regulation for matters respecting cannabis to be provincially enforced offences, which will be subject to ticketing and/or prosecutions of a provincial offence.

So when you hear every province announcing the regimes they're bringing forward – like you hear Quebec is not going to allow anyone to have plants in the home. That'll be –

**MS. ROGERS:** Not at all?

**MR. STANLEY:** Not at all.

**MS. ROGERS:** In Quebec?

**MR. STANLEY:** In Quebec, yes.

**MS. ROGERS:** Wow!

**MR. STANLEY:** So in that case, that would be a –

**MS. ROGERS:** (Inaudible.)

**MR. STANLEY:** – provincially imposed piece of legislation. So that when the enforcement of that occurs in Quebec, you would have instances where that would be able to be by ticket or by a summary conviction offence.

What has happened by the federal government abandoning the criminal area of a lot of this stuff for cannabis, they are leaving it to the provinces to bring the province’s tools forward to bring in their implementation schemes, including, for example, the handling of cannabis or possession of cannabis by minors. All of that space will be filled by the provinces using the tools we have, which include summary conviction offences, but also ticketing regimes.

So things that, once upon a time, might attract the laying of information and a criminal charge, we’ll instead be handling by ticketing. So we think there will actually be a significant increase in the activity of that in respect to ticketing activities as it goes forward, as we implement this.

**MS. ROGERS:** Well, if Quebec’s not going to allow any plants in the home, it could be an answer to our immigration problem.

Open the doors.

Okay, thank you.

**MR. P. DAVIS:** Are you finished on that section or –?

**MS. ROGERS:** I sure am.

Thank you.

**CHAIR:** (Inaudible.)

**MR. P. DAVIS:** Pardon me?

**MS. ROGERS:** Mr. Warr.

**MR. P. DAVIS:** Yes, okay, because I was wondering about Mr. Lane as well.

**MR. WARR:** To Mr. Davis’ point on 1.3.01 with regard to fines and with regard to a – I’d be interested to know, if a vehicle – someone is stopped and, for instance, he or she has \$10,000 in fines, and the vehicle is impounded, what

happens in that case? Does the vehicle stay impounded until the fines are paid? What happens to the vehicle? Is the vehicle auctioned off to the pay the fines? What happens in that case?

**MR. A. PARSONS:** Theresa, do you want to take that?

**MS. HEFFERNAN:** In most cases, those vehicles aren’t valued very high. They’re often just purchased for \$500 or \$1,000 and most times they’re left with the towing company until they’re destroyed. There’s a certain period of time, whether it’s 30 days or 60 days, I think, depending on why they were pulled over in the first place. Once that period is up, Motor Registration can give the permission to the towing company to have the vehicle destroyed.

In most cases, the owners probably don’t even have the cars registered, which is why the fines are so high in the first place. So they just shift through, or rotate through, these cars as a pastime.

**MR. WARR:** Thank you.

**CHAIR:** Mr. Lane.

**MR. LANE:** Okay.

**CHAIR:** Mr. Lane, we have to get consent from the Committee first.

**MR. LANE:** Okay, I thought I –

**AN HON. MEMBER:** (Inaudible.)

**CHAIR:** Okay, sorry.

**MR. LANE:** Sorry about that.

Just wondering, Minister, on the SIRT team funding, it’s federal – or sorry, not the SIRT team, I mean the pilot project for the Drug Treatment Court, that’s being totally federally funded, as I understand it. So do you know – it’s a pilot, I understand, but will that be funded like on an ongoing basis, or if you do it after a year or two and it works out, the federal government could say, well, the funding is over now, we would be responsible for it, provincially. Is there any thoughts on that?

**MR. A. PARSON:** Well, what I would say on that is a couple of things. First of all, being a pilot, we have to determine the success of it. I'm very confident that it's going to be successful, but I guess what we have to do is look at other jurisdictions where it's not new; it's been going on for years and it's still being federally funded. The feds have deemed this to be a worthwhile investment in the criminal justice system.

So, you look over in Regina, if you look over in Nova Scotia, what's going on. They've been doing this for some time, so it's still being funded.

It's like anything done with the feds. Yes, theoretically, they could stop that, but then you have to look at what is the value of it, what is it – and make that determination, but it's not something that we're anticipating any negative action any time soon.

**MR. P. LANE:** Good, perfect, thank you.

My final question relates to the question that my colleague alluded to, and Ms. Heffernan did answer. I was kind of aware of that situation with the cars and the turnover. Somebody, basically, buys an old piece of junk, they drive it around for six months or a year until they get caught, then the car is taken away, then they buy another one and the cycle goes on. That's how the fines build up.

Minister, I don't know if it's really a question for your department or maybe for Minister Gambin-Walsh, but is there any thoughts of what could be done in terms of having the licence plate go with the individual instead of the car and then that would stop that from happening, that circumstance that Ms. Heffernan just described?

**MR. A. PARSONS:** It's probably a better question for Sherry Gambin-Walsh because it would fall under her.

I know there's been some challenges with that. I think they've tried it elsewhere and there may be some limitations, but I'm not fully confident in my ability to express that accurately.

**MR. P. LANE:** Sure.

**MR. A. PARSONS:** So, if that's the case, I'm better off saying nothing, but I don't think it's as simple – it sounds like such an easy solution, but like any easy solution, if it's not happening, there's probably a reason why, but I would strongly encourage you to ask Minister Gambin-Walsh during her Estimates.

**MR. P. LANE:** I will.

Thank you. That's it for me.

**MR. P. DAVIS:** Thank you,

My turn again?

**CHAIR:** It is.

**MR. P. DAVIS:** Can I run back to 1.2.04? I know I skipped over it earlier, but there was a topic that came up on vehicles for the RNC.

Can you tell me how many vehicles – sorry, Minister, 1.2.04.

**MR. A. PARSONS:** Yes.

**MR. P. DAVIS:** Can you tell me how many vehicles they have. How many you're expected to purchase here, but, overall, what's the current status of the fleet?

It's been cyclical over the years, where there's been years where the fleet's been in good shape and there are other years where the fleet had more cars in the garage than they had on the road, at times. So I wonder if you can give me an update.

**MS. HEFFERNAN:** (Inaudible.)

**MR. P. DAVIS:** Right up in the back. They might be looking for you. There you go.

**MS. HEFFERNAN:** Our current fleet is comprised of 144 vehicles. Approximately 132 of these are light vehicles. The balance would include quads and snowmobiles and the like.

The budget that we have allocated for 2018-19 should allow us to buy approximately eight vehicles and that would include the upfit, which includes your silent patrolman, your lights and the like.

I guess we're falling a little bit short on where we'd like to be budget-wise. The fleet, right now, we probably could use to update, maybe get another 30 vehicles, instead of our eight or nine, but due to our fiscal situation we have to manage within.

**MR. P. DAVIS:** Yeah, 144 vehicles, eight this year, that's about 18 years to rotate the entire fleet, if my quick math is really – I'm sure for vehicles, they're replaced more than snowmobiles or quads or whatever the case maybe, but it's a number of years.

There's been years in the past that some of you may be familiar with that the fleet was in, I'd call it, poor condition. A lot of time spent in garages, vehicles down. I remember days when they're wasn't enough vehicles for police officers to use and they switched out during a nightshift and had to share vehicles and those kinds of things.

I agree that buying only eight new vehicles this year is going to lead to the fleet going back in that direction, I would imagine. So is there a longer-term plan or expectation? Do you expect any difficulties with vehicles this year or what the impact may be providing police services with fewer vehicles or fewer good-quality vehicles?

**MR. A. PARSONS:** The first thing I would say is that certainly this is not a direction that's coming from this year, this is a carryover that was left for the last number of years. This is a trend, unfortunately, that's been going on. So that's the first thing I want to put out there.

The plan is that we have to make sure that we do the best maintenance that we can. We know the challenges there, but it's not just within the RNC. We face the same thing all across government. When we talk about our Vehicle Fleet Management, I think it was something that was announced in the budget the other day, so there's going to be a lot of work done there, basically.

The RNC is not going to fall into that, is my understanding. It's going to be outside, but if there's money and savings to be found there, that's something I'm always arguing for to have in Justice. I'd love to see more cars on the road.

Again, it's something where – Theresa's quite right, the RNC, and I know the chief, would love to have more vehicles, absolutely, but it's one of those where, as the fiscal situation changes, we'll gauge it from there, but we have to make do with where we are.

**MR. P. DAVIS:** Okay, thank you.

Just some clarification on 1.3.01 from previous questions. Mr. Stanley mentioned that you're – I think your words were: you're expected to get \$500,000 this year.

Is that to offset the cost to the provincial government? Is that money from the federal government to offset the cost to the provincial government for the legalization of marijuana? Is that what that is?

**MR. STANLEY:** Sorry, what number again?

**MR. P. DAVIS:** 1.3.01, I'm sorry.

**MR. STANLEY:** 1.3, sorry.

**MR. P. DAVIS:** Fines Administration.

**MR. STANLEY:** Yes, sorry.

**MR. P. DAVIS:** You mentioned \$500,000 you're expected to get.

**MR. STANLEY:** Yes, there is \$500,000 in revenue that we've sort of used as our benchmark that we expect to get for cannabis from the federal government. What we've done is we've broken that down in three places where we think the costs will be. So it's here in Fines.

**OFFICIAL:** (Inaudible.)

**MR. STANLEY:** I don't sound very smart now.

There's \$100,000 here, \$300,000 in Provincial Court and \$100,000 in criminal prosecutions, as we expect that will be required. So we booked the cost and the associated expected revenue in there as a – I think the best description would be a guesstimate as to what this is going to bring in when the cannabis actually goes live.

**MR. P. DAVIS:** I'm sorry, \$100,000 for Fines Administration, \$300,000 for Provincial Court and the other \$100,000 was for where?

**MR. STANLEY:** For the director of public prosecutions, the Crown prosecutions.

**MR. P. DAVIS:** Okay. All right, thank you.

So that's just the \$500,000 to your department. I would imagine that's not the only cost government anticipates.

**MR. A. PARSONS:** I think there's definitely more going to other departments. I wouldn't be able to tell you that total amount right now.

**MR. P. DAVIS:** Yeah.

**MR. A. PARSONS:** Tom Osborne would probably have a better handle on what that total amount is, but we've only been dealing with what we're anticipating coming in to us.

**MR. P. DAVIS:** I don't know if you can make an effort to try and get that. I could probably go to him as well.

Yeah, we'll go to him and ask for it, if that's what you prefer.

Okay, 2.1.01, I see in Salary Details, there's been some changes in the numbers –

**CHAIR:** Excuse me.

Are we finished with Executive and Support Services?

**MR. P. DAVIS:** Okay, I see. I guess we are. I am.

**MR. A. PARSONS:** Yeah.

**CHAIR:** Okay.

**CLERK:** 1.1.01 through 1.3.01, inclusive.

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

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Carried.

On motion, subheads 1.1.01 through 1.3.01 carried.

**CLERK:** 2.1.01 through 2.1.05 inclusive.

**CHAIR:** Shall 2.1.01 to 2.1.05 inclusive carry?

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

I notice under Salary Details, Minister, there's some change, about \$23,000 less in Salaries last year in the revised, but back to much the same budgeted amount this year. I see there's some changes in the numbers of solicitors in the Civil Law division.

**MR. PRITCHARD:** Thank you.

There has been some turnover. We've had some retirements that took place earlier in the year and a couple of solicitors have gone on maternity leave. We've also hired a few solicitors to backfill for those positions. We also have a few legal assistants who've been off sick for a while.

So there's been some periods of time when some of the positions haven't been filled, so that accounts for some of the fluctuation in the numbers, but, overall, I think the numbers have stayed pretty consistent.

**MR. P. DAVIS:** So there were 27 solicitor IVs and now there's 23, showing in the Salary Details, which is a decrease of four.

**MR. A. PARSONS:** I think I can (inaudible) with some of the retirements at the higher end, solicitors that's been around a while. A lot of times when you fill those positions, you don't know what's going to come in. So you might hire a solicitor I or solicitor II, depending on who comes in.

**MR. P. DAVIS:** Mm-hmm.

**MR. A. PARSONS:** That's the first thing I would say, but there's no reduction in total number of positions that I'm –

**MR. PRITCHARD:** No.



**MR. P. DAVIS:** Okay.

**MR. A. PARSONS:** So if we have someone that's been with the department 25 years and goes out, they're at the high end of the scale. Usually, when you hire someone new, they're usually at the lower end which would explain the difference there. Sometimes you can't control the number of IVs, IIIs, IIs or whatever.

**MR. P. DAVIS:** So is four the highest level?

**MR. A. PARSONS:** I think it's five, isn't it?

**MR. PRITCHARD:** Five is the highest level.

**MR. P. DAVIS:** Five. You have some of them around too, don't you?

**MR. A. PARSONS:** A few around.

**MR. P. DAVIS:** Minister, last year, there were eight contractual positions and there are 10 this year. It's not a big difference, but what's the purpose of contractual? Do they fill people off on long-term leave or vacant positions in some other way?

**MR. PRITCHARD:** Thank you.

Well, some of the contractual positions, for example, we have a few solicitors that are off on maternity leave and so their replacements are contractual.

**MR. P. DAVIS:** Okay, thank you.

Minister, I'm not sure where to find it, if it's under 2.1.01, maybe under Professional Services, but was there outside advice obtained or legal services in relation to marijuana?

**MR. STANLEY:** No, actually, we haven't retained outside counsel to advise in respect of the cannabis matter. So we wouldn't have any expenditures for Professional Services for that.

**MR. P. DAVIS:** So Stewart McKelvey hasn't been involved with that?

**MR. STANLEY:** No, not to my knowledge; not on our – not for advice.

What we've been finding is cannabis has largely been a process issue for us, as to how we're going to handle the matter as it goes forward.

I'll just double check with Mr. Pritchard.

**MR. PRITCHARD:** I'm not aware of Stewart McKelvey having any involvement in legal advice on cannabis.

**MR. P. DAVIS:** Okay, thank you.

So still under 2.1.01, Salaries, Professional Services, \$2.3 million estimated, \$4 million revised and \$2 million again estimated. Can you explain that one for us?

**MR. STANLEY:** So, every year we budget a fixed amount as an attempt to guess as to what we are going to need every year for Professional Services when it comes to outside counsel. We routinely find that we're probably a little optimistic when we do the budgeting.

This year, we had rather significant outside counsel of expenditures for a number of matters, actually, before the Quebec courts. We had litigation in respect of Aboriginal matters, as well as litigation in respect of both the continuing dispute about the Wabush Mines CCAA process in Cliffs Natural Resources. There's a bit of continuing litigation going on as well, I believe, in respect of the Abitibi pension matter that has been going on for a while.

We've had, I don't have the total here, but upwards of \$600,000 or \$700,000 we actually spent on Quebec firms litigating in front of the Quebec courts this year on various matters.

As well, the amount that we spend every year is always slightly bifurcated because the account covers two separate headings. We have to pay the expenses out of this account for matters that we are ordered to pay for as the Attorney General, which can equate to about a million dollars a year, where we're ordered to provide counsel to individuals, according to court orders. The court orders have to provide amicus counsel. We have to provide lawyers for matters proceeding in front of various tribunals, such as with the Provincial Court judges under the indemnity. Those aren't discretionary expenses. We don't enjoy the benefit of that legal advice;

we're actually just required to pay for it as part of the function of the justice system.

The remainder of the funding is usually lawyers that we are hiring to provide us with advice on various matters to assist the Department of Justice and providing advice to our clients.

**MR. P. DAVIS:** Thank you.

I just want to check a note real quick here. Last year, 2016-2017, you had budgeted \$3.3 million. The actual expenditure under the same heading of Professional Services for Civil Law was actually \$3.5 million and then you re-budgeted \$2.3 million.

So is it realistic to budget then \$2.1 million again for this coming year? Based on everything you just said and how busy and how many matters you have, knowing you spent \$4 million last year, so is \$2.1 million a realistic estimate?

**MR. STANLEY:** So what we find every year – we may be a bit optimistic, but what we find is the matters are, for lack of a better description, they come in, sort of, discrete pockets and as the matter resolves, it won't be a flatline expenditure next year. So we're not expecting to spend a lot of money in the Quebec courts next year on litigation, and we're doing our best to hold the line on having outside counsel expenditures as much as we can.

What we're hoping is – we've been doing a review of the Civil Division this year. We're trying to make a concerted effort with our staffing to see if we can minimize the amount of expenditure. So every year, we take our best guess and our best attempt to keep it to the budgeted amount, and we're going to try it again this year.

**MR. P. DAVIS:** Thank you.

Also, under 2.1.01, I was looking at Allowances and Assistance, and I was reviewing our discussion on it from last year, but Allowances and Assistance was revised to \$5 million and it's estimated for that again this year. Can you give me some commentary on that estimate, Minister?

**MR. A. PARSONS:** That would be a fund for settlements. So a couple things here: There was a decision made to do it at \$1.5 million two budget years ago. It goes over that, or it did that year. The same thing, there's an anticipation that perhaps that's going to go up. Historic claims – I am trying to think now. I don't know if there's anything else I could add to that.

