

HANSARD

NOVA SCOTIA HOUSE OF ASSEMBLY

COMMITTEE

ON

COMMUNITY SERVICES

Tuesday, April 6, 2010

Committee Room 1

**Department of Justice
Maintenance Enforcement Program**

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COMMUNITY SERVICES COMMITTEE

Mr. Jim Morton (Chairman)
Mr. Gary Ramey (Vice-Chairman)
Mr. Leonard Preyra
Ms. Michele Raymond
Mr. Maurice Smith
Mr. Leo Glavine
Ms. Kelly Regan
Hon. Chris d'Entremont
Mr. Alfie MacLeod

[Mr. Leo Glavine was replaced by Ms. Diana Whalen.]

In Attendance:

Ms. Kim Langille
Legislative Committee Clerk

WITNESSES

Department of Justice

Ms. Marian Tyson
Deputy Minister

Ms. Judy Crump
Director of Maintenance Enforcement

Ms. Karen Crofton
Manager of Policy and Compliance

Mr. Ken Winch
Director - Court Services

Ms. Jennifer Palov
Executive Director - Legal Services

HALIFAX, TUESDAY, APRIL 6, 2010

STANDING COMMITTEE ON COMMUNITY SERVICES

9:00 A.M.

CHAIRMAN
Mr. Jim Morton

MR. CHAIRMAN: It's a couple of minutes after 9:00 a.m.; I'll call the meeting to order. We do have a quorum and I understand that we have several more members who are within striking distance, so I think we should move forward.

The first thing I would like to do is to welcome Maurice (Moe) Smith, the member for Antigonish, as the newest member of our committee. So welcome, Moe, and we'll go around the table and introduce the other members.

[The committee members introduced themselves.]

MR. CHAIRMAN: I'd also like to welcome the observers who are here. I think that's a very important part of the democratic process. Welcome and thank you for taking the interest in the work that we do here.

MR. LEONARD PREYRA: Are we permitted introductions of the observers?

MR. CHAIRMAN: I think that would be appropriate.

MR. PREYRA: Today I have with me Pam Cooley, one of the co-founders of CarShareHFX. She has the dubious distinction of winning at an auction, A Day With Your MLA, and she is shadowing me for the day.

MR. CHAIRMAN: The focus of our agenda today is on the Maintenance Enforcement Program. I am pleased that we have guests from the Department of Justice, and I think the next step would be if you could introduce yourselves.

[The witnesses introduced themselves.]

MR CHAIRMAN: Welcome all of you. I understand that you do have a presentation to make to begin with, so the usual procedure, as I know you're aware, is if you could move forward with your presentation, then we'll be prepared with some questions.

MS. MARIAN TYSON: Yes, thank you, Mr. Chairman. The presentation will provide some background and some facts that you will probably have occasion to reference from the transcript when it's prepared, and will give you a good idea, I think, of how the Maintenance Enforcement Program works.

The program was established only in 1996, so it's a relatively new program. Previous to 1996, people who had court orders ordering maintenance for child support or spousal support had to go to court to collect that money and that was a more difficult process for some people. The program that we have today is responsible for registering people, collecting and enforcing court orders or agreements for both child support and spousal support.

It's very important work, as I know everybody in this room appreciates. In today's society, separation and divorce is a reality and there's a great potential to have a negative impact on the financial situation of families when relationships break down. In fact you have usually one income and then you have two family homes to support, so it becomes very difficult for people.

Every year, on average, our program helps support over 17,000 people to receive money that the court deems they're entitled to. Last year, 2008-2009, which is the last year we have our statistics, the program collected financial support equal to nearly \$59 million. During that year, more than 21,000 children were involved in the program. While these numbers can seem staggering, it's important to remember there is a person, a family, and a child in each one of these statistics.

All maintenance orders made by the Family Court or the Supreme Court of Nova Scotia - including inter-jurisdictional cases - are filed with the program, so there's mandatory filing. The program enrolls cases where there is sufficient information to enforce. The enforcement of these orders is a provincial responsibility, and provincial and federal laws both permit enforcement and information sharing among the provincial, territorial, and the federal governments.

Our program is structured with head office located in Halifax and we have five regional offices providing service to the public - in metro, in Amherst, Kentville, Sydney,

and New Glasgow. We have an inter-jurisdictional support order unit and that's located in Sydney. In terms of staffing, we have 52 staff supporting the program, four head office staff, four in each enrolment and central payment and processing units, four regional coordinators, 25 enforcement officers, nine enforcement assistants and two receptionists.

Since the program has grown, we have many tools available and we've added tools over the years. Our staff assess which enforcement options will be used which will be most useful based on the circumstances of each case. The program has a great deal of authority. They have the authority to garnish the payer's wages, commissions, bonuses, Workers' Compensation benefits, Labour and Workforce Development training allowances, bank accounts, investment accounts - including joint accounts - pensions, rental income, insurance settlements, inheritances, and lottery winnings.

The program can also garnish money owed to the payer by the federal government and does so. That includes income tax refunds, GST rebates, federal pensions, and employment insurance benefits. The program also has the authority to place a lien against a payer's property to prevent that property from being sold or mortgaged without a payment to the program. The program can require the payer to provide information about his or her assets and expenses. We can demand financial information from the payer, the payer's spouse, or others such as employers and government agencies; we can suspend or revoke driving privileges; we can suspend or revoke licences or permits under the Wildlife Act, fishing and hunting; and we can request the federal government to revoke a passport.

Enforcement officers need to use their discretion in accordance with the programs' enforcement continuum to determine which is the appropriate enforcement tool at which stage in the proceedings, and this enforcement continuum is a tool that the enforcement officers use when considering which action should be taken. The intent, of course, is to encourage full payment and typically enforcement action continues to escalate if the payer does not enter into a payment arrangement.

The program has significant statutory administrative enforcement powers - in addition to court applications, where applicable - to encourage people to pay. There is a payer and there is a recipient in every file, and the relationship between the two, as you can imagine, is often contentious. It is essential that the enforcement staff demonstrate an unbiased approach in their relationship with both parties and recognize which enforcement action has the most potential to be the most effective as the case proceeds.

Our service is predominantly delivered by telephone and by mail. Our staff aims to respond to calls within two business days, and our callback response is monitored to ensure this standard is met, so if somebody says they left a call and it was not returned, we can check to determine whether that call was, in fact, returned or not.

We get an awful lot of calls. In February of 2010, there were about 24,000 calls. So 20,000 to 30,000 calls a month is the number of calls that we receive on that system, and they can be people asking for the status of their case or they can request an enforcement

officer to call back. So of those 24,000 calls, approximately 1,578 were asking for callback requests in that month. In other words, most people are able to get the information they need from the system.

During the past few years, we have made significant improvements to our services, both as a result of the Auditor General's Report in 2007 and also in areas that the program staff have identified that need or would benefit from changes. Some of the key changes are a Web site launched in June 2008, and this Web site provides the public with general information and frequently asked questions; and MEP Online, launched in June of last year, so clients receive automated information 24 hours a day, seven days a week. The secure Web site also provides information to garnishees in reciprocating jurisdictions in Canada.

For the nine-month period the info line has been in operation, the average total users was close to 4,000 and represents slightly fewer unique users.

Initial updates of policies and procedures were distributed to staff in 2008. In 2010, an online manual system was established to ensure staff access to current changes. Directives are issued to reflect ongoing policy reviews.

We have added controls, including segregation of duties relating to financial practices. In 2010, IT work is continuing to increase security over our electronic fund transfers. In addition, electronic processing from major garnishees and electronic payment options for payers through telephone, Internet, and banking machines were established.

In March of this year - just last month - 941 electronic payments were made, totalling close to \$428,000. What that means is that there are operational efficiencies for staff, so staff doesn't have to do all of the manual work on those files, and it also makes it easier for payers to make their payments on time. So that's a big improvement. We have a re-platformed case management system ensuring a higher level of data integrity and capability for system enhancements.

We have added some new enforcement tools as well. The Atlantic Lottery Corporation, to garnish winnings of \$1,000 or more from defaulting payers and we've also added revocation of hunting and fishing licenses. With respect to the lotto you might ask, have we collected any money? In fact, the total amount garnished since that has been implemented is close to \$16,000 so we have, in fact, started to collect on that.

Access to new databases assists staff in accessing payer information. In 2010, we added the Government Electronic Directory Services and we are now working on access to credit bureau information through TransUnion. We are also partnering with other government agencies such as Service Nova Scotia and Municipal Relations pilot partnership for payer information on approximately 2,000 files.

[9:15 a.m.]

We're also looking at the potential to transfer to that department for collection, the files where fees only are owing to the Crown. We're working to implement a pilot with the Public Safety Investigation Unit - that's the unit in the Department of Justice that does the Safer Communities and Neighbourhoods work. We're looking at partnering with them for assistance in locating payers who are difficult to locate or who hide their resources.

Monthly management team meetings have been instituted and this is necessary really for consistency in the program. We're now keeping a monthly statistical report to track the changes in arrears owing. A full file review was completed by March 2009 and a quarterly review process is in place to ensure these reports are consistently used in cases or brought forward.

We have improved our service on inter-jurisdictional support orders established in May 2006 and a staffing complement increase by one in 2008. That unit is still experiencing demand beyond capacity and we are in the process of looking at realigning resources to ensure that the files in that unit are properly enforced.

One of the challenges has been to manage personnel changes in the program as we've had quite a few vacancies and changes in personnel and that's been a challenge as we move forward in implementing the Auditor General's Report. We now have a permanent director of the program, Judy Crump, who is here on my left and who was introduced earlier. She was appointed last August and she is filling the position, which was held by an interim director, and previously was a director who had more than responsibility for the program, who had other responsibilities.

A Manager of Policy and Compliance was hired in 2009 and we've been having annual planning conferences since then to ensure consistency and to discuss service improvements. We're still in the process of hiring a manager of Financial and Administrative Services, a very critical position.

The program has achieved a great deal in the past three years, at the same time as experiencing extended vacancies in positions in all areas really. Improvements have resulted in better tools to assist enforcement officers to do their jobs more efficiently and more effectively and new reports assist management to monitor results and institute practices for continuous improvement.

