

# PRINCE EDWARD ISLAND LEGISLATIVE ASSEMBLY



Speaker: Hon. Francis (Buck) Watts

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## Standing Committee on Communities, Land and Environment

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**DATE OF HEARING:** 9 FEBRUARY 2017

**MEETING STATUS:** PUBLIC

**LOCATION:** COMMITTEE ROOM, J. ANGUS MACLEAN BUILDING, CHARLOTTETOWN

**SUBJECT:** BRIEFING ON PEI HUMAN RIGHTS COMMISSION

**COMMITTEE:**

Kathleen Casey, MLA Charlottetown-Lewis Point [Chair]  
Sonny Gallant, MLA Evangeline-Miscouche  
Sidney MacEwen, MLA Morell-Mermaid  
Pat Murphy, MLA Alberton-Roseville  
Hal Perry, MLA Tignish-Palmer Road  
Bradley Trivers, MLA Rustico-Emerald

**COMMITTEE MEMBERS ABSENT:**

Dr. Peter Bevan-Baker, Leader of the Third Party, MLA Kellys Cross-Cumberland

**MEMBERS IN ATTENDANCE:**

none

**GUESTS:**

PEI Human Rights Commission (Brenda Picard, John Rogers)

**STAFF:**

Emily Doiron, Clerk Assistant (Journals, Committees and House Operations)

The Committee met at 10:00 a.m.

**Chair (Casey):** Morning everybody, welcome to the Standing Committee on Communities, Land and Environment. I would like to welcome our guests today. Brenda Picard, Q.C., Executive Director of the PEI Human Rights Commission and Chair, John Rogers, who are here to give us a presentation today.

Members, before we move into the agenda, I would ask everybody to silence their phones –

**An Hon. Member:** Done.

**Chair:** - and please make sure that you identify yourself so that the remarks that you are making are attributed to you in the Hansard and our guests as well, before you speak for the first time make sure you identify yourself so that we'll have a record of that. I'm looking for adoption of the agenda.

**Mr. Murphy:** (Indistinct)

**Chair:** Thanks, Pat Murphy.

All right, moving on – we are going to receive a briefing from the Prince Edward Island Human Rights Commission and what I'm going to do now is – we'll allow you to do your presentation and then we'll probably have questions following the presentation, so I'll turn the floor over to you to introduce yourselves into the record and on with your presentation.

Welcome.

**John Rogers:** Thank you, Chair Casey.

My name is John Rogers and we are very pleased to be here today to share some information about what we do as a commission in this province and what we do as commissioners. I'm pleased that my executive director is here, Brenda Picard, and Brenda is a wealth of knowledge in terms of human rights law and I just find her to be excellent at what she does.

What we would like to do is give you a brief overview of the work of the commission. Some specific areas that we're going to

touch on would be the fundamental principles, briefly, of the PEI *Human Rights Act*. We're going to talk about the role of the commission, the duty of commissioners, the proposed – the qualifications of commissioners that we feel are important and maybe some considerations for you as a committee, as the standing committee, in terms of moving towards new appointments. As you have already suggested, Madam Chair, there would be a time for discussion and questions.

You have before you the annual report for your perusal and also you have a copy of our publication for the 40<sup>th</sup> anniversary of the Prince Edward Island Human Rights Commission which took place last year culminating in a ceremony, a celebration I should say, at Stratford Town Hall in Stratford. We had a great day that day with many presentations from students and teachers and just a real gamut of wonderful presentations to celebrate 40 years of human rights.

Let me talk then briefly about the fundamental principles. As you will see on your – I think you have a handout which outlines the position profile. I believe that's what it's called, it should be before you.

The fundamental principles of the act I think can be summarized in this quote: It is recognized in Prince Edward Island as a fundamental principle that all persons are equal in dignity and human rights without regard to age, colour, creed, disability, ethnic or national origin, family status, gender expression, gender identity, marital status, political belief, race, religion, sex or gender pregnancy are included in that, sexual orientation or source of income. These are what we call the protected grounds.

Basically what I will say is that the PEI *Human Rights Act* is about preventing discrimination on all of those areas. It is the role of the commission to see that the act is carried out in the interest of the residents of this province and the visitors to this province as well because it protects both.

Under section 18 of the act: The Prince Edward Island Human Rights Commission is responsible to administer and enforce the act. That's our first responsibility. Secondly:

Develop a program of publication of public information, which we work very hard at, and that education is designed to advance human rights principles. We have had an education officer in place.

Actually, up until 2005, we had a permanent education officer at the commission office and due to financial restraints that position was deleted from our staff. We had no choice. Since that time, and especially since about 2010 or 2011, we have employed – due to the support of the Law Society of Prince Edward Island – we have had in place an education officer, project officer, sometimes part-time, sometimes pretty much full-time whenever the funding could be sourced.