**MR. STANLEY:** For a number of years, we used to have settlement budgeted actually at \$5 million, and we did an adjustment a number of years ago and brought it to \$1.5 million, but what we were finding is a number of claims that we were settling, including predominantly historic sexual assault claims, has been increasing significantly.

So what has been happening over the years is as we exhaust the \$1.5 million budget, we've had to go elsewhere in government under the *Supply Act* to obtain funds to settle those matters, which, amongst other things, has resulted in an increase in the amount of public scrutiny of some of those settlements which, at times, is not exactly what was expected by the parties when they're trying to settle a rather private matter with government.

So what we've done, instead of the additional paperwork, the additional time, the additional delay that settlement process was taking, what we've done is gone back now to revert so that the Civil Division of the Department of Justice will have the \$5.5 million settlement fund, which is about what we've been spending every year in settlements, and especially with these historic sexual assault settlements, what we expect to spend, and then we'll be able to handle the matters as we've handling them traditionally up until a couple of years ago. We'll settle the matters as we go through our process.

**MR. P. DAVIS:** Thanks.

My time is pretty much up; I got some more, but I'll pass it on for now.

**CHAIR:** Okay.

Ms. Rogers.

**MS. ROGERS:** Thank you.

Sheriff's Office: Under Salaries we see that in '17-'18 that there was an increase in expenditures of \$200,000. Can we have just an idea what that was?

**OFFICIAL:** (Inaudible.)

**MS. ROGERS:** Sorry, that's okay. Under Sheriff's Office, under Salaries there was an increase in spending '17-'18 by about \$200,000.

**MR. CHAFE:** There is a combination for the salaries at the Sheriff's Office last year. There was the Muskrat Falls Project. We were enforcing court orders up there. Additionally, the Sheriff's Office started serving court security on circuits in Labrador, which was a new thing for us, which also drove up our salaries.

**MS. ROGERS:** Okay.

**MR. CHAFE:** And a third influence was juries. Juries have increased dramatically across the province in duration. That all includes salaries.

**MS. ROGERS:** Okay, thank you.

So the first one, the enforcing of the court orders due to Muskrat Falls.

**MR. CHAFE:** Yes.

**MS. ROGERS:** It wouldn't necessarily have been the Sheriff's Office providing that service before, is that it?

**MR. CHAFE:** Basically, because it was a civil matter and not a criminal matter, it's not a typical function we do, but as enforcement branch of the Supreme Court, it's not a typical thing we do, but it is our function.

**MS. ROGERS:** Okay, thank you.

Under Transportation and Communications, there was an increase of about \$130,000 in '17-'18?

**MR. CHAFE:** Again, those three factors all combined – there are only so many staff in Goose Bay, so we had to bring people in from across the province at different times.

**MS. ROGERS:** Okay, thank you.

And then under Supplies, we see a significant drop there of about \$62,000. What kinds of supplies would they be and then why has that come down?

**MR. CHAFE:** Basically, the year prior, we had hired three deputy sheriffs for Goose Bay. So with new employees, we would have to give them all their equipment, which is quite expensive. Now that has been annualized; so to keep that going is a lot less than the initial set-up.

**MS. ROGERS:** Right. Okay, thank you very much.

Purchased Services: A significant drop in the revised in '17-'18, then a significant increase in '18-'19.

**MR. CHAFE:** The reduction can be attributed to our zero-based budgeting and anticipating those costs. But what we didn't anticipate was the jury piece, the juries that have increased.

**MS. ROGERS:** Right.

**MR. CHAFE:** That would be a big driver of – we have almost doubled our jury cases and the duration and type of cases are much longer, so sequestering, that type of thing, which would drive general purchased services.

**MS. ROGERS:** So what kind of services would be purchased under there?

**MR. CHAFE:** If a jury is sequestered, so we would pay for their hotels through there. Just the necessities of life: food, those types of supplies.

**MS. ROGERS:** Okay. All right, great. Thank you very much.

I'm good there.

And if we go to Civil Law and Enforcement, 2.1.03, Support enforcement, we see a bit of jump there in Salaries for the revised for '17-'18.

**MR. A. PARSONS:** That would be severance. How many positions? One? One retirement?

**OFFICIAL:** (Inaudible.)

**MR. A. PARSONS:** One retirement and a salary continuance.

**MS. ROGERS:** What's a salary continuance?

**MR. A. PARSONS:** I'm not even going to attempt that. I'll let Virginia ....

**MS. ENGLISH:** There is a HR policy that where a position may be eliminated, the individual would be entitled to pay in lieu of service for a period of time. And we have a number of cases where salary continuance was paid and it's now – it would be terminated; it's not carried into next year.

**MS. ROGERS:** Okay, thank you very much.

Family Justice Services: The only question I have there is under Purchased Services. We've seen an increase there of \$5,500.

**MS. ORGAN:** All right.

That increase was due to a rental increase in our facility in Marystown for Family Justice Services. It was an unexpected rental increase that went up this year.

**MS. ROGERS:** Okay, thank you very much.

I've also heard there's sometimes a little bit of a problem with waiting rooms in the Family Justice Services. Has that been an issue, or space in Family Justice Services, in those spaces used?

**MS. ORGAN:** Not that I've aware of, and I've been to most of our divisions and I can't think of one where there would be.

**MS. ROGERS:** Okay, thank you very much.

Access To Information And Protection Of Privacy, under Salaries we see there was a drop

in the revised of about \$300,000 and then for the estimate it's back up to pretty well close what the original budget was for '17-'18.

**MS. WRIGHT:** That's just due to staffing. There was a staff turnover. So they're now at full capacity. They have hired, there are three new staff to support government departments and municipalities. They have filled those positions. It is two ATIPP coordinator liaisons and one municipal analyst. They're now at full capacity.

**MS. ROGERS:** Are we seeing an increase in ATIPPs?

**MS. WRIGHT:** We are. I do believe I have –

**MR. A. PARSONS:** I have some information here I can put out. It's just general about ATIPP, and Kendra will stop me if I'm wrong.

This year, just when we talk about training, they did about 65 sessions during the entire year, working with a lot of municipalities. They did a lot of work outside of St. John's. There were some government department coordinators – education in the University of Alberta. They did an online course, I believe.

There were department coordinators being certified with the International Organization of Privacy Professionals. They took over 1,600 phone calls as it related to guidance for public bodies. They did preliminary privacy impact assessments, over 70 of those relating to government programs and services; reviewed over 80 Cabinet papers; posted over 700 government department ATIPP requests online, and right now it says there are over 2,000 requests received by all public bodies. That's the annual.

I think Mr. Malloy, the Commissioner, would say there's a significant –

**MS. ROGERS:** Increase.

**MR. A. PARSONS:** – increase with the advent of the act in 2015.

**MS. ROGERS:** Okay, thank you very much.

Purchased Services; an increase in 2018-19.

**MR. A. PARSONS:** I think Virginia might be able to better handle that.

**MS. ENGLISH:** While the ATIPP office was staffing up and finalizing the new positions that had been approved a number of years ago, they had also gotten monies approved for training. And with the lower number of staff, they didn't require all that training monies.

They've now staffed up and the money has been put back into their budget to allow for all the training they will have to do (inaudible) we provide.

**MS. ROGERS:** Okay, great.

Thank you.

Criminal Law, 2.2.01, again under Purchased Services, we see an increase –

**CHAIR:** Ms. Rogers.

**MS. ROGERS:** Yes?

**CHAIR:** We're gone ahead of ourselves.

**MS. ROGERS:** Have I gone ahead of myself?

**CHAIR:** We're still at 2. –

**MS. ROGERS:** Okay, great.

I'm fine for that.

**CHAIR:** Okay.

**MS. ROGERS:** Thank you.

**MR. LANE:** Minister, I'm just wondering, in terms of – I guess it would fall under Salaries, I suppose, for Civil Law and so on. I'm just wondering if there's anything in that or if there are any plans, whether it be in Salaries or whether it be in Professional Services or what have you, where we have the upcoming Muskrat Falls inquiry.

I'm wondering will there be any dedicated resources from the department, not just involved in the inquiry itself, I suppose, but to be monitoring the inquiry with the view of if any matter should arise in the inquiry that would

lead to the need for any kind of potential civil litigation and/or investigation by authorities and so on. Is there anybody dedicated to monitoring that and taking action on behalf of the government, the people, if something should arise requiring action against any particular individual, corporation and so on?

That's a mouthful I know.

**MR. STANLEY:** As we get a little later on here, there are dedicated resources that we have in the budget for the actual Muskrat inquiry. Government will have – and we can talk about it then – but government will have dedicated counsel at that inquiry on a day-to-day basis as was done in the past with every inquiry like that.

We wouldn't have dedicated resources on top of that just to watch to see what's going on. We'd expect that counsel to feed back to us if anything is arising. We expect everyone is going to be keeping kind of an open watching brief in the media as to everything that's going on at any event should that arise.

**MR. LANE:** Okay. Because the commission, of course, we know through the terms of reference, which is the same for all inquiries as I understand it, that the commissioner would not be able to make any recommendations regarding any civil litigations, criminal investigations and so on. But there's nobody per se from – in terms of any resources, outside of the people who are involved in the inquiry itself, no dedicated resources to kind of be viewing this with a goal of if anything should arise, taking some action, unless somebody happens to raise it or someone else picks up on it and makes complaints. Is that accurate, or –?

**MR. A. PARSONS:** Can I jump in on this one?

**MR. LANE:** Sure.

**MR. A. PARSONS:** No, I mean you don't hire lawyers on top of lawyers. The lawyers we have dedicated doing that, they'll keep us advised. I'm sure we will be seeing this every single day.

If there's anything else to come out – I wouldn't doubt if something were to come out that – if a private individual has a concern, from watching something that they can report that to, like you

say, civil or criminal, it can be reported and we'll deal with that accordingly. But, no, we wouldn't have somebody watching from the outside.

Our people that we're paying the money for will be down at the inquiry doing it every single day, and, as Todd said, they'll be feeding into us. We'll be knowing what's going on everyday.

**MR. LANE:** Okay. Well, that answered my question.

Thank you.

My other question – again, relating to the resources and so on – is there going to be any – and maybe you're not in a position to say or don't want to say, but I'll ask the question anyway.

In terms of the Humber Valley situation, are there any resources in this year's budget to start anything on that?

**MR. A. PARSONS:** No, it's still there in the mandate. There's still a desire to do it. You'll note my original mandate letter came with three inquiries.

**MR. LANE:** Yeah.

**MR. A. PARSONS:** So we've got one done. You still got the two left that we'd like to do but two more have been added on top of that.

**MR. LANE:** I understand.

**MR. A. PARSONS:** So right now, there's the allotments for two. I've spoken about the Search and Rescue one. We're still waiting on the Senate report on that. The Senate right now, actually, just finished out in British Columbia and they're on their way to do some work up in the Arctic. So we're going to see what comes out of that and then we can make a decision on what needs to happen that way.

As for Humber Valley, that's still, we're treating – these inquiries are pretty intensive and so what I would say is that we're going to – it's still there, it's not gone anywhere. I had an updated mandated letter and it's still there.

**MR. LANE:** Thank you.

That's all I have.

Thank you.

**CHAIR:** Mr. Davis.

**MR. P. DAVIS:** Yeah.

**CHAIR:** Do you have more?

**MR. P. DAVIS:** No, no, I have a couple of things.

**CHAIR:** Okay.

**MR. P. DAVIS:** Thanks.

I wanted to go back to 2.1.02. Am I gone back too far I wonder?

**MR. A. PARSONS:** Is that the Sheriff's Office?

**MR. P. DAVIS:** Yeah, just one quick comment on it, Minister.

**MR. A. PARSONS:** Yup.

**MR. P. DAVIS:** On Transportation and Communications – so I looked back through last year's Estimates as well. And last year, '16-'17, was budgeted \$109,000, actual was \$309,000 and '17 you budget \$266,000, so we're up to \$396,000.

So I'm just wondering, \$218,000, we went from '16-'17 what was budgeted to a higher revised amount. Then '17-'18 the same thing happened and has us up to almost \$400,000. Now you're budgeting a little over half that again for next year. So I'm just wondering if that's an increasing trend that's expected to continue, or is \$218,000 going to be enough for this year?

There you go.

**MR. CHAFE:** Sorry about that.

There's a combination of things that have been happening. The year that you're referencing, we were asked, because of an (inaudible) that was going to come down, to provide security on the circuits in Labrador. But that was ahead of

getting approval for three additional staff. So that was the beginning of that deficit.

We actually had to staff those circuits out of Corner Brook, which was quite expensive. And, of course, Muskrat Falls was unexpected and some of the juries. So we anticipate, unless something else happens, we should be okay this year.

**MR. P. DAVIS:** Thank you.

Minister, under Revenue - Federal, there's \$252,000 budgeted for last year but it was zero. Sorry, did you ask about that one already, Gerry?

**MS. ROGERS:** No, I didn't actually. Somehow I missed that one.

**MS. ENGLISH:** Okay. The revenue in that particular case relates to a MOU with the federal government under the *Contraventions Act* for the ticketing of federal offences. The start-up on that one is still happening. A number of positions have been hired. Not yet in the Sheriff's Office but in other areas we have hired some bilingual staff to assist with the contraventions and we're still working with the federal government to complete the ticketing, complete the training and get that up and running.

So we did have revenue budgeted for that purpose. We won't receive all the revenue because we didn't spend necessarily that amount of money this year. And we may not receive it this year. We may receive it next year due to the delays in the timing in getting the actual submission into the federal government.

**MR. P. DAVIS:** You're actually going to provide a service to the federal government, is that what I understand, and this offsets those costs to providing that service?

**MR. STANLEY:** I want to answer this one because this is one I was chasing for a while.

Under the federal *Contraventions Act*, the way it works is we provide ticketing services to the federal government and the mechanism whereby the federal government can actually ticket for federal offences, which hasn't been present in

the province before. There have been various federal legislative offences and/or offences on federal land that they actually didn't have the ability to ticket for because we didn't have a tie-in to our system. Some of the aspects of the tie-in that required, for example, being a federal matter, we have to have bilingual tickets, we have to have the ability to process tickets and handle members of the general public who may get tickets on a bilingual basis, et cetera.

Last year, I believe it was, we negotiated the contraventions arrangement with the federal government. We have expenses in respect to the provision of the services, the purchases of new tickets, hiring bilingual people. They fund it and provide us with the funding for it, so you'll see there in Purchased Services – I believe it was – for the budget for 2017-18 we had a significant amount of money but then we had to offset \$252,000 in federal revenue.

We were slower off the mark getting going with the program than we intended to be, so as a result we didn't quite spend as much as we thought, but we also didn't get to claim as much back from the federal government. They don't send the money unless you spend the money.

We're in the process now, we've got the court offices that we needed to get staffed up with bilingual people, including a bilingual court clerk hired, for example, in provincial court in Wabush and a couple of other places. We've got the bilingual ticketing sorted out and the next step will be for Dan's office to have someone for enforcement, on the enforcement side to be able to provide bilingual services.

The federal government is very enthused about this, including – you wouldn't think about some of the places where this affects but this was actually an issue on the base in Happy Valley-Goose Bay. The security on the base in Goose couldn't ticket for traffic offences on the base because they didn't have the authority to ticket because we didn't have this arrangement.

Now we've got that sorted out, so there are a number of places where you're going to see more tickets coming through and hopefully more ticket revenue for us for processing the tickets.

**MR. P. DAVIS:** Military police you're referring to.

**MR. STANLEY:** Military police, yes.

**MR. P. DAVIS:** There's a military presence here as well in St. John's, right?

**MR. STANLEY:** Yes.

**MR. P. DAVIS:** That's part of what the increase in Purchased Services was as well, I guess, was it?

**MR. STANLEY:** Yes.

**MR. P. DAVIS:** I know that your colleague earlier talked about the number of jury cases and the costs associated so the *Contraventions Act* is part of that. So the \$252,000 back in this year is part of that \$448,000 or to offset some of that \$448,000?

**MR. STANLEY:** Yes, a part of that.

**MR. P. DAVIS:** Okay.

Over in the Support Enforcement there was a comment of a position that was eliminated – or salary continuance.

What position was that?

**MR. A. PARSONS:** Kendra Wright.

**MS. WRIGHT:** It was the manager position.

**MR. P. DAVIS:** I can hear you. Manager of Support Enforcement.

**MS. WRIGHT:** The manager of Support Enforcement.

**MR. P. DAVIS:** Just a second now. Has that position been replaced?

**MS. WRIGHT:** No, that position was eliminated.

**MR. P. DAVIS:** Thank you.

Okay, and now I'd like to go to 2.1.05. I'm sorry if I missed it. Were you asked about the salary revision from last year to this year?

**MR. A. PARSONS:** (Inaudible.)

**MR. P. DAVIS:** I'm sorry, I had to step out for a second. I missed it. But I don't know if you could briefly – sorry.

**MR. A. PARSONS:** The salary change in ATIPP.

**MS. WRIGHT:** Oh, the salary change in ATIPP, they were down three staff persons. They're now at current complement. They finished hiring just last month. So they have three new staff: two ATIPP coordinator liaisons – they assist government departments with meeting their ATIPP obligations; and then the one municipal analyst – so they assist the municipalities.