We're now poised to implement a structure for quality assurance, which will further assist the officers in proactive enforcement as soon as possible when cases go in arrears.

Let me conclude by saying we know this is important work in our society. This work provides one of the pillars in the fight against poverty. Our work is fundamental in assisting children and their families when relationships break down. We know from Statistics Canada reports that the majority of recipients are female, so they're female-headed families and the same report confirms that the income of female lone-parent

families is the lowest of all economic types so it's very important that we aggressively pursue this collection of monies owing. Without the program, additional financial and emotional hardship would be placed on their mothers and their families and it would be difficult for them, sometimes impossible, to recover the support.

The bottom line on the program is that we are increasing our proactive approach to enforcement, and proactive is the byword, and we are focussing on cases where active enforcement is needed. We have been reducing the outstanding arrears in the program. We have been reducing the outstanding active files in the program. We have been collecting more money and we have been making improvements in the system to better support consistency, better track information, better monitor financial information and ensure the program is meeting its current needs.

With those comments I will stop, Mr. Chairman, and we would be pleased to take questions.

MR. CHAIRMAN: Thank you, Ms. Tyson. I'm seeing a couple of hands but I would like to take a moment to welcome Diana Whalen to the committee this morning. While the presentation was occurring, Michele Raymond also joined us, so welcome both.

I think I saw Leonard Preyra's hand, to begin with.

MR. LEONARD PREYRA: Thank you, Mr. Chairman and thank you very much for this fascinating presentation; it's such an important issue. We deal with lots of cases in our constituency offices revolving around them. As you said in your conclusion, most of them revolve around women, single-parent women, lone-parent women. The complaint seems to be that the process is still very slow and there doesn't seem to be any mechanism for enforcing payments on so-called deadbeat parents.

What are the big challenges there? You talked about the range of enforcement tools you have, and it's pretty impressive, but what are the challenges there where you have an imbalance between the two parties and you have a parent who just refuses to co-operate?

MS. TYSON: Well, the toughest cases are payers who are self-employed or who work for cash or who are moving from place to place, province to province. It is difficult, it takes time to trace the source of income. So another challenge is if a person is actually living in another province, it takes time to coordinate with the other province, get the files to the other province, get the enrolment in the other province and it takes a few months to get that started. Each of the jurisdictions in Canada have different policies and different laws so that is sometimes challenging for our staff.

MR. PREYRA: Do you have any access to the agreements themselves that people strike between the parties or is this something that is essentially what arrives on your desk and you deal with what you have in front of you?

MS. TYSON: No, we do, but I'm going to ask the director to tell you what information we have.

MS. JUDY CRUMP: The agreements or the court orders come from the court automatically, so we do have those on each file and we set up our payment arrangements based on those court-ordered arrangements and enter those into our payment system and that sets up the schedule of payments for payers to pay monthly.

MR. PREYRA: So there are no private arrangements, so to speak, where one party will contact you and say, my circumstances have changed and I would like some kind of variance. It all has to appear through some kind of court-ordered process?

MS. CRUMP: It comes through a court-ordered process. Karen Crofton has been in the program for a number of years so I'll defer to her on some of these questions which, as you can appreciate, have come to the program since August of last year. So Karen could perhaps add to that.

MS. KAREN CROFTON: What Judy is saying is correct - we can only enforce court orders, not private agreements. Sometimes this takes the burden off the payer and the recipient because oftentimes there can be a power imbalance. If the payer knows, for instance, well you can agree to this and maintenance enforcement will be fine with that, so that's another reason. Basically it's a court order that is legally binding and we don't want to stray from that, if at all possible.

That's not to say if there's a change in circumstance we absolutely encourage either party to apply to the court to have the matter looked at.

MR. PREYRA: Thank you, Mr. Chairman.

MR. CHAIRMAN: Thank you, Leonard. That will take us to Ms. Regan.

MS. KELLY REGAN: Do we know what percent of cases are in arrears?

MS. CRUMP: Karen, do you know?

MS. KAREN CROFTON: I don't know the statistics offhand. Most of the cases, I would say we have a significant amount that are in arrears. We have a current account caseload and those are for files that are just registered with the program for basically flow-through payments. As much as you hear maintenance enforcement being therefore enforcement actions, a lot of times the payers prefer to pay through the program. We're continuing to reduce the number of arrears. I can get you the exact statistic on that - fortunately, we now keep very accurate records of our files.

MS. CRUMP: We do know from Statistics Canada reports of last year that 61 per cent of cases are in compliance.

MS. REGAN: Is that nationally or in Nova Scotia?

MS. CRUMP: That's in Nova Scotia and we've been increasing our compliance rate for the past - well since 2005-2006, so that compliance rate has increased by 7 per cent. We still have work to do in Nova Scotia in comparison to other provinces and territories. There are some suggestions of what may be reasons for that - our economics in Nova Scotia. We don't compare badly, but we do have work to do.

MS. REGAN: And when Statistics Canada deems someone to be in compliance, does that mean they're absolutely up to date with the payments they are supposed to be making or they have made some payments?

MS. CRUMP: I would have to go back to the specific definition in the Statistics Canada report, but my recall says that they're in compliance with their monthly payment going forward.

MS. REGAN: Do we know what the average length of time is sort of in - when you're moving sort of up the continuum of sticks, I guess, to get a payer or to fulfil his or her obligations, is there an average length of time in between actions taken to sort of escalate the pressure on the payer?

MS. CRUMP: That's information we would need to get from our system; we don't presently have those statistics.

MS. REGAN: If I could have that, that would be great. Do we know what the percentage of male and female recipients is?

MS. CRUMP: Sorry?

MS. REGAN: The percentage of male and female recipients?

MS. CRUMP: Yes, again from this very recent Statistics Canada release just last month, 96 per cent are female lone parents - that is, recipients.

MS. REGAN: I'm wondering, is there a minimum dollar amount that a payer can make to get Maintenance Enforcement off their back? What I am hearing from people is that they have been told that their ex-spouse is making extremely low payments and as a result, Maintenance Enforcement is not going after them because they've paid something - is there some sort of formula or anything like that?

MS. CRUMP: Karen, would you like to answer this question?

MS. CROFTON: Yes. What we do with this is if a payer - you know, we issue a default letter to a payer and the payer has 14 days to contact us to make a repayment arrangement. If they say, okay, I want to make a repayment arrangement, we send them

out a financial statement to complete and we look at their income and their necessary expenses and, based on that, the enforcement officer will decide a reasonable amount to pay.

We want to keep the payer working - you know, if we take the complete pay cheque, chances are that the payer is going to start jumping from job to job, and especially in the hard-core cases. We want to start to build that relationship up and, you know, just because we have one enforcement action in place, we will still try other tools as well - for instance, we may agree to \$100 or \$200 a month, but we may put federal interception in place so that we also get tax refunds, and if we happen to hear from Atlantic Lotto that there has been a win, we would take that as well.

MS. REGAN: If there's a court order for payment, that payment is to be made to, say, recipients on the 1st of the month, and we know that typically Maintenance Enforcement does not pass along that money for six days, I'm wondering, are you going after the payers to pay six days before the 1st of the month? Because it seems to me that there's a lot of lag time there where the recipient is carrying the cost of mortgages or other costs because the money is sitting with Maintenance Enforcement.

MS. CROFTON: We don't hold monies at Maintenance Enforcement. The only time that a cheque can be delayed like that for the six or seven days is if the recipient is on direct deposit and if the court order states that the payer is to pay by the first day of the month. We can't require the payer to pay in advance of that and then if the recipient is on direct deposit we do have to hold that cheque for six days to ensure that it clears the bank before we put it into his or her account.

MS. REGAN: Sorry, on direct deposit - so this is an arrangement already made with the bank?

MS. CROFTON: This is the recipient who has agreed that she would rather get her cheque into her bank account rather than have it sent out in the mail; some recipients, to get around this, would rather have it by mail. For instance, if the payer decides to pay, or agrees to pay, by 12 post-dated cheques, and we send them in the mail, the recipient can go to the bank on the first day of the month and cash them on the first day of the month, but if she - and I say she just because the majority are she - chooses to be on direct deposit, it saves her from having to go to the bank on the first day of each month, but there is that six-day delay.

MS. REGAN: I should let someone get a few words in.

[9:30 a.m.]

MR. CHAIRMAN: Mr. d'Entremont.

HON. CHRISTOPHER D'ENTREMONT: Mr. Chairman, I have three very interesting questions. The first one really revolves around the Auditor General's Report and if we look quickly at some of the numbers, about 75 per cent of the 60 cases that we looked at had one or more instances of non-compliance, 30 per cent of the cases had incorrect case status recorded, 17 of the inactive files had not been reviewed by enforcement officers, 48 per cent of the files were in arrears and had no evidence of enforcement efforts within the past year, so there is a lot of stuff not happening within the program. I'm just wondering what has been happening since then to really beef it up.

MS. TYSON: There were 18 recommendations that the Auditor General made and a significant amount of work has been done on all 18. We are actively working toward full implementation of those recommendations so we're pretty well there, we're almost there. We've had a three-year follow-up visit by the Auditor General, which is normal, and they have pointed out areas that we need to focus on a little more, that we need to continue to address for full implementation, so they want us to do a few more things and we will be receiving their final assessment in the Spring when that's released. We're doing very well in implementing that report. It was very useful to have that report to identify the areas that we needed to work on.

MS. CROFTON: If I could just add on that a little bit, the entire Maintenance Enforcement Program did file reviews on 100 per cent of their files. They went through each and every file and made sure that there was some sort of enforcement action on a case. In many cases we found out that the file, in fact, needed to be withdrawn. Perhaps the recipient had been receiving direct payments all along and had never let us know. In addition to that, we now run reports. We can run a report of cases that have had no payments in a week, in a month, in a year and we can give those to the enforcement officer to start the file reviews.

When we redid our cases management, we also ran reports so that if we had files that had a case status that was inactive for a long period of time, we can run a report on that and find out why the follow-up is not being done. I've been with the program since 1996 and I can say I can't believe how the program has evolved in the past three years.