We would use that education officer to develop and in-service teachers on programs for schools. We worked in partnership with the University of Prince Edward Island, the faculty of education, the department of education and early childhood learning. We partnered with them –

**Brenda Picard:** The teachers' federation.

**John Rogers:** – the teachers' federation, the English Language School Board and now the French Language School Board. It's been a wonderful development of cooperation between all of those partners in terms of developing education programs for schools. Now we have curriculum in place from – the curriculum was always there, but we provided support for that curriculum through actual lesson plans and those lesson plans include kindergarten to grade six and also a unit on residential schools at the grade 9 level, and we want to do more. We want to continue with that thrust, that educational thrust.

We believe that it's the core of what we do of establishing, with the cooperation of course of parents, and the values that we want to see in our youth, the values that can help alleviate some of the bullying that goes on in playgrounds which we all are concerned about; a program that will teach and instill in children the value of respecting others no matter what their colour, their race and so on. We are very passionate about our education program, and we are working very hard to see that it continues.

Commissioners, in terms of their role and duties – oh, I forgot, the third main function after administering the act, developing the public education program, we investigate and adjudicate human rights complaints. That's a big part of what we do, as I'm sure you are aware.

Then of course, we see to the overall operation of the office. Not the day-to-day operation, that's the executive director's position, but we have monthly meetings that keep on track of staffing, budget and so on and so forth.

That, in a sense then, is our roles. Within that role, commissioners may be required to review decisions of the executive director if a request for a review takes place. We have to decide whether that complaint should be dismissed or discontinued or even sent to a panel hearing. The role of a commissioner is weighty, and is a serious duty that we have.

You will see a list of specific duties there on the handout. Very quickly, I've already mentioned:

1. Overseeing the operations of the commission.
2. With the Chairperson of the Commission, we provide guidance to the Executive Director and staff in the absence of the Executive Director and assist staff when the Executive Director is absent.
3. We have regularly scheduled monthly meetings, and we also attend training and readings of Canadian Association of Statutory Human Rights Agencies, CASHRA as it's referred to, and that is our national voice. It's an organization that represents all human rights agencies across the countries in all the provinces and all the territories.
4. When assigned by the Chairperson we adjudicate human rights complaints at Panels, and that has already been referred to, as well as conducting reviews.
5. Commissioners are expected to attend public functions as a representative of the commission. The open house that I referred to earlier, the celebration of our anniversary would be one example.

6. We adhere to the conflict of interest and impartiality guidelines set out in the commission's Code of Conduct. So we have a code of conduct and we have to avoid any bias on our own part or any perception of bias as well. If that were to be present, we would be expected to recuse ourselves from that particular issue.

7. We act as an advocate for the interests of the commission, which I'm doing here today and;

8. We conduct education presentations on human rights as required.

Now earlier I mentioned to you that we lost our education position from 2005 to roughly – I'll have to check the year – 2011, I believe. The commissioners had to do a lot of education presentations at that time to schools, to organizations, businesses, out at the university, so on and so forth. When we acquired our education officer back in 2011, the person in that position began to do some of those functions for us, which sort of relieves some of the load on the commissioners.

What about qualifications? What abilities, what qualities should a human rights officer be able to offer? Ideally, familiar with the principles set out in the *Human Rights Act* would be first consideration.

Now I remember when I joined the commission it was a steep learning curve for me. I was an educator, retired and wanting to do something. It was a natural extension of education, but I'm not a law person, and that's why I need somebody like this to be at my side, but it's amazing what you do learn over time. When you work with decisions, when you do reviews, you begin to become acquainted with the relevant law, human rights law. Like I'm trying to point out, it's a very good quality to have at the outset, but not too many do unless you're a lawyer.

While legal training is not absolutely necessary, familiarity with principles of administrative law and legal proceedings through any combination of education, training or experience would be helpful. For instance, understanding what a *prima facie* case would be.

We are a quasi-judicial body. When we go to panel, our panels are orderly. They promote decorum, and they are handled much like a regular court but not quite like a regular court. We are an arms-length body. Our panels tend to be a little more relaxed, but still well controlled, well operated. The whole idea is that the complainant and the respondent in a panel setting get to have their say.

The third qualification that we would suggest is: because most human rights complaints arise in the context of employment – most of our complaints come from the employment sector, although not all – commissioners should have a knowledge of employment and human rights management policies. So a knowledge of the *Employment Standards Act* would be helpful in that situation.

We need proficiency in English; that's essential. Proficiency in French is also an asset, or any other language would be an asset as well.

The ability to use Microsoft Word, email, Internet, sort of the basics of the social media today, an awareness of that is almost essential.