**MR. P. DAVIS:** Oh, the analyst assists municipalities?

**MS. WRIGHT:** There's one dedicated municipal analyst who assists municipalities with the unique challenges they face. This includes providing advice, training and developing municipal-specific training and guidance materials.

**MR. P. DAVIS:** Has there been an increase in ATIPP for municipalities?

**MS. WRIGHT:** Well, they provided 28 sessions outside of St. John's this year in presentations at various municipalities. So I think the goal was they wanted to get as many municipalities trained –

**MR. P. DAVIS:** Mm-hmm.

**MS. WRIGHT:** – and then they'll assist as the requests come forward.

**MR. P. DAVIS:** Minister, I know you referenced the increase in ATIPP requests I guess since you came into government three years ago. Does it continue to be an increase now? Is it stabilized at all?

**MR. A. PARSONS:** (Inaudible) I believe the trend continues. It's still going up.

**MR. P. DAVIS:** Thank you.



Minister, in the salary report there was an ATIPP facilitator that was there last year that we don't see there this year.

**MR. A. PARSONS:** You got that, Virginia?

**MS. ENGLISH:** That position still exists but is currently vacant.

**MR. P. DAVIS:** Thank you.

Also in TCII, there was an ATTIP coordinator terminated without cause. Has that position been replaced?

**MS. ENGLISH:** I can't answer if the person has been replaced, but they are not actually staff persons belonging to the ATIPP Office. Each department hires their own ATIPP coordinator, but they are not staff Members of the ATIPP Office within the Department of Justice and Public Safety, so you would have to ask that question directly of the department.

**MR. P. DAVIS:** I was going to say, I think what you're telling me really, really nicely is we should ask that department, so that's okay.

**MS. ENGLISH:** What would happen, if there's a gap or if there's a person missing or there's someone on vacation within the department, that's where we have the ATIPP analysts who are called – what we call them are floaters

**MR. P. DAVIS:** Mm-hmm.

**MS. ENGLISH:** They are assigned to assist various departments. So they will go out into the departments to assist if there's a vacancy or a vacation or there's a big request and they need an extra person to be assigned.

**MR. P. DAVIS:** Okay. So knowing that, under 2.1.05, how many staff come under that 01, Salaries?

You mentioned you're three staff down: two new ATIPP coordinators and a new municipal analyst. So what's the total staff compliment there? That's within your own department, Minister, I believe, is it?

**MS. ENGLISH:** I believe, if I counted right, it's seven.

**MR. P. DAVIS:** Forgive me for asking but ...

**MS. ENGLISH:** I do stand to be corrected, the current director, the current manager of ATIPP services is – the ATIPP coordinator is vacant. She is temporarily assigned as the director so she is performing both duties, basically. She's the manager and the director at this time.

**MR. P. DAVIS:** This 2.1.05, Minister, is this in your department because you have a responsibility for ATIPP or is this under every department?

**MR. A. PARSONS:** It falls under JPS.

**MR. P. DAVIS:** How is this – because it does say: "... for the administration and coordination of the Access to Information and Protection of Privacy Act, 2015, including public release of requested information." I thought departments actually do that. So what's the role then of the staff in your office?

**MR. STANLEY:** This office handles both providing advice to departments and backup, as Kendra said, but also the public release part of that is that this is also the office that goes through the process required to post certain ATIPP requests online.

We have a facility where ATIPP requests are actually posted online. That isn't an automatic process, not every ATIPP request goes up because some ATIPP requests are by people requesting their own personal information, so those don't go up. Then, depending on the nature of the ATIPP request, posting some online may require screening the ATIPP request again for personal information.

It is a bit of process in order to facilitate that, but that is the part of the public disclosure that's done by this office.

**MR. P. DAVIS:** So if I understand correctly, besides the posting then, you also provide advice to departments. Would that be ATIPP coordinators within departments?

**MR. STANLEY:** Yes.

**MR. P. DAVIS:** Okay. I'm just trying to understand the relationship, Todd.

Knowing how ATIPP coordinators operate and they're supposed to operate under a level of confidentiality in the roles that they have and so on. I'm just trying to understand how that relationship then works with your department.

**MR. STANLEY:** Well, the only issues that would come forward for consultation would be ones that the ATIPP coordinators in the departments themselves didn't feel that they could handle. Also, there's a little bit of work that goes on sometimes with ATIPP requests being referred between departments.

It happens, not infrequently, with Justice where a department goes through their ATIPP request, realizes that there is Justice advice in the ATIPP request and then they flip those parts over to us just to check to see if we believe the advice is, for example, solicitor-client privileged or the like.

The purpose of this office is just to make sure that whole engine within government is working appropriately and providing advice to the departments as they need it, in addition to the floaters as Kendra mentioned.

**MR. P. DAVIS:** So if I could just ask one more question, Gerry.

If a department came to you looking for advice on a particular ATIPP request, would you know who the requestor was?

**MR. STANLEY:** No. Actually, I'm the one who reviews the ATIPP requests for Justice. I never know who the requestors are from Justice's ATIPP requests, let alone the ones that are coming from other departments.

**MR. P. DAVIS:** So when an ATIPP coordinator comes to you for advice on something, you wouldn't know who the requestor is?

**MR. STANLEY:** I do not get to see – I have to approve all the ATIPP requests that go out through the Department of Justice. I do not see the names of who the people are making the requests. The ATIPP coordinator screens all of that.

**MR. P. DAVIS:** Thank you.

**MR. A. PARSONS:** Excuse me, if I could jump in just for a second.

We've been at it about an hour and a half. Is it alright, Madam Chair, if we take a quick recess for bathroom breaks?

**CHAIR:** Sure. So how long did you want?

**MR. A. PARSONS:** Five or 10 minutes is fine.

**MR. P. DAVIS:** Five minutes, yeah.

**MS. ROGERS:** Can I just ask one quick question, than I think we're done with this?

**MR. P. DAVIS:** Finish off this, yeah.

**MS. ROGERS:** Yeah.

Back to your High Sheriff's Office. You had mentioned that there were three different functions for that increase and one of them was enforcing court orders around Muskrat Falls.

Can you just describe what they would be doing then, what roles they would be filling there?

Thank you.

**MR. CHAFE:** Basically, under the enforcement function of the Sheriff's Office, which we do regularly, but generally, it's to serve documents, right. So it's subpoenas, summonses and those types of things.

In this particular instance, our function occurred after there was an injunction, which took place, and beyond that. As things escalated, the judge basically ordered us to serve those individuals with subsequent instructions basically to say if the individuals wouldn't leave, they were to be arrested and brought before him.

In other instances, we could even serve individuals to say because of the court order, they were in breach of the injunction and to appear before the judge at another date.

Basically, as our enforcement function, we had to follow the instructions of the order itself. We were given very specific things to do with each order.

**MS. ROGERS:** It would be then to go where the land protectors were –

**MR. CHAFE:** Yes.

**MS. ROGERS:** – whether it was inside the camp –

**MR. CHAFE:** Yes.

**MS. ROGERS:** – or at the gate of the camp, not just in the court?

**MR. CHAFE:** No, it was in the community.

In the original injunction, it gave very specific limitations, like one kilometre from the gate and as things progressed they gave them an area that they could protest that wouldn't impede the functions that were happening there.

As each individual went to court, sometimes there were other instructions. So there were named individuals. There were people we had to know who they were and there were unnamed as well. So if there was a zone that no one was supposed to be in and we were monitoring that, we may serve an unknown person and then they would have to appear and then they became known. It became very complex, but that was our function.

**MS. ROGERS:** Okay.

Thank you very much.

**MR. LANE:** So tell us then, did these people (inaudible) and so on, people that were flown from St. John's or whatever to Labrador or do you have sheriff's officers there that just sort of left the court house and just went down the road and did it?

**MR. CHAFE:** It was a bit of a logistical challenge. So what we did in this instance was, we did fly people in from across the province because we're a Monday to Friday, 9 to 5, sort of organization. This turned into a 24-hour operation.

What we did is we did fly people in from other places depending if it was a Monday or – on a weekend we would have the staff that were available anyway, but what we did is we

backfilled. So the out-of-town staff would take care of the courts and then the local staff would take care of these orders because they knew the people, they were familiar with the community and they were the most best suited for this type of work.

**MR. LANE:** Thank you.

Minister, I had one other question if that's okay or do you want to –?

**MR. A. PARSONS:** Okay.

**MR. LANE:** Okay.

This is on the ATIPP, actually. This is more of a policy question. You can answer it or not, that's up to you. I'm going to ask the question anyway.

We changed the ATIPP Act recently in the House of Assembly, as you know, Bill 33, I think it was 33, to allow Muskrat Falls Inquiry to be exempted and so on.

At the time when that happened, our Privacy Commissioner had suggested that we should have removed the *Energy Corporation Act* from Schedule B, I believe, of the ATIPP Act in order for the *Energy Corporation Act* to more reflect so that ATIPP would apply to Nalcor and we could potentially at least get more information, or at least have to go through the Privacy Commissioner to sort of screen these things and make it a little bit more open and transparent.

That never happened, obviously, in the House in that bill. I'm just wondering why that didn't happen and if there are any plans to make that change in the near future. I know that's a policy question but I'm ....

**MS. WRIGHT:** You're correct in that that was part of the consultation process. When the bill was sent over for consultation there was a response back. The *Energy Corporation Act* doesn't fall to the Department of Justice and Public Safety. It's not a bill that falls under our department. We don't have responsibility for that act. So the department can't make the amendment. It would have to come from the Department of Natural Resources.

I can follow up to determine – that’s a policy question for the Department of Natural Resources because the *Energy Corporation Act* falls under them, so it would be a policy question for that department.

**MR. LANE:** Well, actually – and I’ll just ask this. In the letter that the Privacy Commissioner, in that response, which I have a copy, basically the issue was, it wasn’t about changing the *Energy Corporation Act*. It was that in the ATIPP Act it says the ATIPPA legislation shall supersede all other legislation with the exception of Schedule B.

In Schedule B it lists certain things. *Energy Corporation Act* is one of those in that schedule. So what he had suggested was take the *Energy Corporation Act* out of the ATIPPA act as not being superseded; therefore, ATIPPA would apply. So it wouldn’t actually be a change to energy corporation, it would be a change to ATIPPA.

I’m just wondering –?

**MR. A. PARSONS:** (Inaudible.)

**MR. LANE:** Yes.

**MR. A. PARSONS:** There are a number of exemptions there that are under that Schedule B. What I would suggest is that each one of them is the policy mandate of that particular department. There might be one there for child, youth and family services or CSSD. There might be one there for Health and Education. Energy falls under Natural Resources. So there’s a whole bunch of them there.

Even though ATIPP falls under us, you wouldn’t just go and remove something based on that without – that wouldn’t be our decision to make. That would be a decision that would have to come from the responsible department that governs that piece of legislation.

Do you know what I mean? Like, we wouldn’t go eliminate one to deal with –

**MR. LANE:** You’d have to consult with them, obviously, right.

**MR. A. PARSONS:** Yes, but again –

**MR. LANE:** Yeah.

**MR. A. PARSONS:** Again, we wouldn’t lead that. That would be led by that department.

**MR. LANE:** Okay.

Thank you.

**CHAIR:** Okay. So we’re done with Civil Law and Enforcement?

Okay.

Shall 2.1.01 to 2.1.05 inclusive carry?

All those in favour, ‘aye.’

**SOME HON. MEMBERS:** Aye.

**CHAIR:** All those against, ‘nay.’

Carried.

On motion, subheads 2.1.01 through 2.1.05 inclusive carried.

**CHAIR:** We’ll just take a 10 minute break and be right back.

**MR. A. PARSONS:** Thank you.

Recess

**CHAIR:** Okay, we’ll resume with Criminal Law,

**CLERK:** 2.2.01.

**CHAIR:** Shall 2.2.01 carry?

Mr. Davis.

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

Minister, 2.2.01, under Salaries; a little bit of fluctuation, revised is a bit lower than anticipated and the estimate for this year is a little higher. I don’t know if there was anything in particular causing that.

**MR. A. PARSONS:** Sorry about that, Sir. Just repeat that again.

I thought Gerry was up.

**MS. ROGERS:** I was.

**MR. P. DAVIS:** Oh, were you? I'm sorry.

I thought Gerry ran out of time. I thought you used your time.

**MS. ROGERS:** No, you did; you ran out of time.

**MR. P. DAVIS:** Oh, okay.

I'll just sit here and listen to you ask the questions.

**MR. A. PARSONS:** I can still answer that question if you ask it.

**MS. ROGERS:** Just ask it again.

**MR. A. PARSONS:** Ask that one again.

**MS. ROGERS:** Ask it hard.

**MR. P. DAVIS:** No, go ahead, I'll follow. You go ahead. (Inaudible) 40 seconds than in 10 minutes.

**MS. ROGERS:** It's all right; you owe me.

The Purchased Services, we can see the revised budget in '17-'18 that there was a significant increase and now the budgeting for the estimate for '18-'19, if we could know a little bit about what that is.

**MS. MERCER:** We had a significant increase in our rent for our largest office, which is our St. John's office. As well, I think there's some money in the estimate that's captured under the federal cannabis dollars that my colleagues mentioned earlier. I think that pretty much covers ...

**MS. ROGERS:** Jennifer, so for cannabis dollars, or dollars for cannabis, what would that entail then – for what?

**MS. MERCER:** Virginia can jump in here and correct me if I'm wrong, but we had a federal allotment of money which we've parked, I think, in three places, with the anticipation that we'll

use it for various things with the cannabis ticketing, cannabis prosecution.

**MS. ROGERS:** Okay.

**MS. MERCER:** Not under the CDSA because that's handled by the federal crown, but other cannabis impaired-related things. Really, I think, as the minister said, it's a bit of a guesstimate at this point what and how we'll use it, but that's I think where we parked some of it. Virginia, if that's correct?

**MS. ROGERS:** Okay.

Where is that office in that place where the rent went up so much?

**MS. MERCER:** It's in the same building as the provincial courts so Atlantic Place, downtown.

**MS. ROGERS:** So Atlantic Place.

The rent increased significantly?

**MS. MERCER:** Virginia, I'd ask you to give me details, but yes is the short answer.

**MS. ENGLISH:** Yes, the rent did go up in Atlantic Place. There was a new lease agreement signed this year. You will notice that the rent is not actually in the budget right now. It's a bit of an accounting exercise, so forgive me as I try to explain this one. All the rents or all the leases have now been transferred over to the responsibility of Transportation and Works.

**MS. ROGERS:** Okay.

**MS. ENGLISH:** The budget for these items, for next year, has moved to Transportation and Works. For comparative purposes, budgeting has also moved over last year's budget or our 2017-18 budget over to Transportation and Works so that you could compare the two years. What you'll see here, the variance relates to the unbudgeted amount of rent that we had to pay for Public Prosecutions office, so they only moved budget and this is the extra piece.

**MS. ROGERS:** Okay, so the \$252,400 does not cover rent?

**MS. ENGLISH:** No.

**MS. ROGERS:** But the \$209,000 covered rent.

**MS. ENGLISH:** Covered only that part of the rent that was not budgeted.

**MS. ROGERS:** Okay.

So then that's a significant increase in an estimate then if the rent doesn't come under there.

**MS. ENGLISH:** It also includes the \$100,000 that we have allocated to the criminal division related to cannabis. The other dollars in Purchased Services there will relate to copiers. It will relate to witness fees.

**OFFICIAL:** Travel fees as well.

**MS. ENGLISH:** Travel fees for witnesses may fall under there as well.

**MS. ROGERS:** Okay.

**MS. ENGLISH:** So there are a number of other items that will fall there, but the only place you'll see rent here is under the projected, revised number and that was the unbudgeted amount because the lease was not signed until into '17 and '18.

**MS. ROGERS:** Okay, thank you very much.

That \$100,000, though, has come from the federal government, has it?

**MS. ENGLISH:** That's correct. So the province has to commit and allow for provincial expenditures. Then when the money is spent, we can request reimbursement from the federal government. Part of the \$157,000 in revenue includes that \$100,000 for cannabis.

**MS. ROGERS:** Okay, great. Thank you very much.

We're going to call that section after we finish that section, is it? So I'll stop then.

Thank you very much.

Paul?

**MR. P. DAVIS:** Thank you.

So I'm just trying to follow the Purchased Services. So it was \$152,000; revised was \$209,000. And revised \$209,000, as I understand you're saying, is because of partial rent increase but now that's moved out of that – that's no longer under that budget line anymore.

So now it is \$252,000, so we take \$100,000 out of that is the cannabis funding. That brings it back to \$152,000 which is relatively what was budgeted for last year, but now it doesn't include rent.

What does it include? What's the difference – like if you take the rent out of \$152,000 and now this year you have it back to \$152,000 without the rent.

**MR. STANLEY:** I'm going to jump in while Virginia is going through the paper. The \$152,000 from last year didn't include rent either.

**MR. P. DAVIS:** Oh.

**MR. STANLEY:** They have actually restated last year's numbers. So if you go back and pull out last year's Estimates book – actually if we got the paper, I think you may find that number was different last year.

**MR. P. DAVIS:** Oh, I have it here.

**OFFICIAL:** (Inaudible.)

**MR. P. DAVIS:** I heard that.

Oh, it was so. Last year it was \$557,000.