MS. CRUMP: If I could add to that as well - playing a little tag team here - to say that I came into the program in August of last year and very quickly became aware of the enormous amount of work that's been done in the past few years in relation to the program. I can't speak to what it was like before that, but I can certainly see the work that has been done since. And I can tell you, as I've mentioned the compliance rate we've - I shouldn't say, we, because I wasn't around to do the work, but here now to carry it forward - but the program has increased its compliance rate. It has reduced its arrears by \$21 million. It has cleaned up those files that Karen has been referring to by about \$3,000.

As Deputy Minister Tyson mentioned, we're poised now to - and Karen has been speaking about this - enter a kind of quality assurance phase to really move forward with institutionalizing some of the changes that have been made to ensure that we don't have to

do a full file review in the years to come, that these cases will be brought forward for review on a regular basis. An enormous amount of work has been done and we're approaching final full-implementation.

MR. D'ENTREMONT: Good. The second question revolves around - it's hard to call them self-employed, but especially in some of the traditional fisheries, places like that. You have people that step into a job and step out of a job, you never really know whether or not they're making money. I've even known in a couple of cases where they've even said, I'll never be shown as making any money or if I have a job while I have an order against me. I'm just wondering what kind of work is being done in that realm to try to get the dollars that the court has ordered, or that there's supposed to be garnishing going on but you really can't pin them down.

MS. TYSON: Yes, that's the most difficult type of person to track and pin down the amount of money that they're receiving. That's why we're now moving into resourcing our SCAN people - Safer Communities and Neighbourhoods people; they're ex-police officers. We are going to be getting them to help us track people and try and do a little bit more undercover work, if you will, to try and get more of a handle on that. That's the most difficult person to pin down. They cause some concerns, of course.

MR. D'ENTREMONT: I've got one backward case - where we talk about 96 per cent of recipients being female, I have one that's actually the other way around. I have this lady who was on disability and then went back to being a nurse. She's been garnished along the way for payment for her children, but she's finding even through the garnishment, the money is not making it to her children. We talked a little bit about where money gets caught. Where is money getting caught that those dollars would not be transferred into her children's accounts?

MS. TYSON: One problem that we have seen occurs when the children who are with one parent move in with another parent or with a grandparent, and the court order still remains in place so that the kids may be with their grandmother and the mom is still getting the payments - or the dad, I guess, in your case. That's a challenge, and it takes time to get back to court and get the variation order.

We're looking now at what we can do to streamline the process of getting a variation order. We're looking to see if there are other means through the courts; are there administrative means we could use? Our lawyers are now currently looking at that issue.

MR. D'ENTREMONT: Yes, I think she had a back pay to pay off, and once that back pay was up, she's still paying that full garnishment. It seems to be right now she has no money to actually pay her rent or anything like that.

MS. TYSON: It's taking six to eight months or longer to get a court variation.

MR. D'ENTREMONT: What I'll do is probably pass the name off to Judy and get it done that way. Thank you.

MR. CHAIRMAN: That will take us to Ms. Raymond.

MS. MICHELE RAYMOND: Thank you, and I apologize for arriving so late. This is obviously an incredibly important issue in our society; particularly, I have a constituency which I think has the highest number of lone-parent families in just about any community in the province.

One of the things I was wondering about is, is there any formula or upper threshold for the percentage of a payer's income that can be garnished?

MS. TYSON: Yes. The amount depends upon the source of the income garnished and the amount owed in payments. In addition to the regular monthly payments which have been ordered by the court, a garnishment on wages for arrears is usually a maximum of 25 per cent. The MEP can also garnish up to 50 per cent of a federal pension or employment insurance and 100 per cent of income tax refunds, GST, lottery winnings - it depends.

MS. RAYMOND: Okay, fair enough. I know you've mentioned mutuality or reciprocal arrangements with other provinces, and to the degree that it's obviously an expensive process having to enforce these payments, do you have reciprocal collection fees or anything with other provinces? If you are collecting for a recipient in Alberta, does Alberta give you any kind of recompense and vice versa?

MS. TYSON: Not to my knowledge. Karen may have more information.

MS. CROFTON: I guess the only thing is if the payer is residing in Nova Scotia, we would charge the fees to the payer. There's a default fee, there's a notice of garnishment fee. Even though the recipient may be in Ontario and we're technically garnishing for Ontario, we're still able to collect the same type of fees that we would . . .

MS. RAYMOND: I see. It would be from the payer rather than from the . . .

MS. CROFTON: Correct.

MS. RAYMOND: Okay, I'm just curious. I don't know whether that happens in other - I suppose something similar.

MS. CROFTON: Yes, but not . . .

MS. RAYMOND: Can I ask one other very quick question? I don't know whether you would have any idea about this but I know when Mr. d'Entremont mentioned payers, or parents, who are very anxious to avoid the support of their children - do you have any sense of whether there is any corrective work in terms of counselling or anything that is

predictive of whether a payer is ever likely to want to take responsibility for their children? Is that something that happens? I mean I suppose access is one of those things, but is there a way of saying, oh gee, this is somebody who just wants to go away or is there anything that can be done about that?

MS. CROFTON: The Supreme Court Family Division has a parenting education program that is mandatory for all parents to take when they are going through separation and divorce and that talks about putting the children first. It talks about finances and the frustrations and it is an excellent program. So that is one way.

I know that in the metro office, we also try to be very user-friendly to both the payer and the recipient and when we have posters of things that are going on in the community, we will have things that will be for the father and the kids as well as the mother and the kids, so that we try to build something fully over time.

MS. CRUMP: I will say, also, that we have been saying a lot about payers who are anxious not to pay support, I will say that we do have payers in the program - I can't tell you the numbers - but we do have payers in the program who do want to voluntarily be enrolled in the program and we know of instances where the recipient chooses not to, perhaps, return the enrolment kit and provide sufficient information for the file to be enforced, but the payer then chooses to be in the program because the payer wants to support the children actively and wants the money to flow through the program to the recipient.

MS. RAYMOND: I hope that is an increasing thing.

MS. CRUMP: We do too.

MR. CHAIRMAN: Thank you, Ms. Raymond. I would just like to take a moment to welcome Alfie MacLeod to his place on the committee.

MR. ALFIE MACLEOD: I apologize for being late, but it's a long drive.

MR. CHAIRMAN: I'm glad you're here and that takes us to Diana Whalen.

MS. DIANA WHALEN: Thank you very much and welcome this morning. I think it's natural we had a few questions that followed up on the earlier Auditor General's Report because that was certainly the last time that I had a chance to look at the statistics and the work of the area. Actually, you were at the Public Accounts Committee four years ago, I think it was the Spring of 2006 when I reviewed the notes on that.

I wanted to compare some of the figures that came out then to where we are today. I know you gave a few of them earlier on, but I thought we would just start with staffing, because one of the points that came out very clearly was the heavy case load that each of

the caseworkers has, and at that time it was over 700, I think it was 728 per enforcement officer. So can you tell me where we're at today and the numbers?

MS. TYSON: Yes, in fact I'm very pleased to be able to answer this question. The average number of active cases today is 410 and when we include the total cases, including inactive cases that are simply being monitored, it is 531. Our case load per officer has been dropping since that time so we're doing pretty well in terms of our counterparts across the country actually.

MS. WHALEN: I wonder if I could ask just where that change has come from because you're still looking at, roughly, 17,000 cases, isn't that right? That was the figure roughly used four years ago and I think I saw the same now.

MS. TYSON: Yes, the change has come through a number of ways. We've really put a lot of attention and importance on a proactive approach in the last few years and that's paying off. We've also - Karen mentioned the case management reviewing every single case, bringing it forward, and we have additional enforcement tools that are available to us that weren't available back four or five years ago. So, in fact, we have been able to reduce our arrears and that then reduces the case load.

Just on the arrears, we're doing much better on that; Quebec and the Yukon are the only jurisdictions that have a smaller proportion of cases with arrears, so we're very pleased about that. There is a tremendous amount yet to do but we're heading in the right direction and we have made good progress.

MS. WHALEN: On your staffing component - at the time, I think you had the same number of enforcement officers, 25, but your component at that time, four years ago, was 48 people working in the area across the province. When I add up what you've shown us in the slides here, you're up to 52, so we know that we now have a full-time director, which I think was a tremendously important step forward. There is so much money involved in this - although it's not all tax money, it's an awful lot of money to be responsible for, and as you mentioned, thousands of families depend on the work that you do.

In that increase of four employees, I don't think the number of enforcement officers has risen, has it?

MS. CRUMP: It's 25, isn't it?

MS. WHALEN: It's 25 now, but I think it was 25 four years ago.

MS. CRUMP: I think so. I could speak to the stat a little bit as well. The stat that we quoted to you today, the 17,000, is actually the average of the last four or five years. The caseload actually is reducing so the stat is a little bit misleading, I acknowledge. When I put that in I thought, this isn't completely accurately representing the trend. The caseload

is reducing each year as we close files that do not need to be open, and we're focusing on files that actively need to be enforced.

[9:45 a.m.]

Probably the stat that you have of 17,000 at the time of the Auditor General's Report, perhaps that was that year. We're now down to 15,000, and it is dropping - just over 15,000.

MS. WHALEN: Right, I guess maybe I was a bit misled thinking it was still the current number.

MS. CRUMP: That's my error in quoting that stat. It is the average over the last number of years, but that average is higher than this year.

MS. WHALEN: Yes, understood. You've mentioned as well that there had been difficulty filling vacancies. Are there vacancies in those 52 now?

MS. CRUMP: We have one vacancy in an enforcement officer - I believe just one. As the deputy mentioned, we're still in the process of filling the manager of financial and administrative services. There are some vacancies in the enrolment unit. In payment processing, we're fully staffed right now.

MS. WHALEN: Okay, the central enrolment unit that has just four people?

MS. CRUMP: Correct.

MS. WHALEN: It has what, one or two vacancies?

MS. CRUMP: One vacancy. We're just in the process of filling that now.

MS. WHALEN: Actually, it was interesting when you were here four years ago, it was said that there wasn't a lot of turnover in the department, and I notice that you have someone who has been here from 1996, which is great. Is that still relatively stable? Because there's a lot of work here, and it's difficult work. Is it relatively stable in terms of turnover?