The ability to write detailed human rights decisions.

Knowledge of financial management: We have a very strict budget. Everything is approved through our monthly meetings, so you need to have some awareness of what budgeting should look like.

The ability to read lengthy decisions and to organize them coherently – and that comes through time, it comes through training. In my particular case, I told you I was on a steep learning curve when I began. I did take a course on decision writing online. I attended workshops on decision writing and actual panel hearings. That was very helpful to me.

Number nine: the ability to make the time commitment. There is a significant time commitment. I know one panel hearing I was on, I believe, went for nine days, so it was a very lengthy hearing and they're long days and there's preparation at night for the

next day, so there's a certain amount of stamina involved.

Number 10: the ability to listen to legal arguments and make decisions on fact and law. So we look at the facts, we apply the law and we make our decision.

The ability to sit for long periods of time for a human rights hearings, that's already been mentioned. Those are some of the qualifications.

The final thing that we want to suggest to you in your role as a committee overseeing the human rights commission is that there are some considerations, I think, that perhaps should be thought about in your deliberations. One is diversity.

I mean, the act calls for no less than three and no more than nine commissioners on the commission; right now there are six. There are four males, two females. We do have diversity in the sense that we have two commissioners who are French language speaking, yeah two, and we're pleased about that. But I know it's difficult to have, in such a small committee, a lot of diversity. But I think it's something just to take into consideration as you go through the process.

Qualifications are extremely important as well. The ones that I have just reviewed with you, it's important. I know we have to have qualified people in as commissioners, people that can do the job. Qualifications, diversity are important. The computer skills business is a necessity today. Language skills; if you are proficient in both French and English or any other language, very helpful. A willingness to participate in public education, to do presentations on behalf of the commission would be a great asset as well.

I think that is sort of where we're at with this. I hope that serves as an introduction and please, if there are any questions or anything you would like to discuss, Madam Chair, commissioners or members of the committee, I'm sorry, please do.

**Chair:** Okay thank you.

**John Rogers:** Brenda, did you want to add anything?

**Brenda Picard:** I don't know how familiar the committee members are with the commission and Chair Rogers has done a good job of outlining the role of the commissioners, but I don't know if it's of value for the committee to hear sort of a typical complaint process and what might happen and how it might run through the process, and if you did I could –

**Chair:** Yeah, absolutely.

**Some Hon. Members:** (Indistinct)

**Mr. Perry:** (Indistinct) one of my questions (Indistinct)

**Brenda Picard:** Okay.

**Chair:** Perfect.

**Brenda Picard:** Again, we deal with complaints that deal with everything from employment to services available to the public, which can include government services, education, and social assistance. It can also include a restaurant being open to the public, so we deal with broadcasting and volunteer organizations, memberships and organizations. Those are what we call the areas that are covered under the *Human Rights Act*. Essentially, I tell people that pretty much everything you do in your life, other than a family dispute or a neighbourhood dispute, is probably going to fit into one of those areas: Going to a restaurant, going to school or whatever it might be.

That's the first thing we look at when somebody comes in with a complaint and then they have to fit one of the grounds and John read off those grounds to you. The most common area and ground of complaint is an employment complaint relating to a failure to accommodate a disability. So those are our biggest numbers. Sex is the next one, and you would kind of think in 2017 we wouldn't be there, but we still are in terms of sexual harassment, it's still an issue at the complaint level.

We have four staff at the office when we have the education officer. Otherwise, there is three staff. There's myself, as the executive director, I'm also a lawyer. We have a human rights legal education officer, so a second lawyer in the office, and our

intake officer, who is also a mediator, bookkeeper, corporate knowledge holder – basically does everything. Then our education officer, as John mentioned, has been in a temporary contract kind of role and we do not have full funding for that education officer position yet. Although, we –

**John Rogers:** We keep asking.

**Brenda Picard:** We keep asking for anybody who might be at the budget table.

In any event, when a complaint comes in a person might call and we would give them some direction over the phone and make sure they sort of seem to be fitting in one of those areas and grounds. They may just take our application off the Internet and send it to us, but often they call and we'll have a little discussion with them. If they need help to complete the application – we don't represent complainants. We are the independent body who is assessing the complaint, but we will give guidance to either the complainant or to the business or service provider, who I will call the respondent, and we'll give them direction in terms of what kind of information they need to provide to us and what the next steps are.

A complaint comes in; there's an information exchange back and forth between the parties so that we get most of that information there. We have implemented an early resolution process so our intake officer, mediator, assesses the files, inquires with the parties about whether they're interested in some sort of conflict resolution mediation, facilitated discussion, to try to resolve the issues up front and we offer that at anytime through the process. That's available for the parties if they decide they don't want it at the beginning but they want it later.