**MR. STANLEY:** Right.

So in the budget numbers for 2017-18, this year when they produced the Estimates book they actually restated the rent amounts throughout to provide comparatives.

**MR. P. DAVIS:** Okay.

So you got a new lease, how long is that lease for?

**MR. STANLEY:** Yeah, we signed it for 10 years and that was about two rental years ago, so there's about eight years left, I think.

**MR. P. DAVIS:** Ten years –

**OFFICIAL:** (Inaudible.)

**MR. STANLEY:** Okay, eight or nine years left, there was a bit of retroactivity when we signed it.

**MR. P. DAVIS:** Okay, so it's recently signed but there's a bit of retroactivity back a couple of years.

I'm just curious when you say there's a rental increase. I would have thought with today's market and from what I understood from talking to people who are in the business, in rental businesses, that there's not a big increase in commercial –

**MR. STANLEY:** Well, when we were doing the negotiations for the rent that was an issue as to the landlords for anything up to that kind of length of a rent were looking for – this is utilities included rent or lease, amongst other things. So they're all trying to price in the expected increases in electricity costs.

There's some negotiation going on as to how we were going to do it. Whether we would flatline the lease, the new lease amount, across the entire tenure or would we have it on an escalating basis when we were doing it.

So I think the lease we finally agreed upon had a fixed rental for the first year and then the rental accelerated in the second year and then in the fifth or the sixth year – we did it in sort of in stage. So we couldn't get a flatline lease based on the same terms; they did want increases. And I think people are finding across the province that there are people, for those kinds of rents, are pricing in – if it's utilities in, you're pricing in the possible electricity increases.

**MR. P. DAVIS:** Okay.

**MR. STANLEY:** That was a commercial negotiation.

**MR. P. DAVIS:** Even though I thought I heard recently, or a few months ago, the Minister of Natural Resources make a comment that commercial rates were going to stay within Atlantic average, but I guess (inaudible).

**MR. STANLEY:** Apparently the landlord didn't believe that we were negotiating the rent.

**MR. A. PARSONS:** There's a bit of a difference.

**MR. P. DAVIS:** Okay, fair enough.

Yeah. So \$557,000 down to \$252,000, that would make sense then why that rental was taken out. I think the question on the Federal Revenue was asked on \$100,000. That is for cannabis, but that still leaves about another \$25,000 additional amount in there, or \$20,000.

**MS. MERCER:** I can answer that.

Presently, we have a part-time flagging coordinator. Flagging is a program that runs across the country with corrections and various prosecution services so that there's an exchange of information dealing with high-risk and dangerous offenders who are moving from province to province.

We're federally funded, or we have been federally funded for a part-time position. Now we've sought and gotten an increase to have a full-time flagging coordinator in the province, and that's funded by the federal government.

**MR. P. DAVIS:** What is that again?

**MS. MERCER:** It's someone who coordinates with corrections and other prosecution services to flag high-risk and dangerous offenders who might be moving from province to province and throughout the country. So that if somebody's coming into Newfoundland who has a serious criminal record, that person would be flagged and that information is shared with us.

**MR. P. DAVIS:** Again, is that –

**MS. MERCER:** And likewise.

**MR. P. DAVIS:** Is that like another example of a federal service that's embedded, if I can use that, within your system and they're paying you for that service within your own system?

**MS. MERCER:** Practically, yes.

**MR. P. DAVIS:** Okay. Thank you.

I think that's all I have on that one.

**CHAIR:** Okay, we're completed Criminal Law.

Shall 2.2.01 carry?

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

**CHAIR:** Those against?

Carried.

On motion, subhead 2.2.01 carried.

**CHAIR:** We'll move on now to Other Legal Services.

**CLERK:** 2.3.01 through 2.3.06 inclusive.

**CHAIR:** Shall 2.3.01 to 2.3.06 carry?

**MR. P. DAVIS:** Thank you.

Minister, I think it was in a –

**OFFICIAL:** (Inaudible.)

**MR. P. DAVIS:** Pardon?

**MS. ROGERS:** Isn't democracy grand?

**MR. P. DAVIS:** I thought it came back to my turn and I wasn't finished with him.

**MS. ROGERS:** No (inaudible). Well now they have, look at that.

**MR. P. DAVIS:** Okay, go ahead.

**MS. ROGERS:** Go on.

**MR. P. DAVIS:** I think you had a minute and a half left.

**MS. ROGERS:** We can see in Grants and Subsidies that there's almost \$200,000 less in the Estimates for '18-'19.

**MR. STANLEY:** As part of everything that was announced yesterday in the budget by Minister Osborne, government has been doing both an attrition management plan as well as a

discretionary core operating reduction. That has been posed both on departments and has been implemented on the required of ABCs. The reductions to Legal Aid's funding budget are of \$100,000 respective each actually, in respect of attrition and in respect of core operating funding. Legal Aid has indicated –

**MS. ROGERS:** Co-operating funding?

**MR. STANLEY:** Core operating funding sorry.

**MS. ROGERS:** Oh, sorry. Okay.

**MR. STANLEY:** Legal Aid has indicated to us that they expect to be able to absorb these without a detrimental impact on their current operations.

**MS. ROGERS:** Okay. So even though the choice of counsel now has been changed and that will be handled in-house. We do know Legal Aid has had to turn away people that previously were eligible for legal aid and that there is a bit of a waiting list and so they voluntarily felt they could give up almost \$200,000.

**MR. STANLEY:** I'm not sure if I'd characterize it if they were asked as being voluntary.

**MS. ROGERS:** Okay, yeah.

**MR. STANLEY:** Just to be clear, the changes that were implemented for choice of counsel has sort of a long tail to them because there are existing certificates that still have to go through the system –

**MS. ROGERS:** Yeah, right.

**MR. STANLEY:** – and will be expected to be expended. Including, for example, for appeals of some of the convictions that we've seen, some of those things are going to take a while to go ....

**MS. ROGERS:** And that would come out of the Legal Aid budget or is that outside?

**MR. STANLEY:** If someone had his Legal Aid certificate for their defence at trial, then the certificate would continue if they filed an



appeal. So the changes that were made in the legislation will have a budgetary impact to Legal Aid –

**MS. ROGERS:** Mm-hmm.

**MR. STANLEY:** –but it’s going to take a year or two to get that through the Legal Aid system. They will still be paying out for outside counsel on certificates that are already outstanding, and those are going to have a bit of a distance to them or a bit of length to them, a delay before we get to the point where the full effect of the savings we expect to realize from the choice of counsel provision are realized in Legal Aid.

**MS. ROGERS:** Yeah, I guess so. It’s a little bit of concern, though, if we see a reduction in the overall core funding for Legal Aid when those issues are still outstanding.

**MR. A. PARSONS:** Yes, the fact is Legal Aid wholeheartedly support the choice of counsel, and the fact is they’re going to see more money in their budget. That’s why they’re actually expanding their footprint. They’re going to have more to do.

Everybody knows what we’re dealing with, the type of fiscal situation, but Legal Aid is quite confident that they’re actually going to be able to continue to do more. There are no positions being cut. They have to expand their footprint in many ways. There are going to be more lawyers hired.

I’m unaware of the things said earlier about people being turned away. I’m not aware of that particular one, but we’re always going to deal with the situation where there are people around that threshold that feel – that want to be there. That always has been there and probably always will be. I know it exists in every single province.

Right now, Legal Aid has told me they have no concerns about being able to handle the caseload they have. In fact, the numbers went down over the last year. There was a spike there, the numbers have gone down. The number of cases they will have to take with this choice of counsel provision, the money that they’ll retain within their budget will be more than adequate to handle that.

**MS. ROGERS:** Okay.

Thank you very much.

Commissions of Inquiry, that’s the Muskrat Falls Commission of Inquiry. I have no questions on that, my colleague may.

Other Inquiries, \$1 million estimated. That is being budgeted for?

**MR. A. PARSONS:** That would be for the inquiry into the children in care, the Innu Nation.

**MS. ROGERS:** Okay, the Innu Nation.

**MR. A. PARSONS:** Yes.

**MS. ROGERS:** Thank you.

The Office of the Chief Medical Examiner; we all saw in the media some of the problems that resulted in the report. There’s a significant jump there in the revised amount.

Can you tell us a little bit about what happened there for that revision? Then it looks like you’ve settled not that much beyond what the original budget was for ’18-’19.

**MS. ENGLISH:** With the Office of the Chief Medical Examiner, we have recently changed our contractual arrangement with the Chief Medical Examiner. Prior to this year, or up until December of this year, we had a tripartite agreement with Dr. Avis and with MUN, who employed him. So we were paying Dr. Avis for part time, so to speak, and we were then paying MUN for part of his salary.

That contractual arrangement has now terminated and the additional salary dollars that we have spent out this year were in relation to closing out that particular relationship, paying out any monies owed to him for vacation pay and so on.

We have now entered into a contractual arrangement with Dr. Avis on a professional services basis and you will see that the money for next year, a fair bit of it, is parked into Professional Services and that is to pay Dr. Avis for his full-time services with the department.

**MS. ROGERS:** All right, thank you.

Then the Human Rights Commission, we see a significant drop there in their overall budget. Can you tell us why that might be?

**MR. A. PARSONS:** I think the increase there might have been – there was an increase in adjudication, more matters – they’re able to resolve a lot at the earlier stages, basically, through conflict resolution methods, but there are certain matters that are still continuing to go on, so the adjudication costs have gone up. You’ll see that went from \$18,000 to \$32,000. That’s not anticipated this year. You also see the Purchased Services went up there significantly. I think that was due to a (inaudible).

**OFFICIAL:** (Inaudible.)

**MR. A. PARSONS:** They had (inaudible) space. They actually were over in the Beothuck Building and now they’re over in the Natural Resources Building.

**MS. ROGERS:** Mm-hmm.

**MR. A. PARSONS:** So there’s no actual change in their funding per se. There’s been savings there that we’ve achieved by moving them over there. They’re quite happy with the move from what I gather, but that’s the only change there.

**MS. ROGERS:** They’ve had some cuts over – cumulative cuts – over the last few years. Do we know about if there’s any waiting lists or are there any backup on cases? How are they doing with their additional mandate to do educational programs?

**MR. A. PARSONS:** What I can tell you is that I literally receive very few, maybe zero, complaints about wait lists. I’ve not heard of any issues on that. I met with the board, I meet with Carey Majid quite often.

If there’s a concern, it’s not being brought to me and, generally, in this line of work, no news is good news. So if we’re not hearing any complaints – I think their method of handling disputes has really improved in that they’re trying to handle more things at the earlier stages rather than when it gets tangly and you’re

getting into the actual, more like a court situation.

Again, I know they’ve been out on the West Coast. Rolf, do you have the numbers with you?

**MR. PRITCHARD:** We have been advised that they currently have 200 active complaints that they’re dealing with. There were actually 1,500 contacts made that, I guess, would be distilled down into 200 complaints. Those are the broader numbers.

**MR. A. PARSONS:** I know that their awards program has generated a lot of attention over the last couple of years and they’ve been trying their best to do some outreach. We’ve had some changes in the board as well. Ramsay has been there for the last number of years and now he’s moved on. So just trying to get a –

**MS. ROGERS:** Who is the chair of the board? Has that been appointed yet?

**MR. A. PARSONS:** I don’t think we’re –

**MS. ROGERS:** Not yet.

**MR. A. PARSONS:** No, we’ve had to go through the IAC for that so there is no new chair. Right now, I think Kim Mackay is the vice-chair and she’s acting as the chair.

**MS. ROGERS:** Yeah.

Thank you.

**MR. P. DAVIS:** I’d like to go back to 2.3.02, Commissions of Inquiry. The budget announced \$33.7 million for the Muskrat Falls Inquiry. Justice LeBlanc issued a comment on that today, Minister. I don’t know if you’ve had a chance to see it or not. He says that what the Commission actually submitted to government was significantly lower than \$33.7 million that was stated in yesterday’s provincial budget. That’s what his comment says today.

I wonder if you could help us out with that.

**MS. WRIGHT:** When the inquiry was announced, the Department of Justice worked with the Commissioner to establish a budget. The model that we used – certainly we had just

come off from preparing for the Dunphy inquiry. So what we needed to do was we had to build a budget, so that included we had to determine what the staff would be and where the location would be.

When we built in the budget, it came to approximately \$20 million. That's everything. They have 14 staff there right now that will accommodate also professional services. So under the *Public Inquiries Act* the Commissioner has the ability to engage his own staff. He can also go out and seek experts that can audit, it can be assessments. So there's an amount that we had to put in for Professional Services. We had to make sure that we built in enough.

So while the Commissioner might have – I think we worked with Virginia and the Commissioner, it might have been \$16 million or \$17 million. We had to build in a contingency because the Commissioner – this is not his forte. This is the first time he's done an inquiry and we all worked together in trying to build a budget that would be appropriate, that would also build in a contingency because if there's not enough money then it would be the Department of Justice and Public Safety that would be looked to, to absorb those cost overruns.

With the zero-base budgeting and with core operating reductions, we don't have any monies within our divisions that would be able to absorb any cost overruns for the inquiry.

So that's how we came to the \$20 million amount. And, certainly, if it comes in lower, that would be the best-case scenario. We hope that will happen. So that's what –

**MR. P. DAVIS:** So what's the other \$13.7 million? Because –

**MS. WRIGHT:** That's for next year.

What we did to get the amount for next year – so this year it was \$20.2 million and next year it was \$13 million. All we did was – the \$20 million takes into account that it's April 1, 2018 going to March 31.

We would've looked at it to determine that some of the salaries would drop. They won't need all of those salaries to continue because it's

assumed that the Commissioner, once the hearing phase is done, he'll be in the writing phase towards the end of 2019. So he won't need the staff of 14 people. So the salaries would've been reduced.

With respect to some of the Purchased Services. Right now, we had to go into leased space, so we have to prepare the hearing space. That's over in the Beothuck Building. The hearing space is going to be on the third floor and the office space is on the fifth floor. We had to buy certain items. For example, we've got HMP building eight to 12 desks, I believe. I just want to get that for you.

HMP is building the counsel desks; they're building eight to 10 counsel desks for the counsel commission. They built the judge's dais. They built some rolling bookcases for the judge's desk and also for standing counsel. So we've had to do a lot of stuff to get that hearing space prepared.

**MR. P. DAVIS:** Yes.

**MS. WRIGHT:** But when we looked at 2019-20, we took our budget for 2018-19, applied it for nine months, but we would've taken out some Salaries and some Purchased Services, for example, because you don't need to buy new chairs in 2019-20. So that's kind of how we built that budget.

**MR. P. DAVIS:** Well, let me –

**MS. WRIGHT:** So we don't intend – right now, when we build the budget, we have the ability in the budget process for 2019-20 to revisit what the actual budget will be for the Muskrat Falls Inquiry for year two. We won't really know until we kind of go through this process this year to have an actual, more accurate figure for next year.

**MR. P. DAVIS:** So Judge LeBlanc also referenced government's own costs; costs for government to participate in the inquiry. So we have the inquiry itself – when I read it –

**MS. WRIGHT:** Mm-hmm.

**MR. P. DAVIS:** – to be honest with you, when I read \$33.7 million, I read it to be that's what the

cost is going to be for what's happening under Judge LeBlanc's umbrella. And I think that's the way a lot of people took it.

So what I understand is that he asked for a lot less than that, is what he's saying. So are you –

**MS. WRIGHT:** That's correct.

So if you look at the line items, we only have Commissions of Inquiry, which is Part I under the *Public Inquiries Act*, and then we have Other Inquiries, which is Part II.

**MR. P. DAVIS:** Uh-huh.

**MS. WRIGHT:** So we also have the missing and murdered inquiry that is going on. Certainly, they were here already, but there are still more institutional hearings; I think there are other things that are coming forward. This also includes – there's an amount in the Salaries for government's – we have our own; we'll have a lawyer on behalf of government who will appear –

**MR. P. DAVIS:** So this is under Other now that you're talking about?

**MS. WRIGHT:** Pardon?

**MR. P. DAVIS:** Is the missing and murdered under –?

**MS. WRIGHT:** No, the missing and murdered is going to be the \$3 million. There's an additional \$3 million. In that \$23 million, \$20 million is earmarked for Muskrat Falls –

**MR. P. DAVIS:** Okay.

**MS. WRIGHT:** – and \$3 million is earmarked for government participation costs for missing and murdered and also the Innu inquiry.

**MR. P. DAVIS:** Okay, let me put it this way. Can you give me a breakdown of what the \$33.7 million is?

**MS. WRIGHT:** Yes, I can.

The \$33.7 million is \$20 million for 2018-19 for Muskrat Falls.

**MR. P. DAVIS:** Okay.

**MS. WRIGHT:** And \$13 million for 2019-20.

**MR. P. DAVIS:** Okay, but does that include funding then for the missing and murdered – is that included in that as well?

**MS. WRIGHT:** No. So if you look at 2.3.02, you will see Amount to be Voted is \$23,268,300.

**MR. P. DAVIS:** Yes.

**MS. WRIGHT:** Twenty million of that is for Muskrat Falls; \$3 million is for government participation costs for missing and murdered, and for Innu. Again, that's just a lump sum figure. It's hard for the department to put any cost on it because we're not aware, really, what's expected of us. So it's just earmarked in that account because it's Commissions of Inquiry.