MS. CRUMP: There's a lot of work, and it is difficult work. I can tell you again from coming into the program in August of last year, there are good, committed people in the program, and many who have been here for a number of years and who are fully committed to the program. I will tell you there have been some challenges.

At the management level, there's turnover at the regional coordinator level on the management team. Just prior to my coming into the program in August, on the management team there were six positions and five of those were acting positions at that time. There

was some instability there with people moving, needing to cover positions, and acting roles. The sixth position, the one person who was in place at that time, was in the program just over a year. There is a lot of newness at the . . .

MS. WHALEN: But that's stable now, those people are now appointed to those positions? Or are they still acting?

MS. CRUMP: There's another vacancy. We're in the process of a competition for one regional coordinator position here in metro.

MS. WHALEN: It's just that that is important. Just two questions, because I know we'll have another round, I'm sure. At the time that the Auditor General looked at the department or program, it was \$100 million in arrears in dollar value. Can you say what the dollar value is today?

MS. CRUMP: Yes, we've reduced it by \$21.4 million to \$84.7 million.

MS. WHALEN: You've also said that you have 3,000 fewer files - you did say that in your opening statement. I wondered, are some of those just written off? Because of that \$100 million, a lot of them were families who have grown, and those families would never receive the support to the degree that the courts had ordered, and that was sitting on your books as tens of thousands of dollars sometimes owed to the same family. Did you just write those off?

MS. CROFTON: We never write off a maintenance enforcement. We've never written off money at Maintenance Enforcement. There are some files where we may have found out that we had children who were 34 years old and the fathers weren't paying because both parents agreed, but because we weren't able to do the regular file reviews, and being proactive, we were showing those files as being in arrears. In fact, we advise our recipients not to give up and we don't give up on a file.

MS. WHALEN: So the 3,000 that were resolved then were actually people who were brought into compliance, full compliance?

MS. CROFTON: Some were brought into full compliance and there were others who shouldn't have been on the system at all. So some of them we did close, but not because we decided that we weren't going to enforce these files any more. We would send notice out to the recipient and ask for a status update, we'd ask for requests for dependents' information and so forth. Then there were other files that we found, of course, that probably needed some enforcement done and those ones we started putting through the enforcement continuum with the collection call and the garnishments and the federal traces.

MS. WHALEN: Getting more active.

MS. CROFTON: Absolutely. The mindset now with staff is to be more aggressive and to be proactive. It's a new way of thinking for the program now that we're on a roll.

MS. WHALEN: Do I have time for one more? Ok, I thought I had better check with the Chairman.

MR. CHAIRMAN: Thanks, Ms. Whalen. That will take us to Mr. Smith.

MR. MAURICE SMITH: I was curious, you had mentioned that when the order is issued by the court it is automatically sent to Maintenance Enforcement for enrolment. Does the person have an option to opt out, that they don't want to go that way?

MS. TYSON: Yes.

MR. SMITH: So then they can go back to the court for enforcement on their own initiative?

MS. TYSON: Yes, they can opt out, they can opt in again at any time.

MR. SMITH: Sure, okay. And when you talked about agreements, these would be agreements that the couple would make between themselves and that agreement would have to go through the court before it comes to you?

MS. TYSON: Yes.

MR. SMITH: Okay, so they couldn't just send their own agreement along?

MS. TYSON: No.

MR. SMITH: Okay. One of the difficulties that I've had in working with the program - and I should just tell you that I was with Legal Aid for nearly 34 years so I have a lot of experience with the program since it came on stream.

One of the difficulties that I had was that we go to court, we get an order and we close our file at our office. The person then is somebody who really could be illiterate, they get this package in the mail that is a kit and they have no idea what to do with it. Some of them can't even read it, some of them don't ever send it back. They send it back with incomplete information and there is delay and delay. Then they're calling us up and saying wait a minute, I was to court, I got an order and I don't have any money, what's going on? It could be months in between. Is there anything in Maintenance Enforcement, any resources that would help these people with the filing of their kits?

MS. CRUMP: Yes.

MR. SMITH: Is that something new?

MS. CRUMP: I don't think so. The recipients or payers are certainly welcome to come and seek assistance with filing that, or filling in the enrolment kit. We're certainly happy to provide that assistance.

I can tell you I fully understand the issue of - we've sent our enrolment kit off just recently for plain language review as well, in an effort to make it as easy as possible for people to become enrolled in the program.

MR. SMITH: A lot of people are just intimidated by the size of it alone.

MS. CRUMP: Yes, I can appreciate that.

MR. SMITH: So who in the program would be responsible for assisting someone? Is it the enforcement officer? Is there a receptionist? Who does that?

MS. CROFTON: Normally it would be the enrolment unit if the file is not yet enrolled. If they would call the enrolment unit they can come in to the enforcement officer and have some help with the kit. As much as I know, sometimes, the kit is long, we have to be careful before we go out and garnish a payer. We have to make sure we have accurate information before we start taking a driver's license or garnishing income.

Even though it is quite cumbersome to the recipient, it is necessary information but by all means we've always been very user-friendly to the recipient, or at least we think that we have. They are welcome to attend the office or speak with an enrolment person over the phone.

MR. SMITH: After you get the order from the court and you send out your enrolment kit, do you have any kind of follow-up system that says okay, well that went out three weeks ago and we haven't heard from anyone. Does anyone then take the initiative of getting to the payee, I guess, the recipient, and say okay, we're waiting on your kit. Where is it? Do you need help? Is there any kind of follow-up with that? Some of these people really don't know. They get this thing in the mail and they have no sense of what it is and it just gets on top of the fridge.

MS. CROFTON: Absolutely, I am the first to say it can be very difficult any time anyone sees an enrolment kit or any kind of thing that has quite a bit of information but we do our best to help out our recipients.

MR. SMITH: What do you do internally to follow up? You've sent the kit out, what happens next?

MS. CROFTON: Well, there's a bring-forward on the system that goes to the enrollment clerk. I would have to check out the exact time frames but I think it might be either two to four weeks that there will be a follow-up letter that will go out. In addition, they will normally phone the recipient as well.

MR. SMITH: Okay, so you do some internal sort of coaching to try to get these things through?

MS. CROFTON: Well, we don't go overly in coaching, but we do send reminder letters out, and it's just the sheer volume. If we're looking at, you know, 17,000 files and we start sending and repeatedly calling, that can be a bit of a problem for us. It slows down the enrollment, but absolutely we send out the letters for followup and if the recipient has any kind of questions or concerns, we're available.

MR. SMITH: Well, I guess that's a gap I see. You send it out, yes, but if it's going to someone who doesn't have the ability to respond in an appropriate fashion, what happens then? It just sits for months and months sometimes.

MS. CRUMP: It's clearly an issue that you're identifying, and it's one that I have certainly recognized coming into the program, recognized as an issue, but I've also known of cases where counsellors have called in on behalf of a recipient if they've happened to avail themselves of counsel and have sought assistance. As soon as that call is made they've been able to navigate and negotiate assistance for the recipient, but it clearly is a challenge if people are unable to read or fill in the enrolment kit. It is a challenge for a number of parents.

MS. TYSON: Mr. Smith, we'll take a look at the forms themselves to see if we can't put it in block letters - call us, come see us if you need help.

MR. SMITH: Sure, yes.

MS. TYSON: Something like that to try to flag that if it's not already flagged.

MR. SMITH: I think just because of my background and because I'm in a small community, people know who I am, and so I'm getting people coming to me. Is there any difficulty from your point of view if I delve in and say, I could get my support staff to say, look, you know, help this lady, and we have a direct way of getting in touch with you?

MS. CRUMP: Sure, absolutely. What I would like to do is provide contact information to MLAs, and we would like to follow up to do that and certainly welcome that approach.

MR. CHAIRMAN: Maybe one more question.

MR. SMITH: The garnishment that you talked about, it's 25 per cent of wages, but isn't that dependent on the size of the payer's family? If they're making, let's say, I'll just use this figure, \$10,000, what's 25 per cent of that - \$2,500.

MS. CROFTON: Right.

MR. SMITH: But if they have a family of five or six of their own, are you limited in the amount of garnishing you can take because of that?

MS. CROFTON: It's the maximum of 25 per cent and it doesn't go according to income size. However, if we do look at the payer's financial statement, there are some times we will take that into consideration, but the 25 per cent, it's not similar - the child support guidelines, now, they go according to income in a specific family.

MR. SMITH: Right, yes.

MS. CROFTON: But the garnishment doesn't, not initially.

MR. SMITH: So it doesn't matter, you can garnish that no matter what size family the payer has?

MS. CRUMP: Well, this is in relation to arrears you're speaking of?

MR. SMITH: Yes, a garnishment, yes.

MS. CRUMP: Because certainly in relation to ongoing payments we are mandated to enforce the court order.

MR. SMITH: Yes, of course, yes. It was arrears I was thinking of. I usually think of garnishment in terms of arrears.

MR. CHAIRMAN: I think that will take us back to the next round - Kelly Regan.

MS. REGAN: In terms of the escalation of action against a delinquent payer, we talked about taking away drivers' licences and passport revocation. In fact, nothing is actually taken away physically, is it? So they still physically have their driver's licence until they have to go to renew it or whatever. Nobody goes to their house and says, can I have the driver's licence?

MS. CRUMP: Hand me your driver's licence?

MS. REGAN: Yes.

MS. CRUMP: They receive a letter from the Registry of Motor Vehicles saying that that licence is invalid.

MS. REGAN: So for some people that will really have no consequence for four years?

MS. CROFTON: If they get stopped by the police it would, but even if we took their physical licence, there are some people who are simply going to drive, and we can't

stop that. With the passport revocation, interestingly, in Ottawa they are now looking at a way to try to take the physical passport from the payer. So that is in the works, but nothing has been finalized.

MS. REGAN: I have one case where, you know, supposedly the payer's passport has been revoked, but he's still going across the border all the time because he's driving.

MS. CROFTON: This is very high, this is right across the country that it's been recognized this is a problem. The passport revocation has become a very useful tool after 9/11, but the problem is if they go through the border in a car, a lot of times if they flash their passport, they're able to make it through. This is why they're now looking at taking the physical passport as well.