If it doesn't go that way, it goes to investigation. Either myself, as the executive director, or Wendy Baker, who is our human rights legal officer, take carriage of the file. I assign the file and we investigate the file. That might be reading the written materials that have been exchanged, it might be interviewing the parties, it might be interviewing other witnesses. We have powers under the act to request that parties provide us with documentation and access to

their files. We would do an investigation and like I say, that investigation may be short, it may be very long.

At that point, as the executive director, I play a gatekeeper role. So I, or my delegate, decide whether or not the complaint has met what John referred to as a *prima facie* case. On its face, does it have merit? If it doesn't have any merit, if they have not established a link between what happened to them and what characteristic or ground they are referring to, then we indicate that the file has no merit and I dismiss the case. So I write a written decision and that is sent to the parties.

If the complainant – because it's always a dismissal that I write – if the complainant does not agree with that or has a question, the complainant can ask the chairperson to review it. The chairperson would then take the file and my decision, review that and make a decision on their own: Yes, I agree this did not have merit and shouldn't go forward. Or: No I think it does have merit and it should go forward to a panel. That's the chair review role that the commissioners may also be asked to play in lieu of the chair.

If I determine that the matter does have some merit and it goes to a hearing and I recommend – I report to the chair that I am recommending that this go to a hearing and then the chair would appoint a panel.

In other provinces there is a separate independent body that it goes to for a hearing. In PEI the panel is made up of the commissioners so the commissioners then become an adjudicative tribunal and it could be one commissioner, or three, that hear the panel hearing. It could be a day; it could be 10 days, a hearing. If I had recommended that the matter go before the panel then I will have what we call carriage of the case, so I will present the case to the panel. The complainant may have their own lawyer or may act on their own behalf. I still don't represent the complainant. I'm looking at the public interest issue of discrimination. The complainant may have a personal goal that is not consistent with what I think the public interest is, so we may not be on the same page, but we may have very similar points.

At the panel hearing I would represent the public interest. I would present the information. It is a hearing with witnesses. They are sworn; there's cross examination by the other parties.

Most respondents, particularly when it gets to a hearing stage, do have a lawyer. Some complain and some don't, but there usually are lawyers involved – sometimes two, sometimes three, sometimes more.

The panel will also have legal counsel to advise it independent of the commission, because I'm taking a position of arguing that there is a public interest discrimination issue here, but the panel may have other legal questions, that because they're not all lawyers they may need some assistance with. So there will be another lawyer providing counsel if necessary to the panel. But that's why it is helpful at that adjudicative stage that the commissioners do have some capacity to be able to – because they're the ones who make the decision. The legal panel only tells them what the law says.

Then the panel makes a decision, and if the panel can decide that there was discrimination, it can make certain orders, or the panel can say: No, there hasn't been discrimination or the respondent has been able to provide a sufficient defense such as a bona fide occupational requirement for a job that allowed them to put this condition on that might on its face seem discriminatory.

Or they may be able to establish undue hardship, that it would be too – basically, it would cause a business to shut down to be able to accommodate this employee. That would be an example of undue hardship without getting into all of those pieces.

That's kind of the passage of a complaint. Once a complaint has been determined, either by myself as a – I can dismiss the complaint, as I say. I can also discontinue it if the respondent makes a reasonable offer and the complainant won't accept that offer. I can say: Well, you don't have to accept the offer but I also don't have to send it to a panel.

I can discontinue it or dismiss it because it has no merit; it might be out of time, it might not be in our jurisdiction, it might be

something that should have gone to the Canadian Human Rights Commission, it might not have a covered ground. Those are the kinds of things that I might dismiss for.

The chairperson's review decision of that can be sent to the court for judicial review. Either party can ask that the court review that; and also the panel decision, either party can ask the court to judicially review those decisions. It's not quite the same as an appeal, but the court does review it and make sure that the decision was correct in law, it was reasonable in the determination of the facts, that due process was given to the parties in relation to the hearing or to the decision. Again, myself or the other lawyer in the office would appear on behalf of the commission at those hearings as well.

That's kind of a typical – that's the process of a complaint coming through the human rights commission. You can see that in addition to the general direction to the commission as to how we want to – what our priorities are, where we want to move forward with those things, there is that adjudicative tribunal role that commissioners play. It is a dual role.

**John Rogers:** It's important to emphasize that. Thank you, Brenda.

You have heard Brenda mention the word "settle". Settlement is a big part of what we do. Common sense settlement of complaints is a desired end, and it's available throughout the process. We have a trained mediator on staff who will help parties through that process. It's not our intention to embarrass anyone by going through a formal process, so if the parties are willing to settle in a reasonable fashion that's always a good outcome.