We only have the two line items, you'll notice: Commissions of Inquiry – we weren't able to break it down to actually highlight Muskrat Falls, Innu, missing and murdered. We weren't able to break it down. All the money has to go in under Commissions of Inquiry or Other Inquiries.

It's based upon how the *Public Inquiries Act* is set out. Part I is Commissions of Inquiry; Part II is Other Inquiries.

**MR. P. DAVIS:** Okay.

So Justice LeBlanc said that the budget that the commission submitted to the Government of Newfoundland and Labrador for '18-'19 and '19-'20 was significantly lower than the \$33.7 million. So what was it that he submitted?

**MS. WRIGHT:** We worked with Justice LeBlanc. The budget submitted, we worked with numbers – I mean, his numbers might have been around \$16 million, \$17 million, but we only work for one year. We didn't budget for 2019-20 with Justice LeBlanc.

**MR. P. DAVIS:** Okay, and I'll just quote from what he says.

**MS. WRIGHT:** That's why he would say it was significantly lower. That is just the number applied by the Department of Justice and Public Safety to just get a ballpark figure of how much it would cost for the remaining – because it's a 24-month mandate for the Muskrat Falls inquiry, we had to kind of ballpark what it would be for the remaining months in 2019.

**MR. P. DAVIS:** My time is almost up, so let me just quote what he says and then maybe you can tell me where this is wrong then.

“The budget that the Commission submitted to the Government of Newfoundland and Labrador (‘Government’) for Fiscal Years 2018/19 and 2019/20 was significantly lower than the \$33.7 million that was stated in yesterday's Provincial budget.”

My question to you is: What is it that he submitted that he's referring to there?

**MS. WRIGHT:** Approximately \$16 million or \$17 million for 2018-19.

**MR. P. DAVIS:** Uh-huh.

**MS. WRIGHT:** And an additional \$9 million or \$10 million for year two, for a total of approximately \$25 million.

**MR. P. DAVIS:** Okay.

So the rest of it would be contingencies and government's cost to participate?

**MS. WRIGHT:** The \$3 million that we would have added in. In addition, it would be \$471,000 that the Department of Justice has earmarked for its own counsel to appear before the inquiry, as well as –

**MR. P. DAVIS:** How much was that, sorry?

**MS. WRIGHT:** Pardon?

**MR. P. DAVIS:** How much was that.

**MS. WRIGHT:** Within that \$20 million, it's \$471,000.

**MR. P. DAVIS:** So that would be in-house counsel or would that be contracted?

**MS. WRIGHT:** In-house counsel. And that would include staff to help assist with some filing, writing briefs, et cetera, just like a normal practice for other solicitors within the department.

**MR. P. DAVIS:** Okay.

My time is up and I'm sure Ms. –

**MS. ROGERS:** No, you go ahead. I am finished with that section.

**MR. P. DAVIS:** Okay.

The Other Inquiries, 2.3.03, there's \$1 million to be voted on there. There are Salaries, Transportation, Professional Services and so on. So what does that one cover?

**MR. A. PARSONS:** I can jump in here.

At this point, given the fact that we're so early in it, it's a bit different than the other one in the sense that there are three parties who are working with the feds as well as the Innu Nation. In many cases, it's a placeholder. Right now, there was an MOU signed, but there's been not a lot of progress on the federal end to see where this is going to go.

In many ways, it's the same as every other year leading up to this. I remember a lot of years I asked – there was a placeholder amount always put in for Commissions of Inquiry. I think it was \$100,000 but, in most cases, it was never spent.

**MR. P. DAVIS:** Uh-huh.

**MR. A. PARSONS:** In this case, we have \$1 million there which we anticipate – if the inquiry gets off the ground – we will be able to cover off those costs. But the fact remains that we're still very early on in that stage.

**MR. P. DAVIS:** I apologize for the confusion. I'm just trying to follow this.

The \$3 million referenced earlier on missing and murdered and Innu, I thought was under 2.3.02.

**MR. STANLEY:** The amount of money under 2.3.03 is actually the amount that would be the Commissions of Inquiry's costs for the Innu

inquiry if it goes forward. So this would be what we would call – the term I use is – the bench and behind-the-bench cost. So this would be what would be used to set up the inquiry, the back-office stuff, similarly with, basically, the \$20 million that we’re spending this year to give for the inquiry costs for Muskrat.

The heading up above, 2.3.02, we’ve included an amount in there of \$3 million. That is a combined amount that we’re just putting in as a contingency to cover off our appearances in front of and dealing with both the missing and murdered indigenous women and girls inquiry and possibly the Innu inquiry.

Because we’re assuming that if both of those inquiries get going at the same time – I mean the missing and murdered indigenous women and girls inquiry has been, one can best characteristically describe it has bit of a stutter step to get rolling. But we expect if that inquiry is going and the Innu inquiry is going at the same time, we are probably going to establish one office to try to deal with both, because there’s going to be significant overlap as to the materials and the information that’s going to be required in the processes.

So the money for our participation in the Innu inquiry is actually booked up above, despite the fact that the money for running the Innu inquiry is booked down below.

**MR. P. DAVIS:** Just a comment before we just move ahead, just kind of a sidebar matter here.

We’ve probably got 35 minutes left on the clock, if you don’t include the break time that we had. And I’ve got some questions that I want to focus on that is towards the end of the Estimates in Corrections and in policing.

So, Minister, I just throw it out to you because I like to get to those. So if we’re coming to a point that we’re not going to have time to get to all of it, you could probably signal that maybe we should go to them or – I’m just giving you a heads-up that if you’re about to say, that’s it we’re done, give me a heads-up so if we possibly can move over those.

**MR. A. PARSONS:** No, I will not give you a heads-up; I’m just cutting it off.

**MR. P. DAVIS:** Yeah.

**MR. A. PARSONS:** No. Fair ball, I get it.

**MR. P. DAVIS:** Yeah, all right.

Thanks.

Gerry.

**MS. ROGERS:** Paul, I went as far as Human Rights as well. Did you want to do that?

**MR. P. DAVIS:** (Inaudible.) I’m good there.

**MS. ROGERS:** You’re good there. Okay.

**MR. P. DAVIS:** I’m good there. I’m cognizant of the time.

**MS. ROGERS:** Okay, yeah.

I have a question of the Office of the Public Trustee. We see a significant revised amount there from ’17-’18.

**MR. A. PARSONS:** Oh, that’s –

**MS. ROGERS:** It’s 2.3.06.

**MR. A. PARSONS:** I’m not saying anything.

**MS. ROGERS:** Under Salaries.

**MR. STANLEY:** Do you mean in Salaries –

**MS. ROGERS:** Yes.

**MR. STANLEY:** – or in Revenue?

**MS. ROGERS:** Yes, Salaries.

**MR. STANLEY:** That would be an amount that was inserted.

That’s an amount that was put in to right-size our salary budget. I think if you review the Estimates from last year, there was a comment made –

**MS. ROGERS:** A (inaudible).

**MR. STANLEY:** You said it, yes.

**MS. ROGERS:** Okay.

Thank you very much.

And just, the huge difference in Provincial Revenue.

**MS. A. PARSONS:** I can jump on that.

**MS. ROGERS:** Yes.

**MR. A. PARSONS:** Basically, that office is running really well under John Goodland and staff. Plus, there's some historical legacy monies that have been received from the States, but they've gone up quite a bit. Some of the older files managed to be settled. He's gone back – you'll see this year it's \$800,000. I would love to see that number, we would all love to see that number approach that again, but that's sort of being safe there.

**MS. ROGERS:** That's revenue that's held in trust, is it? It's not actual revenue that's available to us?

**MR. STANLEY:** No, that's actually revenue to the province under the way that the public trustee works. The public trustee is actually funds held in trust for various estates can approach \$30 million or \$40 million at a time. I'm just checking, someone will correct me if I got that wrong.

This is actually revenue that the public trustee enjoys, either from the 8 per cent that we now charge on the administration of estates, or on old estates the act provides under the *Public Trustee Act*. I think it's after 10 years if an estate – monies are available there and they had not been claimed, they can come to consolidated revenue –

**MS. ROGERS:** Yes.

**MR. STANLEY:** – with the flag that if we eventually have to pay it out, we got to put it back in. Yes.

So what John Goodland has been doing – they've also got a new computer system in the last couple of years. They're basically reprocessing all their old files to get the situation cleared up. You'll see that we've sort of flat

lined his revenue. It's far above that in a particular year, like last year, but we can't count on that. That's why we're not booking \$1.7 million in revenue next year because he's actually processing the files but that's sort of a blip in the revenue curve that we're expecting from operations.

**MS. ROGERS:** I'm good for this section.

**MR. LANE:** Well, I'm going to say it's quite – I kind of already asked about it, Minister, but seeing as how we're on it, I can't let it go by without at least going there again one quick last time.

On the inquiry, the Muskrat Falls inquiry, I just want – again, just total clarification on my part. You might have been clear but I want total clarification on my part.

A concern I have with the inquiry, a concern a lot of citizens have with the inquiry, that I've talked to at least, is they have a fear that this inquiry is going to occur, it's all going to be about lessons learned, where to from here, and there will be no accountability to anybody who may or may not have either been negligent, incompetent and/or involved in anything that would be considered against the law.

You're saying there are no resources here totally dedicated to – do it be people involved with the inquiry from the Department of Justice as it would be, but it's going to be left to citizens in the sense that if I'm following an inquiry as a citizen and I'm seeing all these exhibits and I see something that speaks of total incompetence, then I'm going to write a letter to someone and say I think you should fire this person, or I see something here that is fishy like this, an anonymous engineer said that numbers were fudged. I have to go to the police and say I want you to investigate this person because apparently they fudged numbers and so on.

If those things played out, is it up to the public to take it upon themselves? No one will be – do you know what I'm saying?

**MR. A. PARSONS:** I think for the amount of money we are spending on this inquiry –

**MR. LANE:** Yes.

**MR. A. PARSONS:** – let there be no doubt, that if there is criminal or civil liability that we see we’re not going to stand idly by and allow it to go on.

Now, people aren’t coming to me with those concerns, but I don’t think we need to go out and hire another full staff of lawyers to sit there and monitor this. People are going to be watching this; the department is going to be watching this. We’re going to have our own dedicated lawyers that we’re paying for watching this, and there’s a difference between incompetence and liability and then the criminal side.

So believe me, if anybody has those fears, I would tell them to rest assured that the whole purpose of doing this and going out and spending millions of dollars is to ensure that we find out what happened. Now, if you find out what happened and that leads to questions as to culpability and so on, then we’ll address those as we get there. You don’t want to prejudge or assume.

You’re talking about somebody being fired and stuff; we’ve seen inquiries in the past, whether it’s the one that was on Lamer or whether it was on the hormone receptor, where actions have been taken to change the system and to take whatever actions necessary to right the wrongs.

**MR. LANE:** Thank you, Minister, for that.

I’m not trying to be argumentative –

**MR. A. PARSONS:** No, no.

**MR. LANE:** – but I’m just telling you that people out there have that feeling and people want to make sure that there is accountability if anything is uncovered that’s untoward anyway.

**MR. A. PARSONS:** Yes. There are some people that no matter what I say here tonight that’s not going to help them sleep at night, and I can’t help that.

**MR. LANE:** Yes, I understand.

**MR. A. PARSONS:** What I would say is we’re not in the business of spending money here to do nothing.

**MR. LANE:** No. Fair enough.

Thank you.

I’m done.

**CHAIR:** Okay. We have now completed Other Legal Services.

Shall 2.3.01 to 2.3.06 inclusive carry?

All those in favour, ‘aye.’

**SOME HON. MEMBERS:** Aye.

**CHAIR:** All those against, ‘nay.’

Carried.

On motion, subheads 2.3.01 through 2.3.06 carried.

**CLERK:** 2.4.01.

**CHAIR:** Shall 2.4.01 carry?

All those in favour, ‘aye.’

**SOME HON. MEMBERS:** Aye.

**CHAIR:** All those against, ‘nay.’

Carried.

On motion, subhead 2.4.01 carried.

**CLERK:** 3.1.01.

**CHAIR:** Shall 3.1.01 carry?

**MR. P. DAVIS:** Thank you.

Just a couple of questions on Supreme Court. I know there’s been some funding announced for some upgrades to the Trial Division. Is that in this heading here? Does that come under this heading?

**MR. STANLEY:** Shelley can correct me as we’re going. There are a couple of things that are going on actually with the Supreme Court in terms of funding. There has been some money for doing some renovation work down at the actual Supreme Court courthouse, to just



improve the public spaces. I think there's new flooring, painting – and Shelley can correct me.

That money is in here. The other money we're giving Supreme Court is to do with our Argyle project, where we're moving the Family Court to Argyle. That money was – if you look in the past budget – that was here. We had the money booked in here when we were going to be using it to spend on a project to see about doing a new court complex.

**MR. P. DAVIS:** Yes.

**OFFICIAL:** (Inaudible.)

**MR. STANLEY:** Oh, I'm sorry; renovations to the existing building down on Kings Bridge Road.

**MR. P. DAVIS:** Yes.

**MR. STANLEY:** What we concluded was, there was an analysis done and we realized that we could spend money renovating Kings Bridge Road; but, in the end of the day, basically, it was not going to be sufficient space. We were going to be using every square foot of that building and it was not going to work.

Transportation and Works had actually highlighted to us that the Argyle Building was available. The more we started to look at it and work with TW – and this was going on when I was an assistant deputy minister – we realized that the Argyle Building could be configured to be a better Family Court for the same amount of money that we were about to put into Kings Bridge –

**MR. P. DAVIS:** Mm-hmm.

**MR. STANLEY:** – within a margin of error.

So the decision was made that we would take the money that we had allotted in this budget to – last year we had put aside for renovations to Kings Bridge and instead it got moved to the capital budget here, which comes up a tab or two later, and now it's being used for a program this year.

We're going to renovate the Argyle Building and we will then move the Family Court from Kings Bridge to the Argyle Building.

**MR. P. DAVIS:** Thank you.

Last year we had a bit of a discussion, Minister, about the Jordan decision and impacts on processing cases. Can you give us an update from the Supreme Court perspective? Maybe you can do the Supreme Court and Provincial Court together. I wouldn't be adverse to that if you wanted to.

**MR. A. PARSONS:** I think the best bet, given that Jordan falls completely under criminal, maybe I can get Jennifer to talk about it, given that she would be very, very aware.

**MS. MERCER:** I don't have numbers broken down between Supreme Court and Provincial Court, but I can tell you that this time last year we had 12 applications in total.

So since Jordan was decided by the Supreme Court of Canada, we've now had 29 applications. Seven of those have resulted in stays – and we're talking different sorts of charges. Ten Jordan applications have been dismissed or withdrawn or been declared moot after a finding of guilt. We have six matters where we've otherwise dealt with the file, so perhaps withdrawing charges, worked out a plea arrangement, that sort of thing. And there are still six files outstanding. I think that should give us 29.

**MR. P. DAVIS:** So of the ones that resulted in stays –

**MS. MERCER:** Yep.

**MR. P. DAVIS:** So under Jordan, on the six that you say were otherwise dealt with, some were withdrawn – or sorry you had 10 withdrawn, is that what you said?

**MS. MERCER:** Ten were either – we argued the Jordan application and we were successful. So the application was dismissed by the court. In some cases, defence counsel would've withdrawn the application.

**MR. P. DAVIS:** Oh, okay.

**MS. MERCER:** And in certain cases what we've been doing in the interest of preserving the time periods is proceeding to call evidence at trial and if there's a finding of not guilty then of course the application is moot.

**MR. P. DAVIS:** Okay, so there's still six outstanding.

**MS. MERCER:** Yes, as of today I show six outstanding.

**MR. P. DAVIS:** So up to last year there were 12; are the balance of those since we had this discussion a year ago?

**MS. MERCER:** Yeah, so there would've been 17 since the last.

**MR. P. DAVIS:** Okay.

Can you give me an idea of the nature of those charges?

**MS. MERCER:** It's a variety. So, you know, probably what I would classify as the most serious or major cases would be some personal violence offences, there is an impaired, there's some fraud, a break and enter. So a real variety from property to personal violence.

**MR. P. DAVIS:** Is that of the seven or all of them you're talking about here?

**MS. MERCER:** That's all of them, yeah.

**MR. P. DAVIS:** So of the seven that were stayed, what's the nature of those?

**MS. MERCER:** I've got a historical sexual assault. There is an Internet child exploitation file which will come back around because it's been appealed; a dated historical sexual assault; property; crime; impaired; another sexual offence file. And I have to be honest I'm missing one from the West Coast. I believe it's property.