MS. REGAN: Do you contact insurance companies to let them know whose driver's license has been revoked? It strikes me that insurance companies may still think they're insuring - and I realize if somebody got in an accident then everything would come out, but it does strike me that insurance companies may actually think someone's license is perfectly valid when it's not.

MS. TYSON: We have a problem generally with people driving without a license. People who have been charged and convicted of impaired driving a number of times, people who have outstanding fines, we're finding that there are a lot more people driving when they shouldn't be and that's a big problem in the justice system as a whole. It's an increasing problem in fact.

[10:00 a.m.]

MS. REGAN: In terms of staff, I notice we don't list any lawyers on here. Can you tell me how that works?

MS. CRUMP: We have two lawyers in our Legal Services Division who are assigned to the program and provide legal advice on an ongoing basis, and who goes to court when it's applicable.

MS. REGAN: So anytime, let's say a passport is going to be revoked, does a lawyer get involved with that or does that happen with an enforcement officer?

MS. CRUMP: That happens with an enforcement officer. To my knowledge, the lawyers are not involved at that point. They do provide to us legal advice on policy matters, on liens against property, on an ongoing basis. We are in communication daily with our lawyers.

MS. REGAN: Two for the entire province seems low to me. Their caseload must be ferociously high.

MS. CRUMP: We're busy.

MS. REGAN: You're so tactful.

MS. CRUMP: I do think it's comparable though if you look at the statistics across Canada and we have looked at that quite recently - the number of lawyers, the number of support staff in relation to the program. Of course, all programs are different across the country, but I do think we're comparable.

MS. REGAN: You mentioned former police officers working with the SCAN Program. It did strike me, when I first started looking into this whole issue, that former police officers I would think would be really good enforcement officers. I was wondering, who ends up being hired as an enforcement officer and is that an area where you thought to maybe encourage more recruitment among retired police officers?

MS. CRUMP: That's a good question. We have a number of enforcement officers, I think, who have collections' backgrounds in one capacity or another. Not to my knowledge do we have any former police officers, I don't know if there ever have been.

MS. CROFTON: We don't.

MS. CRUMP: But the collection of child support is more than just enforcement. They have to be able to be used to a high volume caseload, they have to be able to deal with payers and recipients, they have to be able to interpret legal documents, they have to be able to interpret financial documents. There's a broad range and some police officers may make an excellent enforcement officer, absolutely, but we look for a range of skills - collection, case management and legal interpretation.

MS. REGAN: It just strikes me that if you're looking for someone, people who are used to looking for people, might be good at that job.

MS. TYSON: That's the reason we're calling on the people in the SCAN Program. The SCAN Program is the program where the staff go out and they will close down houses where there is prostitution or illegal drugs. They'll post the sign, they'll close it, they'll go to court. It's that group. We have a group of people in the Public Safety Division so we are going to be calling on them to try and at least do a pilot and, if it's successful, to continue to have them do some additional digging out in the field as opposed to sitting in an office.

MS. REGAN: How long, typically, does it take from the time someone falls into arrears and actually - let's say we have someone who is a provincial employee. I have a case like this where the payer is a provincial employee and he is in arrears. How long is it before we garnish his wages?

MS. CROFTON: We start with the enforcement continuum. The first thing we would normally do if we receive a file in default is send out the default letter. After 14 days, the enforcement officer receives a bring-forward. If the payer enters into a voluntary repayment arrangement, then we wouldn't necessarily go out with a garnishee, but if they didn't negotiate a voluntary payment arrangement, then normally garnishment would be the next step.

MS. REGAN: So even if they just pay \$100 or something like that, is that enough to just sort of stop that process in the track?

MS. CROFTON: If the payer makes an arrangement to have the arrears paid off within six months, we normally don't require financial information, but if it's going to be longer than a six-month repayment, then we have to have financial information from the payer. So \$100 may be reasonable or it may not be reasonable, but it would be up to the enforcement officer to determine that.

MR. CHAIRMAN: Thank you.

We still have a fairly long list, so I'd like to keep moving it around, and I would like to welcome Mr. Gary Ramey to the committee.

MR. GARY RAMEY: Sorry for my tardiness, I apologize.

MR. CHAIRMAN: Glad you are here, and that takes us back to Mr. Preyra.

MR. PREYRA: Thank you again, Mr. Chairman. I have a couple of questions; one of them may not be directly relevant to the office.

In my constituency we've got a lot of university students and especially at this time of year we get university students coming in saying, my father or my mother refuses to provide money for payments that would have been used for tuition. Do dependent children or children who are subject to that agreement have any kind of standing or any capacity to enter into a maintenance enforcement situation?

MS. CROFTON: If the court order is between the mother and the father, then we only deal with the mother and the father. Now, it's my understanding that with the court process an adult child can take their parents to court for support, but unless we have a court order in place there's nothing that we can do to enforce it. We do have some orders that are between a child and a parent or both parents.

MR. PREYRA: Any custodial parent or guardian has standing in this case, where sometimes the person taking care of this student is not necessarily either of the parents?

MS. CROFTON: And they may apply to the court as well to have the payments redirected, so if the child happens to be living with an aunt or the grandmother or another family, then they can also take the parents to court.

MR. PREYRA: I have one more quick question, Mr. Chairman.

MR. CHAIRMAN: One more would be doable.

MR. PREYRA: This is following up on Mr. Smith's question. In cases of non-compliance - you know, it comes to your attention that this person is not making payments - who carries the case forward? Is it the person who is a party to the agreement or does the Maintenance Enforcement division then take over and say we're going to pursue this further?

MS. CROFTON: It's the Maintenance Enforcement Program. We really want to take the burden off the recipients. That doesn't mean that sometimes we'll get a phone call to say oh, look, the file is in arrears, but our system is now geared to be proactive and we want take that burden on and control the enforcement action on the file.

MS. TYSON: I think there's a fair amount of reliance, though, on the recipient to try and get any information that the recipient may have about the location of the payer, for example, or any additional income that the recipient may find out that the payer has, so the staff do try and access as much information from the payer as they can gather.

MS. CROFTON: That's absolutely correct, they can be our very best source of information oftentimes.

MR. CHAIRMAN: Thank you, Mr. Preyra. We'll now go to Mr. Ramey.

MR. RAMEY: Thank you, Mr. Chairman, and thank you folks for coming. I know what you're talking about affects all of our constituencies, so it is very good of you to be here. I'm sorry I missed the first part of the presentation, but I'll go through it, and I apologize if I'm asking a question that you've already perhaps answered in your presentation.

With regard to people who are moving about, could you just comment on why it seems to take so long for another jurisdiction to take enforcement action when payers move from one province to another? I've bumped into this one a couple of times already.

MS. TYSON: I'll start. When a file is transferred to another jurisdiction, enforcement action normally takes about three months because the enforcement action is taken over by that other jurisdiction and that is if there are no complications. So we have developed guidelines for determining when a file should be sent for reciprocal enforcement. We have provided training for staff at a recent conference, we're preparing a checklist, but once a file is registered with that reciprocating jurisdiction it's out of our

hands and it depends upon the reciprocating jurisdiction to take the enforcement action. Their practices vary across the country and the time lengths vary as well.

MR. RAMEY: So it's not a coordinated system amongst provinces?

MS. TYSON: There's a lot of communication. We have a small unit dedicated solely to reciprocal enforcement. There's a lot of talk on the phone and a lot of communication back and forth. It does complicate the file and it does take a bit of time to get it set up. Once set up, then it's in the hands of the other jurisdiction.

MR. RAMEY: May I ask a second question?

MR. CHAIRMAN: Yes.

MR. RAMEY: This is an issue that recently came up and it relates to parents. Can parents claim or deduct child support payments for income tax purposes?

MS. TYSON: The Income Tax Act was amended in 1997. Before the amendments, the rules were that the paying parent could claim the child support payment as a deduction and the receiving parent had to bring it in as income. So if the child support order was issued before May 1, 1997, the old rules apply, unless a subsequent order varies that original order. On child support orders made since May 1, 1997, child payments cannot be claimed either as a deduction or as income, but the spousal payments are the same as they used to be. Now, if an order is issued, the person paying child support can't claim it as a deduction and the spouse, normally the female spouse, receiving the money does not have to claim it as income for the child support payments.

MR. RAMEY: What was the reason for making that particular change? Do you know why the Act was changed?

MS. TYSON: No, I don't know.

MS. CROFTON: I recall it was quite a burden on the recipients because they would have a court order for \$500 a month for perhaps two children and they would spend that money on those kids, as you can imagine, on food, clothing and shelter. At the end of the year, they were getting hit with a tax burden.

MR. RAMEY: They were getting punished. Thank you.

MR. CHAIRMAN: Thank you, Mr. Ramey. Just so the committee is aware of my speaking list at this point, Ms. Whalen will be next, then Mr. d'Entremont and Mr. MacLeod. I've got Mr. Smith on my list because I think I cut him off before he was finished with his questions, but that's the speaking order at the moment.

MS. WHALEN: Thank you. I have a number of questions so I'll try to be quick. One of the Auditor General's suggestions was that you have people with financial expertise because of the hundreds of millions of dollars that you are to look after in trust. Has that been done?

MS. TYSON: We are in the process of hiring a senior financial person now. That senior financial person will be linked very directly with the Finance Division of the Department of Justice, so we'll have the support of that division.

MS. WHALEN: So it has taken three years to get to this then?

MS. TYSON: It's really needed. It has, yes.

MS. WHALEN: I know you've done many of the 18 and I see a lot of improvement, I want to say that before I carry on, but . . .

MS. TYSON: We've had competitions and we just have not been able to attract a person of that calibre. We're in the process of making arrangements, in fact, with the Department of Finance to bring one of their people over into that role.

MS. WHALEN: Very good, I appreciate that. Do you have a percentage or a number of cold cases that you could give us that are ones like I was talking about before, ones that I thought you might have written off, but you don't write them off?

MS. CRUMP: We could get that for you, unless, Karen, you have those top of mind?

MS. CROFTON: I don't, but I know that when we did the file review we looked at each and every case.

MS. WHALEN: So they've all been reviewed; I'd just like to know how many. In the earlier discussion at Public Accounts, it was said that each of the enforcement officers were to review cold cases on a regular basis to try to pull them forward. I think you have a different system in place now?

