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ANSWERS TO WRITTEN QUESTIONS

2nd Session, 65th General Assembly

Legislative Assembly of PEI

Question number: 1506 -	Question date: June 14, 2017
Question asked by: Jamie Fox	
Question asked of (<i>department</i>): Department of Agriculture and Fisheries	
Question answered by (<i>Minister</i>): Hon. Jordan Brown	Date answer received by Clerk's Office: MAR 23 2018

QUESTION:

When farmers complained about conservation officers showing up on their properties carrying firearms to deal with agricultural issues, your Government told us conservation officers would no longer carry guns to the farm door. Despite this, we have learned that the practice displaying a sidearm while confronting farmers over agricultural issues continues. Can you explain why armed conservation officers are still going to farm doors?

ANSWER:

The Agriculture Environment Unit was formed in 2016 to take a more proactive approach to achieving compliance on farms. They do not carry sidearms.

The Agricultural Environment Unit is engaged in ensuring agriculture-related compliance with six pieces of provincial legislation.

Conservation Officers still interact with farmers on certain issues, including investigation and/or enforcement related to fish kills. Conservation Officers have been working with the agricultural community on matters of trespass and property damage. There may also be situations referred to Conservation by Agriculture Environment Unit and Agriculture Environment Unit may request assistance from Conservation in some cases.



WRITTEN QUESTIONS FORM

2nd Session, 65th General Assembly

Legislative Assembly of PEI

Question number: 1509	Question date: September 20, 2017
Question asked by: Hon. Jamie Fox, Leader of the Official Opposition	
Question asked of (<i>department</i>): Department of Justice	
Question answered by (<i>Minister</i>): Hon. Jordan Brown	Date answer received by Clerk's Office: MAR 23 2018 Only

QUESTION: Request the Department of Justice provide any reason or authority that would allow for payments or orders not to be followed or over ruled by a member of the Department of Justice and or the Office of Maintenance Enforcement.

ANSWER:

The Maintenance Enforcement Program ("MEP") does not vary or overrule Court orders. The program does allow for the exercise of discretion to decline to enforce or enroll orders/agreements, or clauses within orders/ agreements enrolled in the Program, in certain circumstances, based on legislative authority.

Section 2.1 of the *Maintenance Enforcement Act* gives the Director of Maintenance Enforcement, discretion to decline to enforce orders that are not practicable to enforce, or that have ambiguity about the meaning or legal effect of the order. The Director may invoke this clause in limited circumstances, such as the death of the dependent child who is entitled to the support or if orders are drafted in a manner that raises doubts about the intended obligations set out in the order.

All orders/agreements received by MEP are reviewed for eligibility. Under the *Maintenance Enforcement Act*, maintenance orders/agreements filed with MEP will be eligible for enrollment if they meet the following criteria:

- the maintenance order has been registered in the Supreme Court of Prince Edward Island or is a signed support agreement filed with the court;
- the order meets the definition of "maintenance order" as described under section 1(1) (b) of the *Maintenance Enforcement Act*;
- ongoing payments are due or there are arrears on past due payments, and/or costs related to maintenance are unpaid; and
- payments must be payable to the beneficiary or to the beneficiaries under the maintenance order, or as otherwise stipulated in the order.

If it is determined that an order is not eligible for enrollment in MEP, MEP will advise the parties to the order of this and give the parties the reasons for the ineligibility of the order for enrolment.

From time to time, as a result of a potential material change in circumstance or non-compliance with a Court Order/Agreement, MEP may make arrangements with a Payor for a limited period of time to decline to take particular enforcement steps on a file. Arrears continue to accrue on the Order as drafted but MEP may choose to decline to take enforcement steps if the Payor abides by particular conditions for a short period of time while a court appearance is scheduled to request a variation.



WRITTEN QUESTIONS FORM

2nd Session, 65th General Assembly
Legislative Assembly of PEI

Question number: 1512	Question date: October 20, 2017
Question asked by: Hon. Jamie Fox, Leader of the Official Opposition	
Question asked of (<i>department</i>): Justice and Public Safety and Attorney General	
Question answered by (<i>Minister</i>): Hon. Jordan Brown	Date received by Clerk's Office: MAR 23 2018 <small>Office Use Only</small>

QUESTION: What is the role and mandate of the Policing Service Manager, what is his or her authority over policing services within the Province and what is his or her authority to question equipment purchases by police agencies within the Province?

ANSWER:

Policing Services, through its manager, is responsible for the administration of the Police Act and for liaising with all police agencies toward the implementation of effective and efficient policing services in PEI.

Under the Police Act, the minister may delegate functions to an employee of the Department of Justice and Public Safety (section 3.4).

Under the Police Act (section 3.3), the minister or his delegate may:

- consult with any person or body in Canada on procedures, proceedings, standards and any other matters relating to police services
- consult with police chiefs on all matters relating to police departments and police matters
- provide information and advice to police departments
- assist in coordinating the work and efforts of police services



WRITTEN QUESTIONS FORM

2nd Session, 65th General Assembly

Legislative Assembly of PEI

Question number: 1513	Question date: October 25, 2017
Question asked by: Jamie Fox, Member for Borden-Carleton	
Question asked of (<i>department</i>): Justice and Public Safety and Attorney General	
Question answered by (<i>Minister</i>): Hon. Jordan Brown	Date answer received by Clerk's Office: MAR 23 2018

QUESTION: Why are the RCMP, the Provincial Police Force, using a civilian rifle/pistol range operating under the name of "Big Boot Rifle Range" and not the range facilities operated by the Atlantic Police Academy at the Holland College Center located in Slemon Park, Summerside? What are the requirements set out by the Department of Justice regarding any police force including the RCMP, on using a firing range within the Province and what standards are in place to use such a range?

ANSWER:

RCMP conduct annual firearms training. This training consists of marksmanship type and dynamic instinctive type shooting (drawing a firearm and firing, firing while moving, and firing while under pressure). As a result of the nature of this training, RCMP require a certified shooting range with side berms.

The Big Boot Range met the criteria for their training needs and is an approved range for this type of training.

Range availability for the entire duration of training is also a determining factor. The range at the Atlantic Police Academy is primarily used by cadets, so it was not available for the duration of the training the RCMP required.

RCMP has indicated they will be exploring other options for ranges in the future; however, these options must be certified approved ranges, meet safety standards and meet the training needs of the RCMP.