**Chair:** Great, thank you. Thank you for your presentation.

I do have some members on a list here to ask questions. I'm going to go to Sidney MacEwen first, and then he's going to be followed by Pat Murphy.

Sidney, you have the floor.

**Mr. MacEwen:** Thank you, Chair.

Thanks, John. Thank you, Brenda. Much appreciated.

You say we have six current commissioners and we could have up to nine or as few as three. What's the most we've ever had?

**John Rogers:** I'm thinking since I came on the commission, I think seven.

**Brenda Picard:** I believe we've had eight.

**John Rogers:** We've had eight? Okay. I stand corrected.

**Mr. MacEwen:** The quorum for your monthly meetings – how many do you need to have at your meetings?

**John Rogers:** Well, over 50%.

**Mr. MacEwen:** Fifty per cent.

**Brenda Picard:** Of the number that we have.

**Mr. MacEwen:** Of the number that you have.

**John Rogers:** Of the number that are –

**Mr. MacEwen:** I know I was reading a recent – I guess it'd be a panel decision, it was the Millie King one, and there were three commissioners on that and you had mentioned you can have one or three commissioners decide on a panel. Can you maybe elaborate on that process a bit more? How are the one or three picked? Is it just one or three, you can never have more than – can you just maybe elaborate on that process a bit more, how that works?

**Brenda Picard:** I'll start, I think. (Indistinct)

**John Rogers:** You go ahead.

**Brenda Picard:** What the act actually says is that there will be one commissioner who is on the panel except in exceptional circumstances.

**Mr. MacEwen:** Okay.

**Brenda Picard:** Typically, it's one person.

And if it's not one, it's three. It's never more than three.

**Mr. MacEwen:** Right.

**Brenda Picard:** Sometimes we would discuss with the chair and the chair would decide that three would be the right number because of the importance of the issue, so in order to make sure we have a good panel of people who are sort of debating the issue. It could have to do with the importance of the issue; and sometimes – I'll be quite honest – it's a practical approach. We have new commissioners who need some experience, so we put them on a panel to sit with a commissioner who's had more experience so that they can gain some experience.

It's not always the significance of the panel. Sometimes it is a training opportunity as well; but typically, it's one person who does a panel and three (Indistinct)

**Chair:** Sidney?

**Mr. MacEwen:** Thank you.

You have six members now, and there could be three or one picked. What is the process for deciding who's the one or the three that happens to hear that decision or that case?

**John Rogers:** Well, generally we try to spread the work around as evenly as we possibly can. Although I don't think it's happened, you may be able to answer this, whether we've had a commissioner recuse himself or herself.

**Brenda Picard:** I think that it would be fair that the chair would canvas what the issues are and make sure that there wasn't a, you know, somebody appointed that had a bias in relation to that panel. Then, yeah, it's trying to – it's not totally random, but it's trying to see who's had an opportunity and who needs to learn, if the idea is to put a three-person panel together because of new people. You know, we try to make sure that the people on the panel have no interest in what the issue is before them.

**Chair:** Sidney.

**Mr. MacEwen:** Is there any – not influence – but is there any say from the people that are involved in the case? You know, like the

responder, the people that are for or against whatever is trying to go. It's not like a law case where someone can say: I'd like that member to recuse himself because of a conflict. Is there any say, I guess, from the –

**John Rogers:** In preliminary matters, they could raise objection.

**Mr. MacEwen:** Yeah.

**John Rogers:** But that usually is just dealt with as a preliminary matter and addressed in the decision. Brenda, do you want to –

**Brenda Picard:** Yeah, they certainly don't get input into who is chosen, but if they did feel there was a conflict or a bias, they would have an opportunity to address that and ask the chair reconsider the panel; but we don't canvass with them and say: Which of the panelists would you like?

**Mr. MacEwen:** No, if there was a time in the process for an objection, if there was one.

**John Rogers:** There is at the beginning of the hearing.

**Mr. MacEwen:** What do you say, like –

**John Rogers:** There's an opportunity.

**Mr. MacEwen:** – if there's six and you usually only pick one, in certain circumstances you have three, you're likely able to see if there's any bias or conflict much (Indistinct)

**John Rogers:** Yeah. It's a small Island, so it's hard not to know everybody, but we do try to have the appropriate people in the situation. All things being equal, it's more of a rotational thing or helping someone learn – or a language, could be a language factor as well.

**Mr. MacEwen:** Thank you.

Thank you, Chair.

**Chair:** Pat Murphy?

**Mr. Murphy:** My question is sort of along the same lines as Sidney's there. Would it help if you had the full complement, or do

you have enough, a full complement of nine, or is six good, or –

**John Rogers:** I can tell you my personal feelings. We have six right now and I find it works nicely. I wouldn't want to go any less though. Brenda mentioned that something could go to judicial review. Then if it came back to the commission you would want to have one or three different commissioners review the decision, so you'll need sort of a critical mass there. I'll be honest, the other thing is budget, like the more commissioners you have the more it's going to cost. I guess that really shouldn't be a factor; but, six, seven – somewhere in that area seems to work nicely.