MS. CRUMP: We do have that system that I had mentioned that we are in the very front end of implementing right now; it is quality assurance. We do have the reports on our system created and now we're in the process of getting a regular system for using those reports, so we can query cases that have no payments for X period of time and we can get those numbers for you.

MS. WHALEN: Again, you may have said earlier, but what's the number of cases that are in arrears? We talked about roughly a 15,000-caseload. What percentage - not even a percentage, can you give me a number of cases that are in arrears? I prefer the number.

MS. CRUMP: The Statistics Canada figure is 61 per cent in full compliance. We can get the number of cases in arrears for you.

MS. WHALEN: I think that's important, for us to know the number of cases and the dollar value. I think you've told me \$84.7 million are in arrears.

MS. CRUMP: We do have that regular report that we print off our system. We simply don't have it in front of us right now.

MS. WHALEN: If we could get it through the Chairman, that would be fine. We'd be happy with that.

As with all the MLAs, I'm very interested in your enforcement tools and the graduated levels that you go through to get that. I have a case which came to my office just last week, which related to a person who says they have no income but who owns rental properties. Now if they own other properties, surely we could get that through the rental income. Is that one of your tools available? I think I see that it is.

[10:15 a.m.]

MS. CROFTON: It is, as long as we know the name of the person who is renting.

MS. WHALEN: You would have to know the tenants?

MS. CROFTON: We would have to know the name of the tenant because the garnishee would be against the tenant.

MS. WHALEN: Again, you're relying on the spouse - in 96 per cent of the cases, the wife, the woman - to come forward.

MS. CROFTON: That is probably the quickest and most reliable and efficient way at this point in time. If we do have investigators, that may be something that they will be able to . . .

MS. WHALEN: It is true that you rely a lot on the individuals to give you information about what's going on, but how about the judgment of your own officers? I realize that there are always policies and procedures and, to a degree, staff are very much bound to that, but is there room there when they realize that somebody is just being completely difficult and uncooperative and just not playing ball as they should? Is there a mechanism for you to step it up right now and you can get heavy-handed right now?

MS. CROFTON: We have the enforcement continuum that the enforcement officers generally follow, but a lot of times they can skip a step. For instance, if they send out a default letter and they realize that the payer is self-employed and is going to be leaving the country next week, they may go right to a federal licence denial or they may go right

to a motor vehicle revocation. The enforcement officers do have the discretion to use one or more of the actions, and they can skip an action on the continuum if the circumstances warrant.

MS. WHALEN: I do see a lot of improvement. You've come down from \$100 million to almost \$85 million dollars in arrears, but it's still a significant amount of money, and the discussion has been about the families that are suffering while they wait for that money to be collected, if ever, and made available to them. So with that in mind, I just think that your performance measures on how often you're using the other tools would be very interesting to us.

Among all of your statistics that you're now collecting - because again, four years ago you only had one performance measure, and I gather you're doing a lot more reporting now - can you tell us, or perhaps provide to the committee later, a chart that would show us that in a given month, this many people had garnishees, this many people had their licence revoked?

MS. TYSON: We can take a sample month, but some of the measures are fairly new as well, and we're just moving into those.

MS. WHALEN: I think we'd like to see it, because it would be evidence that you're actually employing all the tools that are in your toolkit. We hear from the families that are often in some really desperate situations, and they just can't understand why we're not going to bat for them, why the government isn't doing what it's supposed to do. If we could see that out of these thousands of cases - because you've got 15,000 cases - if we could actually see a measure of the tools that are being employed, that would be, I think, helpful to all the MLAs here at the table. Again, then we can measure, as you yourselves will measure, is that sufficient, are we doing all that we can do?

MS CRUMP: We are doing that, and we do have that measure and we do report those through to Statistics Canada on their annual report that they issue. We're increasing that because we do have some gaps from Nova Scotia on what we could draw from our system and report on, so we're working on that as well, and we are increasing our reporting in that we've now selected key indicators that we will begin to report over time - but we can get you those numbers for the enforcement actions.

MS. TYSON: We're looking at what are other jurisdictions doing in Canada, elsewhere in the world, what else can we do, can we learn from them.

MS. WHALEN: Just one last question if I could, what is your total budget? It was \$2.2 million four years ago, or you can get that to us, perhaps, with all the other information - I don't want to hold you up.

MS. TYSON: That will probably be available later today. (Laughter)

MR. CHAIRMAN: I guess it is easy at this moment to see how important money really is.

Mr. d'Entremont.

MR. D'ENTREMONT: Thank you, and I will ask a quick one. Looking at the structure on servicing the areas in the province, we see five regional offices - in metro, Amherst, Kentville, Sydney, and New Glasgow. I see some very large gaps in where maybe some of your services, one for Yarmouth, maybe one towards the Antigonish area to try to fill in those gaps, but do you need the offices or do the enforcement officers travel around, because it seems like an awful big area?

MS. TYSON: We don't get much walk-in business; it is mostly over the phone and through the system. Some jurisdictions have one central office in the province. We haven't gone that way but I don't think you need more offices in the province and, if necessary, our staff would travel if that is what it took to meet with somebody who needed some help.

MR. D'ENTREMONT: I think that goes to the question that the member for Antigonish talked about - when they do have these packages, where can they go to get the help?

MS. TYSON: There was one office that wasn't - I can't remember which one it was, it was a number of years ago - it wasn't very busy, and we had staff going there once or twice a week, but they weren't getting any clients in so that was discontinued with the promise that if it was needed it would be available.

MR. CHAIRMAN: Mr. MacLeod.

MR. ALFIE MACLEOD: I, too, apologize if I ask any questions that you have already addressed in your presentation.

I have two questions. One, I have one case which keeps reoccurring and what happens is when the individual falls behind and gets straightened away, he then disappears again for six or seven months and then the pressure is put on him. Is there any way of regulating that, or putting the pressure on the individual so that they don't try to disappear every time? They feel that if they make a payment every six months, you guys will leave him alone. I don't mean that in that way, but is there any thought or any formula to deal with that?

MS. CROFTON: The enforcement officers are following up their cases, so they should be on a monthly basis. There are going to be times, and sometimes its due to the economy, some of our payers may be on unemployment insurance or they may switch jobs so sometimes there is a reason why there may be a delay in payments but, other than that, if we think that a payer is just deliberating paying every six months then normally the

enforcement officer will start to ensure that file is reviewed on a monthly basis and will normally put some sort of a garnishment in place to make the payments regular.

MS. TYSON: I think we're encouraging our officers to be more proactive all the time and that is helping. We need to continue to do that and really reinforce that message.

MR. MACLEOD: Yes, because the challenge is, of course, the individual who is expecting this money is only getting it so often and it is very difficult for their child care and so many other things that they have to do.

The second question that I have - and it is a little bit off the wall, but that's not really unusual for me - is there any way of taking action against an employer? Sometimes we have employers who will hire people and hide it or not put it on the books and yet the spouse knows the individual is going there every day and doing the work. Is there any way to challenge someone who is doing that so indeed it's not something that they would consider doing on a regular basis, because it does happen fairly regular?

MS. CRUMP: There is an obligation on employers to comply with that garnishment and these are cases where we would actively have our legal services employee to assist us in those cases.

MR. MACLEOD: There is an obligation, but is there a penalty for someone who doesn't? I guess that is the big question, I think that if the employer thinks that it is nothing and they're helping their buddy, so to speak . . .

MS. TYSON: Paying cash.

MR. MACLEOD: Whatever - and there are a number of ways people do to get around it, but I believe that there has to be some kind of a deterrent to those people who are helping someone else not to honour the system that you're making improvements on.

MS. CROFTON: If we have a difficult employer, we would normally serve them by the sheriff. Once they are served by the sheriff, then we can take them into court under a section 24 application.

Sometimes it's difficult to prove, if the person is being paid by cash, but oftentimes we may have some information. Maybe the payer has been seen driving the company truck. I think once we have our investigators, they will be a help with that as well because they'll actually be able to go to job sites.

MR. MACLEOD: I appreciate that and I think that's good, but I guess if there's no penalty against the individuals who are doing that, then there's no reason for them not to continue doing it somewhere down the line. If you can take my license away because I'm not paying, what can you do to the person who is helping me not pay?

MS. CROFTON: The court can impose penalties.

MR. MACLEOD: I think that's something that, as the system is being revamped and rebuilt, that really has to be looked at because it happens more times than I care to mention, at least from the experience that I've had.

MS. CROFTON: We find that as well. In some of those cases we may try a driver's license, in some of these cases that are very difficult to enforce. If we have some sort of proof that there is some sort of payment exchanging hands, at that point we can take it to court.

MR. MACLEOD: Thank you very much and thank you, Mr. Chairman.

MR. CHAIRMAN: Thank you, Mr. MacLeod. Just so the committee is aware, I've got three names on my speakers' list at this point. Maybe that will bring us close to the end of our time. Mr. Smith next and then Mr. Ramey and then Ms. Regan. Back to Mr. Smith.

MR. SMITH: Thanks, Mr. Chairman. I think it's a point of clarification. When Michele asked you a question about educating the payer, you referred to the Supreme Court Family Division as having somebody who instructs payers and has meetings with the couple and that kind of thing. That, of course, is limited just to Cape Breton and metro; the rest of the province doesn't have that. I just wanted to point that out.

MS. TYSON: That's quite correct. The family bar, the Nova Scotia bar and the Nova Scotia judiciary have been encouraging the department to expand the services province-wide. We're not able to do everything they would like but we're looking at some improvements.

MR. SMITH: I know you answered, as best you could, my question about the kit and all the rest of it but I'm wondering, in my community I have a very active Antigonish Women's Resource Centre, a group of women who have been there for 25 years now, basically, a lot of the claims that I would have seen, go through their offices as well. Would you people be okay with them advocating, in terms of getting the kit prepared and getting in touch with you people, or do they have to have some sort of direct connect?

MS. CROFTON: They can absolutely help out in completing the kit. It is the recipient who would still have to sign off on the kit, but absolutely, if they can get some help elsewhere.

MR. SMITH: So if information is needed back and forth, would there be an open communication there?