**MR. P. DAVIS:** That's seven I think.

**MS. MERCER:** Is that seven?

**MR. P. DAVIS:** Oh, I'm sorry six; I've got seven dashes but six listed.

**MR. LANE:** These are all stayed? Sorry to interrupt.

**MR. P. DAVIS:** There are seven that are stayed.

**MS. MERCER:** They're seven stayed, yes.

**MR. LANE:** Because of Jordan (inaudible)?

**MS. MERCER:** Sorry?

**MR. LANE:** Because of Jordan they got stayed?

**MS. MERCER:** Yes.

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

**MR. P. DAVIS:** Are they cases that have been investigated, charges laid and stayed because of the duration of time from charge or –

**MS. MERCER:** Yes.

**MR. P. DAVIS:** – it doesn't pertain to the fact that it's historical?

**MS. MERCER:** No, it is not pre-charged.

**MR. P. DAVIS:** Okay, I didn't think it did. I just wanted to make sure.

**MS. MERCER:** Yes.

**MR. P. DAVIS:** All right, under 3.2.01, I have a couple of minutes left, Salaries –

**OFFICIAL:** (Inaudible.)

**MR. P. DAVIS:** Oh, you have to call the Supreme Court first, I'm sorry.

Gerry.

**MS. ROGERS:** Under 3.1.01, I heard what you had said, Todd, but I'm not sure, was that relating to the original budget for '17-'18, \$750,500, revised to \$190,000 and the estimate is at \$266,000 for '18-'19 under Purchased Services.

**MR. STANLEY:** Yes, the \$750,500 that was there, that amount was actually now moved. We didn't spend it on the renovations as we were planning then.

**MS. ROGERS:** Okay, so that was around all that (inaudible)?

**MR. STANLEY:** Yeah, so that's around all that. Then that's been moved, just like related here to that infrastructure.

**MS. ROGERS:** Great, good.

Okay, thank you, I'm fine.

**CHAIR:** Okay, we've now completed Supreme Court.

Shall 3.1.01 carry?

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Carried.

On motion, subhead 3.1.01 carried.

**CLERK:** 3.2.01.

**CHAIR:** Shall 3.2.01 carry?

**MS. ROGERS:** I think I'm up.

**MR. P. DAVIS:** I had three minutes left, but go ahead.

**MS. ROGERS:** Go on.

**MR. P. DAVIS:** Just a couple of quick questions.

Salaries revised were decreased \$362,000 from budget to revised.

**MS. HUTTON:** It was from difficulties in getting people hired: vacancies.

**MR. P. DAVIS:** Do you know any particular positions that have been difficult to hire or have been difficult to fill?

**MS. HUTTON:** Labrador, specifically.

**MR. P. DAVIS:** Labrador.

**MS. HUTTON:** Yes.

**MR. P. DAVIS:** How many vacancies there?

**MS. HUTTON:** We had four vacancies and we just, as of yesterday, filled all positions.

**MR. P. DAVIS:** Filled those four, okay.

How many people all together are staffed in Labrador?

**MS. HUTTON:** There are seven in Goose Bay and two in Wabush.

**MR. P. DAVIS:** So you had four vacancies that were difficult to fill.

**MS. HUTTON:** Yes, four vacancies in Goose Bay alone.

**MR. P. DAVIS:** I think the minister referenced earlier challenges in Labrador or fewer staff. What are you faced with and what do you do to continue to operate with some level of effectiveness when you've got essentially half your staff, you know, you're down half your staff?

**MR. A. PARSONS:** There's been a lot of fly in, fly out to be honest; people having to leave other circuits going up. A lot of journey authorizations being signed.

You'll notice down there – am I right in saying – that the T and C you'll notice is about double what it had been budgeted. And that's just because we're flying people from St. John's, Corner Brook, you name it, to go up and fill those positions in.

So that's how the courts run. I have got to give the staff a lot of credit, the administration, for what they've done over the last couple of years. That's a real challenge to keep the court running.

**MR. P. DAVIS:** Yeah, I know it's not unique to courts because there are other government services that have the same kind of issues, just difficultly filling them.

**MR. A. PARSONS:** I don't mind saying when you go around to the different courts, if you look at the staff for instance in Stephenville, the

newest person might be 15 years on the job. You go up to Labrador, the veteran might be two years. There was such a huge difference in the longevity of staff, it's a real –

**MS. ROGERS:** (Inaudible) what kind?

**MR. A. PARSONS:** You know court clerks mainly, officer I's. But these are the people that – I've talked about it a lot when I go to these Justice summits. I mean every court is its own little ecosystem which is run by the administrators, the lawyers that work there, the sheriff's officers and the judge, and when you don't have that experience, it makes it harder for the court to run smoothly. A lot of these courts run as well as they do because of the people working there.

The good news is, hopefully, like you say, with these positions being filled we'll see – the big thing now is the retention which, as you said, is an issue everywhere. That's one of the things that came up in our summit up there was the retention issue. So we have to explore that and see what we can do to keep those people there.

**MR. P. DAVIS:** The Purchased Services was stable last year but going up over \$300,000 this year.

Can you explain that one?

**MS. HUTTON:** Yes, that's a result of the federal cannabis money in the amount of \$300,000.

**MR. P. DAVIS:** Oh, yes.

**MS. HUTTON:** And there was also \$20,700 that was from the zero-based budgeting review. So it's a prior-year adjustment.

**MR. P. DAVIS:** So the federal revenue then corresponds with that, goes from \$350,000 to \$872,000. So with \$300,000 coming out of that for cannabis, that's where that \$300,000 is in from the federal government I would think. So that's still an increase of over \$200,000 in federal revenue.

What's the rest of the increase?

**MR. STANLEY:** So this is another situation where the budget for last year had the amounts in it for the contraventions implementation.

**MR. P. DAVIS:** Okay.

**MR. STANLEY:** And where we didn't implement as quickly as we intended to –

**MR. P. DAVIS:** Okay.

**MR. STANLEY:** – we couldn't bill the federal government for as much as we wanted to, but the money's back in this year.

**MR. P. DAVIS:** Okay, that's fine.

I'm good on 3.2.01.

Thank you.

**CHAIR:** Okay, that's the completion of Provincial Court.

Shall 3.2.01 carry?

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Carried.

On motion, subhead 3.2.01 carried.

**CLERK:** 3.3.01.

**MR. P. DAVIS:** Did you want to start, Gerry, or will I?

**CHAIR:** Shall 3.3.01 carry?

**MS. ROGERS:** No, you go.

**MR. P. DAVIS:** Okay.

**CHAIR:** Mr. Davis.

**MR. P. DAVIS:** Thank you.

So \$500,000 budgeted last year, only half of that for Professional Services – sorry, none of it for Professional Services was spent.

Can you fill us in on that one?

**MR. STANLEY:** So the \$500,000 that was budgeted for last year was for Professional Services to do analysis for the planning for a new overall court, Supreme and Provincial Court complex, in St. John's. What we realized when we were looking at the issues that we had with Family Court on Kings Bridge Road is that, for this year, we would change the planning money for something that would be a number of years down the road and instead repurpose the money basically for bricks and mortar to get the immediate problem in front of us solved with the capacity issues.

So that money is also being added to the money we're using for Argyle, to get the Argyle renovations – to fund the Argyle renovations which I think are going to come in at around \$1.4 million – \$1.3 million, \$1.4 million.

**MR. P. DAVIS:** \$1.3 million is what was announced, yeah.

**MR. STANLEY:** Yeah, so it was \$500,000 in Professional Services that we didn't spend, and instead we moved \$250,000 down to Purchased Services to contribute towards the construction of Argyle.

**MR. P. DAVIS:** Okay, so the \$1.283 million, that's the \$1.3 million to move to Argyle this year, is it?

**MR. STANLEY:** Yes.

**MR. P. DAVIS:** Okay.

So just from a very high level. So Family Court, you're planning to deal with the – I mean it's been overcapacity for years.

**MR. STANLEY:** Yes.

**MR. P. DAVIS:** I know, and I realize the constraints down there.

So the other courts being Supreme Court, Court of Appeal and Provincial Court. They're all good as far as space and operations go from that perspective?

**MR. A. PARSONS:** I could probably jump in there, although I'm sure they'll jump in after.

In terms of space, Court of Appeal, we're good on the space. Supreme Court, we all know that they would love nothing more than a new Supreme Court Trial Division, especially here in St. John's. Across the rest of the province I'm not aware of any issues when it comes to space. If they do, they certainly haven't told me, and I don't know if I'm speaking out of school here.

Provincial Court, again, one of the things we dealt with this year was the Provincial Court, Atlantic Place. We had to go through that budgeting process. Earlier we were discussing the increase in rent for the Crown attorneys. That's one of the reasons it also went up, because it's really a lot like a package deal there where we have so many Justice offices at Atlantic Place, you're not coming at it with the greatest position of strength in terms of having to move all that.

In terms of Provincial Court, that's probably the greatest issue in terms of infrastructure right now. Happy Valley-Goose Bay we have leased space and that's an issue we have to face. That's one of the reasons we went up and did the summit is we've got to figure out what we're doing there.

Stephenville, that courthouse, I know they could use a new facility there, there's absolutely no doubt. That one I hear a significant number of complaints on, and even the circuit court in Port aux Basques is not ideal.

Provincial Court in Corner Brook's good. I haven't heard any other real Provincial Court issues in terms of space that I'm aware of.

The big ones, I'd love nothing more than to still see some kind of complex in St. John's to take everything in and put it together. That's still something that we would like to happen. But, in the meantime, we have a number of things we're working on, nothing for certain, but when one crowd moves, it opens up other opportunities. So that's still something we're going to explore. Maybe not moving courts to courts but if a court space comes up, maybe there's an opportunity for Family Justice Services or somebody else.

**MR. P. DAVIS:** Okay.

**MS. ROGERS:** So now there's nothing budgeted for planning or exploring the issue of new courts in this year?

**MR. STANLEY:** Yes, that's correct. Actually, we sort of moved a little bit from the prospect of the bricks and mortar in front of us to get everything sorted out.

**MS. ROGERS:** Okay.

Thank you.

**CHAIR:** That completes Law Courts.

**MR. A. PARSONS:** Could I just jump in there?

**CHAIR:** Sorry, go ahead.

**MR. A. PARSONS:** Just one thing, I just have to put this out there. Everything we've done has been in consultation with the judiciary. Even this move to Argyle, they've been very much behind.

We may have plowed on with the planning for a court complex; we worked very closely with them. They, in many ways, were suggesting: Well, maybe let's try this.

So it's not a case of us saying: Well, we want to do this, and they're sitting outside not happy. They're pretty happy with the moves we're making, although, we all know they want a new court to replace that one downtown.

**MS. ROGERS:** It will be interesting if the Family Court – the sign outside the Family Court on Waterford Bridge Road says Family Division; kind of interesting, just saying. There might be a better way to say it.

**MR. A. PARSONS:** That's good.

**MS. ROGERS:** It says Family Division.

**CHAIR:** Okay, that completes Law Courts.

Shall 3.3.01 carry?

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Carried.

On motion, subhead 3.3.01 carried.

**CLERK:** 4.1.01 through 4.1.03 inclusive.

**CHAIR:** Shall 4.1.01 to 4.1.03 inclusive carry?

**MS. ROGERS:** (Inaudible) to my colleague, who I'm sure is itching to get at the RNC and Police Protection, I would hand it over to you, Sir.

**MR. P. DAVIS:** Thank you.

Thanks, Gerry, I appreciate that.

Minister, do you have the current compliment right now in the RNC?

**MS. HEFFERNAN:** Were you looking just for civilians or civilians and –

**MR. P. DAVIS:** No, sworn members.

**MS. HEFFERNAN:** Sworn members, we have 402.

**MR. P. DAVIS:** Four hundred and two. Do you know how that is compared to last year? I probably do.

**MS. HEFFERNAN:** Should be pretty close.

**MR. P. DAVIS:** Pardon me?

**MS. HEFFERNAN:** It should be pretty close.

Maybe 403 or something like that.

**MR. P. DAVIS:** Yeah, it is pretty close, 409 last year was the number that we had.

Can you give me an update on training for roadside testing for impaired driving or impaired by drug driving?

How many officers are trained, what kind of training are they doing, how they are preparing for the legalization of cannabis?

**MR. STANLEY:** A lot of the new training anticipated for cannabis and implementation of cannabis is actually a work in progress. We haven't actually started the training for that yet, for either force, because the RCMP and the RNC are both obviously facing the same issue.

I think I'd have to defer to Theresa as to what the existing complement for training for impaired because it's not like they're starting from zero when it comes to drug-impaired driving training. But we haven't been in a position yet to roll out the implementation of all the training that's going to be required for cannabis implementation, which has been one of the biggest issues that was brought forward by the chiefs of police – I think back before Christmas they've highlighted this to the Commons committee – that there's an awful lot of work that would have to have been done if it was going to start July 1.

Now the July 1 date has slipped for the implementation of cannabis, but there's an enormous amount of training that's going to have to occur, both in terms of – and I'm going to defer to Paula on this.

Yeah, okay, I'll defer to Paula on this because she's been working on the training planning.

**MS. WALSH:** Thank you.

As we can appreciate, there are members who've already been trained over the years in SFST, the standard field sobriety testing. A number have already been trained; however, we recognize for both the RNC and RCMP that clearly there will be additional training that will be required, particularly in relation to the cannabis legislation that will come on stream.

While there are some officers who have to have the refresher training, the majority of the police officers in the province will in fact get a new standard field sobriety testing opportunity; being cognizant of the fact that that training, if it's not used, oftentimes that skill is not as fresh, if you will, as it should be. So our focus is certainly to ensure that we have the adequate trained officers and resources.

There is, as well, money of course that's been allocated for the cannabis training –

**MR. P. DAVIS:** Where is that?

**MS. WALSH:** – from the federal government. We're working very closely with both policing agencies, not only in figuring out the standard field sobriety testing but also what drug recognition experts there currently would be in the province and how many others we may require in order to have that sufficiently resourced. Then –

**MR. P. DAVIS:** I'm sorry; is that funding additional to the \$500,000 that Mr. Stanley referred to earlier or is that –

**MS. WALSH:** That would be additional. That's correct, yes. So it's separate –

**MR. P. DAVIS:** Is that on this budgeted item?

**MS. WALSH:** Pardon me?

**MR. P. DAVIS:** Is that here under this heading, that funding?

There's \$812,000 budgeted for Federal Revenue.

**MS. WALSH:** No, this is in anticipation. The definitive amount as to what's being allocated from federal government we've not yet got a definitive amount, but we certainly are working toward what would be required for that training. For SFST, drug recognition experts, as well as capacity for the data collection that will be done.

**MR. P. DAVIS:** Part of the \$812,000, is some of that then budgeted in anticipation of what you're going to receive? If so, can you –

**MS. WALSH:** I'll let Virginia speak to that.

**MS. ENGLISH:** We're a little bit out of sync with the federal government, of course, with respect to knowing exactly how much money we will require or what exactly is required for this purpose.

For our budget purposes, we have been allocated \$610,600 in the RNC in Salaries, Purchased Services and in Property, Furnishings and Equipment to allow for training and screening devices. You will see that amount in there is offset by Federal Revenue.

As Paula indicated, they are continuing to work with the feds to determine the exact amount of money that we would actually need in order to proceed with that.

**MR. P. DAVIS:** The increase, the \$812,000 looks like it's all entirely then the \$610,000? So, \$201,000 is what you had last year plus your \$610,000, and you have your \$812,000 essentially, right.

**OFFICIAL:** (Inaudible.)

**MR. P. DAVIS:** No, that's for training. That's just strictly for training.

On training; SFST and DRE are not the same thing, right? DRE are experts and they're extensively trained. Most of them, back in my time, were being sent to the States. I don't know if they're trained here or not, but they used to go to the States for training. SFST is a little bit, I suppose, it's less – not less than the DRE. DRE is more advanced than the standard field sobriety testing training.

How many DREs do we have trained now?

**MS. WALSH:** I can get you that figure. I don't have it specifically with me tonight but I certainly have it available.

**MR. P. DAVIS:** Okay, that's fine.

**MS. WALSH:** And right at the moment, I should explain as well, there is more of an emphasis on SFST training because the intervention is expected to be a little bit more immediate in dealing with the cannabis driver, anyone who's suspected of cannabis.

**MR. P. DAVIS:** Okay.

In the readings and research that I've done on DRE recently, and I've looked and listened to see what I could find about DRE and trends, and there seems to be to me – and I'm asking you for your input on this because maybe I'm wrong in what I'm seeing, but there seems to be an increasing trend of contesting or disputing the results from DRE.

I heard one number that said something like 45 per cent of cases that go to trial under DRE are thrown out, where it appeared by –

**MS. ROGERS:** (Inaudible.)

**MR. P. DAVIS:** Are thrown out of court.

**MS. ROGERS:** Forty-five per cent?

**MR. P. DAVIS:** Yeah, and I stand to be corrected on it. I was looking for it this afternoon before I came in. I couldn't find my notes on it, where impaired driving numbers are much, much lower.

Would that be accurate, that there is a higher level of unsuccessful prosecutions with DRE versus impaired by breathalyser?

**MS. MERCER:** I can speak anecdotally, I don't have any numbers.

I think the science and the history of prosecuting successful alcohol impaired and failure of a breathalyser are certainly, probably from our perspective, easier than prosecuting impaired by cannabis or other drugs. We have a machine for alcohol and an expert opinion for drugs.