**Mr. Murphy:** Okay.

**John Rogers:** The size of this committee, to me, is really an ideal size. Do you want to add some of your experience to that?

**Chair:** Brenda?

**Brenda Picard:** Thank you.

It might be helpful if the committee knows that it varies in a year how many panels we have. We might have two or three panels in a year; we've only had one in a few years because we have been successful at our mediation thing. It's not like every month we're having to sit a panel. I think that would – if we were having more panels, then I think there would be a need for more commissioners.

**John Rogers:** Yeah, it's a good point.

**Brenda Picard:** If that need increased – just so you know, it's not like we sit every month and have a panel hearing.

**Chair:** Thanks.

Pat Murphy.

**Mr. Murphy:** It's just more curiosity than anything. Have you ever written a dismissal that was overturned by the chair? Has that ever happened?

**Brenda Picard:** I haven't, but we have had the chair overturned. Two that I can think of right now, they didn't happen to be my decisions.

**Some Hon. Members:** (Indistinct)

**Mr. Perry:** (Indistinct)

**Chair:** For the record.

**Brenda Picard:** For the record. We have had two that have been overturned and one of those, the court actually overturned the chair and went back to the executive director decision and the other one settled.

**Mr. Murphy:** Okay.

**John Rogers:** One decision that I reviewed and disagreed with the executive director on – a previous executive director I should add.

Actually the parties settled after I had disagreed with the decision of the executive director – the parties. It was going to panel – it was the day before the panel was to begin and the parties settled the night before.

**Chair:** Excellent.

**Brenda Picard:** I stand corrected, Madam Chair, there were at least three. The two I was thinking of were (Indistinct).

**Chair:** Pat Murphy and then I have Hal Perry on the list.

**Mr. Murphy:** Do you have any recommendations that you'd like to see us make to the Legislature that might help you guys in your role?

**John Rogers:** One of the things I – anyway. It's fair to say that we push pretty hard to get our education officer position back as a permanent position. I'm not here to get into the politics of things, but that is something that we are continuing to represent to the minister of justice. We have met on three different occasions to argue our point. We've received some sort of intermittent support, but generally speaking we have no commitment to a permanent education officer.

As chair, I think it's so critical to our youth that we do have those education programs in place. I just feel so passionate about that and I want to see them continue. Like I said, we had lesson plans in grades kindergarten to six and we have a unit of study in grade 9, but we have work to do in grade 7, grade 8

and more work to do in grade 9 and we haven't touched the high school yet. This is critical to our society, I think, to be working in this direction

The other thing, you had asked me if we had any recommendations. One other thing that might be taken into consideration is the rotation of commissioners. For instance, coming up this spring, four commissioners' appointments expire, I guess, is the word. So we're looking at four new commissioners coming in, or somewhat, reappointments, I guess I should say.

We want to maybe suggest staggering the terms might be helpful, or at least some way of ensuring that we have lots of experience on the commission, sort of a new – as well as new blood coming into the commission to help us just be vibrant and more effective in what we do.

Any question? Did I make myself clear on that?

**Chair:** Yes, you did.

Brenda, did you have a point you wanted to add?

**Brenda Picard:** If I could just – from a practical point of view on John's last point – this year because we have four commissioners that need to be reappointed or new appointments made and we have two that expire next year. If two were appointed for a two-year term and two were appointed for a three-year term that would give us our rotation.

**John Rogers:** Yes.

**Brenda Picard:** Then if they were appointed on three-year terms, we ended up getting an additional commissioner in one year. That sort of made the numbers funny in terms of how they worked. But just from a practical point of view, two, two and three-year term appointments this year would give us that rotation back.

**John Rogers:** Thanks for being more specific on that, I think that's –

**Chair:** Great. Thank you.

Hal Perry.

**Mr. Perry:** Thank you, Chair.

I just want to say, Brenda and John, thank you guys for coming in today and giving us some insight into what happens behind the scenes with a typical complaint process and also the qualities that you would seek for a commissioner.

I don't really have any other questions, but just out of curiosity, you had mentioned one of the files, that the court restored the decision of the executive director. They also ordered – I think that's the same one – the complainant to pay \$5,000. Where would that money go to and what would the reason be for the 5,000?