MS. CROFTON: Our program can never give personal information to a third party, but if they're asking what do you mean by alias, for instance, on the enrolment kit, things like that, absolutely they can.

MR. SMITH: So I can tell them to be in touch with somebody?

MS. CROFTON: Yes.

MR. SMITH: Okay. The other thing I wanted to ask is, I was really curious, how do you people track lotto winnings? I've got a ticket, I win, I run off to wherever it is and get my money, it's gone. How do you guys get connected with that?

MS. CRUMP: We have a partnership with Atlantic Lotto.

MS. SMITH: But how do you know that I've got the ticket and . . .

MS. CRUMP: They have limited access, very limited access to our system, in order for them to do those checks for us, and they match the winnings.

MR. SMITH: So they do this for you?

MS. CRUMP: Then they automatically e-mail that to us, to our regional coordinators, and to me. Then we can respond very, very quickly with getting a garnishment in place.

MS. TYSON: Anything over \$1,000.

MS. CRUMP: I say, very limited access, because we do need to be in compliance with the legislation and not release information, so for the purpose of enforcement, we have that partnership in place.

MR. SMITH: So would you send to them a list of your arrears payers, kind of thing?

MS. CRUMP: It's my understanding - and this was in place before my coming into the system - that they actually have access to our system.

MS. CROFTON: Surname and date of birth is what they have a potential match.

MS. CRUMP: They'll send an e-mail and it will go to the director, the regional coordinator and the enforcement officer.

MR. SMITH: How do we know they're checking?

MS. CRUMP: Well they have to check. I don't know how we could verify that they check, but they've been instructed.

MS. CRUMP: We do receive regular notice from them, and there's a brand new co-ordinator in Moncton at Atlantic Lotto from whom I received a telephone call a week ago to advise of a match. I said, well, we have that information already because it comes

automatically by e-mail, and she was quite surprised and wasn't aware that we had the information.

MS. TYSON: We have collected some monies.

MR. SMITH: Yes, I saw that you had some money come in. It's fairly new anyway, is it?

MS. CRUMP: Yes.

MR. SMITH: Just if I may, one more?

MR. CHAIRMAN: One more.

MR. SMITH: I'm always anxious about people who - in my area a lot of people are out in Alberta working and the family is at home, and somebody out there starts gambling and the money isn't coming back and they get an order and all that kind of thing, but then they're on different job sites. Do you have any co-operation, for instance, with income tax? Everybody who's working on one of these sites is paying income tax, so there's a social insurance number. Is there any way for you people to be able to follow them?

You're saying they kind of disappear, but in fact they don't really disappear - they've just gone from one job to another job. They're still getting an income and paying taxes on it, because the employer has to submit that information. So with a social insurance number, shouldn't you be able to sort of follow them?

[10:30 a.m.]

MS. CROFTON: We have some information that we can do from a federal trace, but it's not instant. So every time a payer goes from job to job we don't have instant access to that information, but if the file is in Alberta, for instance, they may be able to do a demand to the previous work site and demand to know where the payer has now moved to.

As well, we're looking at getting access to a TransUnion database, and that gives us very quick information because a lot of times the payer, even if they want to get a cellphone or hook up power - we can get address and employment information. You can imagine when people are getting credit, they tend to divulge all their income pretty quickly. So it's another tool that's in the works for us.

MR. SMITH: Thank you.

MR. CHAIRMAN: Mr. Ramey.

MR. RAMEY: My question was precipitated by an answer to a question that was asked by the member for Cape Breton West. I think in the answer somebody said we're more proactive than before in terms of collecting. When and why are we more proactive?

MS. TYSON: I think we've put an emphasis on our staff being proactive, and so we're following up, we're encouraging it, we're talking to them, and the staff are responding and they are being proactive.

MR. RAMEY: As of when?

MS. TYSON: Well, the last two or three years. It's a priority of the department now, it's one of my priorities, so I'm encouraging it and everybody is encouraging it.

MR. RAMEY: Well, that's good, I appreciate that. Thank you.

MR. CHAIRMAN: Ms. Regan.

MS. REGAN: I have one case where the recipient was informed that we have taken administrative enforcement action against the payer, and she asked repeatedly to find out what this was and no one told her. Can you tell me what that means so I can tell her?

MS. CROFTON: Administrative enforcement action right now is our catch-all. It can be a Section 31 demand to an employer or to another person, it could be a federal licence denial or it could be a court application.

MS. REGAN: So it's sort of a general . . .

MS. CROFTON: What we're doing in the future, and we're working on this right now, is setting up separate screens for the actions such as the passport revocation and the Section 31 demand and some others that aren't particularly listed on our system; a lean is another one. We can tell the recipient general information like the action, but we wouldn't tell her - for instance, if the recipient wanted to know where the demand was sent, whether it was to a bank or to an employer, we wouldn't divulge the name.

MS. REGAN: And you wouldn't do that because why?

MS. CROFTON: It depends on the file, but in particular, sometimes for some recipients, if we were to divulge the personal information of the payer, they may do some follow-up with the payer which is sometimes inappropriate.

MS. REGAN: Sort of like, ha ha, they're going to contact your bank and you're going to be in trouble?

MS. CROFTON: There are some instances like that, and I'm not saying - certainly most of the recipients absolutely need their money and they need to be helpful. But, under

Section 32 of the Maintenance Enforcement Act, we're very restricted on what information we can let out.

MS. REGAN: This same woman was informed that a federal garnishment was in place, later on, and her ex-husband was receiving EI and she never saw a penny. I'm just wondering, how much can you actually rely on the feds enforcing stuff at their end? Do they have a good reputation?

MS. CROFTON: The garnishment is sent electronically. If we issue a federal interception, as long as they are able to activate it - now they have to make sure the name, date of birth, the social insurance number is correct - but once that's matched and they show it as active on the system, that's automatically done, the garnishment. I would say if this particular person has some questions, they should ask their enforcement officer.

MS. REGAN: If they feel their enforcement officer is not handling things appropriately, what's the next step?

MS. CRUMP: The next step is for them to write a letter or to contact the regional coordinator in that office.

MS. REGAN: Okay.

MS. CRUMP: We certainly encourage people to do that. We do want to be responsive when people do have questions about their case.

MS. TYSON: We'll be sending all MLAs a copy of the regional coordinators' contact information. If you can't get the information you need quickly from whoever picks up the phone, you can call the coordinator. If you can't get the information from the coordinator you can call the director, Judy Crump. She'll get you the information.

MS. REGAN: I can say that Judy does return phone calls. (Laughter) Thank you.

MS. CRUMP: I'll also say we're in process of posting our complete process on our Web site so clients do have information on whom to contact and what's the next step in getting answers to their questions.

MR. CHAIRMAN: I have two speakers left on my list and I think we'll take Ms. Raymond next.

MS. RAYMOND: You mentioned that in looking for sources of income you might go to TransUnion. Is that a credit checking bureau?

MS. CRUMP: That would be a credit bureau.

MS. RAYMOND: You may have mentioned this before, but do you actually place the existence of a MEP order on file with the credit bureau so that if Equifax or somebody is looking for credit . . .

MS. CRUMP: Not presently. It's something we're looking at. Some provinces do that.

MS. RAYMOND: It might be a helpful thing. Another thing, is the enrollment kit available online? Is that something people could go through electronically?

MS. CROFTON: Not yet, it's our intent to put it online. It's our intent to actually have help-bubbles that will kind of help the person through.

MS. RAYMOND: I was wondering.

MS. CROFTON: Right now we have made some changes to the enrolment kit, in the past year or so, and then in addition to that we're sending it for plain language through Communications to simplify it. That's our intent.

MR. CHAIRMAN: Mr. Preyra.

MR. PREYRA: I know this is a longish question, but I'd like to ask it anyway. I'm coming back to the fact that 96 per cent of the recipients are female and many of them are lone-parent female. Is there any - maybe this is more of a Justice question - but is there any way of dealing with that imbalance of power that you get, the imbalance in capacity through an alternate dispute resolution process before the court orders are made, so that women don't have to go through that long process of actually getting a court order? That's where the biggest challenge is, I suspect, it drains a lot of their resources in the process of getting that court order itself. Are there alternate dispute resolution processes in place to deal with that?

MS. TYSON: I can comment on that. In the family division areas, we have staff who are conciliators and they attempt to reach resolution with the parties so it won't necessarily become a contentious court case. We don't have that in the non-family areas, although we do have a pilot right now in Yarmouth and it's working quite well. Every effort is made to resolve it in a non-controversial way, if that's possible. That option is open to the parties in any family division area: Cape Breton, or HRM, and now in Yarmouth, and we're looking at expanding that option province-wide.

MR. CHAIRMAN: Since I last said we had one person left, we have another - Ms. Whalen.

MS. WHALEN: Just a couple of quick questions. You indicated that there's one area that was over-worked and that was the ISOE unit. Could you tell me what that unit is?

MS. TYSON: That's the unit that deals with all the different jurisdictions in the country, their caseload is higher. We have added one staff person to that unit but the caseload is still higher so we're looking at whether a reallocation is possible to take some of the pressure off that unit by reallocating the work from other areas and freeing up a resource to help out there.

MS. WHALEN: So they specialize if it's outside of our jurisdiction. How many staff are in that unit right now?

MS. CRUMP: There are two enforcement officers and they deal with cases where the payer resides in Nova Scotia and the recipient lives in another province and there are two enforcement assistants who do the reverse, where the recipient resides in Nova Scotia and the payer lives out of province and it's on that side where the caseload is high.

MS. WHALEN: I just had a question around other tools that you might use because you mentioned about affecting a payer's credit rating, which I think is a really effective tool and we don't have that right now. What do you need to get that? Do you need a change of policy or regulation or what? Are there any other tools that you would like to have that you learned from your peers in other provinces, that they perhaps are using?

MS. TYSON: Just in general, we're looking at other jurisdictions in Canada and elsewhere and if we see anything that has promise, we will do more research in that. We will look into it as to whether it might be applicable in Nova Scotia, what would it take and how would we put it in place. That is the process that we have undertaken in respect of the credit unions and we will be pursuing that option, I believe, this year.

MS. WHALEN: The credit ratings.

MS. TYSON: Yes.