**MR. P. DAVIS:** Right.

**MS. MERCER:** That sometimes, I would think, would lead to some differences. It certainly makes it a little harder to prosecute from time to time. I don't know that we keep statistics about that. I would expect the federal government does and we can certainly look into that, if that's of assistance.

**MR. P. DAVIS:** The discussions that I've heard – and I'll try and summarize them as best I can. For example, if we compare impaired by alcohol and a breathalyser versus the DRE. In order to have grounds to give a breathalyser demand you have to have a reasonable suspicion that a person is impaired by alcohol; a reasonable suspicion to give them a demand for breathalyser.

That reasonable suspicion is based on a subjective evaluation of what the officer sees, experiences and so on. Once he gets to the breathalyser, there's an objective view or an



objective test being done by the breathalyser which is very definitive on giving you a level.

The argument for the DRE that I've heard is that it's a very subjective test, and based on the person, you don't know the person before or you're assessing them based on what you see now and that it's becoming an increasing problem for prosecution is what I've been able to find out. I've also been looking to see if there's another method of testing. I think we've talked about this here in the House before with the minister, is there another way to do testing, and so far there's not.

I'm just wondering with the legalization of cannabis coming, based on what I observed myself in the last – today versus six months, a year or two years ago, because I have a pretty good nose, I can pick it up very quickly. It seems to be more common that I can smell it in traffic and vehicles and I can quite often pick out the vehicles where people are smoking in the vehicles. I can smell it and see them and so on. But my thought is that when legalization happens that there's going to be a bigger demand for DREs and evaluations they do. Then how do you secure convictions if there's a high rate of failure in trial?

What's the plan to deal with that is what I'm looking for.

**MR. A. PARSONS:** I mean, certainly that's the challenge. You go to these FPTs and every province is saying the same thing. Like every single one of us has the same exact challenge across the board. We've all expressed that to the feds that look, you know – and it doesn't matter if you got the RCMP, which most of us do, and then you got your regional police forces or your city police forces.

The chiefs are out saying that. That's what Todd mentioned earlier. The last FPT we had, which I think was in Vancouver in September, that was a big issue brought up. When you got the chiefs coming out saying this, then we ought to listen.

In many cases, we're driven by the feds. We got to do what we can to be ready with what we have here. You know, we're working on the technology things like everybody else, but it's a common problem. It's not a one-jurisdiction-

versus-another issue. So it's not like Quebec is sitting up there with advanced technology. Everybody is sharing this. The plan is to continue to do everything we can within our power to make sure we're ready. We're dealing with the same funding as everybody else.

But yeah, it's a challenge. Like you say, when you're dealing with a test that's pretty hard to argue versus the DRE and the observations, you're going to have these challenges.

**MR. P. DAVIS:** Yeah.

**MR. A. PARSONS:** But I don't think when you have a public policy issue this big that you're not going to face these challenges. Like anything, every new change brings ripple effects through everything else. No doubt we're going to face challenges within the courts –

**MR. P. DAVIS:** Mm-hmm.

**MR. A. PARSONS:** – and prosecutions and policing that come through this policy decision that's being made by the feds.

**MR. P. DAVIS:** I'm going to have several more questions under these headings but I'd be quite – oh I'm sorry, I was just going to say I'd be quite glad to pass it on ...

**MS. WALSH:** Before we move on, I think it's important just to clarify. You asked earlier about the DRE training here in the province, and I think it would be remiss of me if I didn't explain as well that incidentally some of the trainers, particularly one of the officers from the RNC, is actually being called upon as one of the specialized trainers for drug recognition expertise. As well, another one of our female officers from the RCMP will also be utilized in the training.

So here in this province I think we're very fortunate that we have that expertise already developed, in that they are trainers in DRE.

You asked about the travel. That has already been examined and there are plans ahead whereby some of that travel will be able to be saved in terms of cost because it'll actually take place within Canada, the classroom training. And then the expertise that is required later will

be, in fact, developed in the US as it's done before.

**MR. P. DAVIS:** Yep.

**MS. WALSH:** And the final part, I guess I should add, is that you asked about the new science. If you happen to determine some other new science and approach, other than DRE, we would certainly be more than delighted to hear about that. But what I would say is that we're not in a position to be able to speculate on that, but in particular it's the same like the device is.

**MR. P. DAVIS:** Uh-huh.

**MS. WALSH:** We don't know yet because it is such a new science. We don't know yet what those devices are going to be or how much they're going to cost and we're certainly anxious to get that information from the federal government.

**MR. P. DAVIS:** Gerry, I just had a couple more questions on the RNC. Could I finish up those questions and then pass it over to you?

**MS. ROGERS:** Yeah, sure.

**MR. P. DAVIS:** Okay.

I appreciate that. On the legalization of marijuana I fully believe – just a very brief commentary – that once the door is open it's out of the box; there's no putting it back in the box. Every jurisdiction has an area to make sure it's ready before it happens.

**MS. ROGERS:** (Inaudible.)

**MR. P. DAVIS:** I'm sorry?

**MS. ROGERS:** It's already out of the box.

**MR. P. DAVIS:** Yeah.

Minister, just a couple of questions, I want to go back to staffing. Right now you have 402. You made some terminations last year, a couple of management positions. I think you terminated two individuals and there was four positions made redundant and recently there were a number of promotions.

Can you tell me how many promotions have happened in the last year to management ranks?

**MR. A. PARSONS:** Seven.

**MR. P. DAVIS:** So I'm pretty sure I know the answer to this. So the seven promotions that happened, did it give an opportunity for the two that were terminated without cause – did they come back into those positions?

They did?

**MS. WALSH:** Yes, they certainly would be given the opportunity to participate, if they wished to do so.

**MR. P. DAVIS:** Okay.

My question was: Did they come back in to fill some of those positions? And you said yes?

**OFFICIAL:** No, they weren't – go ahead, Paula.

**MS. WALSH:** So while given the opportunity to participate, if they wished to do so, neither of those individuals were successful in filling the seven positions, promotions that we mentioned.

**MR. P. DAVIS:** Okay.

I'll go back to my notes from last year, just a moment now, Minister. So that was one: an inspector from Corner Brook, a superintendent from St. John's. So they weren't able to refill some of those positions. Of those seven that were promoted, they weren't utilized to fill any of those vacant positions then.

**MS. WALSH:** I'll speak to that again.

The seven promotions that occurred, the two individuals were certainly given the opportunity if they wished to apply and participate. I wasn't directly involved in that particular application process or anything but what I can tell you is that neither of those two individuals – the uniformed officers I believe that your referencing – were successful in the promotional process.

**MR. P. DAVIS:** Just so I understand the numbers, there were two terminated, there were

four vacant positions – the seven promotions that occurred, what positions did they fill? Are they new positions, or are they filled vacancies that happened over the last year?

**MS. WALSH:** It's all vacancies in that management rank.

The other point is that obviously there have been a number of retirements, particularly in the members who had significant experience and years of service, and we certainly want to acknowledge their contribution to the province. The promotions that were made were as a result of vacancies there in the upper management area.

**MR. P. DAVIS:** Okay.

You had a number of vacancies there, two terminated – so who made the decision on the two that were terminated, what positions would be terminated?

**MR. A. PARSONS:** That would have been us as a department.

**MR. P. DAVIS:** Okay.

Thank you, Gerry, sorry.

**MS. ROGERS:** Were those positions or people terminated? People, okay.

**MR. A. PARSONS:** Positions, I think.

**MR. P. DAVIS:** People (inaudible).

**MS. ROGERS:** People.

**MR. P. DAVIS:** Okay, Gerry.

**MS. ROGERS:** Okay.

My question is in terms of the feeling about what's going to happen with cannabis is there, in order jurisdictions, an onslaught, an incredible increase in the number of people using cannabis once its legalized? We're not dealing with a tsunami of cannabis users, I would imagine.

**MR. A. PARSONS:** Not that I'm aware of. I have met with other jurisdictions, including in the States. No, there's not like there's this

sudden huge significant uptake in usage. Basically, what it comes down to is it's the non-criminalization; it's the legalization. So dealing with people that are already participating.

Do I think that there will be more? Yes, of course. I think when you make something legal from illegal you have to be more. But some of the fears that are expressed by certain quarters, I think are dramatically overstated.

**MS. ROGERS:** Yes, I think particularly with 19.4 per cent of our population over 65 years of age, although they may enjoy cannabis as well, but that's almost 20 per cent, and 14.3 per cent are under 14 years of age, and our seniors are – anyways.

The Memphis program, how is that going?

**MS. WALSH:** There is funding for the four positions. That's the Mental Health Crisis Unit, is that what you were referencing?

**MS. ROGERS:** Yes.

**MS. WALSH:** So we're happy to be able to explain that there are four positions that have been allocated from the RNC to support that particular initiative.

**MS. ROGERS:** Mm-hmm.

**MS. WALSH:** It is in consultation with the Department of Health, and they've been supportive to us in (inaudible).

**MS. ROGERS:** So those are four additional positions?

**MS. ENGLISH:** No. Those are four positions –

**MS. ROGERS:** From existing in the RNC.

**MS. ENGLISH:** No, they are going to be funded through the Department of Health.

**MS. ROGERS:** Okay.

**MS. WALSH:** New for us but funded by –

**MS. ROGERS:** Four new positions – so what is that, sorry?

**MS. WALSH:** I'll let Virginia clarify.

**MS. ENGLISH:** There is funding in the RNC budget for four new positions with the Mobile Crisis unit.

**MS. ROGERS:** And is that under Salaries?

**MS. ENGLISH:** That's under Salaries, yes.

**MS. ROGERS:** Okay, so that's what that is there for. Okay, great.

Now, last year, there was a concern that was raised about the number of RNC officers that are eligible for retirement, in comparison as well with the number of recruits. Did we see some numbers go down in recruits?

Can you just say a little bit about that? Where are we standing now with the challenge that was identified last year? Has there been anything to mitigate that?

**MS. HEFFERNAN:** As it stands right now, we have 71 retirement-eligible officers.

**MS. ROGERS:** Wow, and we have about 400, right?

**MS. HEFFERNAN:** Four hundred and two.

**MS. ROGERS:** Wow, significant.

**MS. HEFFERNAN:** It's pretty significant, absolutely.

For the last couple of years we've put 16 new recruits through our program each year. There's a current class of 16. There's a current recruitment drive underway. Until we, I guess, get a better handle or fine tune our vacancies, we can't, I guess, finalize the number we will now recruit for the next class, but we are averaging 18 to 20 retirements per year.

**MS. ROGERS:** Wow. So how long is the program for a recruit to be able to be ready to be active duty?

**MS. HEFFERNAN:** The current program consists of two semesters at Memorial University. They have to complete a Police Studies program. That's followed up by a four

month, let's call it, on-the-job training piece and that, subsequently, is followed up with a coach-officer program once they're hired.

**MS. ROGERS:** Oh, so it's not that long.

**MS. HEFFERNAN:** They become operational, I guess, a year later.

**MS. ROGERS:** What is the rate of the new recruits who are passing the program, are they staying? What's the retention?

**MS. HEFFERNAN:** Since 2004-2005, we have recruited 254, I have the number here somewhere; 254 people have completed the program. There's an equivalent amount still with us, but that's not necessarily to say that they've all come from that program.

In the early years, we did hire a couple of experienced officers and over the years there were a couple of recruits that either left the program or left shortly after they were hired.

**MS. ROGERS:** In terms of racialized folks and indigenous folks, do we have more people in our recruits?

**MS. HEFFERNAN:** Unfortunately, we don't track that, but we do undertake in our recruitment drives to focus in on particular groups such as indigenous groups, female-only sessions and the like.

**MS. ROGERS:** Okay, and it's not tracked?

**MS. HEFFERNAN:** No.

Now, we do track the different demographics as required by Statistics Canada under the Canadian Centre for Justice Statistics.

**MS. ROGERS:** Yeah.

**MS. HEFFERNAN:** But, I guess, it's never amounted to anything material enough to include.

**MS. ROGERS:** Okay. I'm fine with that one.

Thank you very much, and thank you everyone. I know it's a very, very long day. Thank you so very, very much.

**CHAIR:** Ms. Rogers, I believe that Ms. Walsh would like to weight in.

**MS. ROGERS:** Oh, sorry.

**MS. WALSH:** I just wanted to add to that though. I think a point of interest to you would be there's a recent recruitment drive that's happening again, as it does every year, particularly for the RNC. In fact, it's just today that I was speaking with Inspector Brennan who's been really involved in that process this year.

They just recently returned from Labrador, having conducted numerous recruit sessions. They were very favourably received and well attended. In addition to that, they've been on the West Coast and right across the province in fact. So I think we'll see some positive results from that recruitment drive.

**MS. ROGERS:** Okay. Thank you very much.

4.1.02 in the RCMP, we see an increase of about \$6 million in the revised budget for '17-'18. If someone could speak to that.

**MS. ENGLISH:** The projected revised number there includes some salary increases for RCMP members that were announced last year, and it would also include expenditures for security at Muskrat Falls.

**MS. ROGERS:** About how much of that would've been for security at Muskrat Falls?

**MR. STANLEY:** I think we have invoices from the RCMP for \$6.675 million.

**MS. ROGERS:** Six point –

**MR. STANLEY:** Six seven five.

We haven't gotten a final invoice yet from the RCMP. They still have one more they're saying they're going to submit to us. The expectation is that one is going to be around \$1 million, \$1.2 million. So the total cost is going to be somewhere around the \$8 million, \$9 million mark, which is actually lower than we were expecting the entire ways. As we were doing this, we thought we were going to be into \$10 million-plus.

**MS. ROGERS:** The extra work they did around Muskrat Falls, can someone just describe what the work was that they were doing there.

**MR. STANLEY:** They brought in and staffed up in respect of a couple of sites in Muskrat that were of concern as to whether or not, as the transformer project went along – that could be security pinch points where a protest or other activities could have interfered with and cause safety concerns with the movement of the transformer. They were in Cartwright. They were monitoring the highway. They also had staff in Happy Valley-Goose Bay available to intercede if necessary at the gate.

A lot of this, the events they were protecting against, didn't come to pass. They were very concerned, for example, about – I know everyone was concerned about the possibility of a water protest when the transformers were going into the dock in Cartwright and the significant safety issues that could get into with big pieces of equipment moving around a small harbour.

They staffed up as they saw fit. Their operational plan, we didn't have a lot of insight into. We told them what was going to be going on and the RCMP went and did the things that they do. They, at times, availed of some help from the RNC, but their staffing levels were from both on the Island and they had officers there from across Canada at times to meet the staffing complements they had in place.

**MS. ROGERS:** Who would have ordered that extra staffing?

**MR. A. PARSONS:** This would have been done at the request of the RCMP. I just want to put that out there because there are a couple of people that love to insist that it was ordered by government. That's actually as incorrect as could be.

The way the agreement works is when you go outside the agreement to request extra forces I have to make that official request, but it would have been done as a request in consultation with the RCMP.

In case those people are listening, no, I didn't order, I just had to sign the letter.

**MS. ROGERS:** It would be simply the RCMP saying we believe we need this and –

**MR. A. PARSONS:** The RCMP, and police, do risk assessments every day all over the place.

**MS. ROGERS:** Yes.

**MR. A. PARSONS:** They say, look, this is what we think needs to happen based on our information and intelligence on that. It might not be that, it might be any other situation. This one, obviously, was significantly larger and more pronounced. It was just over a much longer period of time.

So I take the advice of the RCMP and the RNC when it comes to operations. I don't tell them what to do because if I tell them what to do or tell them that I'm not going to do something, I'm in a situation where I'm ignoring the advice of the experts and I don't want to do that.

**MS. ROGERS:** Okay.

Thank you.

**MS. WALSH:** It's important to note, to recognize that the police absolutely have that independent authority to determine operational matters.

**MR. A. PARSONS:** We're getting close to the end of it now. I know we have four or five headings left. I'm wondering if we have – because we do have some people here that may have some places to be.

I think we're getting close the three-and-a-half-hour mark. So maybe we can do another 10-minute slot each. Is that cool?

**OFFICIAL:** (Inaudible.)

**MR. A. PARSONS:** I appreciate that.

**MR. P. DAVIS:** (Inaudible) quick numbers, 409, you recruited 16, that makes 425. The number now is 402. So that's a difference of 23 from last year.

Would I be right in saying 23 people would have left the RNC in the last year? I'll give you the numbers again. It was 409 last year; you

recruited 16, that's 425. The number right now is 402, so that's a difference of 23.

**MS. HEFFERNAN:** I don't have the actual numbers with me for retirements but it's definitely 20 plus.

**MR. P. DAVIS:** Or departures, right.

**MS. HEFFERNAN:** Yes, absolutely.

**MR. P. DAVIS:** Some leave when they're not eligible to retire and still leave. Maybe if you could get the numbers for me that would be fine, if you'd agree to that.

**MS. HEFFERNAN:** Sure.

**MR. P. DAVIS:** Yeah, I appreciate that.

One other thing on the RCMP and the Muskrat Falls thing, the military were involved with that as well, I understand, Minister. Can you briefly explain that one to us, too?

You were expecting it, I can tell by the look on your face.