**Brenda Picard:** That would have been cost to the lawyer for the respondent.

**Mr. Perry:** Okay.

**Brenda Picard:** It wouldn't come –

**Mr. Perry:** Now this goes directly – whatever those fees were that's what the number was.

**Brenda Picard:** Well, that's a small portion of the lawyer's fees, that when the court orders cost it's usually either a token sum or a percentage of what the actual lawyer's fees were. It's cost-payable from the complainant to the respondent. The human rights commission generally does not get costs awarded to, or that we have to pay them.

**Mr. Perry:** Great, thank you very much.

**Chair:** Brad Trivers.

**Mr. Trivers:** Thank you, Chair.

Again, to echo the other member's thanks for coming in and presenting a very informative – and I can see that, the human rights commission does very important work. I wanted to ask – and maybe I missed this – but what is the per diem that's paid to commissioners?

**John Rogers:** A hundred and forty -

**Brenda Picard:** It's \$200 for the chair and a hundred –

**John Rogers:** – 41.

**Brenda Picard:** – 74, 141, I'm not sure. It's schedule A of the *Financial Administration Act*.

**John Rogers:** No, it's not in that; it's just the standard per diem.

**Chair:** Brad Trivers.

**Mr. Trivers:** I wanted to know if you had any recommendations or any comments on the makeup of the people on the human rights commission and commissioners in terms of the groups that you're representing. Is it recommended that you try and get a diverse group of commissioners that kind of represent the broad diversity of groups that are part of our mandate? Or, is that something we should focus on at all?

**John Rogers:** Yes. Coming back to diversity, I think that's something that we would like to see as much as possible on the commission. But having said that, if there are only six commissioners, there's only so much diversity you can create with six commissioners. I guess that could be an argument for more, to create more diversity on the commission.

**Chair:** Thanks. Brad, do you have another question?

**Mr. Trivers:** Yes, I just wanted to clarify. So you're saying if we could get as much diversity on commissioners as possible that would be a good thing?

**John Rogers:** Yes, certainly, yes.

**Mr. Trivers:** Okay.

**John Rogers:** I think it would be more representative of our – and yeah, Brenda just reminded me of an important point, is we can't trump qualifications though, you know. We have to ensure that we have people who can do the job so it's a balance, I guess. We want as much diversity as possible within that range of capable people.

**Chair:** Thanks.

Brad, you have another question?

**Mr. Trivers:** Yes, thanks.

I wanted to know – I'm looking at where the current commissioners live on the Island and how important do you think that the different geographical areas of the Island is represented on the commission? Can you comment on that? Is that something that you think we should consider much?

**John Rogers:** Well, in terms of the list of considerations, I think it's probably on the list. I wouldn't see it as near the top. But I think it's good to have people from all points in the province. Right now we have one commissioner from Souris area, one from Charlottetown, two from Summerside –

**Brenda Picard:** Two from Summerside.

**John Rogers:** - and one from Evangeline and one from the Brae, O'Leary.

**Chair:** Brad?

**Mr. Trivers:** Thank you, Chair.

I'm understanding that in the past, the standing committee has gone and we've looked for candidates, sort of on our own, placing public ads, for example, in the newspaper and these sorts of things.

One suggestion that I had brought up to the committee was maybe we use Engage PEI as a service because this is the sort of thing they do all the time, is they find people to fill different boards. Now, this is a very special one, the human rights commission, and it is the function of the committee to make recommendations to the Legislative Assembly.

But, I was wondering if you had an opinion either way about whether you think it would be appropriate for us to engage the services of Engage PEI?

**Brenda Picard:** If I can –

**John Rogers:** Go ahead.

**Brenda Picard:** I would say that I don't know that we know enough about how – I mean, we know generally about Engage PEI, but I'm not sure that we would be able to give you an opinion on that.

**Chair:** Sure, thanks.

Before we go on, Brad, that question was asked at our last meeting and our clerk has an intervention on that. She went back and found out the information.

Emily, if you could update the committee?

**Clerk Assistant (Doiron):** Sure.

I just looked at the *Human Rights Act* and then also the Engage PEI website and I'll just kind of read off what I have here.

In the *Human Rights Act* in section 16 (2) it says that: The Legislative Assembly, on the recommendation of the Standing Committee on Social Development, shall (a) appoint not fewer than three and not more than nine members to the Commission.

It kind of goes on from there and then on the explanation on Engage PEI's website it says that: As vacancies arise, a list of recommended applicants will be forwarded to the Cabinet committee on priorities as an executive council memo for recommendations to Executive Council and Cabinet will review recommendations and nominate ABC agency board and commission members.

There is kind of that difference between the Legislative Assembly recommending the commissioners and then the role that Engage PEI does play.