MS. WHALEN: So that one we can expect to be in there. Are there any other tools that you're looking for?

MS. CRUMP: There's another in that some other provinces charge interest on arrears. That might be an incentive, as you can well imagine, for a payer to begin to pay those arrears if there's interest being charged on that amount. Certainly there's a disincentive if there's interest accumulating on a credit card balance but not on support payments to a child, so that's something to look at as well. That would be a significant resource for us to utilize, it would be a significant resource required to put that in place but we're looking at that and will be looking at that.

MR. MACLEOD: Use the same rates as credit cards.

MS. TYSON: That's been a controversial subject in the past but we are currently, actively looking at it now.

MS. WHALEN: I think that we certainly support having more tools that you can use because there are certainly some cases that are very difficult.

MS. CRUMP: When you look at that enforcement continuum on those three slides we showed you, that with all of the tools that are available to us, if someone is left on their own to enforce their own court order, it would be very, very difficult because, in fact, in some cases it's just very, very difficult for us to enforce even with all the tools available to us.

MS. WHALEN: Understood, thank you.

MR. CHAIRMAN: Ok, thank you - Mr. MacLeod?

MR. MACLEOD: Just a statement?

MR. CHAIRMAN: Go ahead.

MR. MACLEOD: I wasn't kidding about the amount of interest. I really think that if you're going to do a deterrent, it's got to be the same as what a credit card is because if not you'll still have the same problem. If you're only charging 3 per cent, the credit card is 17 per cent, guess who is going to get paid? I really think that's a great idea.

MR. CHAIRMAN: Thank you, Mr. MacLeod. I'm concerned we might have reached our time. Is there any other question that must be asked? We have some other business to attend to, I just want to save a little bit of time for that.

I want to thank you for being here today and offering information on your important program. Is there a closing statement you'd like to make?

MS. TYSON: I'll just make a couple of comments. Maintenance Enforcement is a difficult area. There's always somebody who is not happy, one side or the other; we're no different than any other jurisdiction in the country or anywhere though. I think it's important that we keep working on it and we are working on it, looking for any new tools that we can employ and any streamlining, which will help our staff do the work that they do.

In terms of the Auditor General's Report, I think Ms. Whalen was commenting on that. Part of the reason that it is taking a long time for that report is that a lot of it is technology-related and it seems to take a long time whenever you are making changes to the system and our system is a very complex system. So any little change seems to be complicated.

In closing, I will say that we have made progress. It is never enough, we're never able to do enough, but we have made progress and our intention is to continue along those same lines, to do what we can.

MR. CHAIRMAN: Well thank you again for being here. This is an important program to thousands of families in Nova Scotia. I know that everybody appreciates the work you are doing and the information that you've been able to share today.

Maybe we can just pause for a moment as our witnesses get ready to leave and then we'll complete the rest of our business.

[10:45 a.m. The committee recessed.]

[10:48 a.m. The committee reconvened.]

MR. CHAIRMAN: I would like to call us back to order. We have just a bit of business to cover so it's good that we have these few minutes to do it. There were a few things that came up over the course of our both in, and I guess over the course of our last few meetings. The first item under committee business is committee's Web site and presentations.

We had a request from one of the observers who attended the meeting about whether it would be possible to actually post presentation material, like the kind of document we received this morning, on the committee's Web site to make it more convenient for those people who are interested in the work of the committee to follow the things that happen. As a result of that, we got an opinion from Chief Legislative Counsel as to whether that would be appropriate or acceptable or within our authority.

The feedback from that was that apparently it is, so long as we're not posting audio or video material, but documentary material like this would be acceptable. Apparently Library Services advised us that technically it's not an issue for them, they could easily do that. So I wanted to bring this to the committee to see whether there are opinions about this, whether that's an acceptable practice. It is a change in what has been done in the past. So any comments about that? Ms. Regan.

MS. REGAN: It seems to me that anything that leads to greater openness and transparency is something that we would be in favour of, and I would encourage us to do that.

MR. RAMEY: I totally subscribe to that as well.

MR. CHAIRMAN: Any opposition? Mr. Preyra.

MR. PREYRA: I'm not in opposition.

MR. CHAIRMAN: Sorry, I wasn't trying to set you up.

MR. PREYRA: I think it is already on the record in Hansard. I had understood that audio and video might be available in other contexts as well. So there isn't really any

precedent here, but I think it's a great idea because there are a few people here but this is such an important issue. It would be good for everyone to see what it is we're doing and what questions are being asked and how they're being answered.

MS. RAYMOND: You're talking about posting the presentation in addition to the Hansard?

MR. CHAIRMAN: Yes, absolutely. The Hansard material is already available online, but this would be additional background material. (Interruptions) Ms. Whalen.

MS. WHALEN: Well, I was simply going to say that's a lot different than Hansard because it's a lot more user-friendly when you see the actual PowerPoint presentation. With Hansard, I printed off some from the previous meetings, and you wade through pages and pages of words. So I think that it's a really good step forward for this committee.

MR. CHAIRMAN: All right, I think I'm hearing a consensus on that matter, so we will see if we can move forward and have that happen.

The next piece of business on the agenda is communication from BIANs, the Brain Injury Association of Nova Scotia. We had requested some information when the BIANs folks met with us, I think in January. (Interruption) In November, sorry. We received that, the date is March 15th, but sometime since then. The request came along with that that we forward that letter to the Standing Committee on Veterans Affairs. I don't exactly know why, unless - Kim, do you have any more information?

MS. KIM LANGILLE: I don't, no. I don't know why.

MR. CHAIRMAN: I guess as we consulted we took the position that we would bring that thought here, and my personal view is that if they would like the Standing Committee on Veterans Affairs to have it, it's in the interest of transparency and openness.

MS. REGAN: I'm thinking that perhaps because stroke victims often suffer brain injuries, maybe that was their thinking that at Veterans Affairs, they might see a greater incidence of that than the rest of the population. So maybe that's why they made the request.

MR. CHAIRMAN: It could be.

MR. SMITH: Who's asking us to forward it?

MR. CHAIRMAN: The people who sent it to us.

MR. SMITH: Why didn't they just send it themselves?

MR. CHAIRMAN: They could have, but they've asked us to do it, and unless you have objections, we will do that.

MR. SMITH: I just have no understanding why they would ask us to do it.

AN. HON. MEMBER: They would have had it there by now.

MR. CHAIRMAN: Well, that's right. It would have been a quicker route but, you know, democracy does also involve consultation and input. So when there seemed to be doubt, it was my determination to bring it back for your final authority, but I think I'm hearing - maybe this would give me some direction in the future, that with future such requests, you would be open to simply sharing that information with another committee? Would that be a reasonable assumption for me to operate with?

MR. MACLEOD: I would assume that if somebody asks you to share it, if they're okay with it, then we should be okay with it. I mean, it is their information, and if they want it shared, then by all means.

MR. CHAIRMAN: I'm seeing many heads nodding, so that will perhaps create - (Interruption) I agree. This will create more efficiency in the future.

The next item - you'll recall that at the end of the last meeting, Ms. Regan attempted a motion which then led to a discussion which was generally designed to encourage the Minister of Community Services to meet with members of the Community Coalition to End Poverty in Nova Scotia. The consequence of that discussion was that we agreed to check with the minister to see what was happening there. What I can report is that the minister has - quite quickly after that intervention, that meeting has occurred, or a meeting has occurred with, I think, some intention for follow up contact.

I just wanted to bring that forward as an update. I don't know if there is further comment about that. I think it was a helpful request because the minister was pleased to be reminded that there was a concern and that a meeting hadn't occurred. In fact, she acted on it almost immediately.

That takes us then - oh, Mr. MacLeod.

MR. MACLEOD: Mr. Chairman, I just wonder - in the interests of meetings, I have a proposal. I would like to see this meeting either held in the afternoon of the day before caucus or the morning after the day. Normally all our caucuses meet on Wednesdays and for us who are far-flung, it means that we have to come into the city the night before or get up very early the day of.

If the meeting was in the afternoon, at least we would have a better chance, or if the meeting was on a Thursday morning, we'd be here for caucus, we could go to the

meeting on Thursday morning and then head back to your respective constituencies. I would think for the number of us who do travel, it would be helpful.

MR. CHAIRMAN: We have had the practice, when the House is not in session, of moving the time to the - we've been meeting on Tuesday afternoons from 1:00 p.m. to 3:00p.m. I guess my assumption is that when the House rises that we would immediately revert to that schedule.

It's difficult - I guess I'm just commenting - but it's difficult while the House is in session, if we're going to meet . . .

MR. MACLEOD: Oh no, when the House is in session it is a much different thing, Mr. Chairman, but I wanted to give you lots of notice.

MR. CHAIRMAN: All right. I think, at least again my understanding would be that as soon as the House rises - that date is always a little bit uncertain - we would do our best to move the date to the afternoon.

I know that our next item on the agenda is the next meeting and that always involves some complications around witnesses' schedules and so on, as to how quickly we can move something, but that would be the intent.

MR. PREYRA: I think that is the practice at the moment; the clerk checks with other committees to see what else is happening. Certainly anything that would make it possible for the member for Cape Breton West to get to these meetings, I think, would be a good thing.

MR. CHAIRMAN: It's so easy to be generous when you are close by. I think we need to do everything we can to make it as easy as possible for people to be here. Ms. Regan.

MS. REGAN: Now if you wanted to tell us whether we'll still be sitting on May 4th, then we could adjust our schedule accordingly, right now.

SOME HON. MEMBERS: We'll be sitting.

MR. CHAIRMAN: I can only say that is information that is not available to me at this moment. However, that is a good segue to the next item on the agenda. We are, at this moment, scheduled to meet Tuesday, May 4th, from 9:00 a.m. to 11:00 a.m. If we should learn, at some earlier date, that the day will be structured a little differently, we will be in touch.

The plan at this point is to meet with witnesses related to services for people with disabilities and I know that there are - witnesses are intended to come from the Department of Community Services, from the Kings Regional Rehabilitation Centre and from the

Disabled Persons Commission. Those people have agreed to be here at that particular time, at this point.

So there being no further business, I will declare the meeting adjourned. Thank you.

[The committee rose at 10:59 a.m.]