**MR. A. PARSONS:** Yeah. Well, it's funny, they needed space to stay. So there were talks with the military about getting accommodations for these individuals to stay. So we had to put a request in to –

**MR. P. DAVIS:** Don't stay on the base. Oh, that's what it was.

**MR. A. PARSONS:** Yeah.

**MR. P. DAVIS:** So they weren't actually active within (inaudible).

**MR. A. PARSONS:** No, no, no. There was no military involvement in the operation. It was just barracks, and I did not order them. I did not order the military.

**MR. P. DAVIS:** Because you had to sign something on that, too, I understand. You had to order them in or you had to do some kind of official request or something.

**MR. A. PARSONS:** Yes. The protocol suggests that I would have had to make the request to the feds to make that happen, yes.

**MR. P. DAVIS:** Okay.

If I can briefly go to 4.1.03, RNC Public Complaints Commission, can you give me an idea of how many cases they would have done in the last year and how that compares to previous years?

**MR. A. PARSONS:** I'm going to jump in and say I'm not positive I have that number, but we will definitely provide it to you.

**MR. P. DAVIS:** Okay, that's fine.

**MR. A. PARSONS:** I don't think it was significant.

**MR. P. DAVIS:** I was looking in your binder there a few minutes ago to see if I could find some of those answers so we could move it along.

**MR. A. PARSONS:** Yeah. No, we'll definitely get that for you, not a problem.

**MR. P. DAVIS:** Okay.

There are some others; I could stay all night on some of the other stuff but I won't.

I think that's it for me on 4.1.

**CHAIR:** Okay. So that concludes Police Protection.

Shall 4.1.01 to 4.1.03 inclusive carry?

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Carried.

On motion, subheads 4.1.01 through 4.1.03 carried.

**CLERK:** 4.2.01 through 4.2.03 inclusive.

**CHAIR:** Shall 4.2.01 to 4.2.03 inclusive carry?

**MR. P. DAVIS:** We just had a chat over here and she's going to lead on this one and then I'll follow behind. We know we have 20 minutes. Well, we had eight, less 10. We still got 18 minutes, okay.

**MS. ROGERS:** Okay.

Again, thank you so very much. I know how long the day has been for many of you.

If we take a look at Professional Services, I don't see a whole lot there. Federal Revenue, I think we know what that's all about.

I just have some overall questions for corrections. The situation of women in HMP, are we still seeing women housed in HMP?

**MR. ROCHE:** Yes, since the 16th of March we currently have women housed at HMP again. The numbers aren't high. We are between four and five since then, and that's to alleviate any pressures we would see on the Newfoundland and Labrador Correctional Centre for Women. We don't want to interfere with their programming and stuff.

So we have taken them in, just since the 16th of March, and there is a possibility that we may be finished this weekend. Again, it depends on what happens in the next couple of days.

**MS. ROGERS:** So it fluctuates. It's still happening.

Okay, thank you.

And thank you very much for coming out of retirement and offering yourself up for service yet again. Thank you so very much.

The issue of the teachers and education; specifically, I want to look at HMP but I wouldn't mind getting some information on some of the other facilities. I know the position of the teacher for HMP was vacant for a long while and now I understand there was a teacher hired. I don't know if that teacher is still there, but my concern is how much time – for those who are interested in going to school at HMP – would an individual have with the teacher? I

know it was just a few hours a week because of the rotations at HMP.

**MR. ROCHE:** And again, the rotation you speak to I guess would be dealing with different groups coming at different times. Because again, as everyone one knows, compatibility issues and safety and security issues are first and foremost in our mind.

So to allow the most (inaudible) offenders to get some of that education program, we would split them into groups depending on the numbers that we have looking to go and depending on what their security ratings are and if there are any compatibility issues per se. That way the teacher can assess all of these students and he or she can then assign, almost like homework, the same thing. So if they get an hour they may have three hours of work to do, besides that, before they come back to the next session.

So we're trying to accommodate as many as we can to make sure everyone gets a piece of it.

**MS. ROGERS:** Yes.

I wonder if I can get a log of – I don't need names of who is going to the teacher, but how often an inmate actually gets to go to school while they're in HMP and the other correctional facilities. Because we do know that the majority of folks who end up incarcerated have not finished their grade 12 and we have a captive audience, so to speak.

Is there a teacher full time now?

**MR. ROCHE:** Maybe someone would want to speak to that, I am not sure.

**MR. A. PARSONS:** We can easily provide how many hours a teacher is there –

**MS. ROGERS:** Yes.

**MR. A. PARSONS:** – but to get a detailed breakdown of how many hours each inmate across the province had in education last year would be a significant amount of work.

**MS. ROGERS:** Okay.

So how about if I get a ballpark figure of really what the rotation is. So I believe it's just maybe if they're lucky a few hours a week, each inmate.

Also, we know that psych services were going to be handed over to health. Where is that at right now?

**MR. A. PARSONS:** I can jump in on that one. That one is still very much in the works. It is going to happen. We've got some other challenges there; I think there's going to be some change in staff at some point. So we're dealing with that. There may be a retirement coming up. So that's going to happen but it's just not there.

Paula has been dealing with health on a very regular basis trying to make that change happen.

**MS. ROGERS:** So it's not going to be just a situation of a retirement of someone, but the actual psychiatric, psychological services handed over to health.

**MR. A. PARSONS:** Yeah, it's never as easy as you would like it to be. So it's going to happen, there's no doubt. But the transition to happen is never as simple as we would like it to be.

**MS. ROGERS:** Okay.

My understanding is that if someone who has been dealing with an opioid addiction is incarcerated and they're already on Suboxone or methadone, that that treatment can continue; however, if they were not on Suboxone or methadone before being incarcerated they cannot start that program while incarcerated.

Is that true?

**MR. ROCHE:** Currently we have no one inside HMP to prescribe Suboxone. But our psychiatrist does, and can, prescribe methadone.

**MS. ROGERS:** So if you weren't on methadone before being incarcerated, you can start on a methadone program once you're incarcerated. My understanding is that was not so.



**MR. ROCHE:** There would be no reasons why you couldn't start on it.

**MS. ROGERS:** Okay.

**MR. ROCHE:** Our doctor is a prescribing doctor for methadone.

**MS. ROGERS:** Right. Yes.

**MR. ROCHE:** So there is no reason why you could not start.

**MS. ROGERS:** Okay. Yes, but there was a policy, I think.

The issue of remand, and also capacity now, my understanding, wherever we hear, is that all of our correction facilities are at capacity. Is that the case? How much of that is remand?

**MR. ROCHE:** I don't have the remand stats with me tonight.

**MS. ROGERS:** Okay.

**MR. ROCHE:** But I did print off today's counts from the facilities this morning. Bishop's Falls are right at capacity; Newfoundland and Labrador Corrections Centre for Women was one under capacity, this morning. HMP is at 172, which includes four women, so it's 168. We do have room. So there's room at the inn.

**MS. ROGERS:** Just for women, or also for men?

**MR. ROCHE:** No, there's room for both.

**MS. ROGERS:** So what's the capacity for men at HMP?

**MR. ROCHE:** I don't have it with me tonight, but I can check and get it for you tomorrow. There is much more capacity than what we are currently housing.

**MS. ROGERS:** Okay.

**MR. ROCHE:** Labrador this morning had 47. So they have room out there also. The West Coast correctional centre is at 62, which is close to their capacity, but it's still three to four under.

**MS. ROGERS:** Yeah. But if we see, I think, probably, fluctuations.

**MR. ROCHE:** Oh, yes.

**MS. ROGERS:** Okay.

What is the situation with overtime, back-to-back shifts, in some of the correctional facilities? I know that it was a problem at HMP?

**MR. ROCHE:** There is currently, at times – again, with the staffing – once we get into staffing the female centre, that has more demands on our staffing issues. We, just last week, had two offenders hospitalized for up to a week – one was a cancer patient, and one of the females, as a matter of fact, who had some medical issues. They were housed for up to a week.

Any time we have unexpected things like that, it does put us into overtime situations and can result in back to back shifts at times.

**MS. ROGERS:** Okay, I'm fine.

Thank you (inaudible).

**MR. P. DAVIS:** I have one question and one comment. Because I have eight minutes left, I will let it go, but I only have one question and one comment.

Could you just give us an overview, Minister, on the status and plan for the future for HMP? Also, while you're doing that, give us an update on where the federal government is on their part or what I believe to be a commitment on their part, or should be?

**MR. A. PARSONS:** I guess the biggest thing is to talk about corrections as a whole. Even though right now this morning we see that there is still space at these places, the fact is that capacity is an issue every single day. There are days when we're over capacity.

My personal belief is that you can continue building a bigger box, but you're not addressing the real issue which is: Why do you have so many there? Why do we have capacity issues with women? And that spike has been there just before I got in and it has continued on. I think

we have to look at the real trend. That's why we're trying to do things when it comes to therapeutic courts. We got bail supervision on the go.

**OFFICIAL:** (Inaudible.)

**MR. A. PARSONS:** Well, that's a program that we announced last year where we have some Ph.D. students that are looking into that to see what can we do to deal with that issue?

Overall, when it comes to HMP, we've got money there right now to do an analysis to see – because there's been a study done I think four to five years ago and we had a pretty comprehensive design. What we need to do, though, I think now is to look at the fact that things have changed in those five years. Do we need the same, exact prison? Do we need something different?

In that time, we have seen female inmates here in St. John's coming from Clarendville. There was some negative reaction to that but, as someone who has been down there on a very frequent basis and I've spoken to all these female inmates, many of them prefer to be incarcerated in St. John's rather than Clarendville because they have access to family, to services. So is that something we want to consider, having a unit here that could take that in, as well as we got Clarendville?

The other thing is we have to look at youth-secured custody because the numbers when it comes to Whitbourne are way lower than they used to be in the past with the *Youth Criminal Justice Act*. Do we spend a significant amount of money on that?

I think we have to look at our existing infrastructure and see if there's something we can do there to accommodate the fact that right now at this moment we have a capacity issue. All the stuff that we're talking about changing, whether it's with us or with health, that's going to take time. This problem never just happened; this has sort of grown over time. It's an issue that we're seeing everywhere.

So, you know, we know that we need some capacity. We have some money put into

Labrador; same thing there, we have capacity issues in Labrador.

Overall, when it comes to the federal conversation I've had on a number of cases, I still don't think we're any significant further ahead on that. I think that, at the end of the day, it's going to be a provincial announcement.

The feds pay us a significant amount of money for housing, and they'll continue to do that. I mean, having federal inmates is increased revenue to the Treasury, but getting them to come on board with the build. At some point, we may have to make a decision that we want to do this on our own.

Right now, the big thing is that infrastructure-wise, there are a lot of demands out there, we all see it, with hospitals, education.

I'd like to see it happen, but my focus, truly, has been on looking at why do we have so many people there?

**MR. P. DAVIS:** Yeah.

**MR. A. PARSONS:** Working on that side. That's where a lot of my policy focus has been.

**MR. P. DAVIS:** Yeah.

**MR. A. PARSONS:** Because there are a lot of people in there that shouldn't be in there. There are other ways, I think, to deal with this issue.

**MR. P. DAVIS:** So based on your comments then, could you, at some point in time, see maybe an opportunity to revisit – we talked about this last year – youth being housed in Clarendville and women being housed in Whitbourne?

**MR. A. PARSONS:** Definitely.

**MR. P. DAVIS:** (Inaudible.)

**MR. A. PARSONS:** I think that's a conversation that has to happen. You know, I've talked to institutions outside of the province, and what's normal in one province may seem odd in another.

I spoke to people that worked over in Cape Breton and they don't have the same issues when it comes to housing male, female, youth. I mean, depending on the security within the facility, and the guards and the corrections allocation, there's not an issue. They don't see anything wrong with that.

I think that's something I'd like to go at again. I know it was discussed well before I got in there, but there was a pretty big cost when it came to making Whitbourne ready to handle something different.

**MR. P. DAVIS:** Yeah.

**MR. A. PARSONS:** And it was always that focus: well, we should look at a new prison. I think we may have to go back and have a look at that.

**MR. P. DAVIS:** Yeah, Whitbourne, like you now, I've been there many times and it's has a great facility for great opportunity. I know it's going to need some dusting off because there are some units that have been closed down there for a little while. There are some cottages that have been closed for a little while, but probably dust them off and reallocate them, right?

**MR. A. PARSONS:** It might be a lot more cost effective to do that dusting off than to put up new walls somewhere else.

**MR. P. DAVIS:** Yeah, absolutely.

**MR. A. PARSONS:** So that's definitely something I'm open to.

**MR. P. DAVIS:** My final comment to you tonight and to your staff – it is 9:11 p.m. – there are pros and cons to going first in Estimates. The big pro is you got it done and out of the way.

I didn't get to ask Mr. Roche one question. When he sat down earlier I said I'm going to ask him but –

**MR. A. PARSONS:** Give it to him.

**MR. P. DAVIS:** No, that's all right. And I said he's been sitting there for three hours, I'm glad you asked him some questions because it was all this time sitting here but ....

**MR. ROCHE:** (Inaudible.)

**MS. ROGERS:** What did he say?

**MR. ROCHE:** I said I would've been fine (inaudible).

**MR. P. DAVIS:** Yeah, he would've been fine not answering any questions.

**MS. ROGERS:** I have more questions if he'd like.

**MR. P. DAVIS:** But the pros are that you get it out of the way. Estimates are done now, you get it out of the way, you don't have to wait for two months to do it, but the con, I suppose, the negative part of it is that it's the first one, so we have a tendency to dig in and ask a lot of questions. If you're last, at the end, we'd be going: I'm not asking about that, I'm not asking about that, and you get on through.

But, Minister, to you and all the people that are around you, I extend my sincere thanks for your patience and for answering our questions. I think everybody over there, except for your communications director, answered something, I think.

**MR. A. PARSONS:** Feel free to ask Amy questions.

**MR. P. DAVIS:** Yeah.

Thank you to all of you.

**MS. ROGERS:** I would also like to thank you very much. As many of you have heard me in the House also, my focus as well is how do we keep people out of incarceration, how do we make sure that incarceration is an effective means of towards – at least a step towards – rehabilitation and reintegration of people.

I'm very concerned about the issues of drug rehabilitation and education while people are incarcerated. I'm very concerned as well about the issues of the health and safety of our workers who do a very, very, very difficult job on behalf of us all, and our first responders and our police services and the folks who work in Justice.

Thank you so very, very much for this evening. Thank you for your patience and thank you for being so generous in your responses, and let's just keep marching towards doing it better.

**MR. A. PARSONS:** I assume we're towards closing comments, if I could just add.

First of all, thank you, because this is really a process that everybody has to co-operate with each other, so you guys have been very co-operative. I truly think budget Estimates is the most important part of the budget process because it's real questions, real answers, real information, and that's why you'll notice I've got a really big contingent –

**AN HON. MEMBER:** (Inaudible.)

**MR. A. PARSONS:** What?

Let's just say that when we're usually here sometimes it can be a little more theatrical.

The real reason I think this is valuable is that I'm surrounded by a lot of really good people, and I think I've always liked it better – I think these are the people that are doing the actual work, that know the information. So instead of me here sometimes just speaking, I can recite something off the page, these people are doing it.

So I'd like to thank each and every one of them. They've been busting their behinds to get ready for this, and for a number of months, to get ready for this process, but they do it all year. It's not just good for me, because they know more than me, but I think it's good for you that you're hearing it directly from these people that are working in all the different divisions.

Thank you, Folks, for everything that you guys have done and for being here. It's a long night. Thank you to everybody in the room, it's a long night for everybody.

If there are ever any questions that we didn't get to, it's only a matter of a request. If there are answers we didn't give, just put it in and we always try to get the information.

**MR. LANE:** I wanted to thank everyone as well, over on that side for answering the questions. It was very informative.

As the minister has said, it is actually my favourite part of the whole process because, as the minister said, you actually get to, in a civilized manner, ask questions, get answers, good answers and you don't have the same banter and everything that goes on and some of the silliness that goes on.

Thank you everyone for that. I want thank my colleagues because, I'm sort of, officially, I'm not part of the committee, but I thank everyone for their leave and allowing me, as an independent Member, to ask a few questions and thank you everyone for your time.

The only comment I will make beyond this is that I do agree with you, Minister, on the youth correctional facility in Whitbourne. I asked a number of questions about this last year, as you may know. I understand that it's totally under capacity and there is a real opportunity I think to make some changes that would benefit both the youth in that situation and also free up capacity for adults, women and so on. So I'm glad to hear that you're aware of that and going to be looking in to doing something with it.

Thank you, Madam Chair.

**CHAIR:** Thank you.

That concludes the department Estimates.

Shall 4.2.01 to 4.2.03 inclusive carry?

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Carried.

On motion, subheads 4.2.01 through 4.2.03 carried.

**CLERK:** The total.

**CHAIR:** Shall the total carry?

**MR. A. PARSONS:** Absolutely.

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:** Carried.

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

**CHAIR:** So the next Social Services Committee meeting will be on Tuesday, April 17 at 9 a.m. and that's for Education and Early Childhood Development. So adjust your calendars accordingly.

I now call for a motion to adjourn.

**MR. WARR:** So moved.

**CHAIR:** Mr. Warr.

Thank you and have a great evening.

On motion, the Committee adjourned.