However, I have been in contact with Janice Petit who did the presentation last fall. We kind of decided that we could potentially work together, that if people are applying through Engage PEI and mentioned that they are interested in applying to the human rights commission, that they would share my information with them and they could contact me to get their application into the fold here. It is two separate processes, but we can work with Engage PEI to make sure that nobody falls between the cracks. If someone is interested and goes to Engage PEI, their information would come through me and then as a result to the rest of the committee.

**Chair:** However, it is the responsibility in the *Human Rights Act* it is this committee that appoints them, but we want to make sure that there's a flow of applicants and there's a set of guidelines as to how you

choose your members by advertising and coming through the committee.

Thanks.

Brad?

**Mr. Trivers:** Chair, I realize we have our guests here today and I did want to discuss this a little further. I think one of the things that I'm looking at are cost considerations as well, but maybe we can discuss that further under new business.

I did have some more questions, Chair, if you (Indistinct)

**Chair:** Brad Trivers.

**Mr. Trivers:** Thank you.

I wanted to find out if you think that, just to be clear, this is something that should be posted as a public ad for people who are interested in being on the human rights commission? Or is this something that should go through any particular organizations or channels that you would recommend, or both?

**John Rogers:** Well, I'll just state too –

**Chair:** It's set out in the act, of the rules to advertise. Anyway, I'll allow you to answer.

**Mr. Trivers:** I was reading the act and it just says we have to make recommendations to the Legislative Assembly.

**Clerk Assistant:** I can speak to previous – or I can allow our guests –

**Mr. Trivers:** I would like to hear recommendation as people from –

**Clerk Assistant:** – if they have a response.

**Mr. Trivers:** – the human rights commission what they think.

**John Rogers:** I certainly know what Engage PEI is but I don't know the process.

**Mr. Trivers:** Yeah, not Engage PEI. Pardon me, Chair.

Just in your opinion, are there any particular places where we should go to look for

applicants? Public advertising is one. Are there different organizations that we should go through to make sure their – for example, their membership knows because there could be particularly good places to look? Qualified individuals –

**John Rogers:** I guess I'm a little hesitant, and this is more of a gut feeling than anything, to go sort of looking for people. I think you should let the people who are interested come to you.

I think maybe the better way to do that is to advertise publicly the position. That's why I'm here. In 2008, I saw an ad, and I don't know if it was the journal or the *West Prince Graphic*, and I was looking for something that was sort of an extension of education and I thought: This just might be it. So I applied and was fortunate enough to receive the appointment.

**Chair:** Before we go on maybe, Emily, you could expand a little bit about what has been past practice with regards to advertising for this commission.

**Clerk Assistant:** Sure, and Mr. Chair kind of explained the process that we have gone through in the past. We have put in ads in all of the major, the weekly and the daily newspapers, across the province. There would be a few weeks that applicants could send their applications in and there would be a closing date, and then it would be up to this committee – they would review all of the applications and then the committee, in its report to the Legislative Assembly, would make recommendations. Then once the report is adopted by the Legislative Assembly those recommendations would come into force.

**Chair:** Thank you.

Brad, do you have another question?

**Mr. Trivers:** Yes I do. Thank you, Chair.

I noticed that – and these are more questions about the human rights commission just to understand a little better. I noticed that, for example, in 2015-2016, you received 35 complaints came in and then there were, it looks like several that were carried over as well from previous years for a total of 131, right? I was wondering: What's the typical

time to close a complaint? Like how many of them would be carried over multiple years? Is it typically with one, two years or is it just all over the map?

**John Rogers:** I'm going to ask you to comment on it.

**Brenda Picard:** Just to clarify, in 2015-2016, we received 51 complaints, not 35. The 35 that you're looking at is relating to multiple grounds –

**Mr. Trivers:** Oh, pardon me. Yes okay, 51.

**Brenda Picard:** But when you look at what the areas are, the 31, 13, and 50 – so 51 complaints. In terms of how long they take – there is a wide difference. Certainly the ones that we're able to take advantage of our mediation services are dealt with – are able to be done much quicker so we have files that we opened this fiscal year that are closed. If they're clear cut in terms of not being within our jurisdiction or not establishing a ground, those are dealt with very quickly.

We have some complaints that are dealt with in a few days; some in a few months and then others take a longer period of time. Again, some of that time is a function of staff ability, like, how long it is taking to do the file but sometimes it is how long it is taking to get to the file. As I said, we have two lawyers who sift through all of those files that don't get settled in the pre-settlement stage. I, as executive director, do all of the executive director work on top of the file work so I'm not full-time doing the legal casework.

Basically, we have one and a half, maybe, lawyers who are investigating and so sometimes we – we had a bit of a backlog. We do still have some, but we are working actively to reduce those timelines.

**John Rogers:** There are other factors that can affect that, such as lawyers' schedules, an appeal to a higher level to a judicial review. It just takes a lot of time to get those things in place, so it can drag out.

**Chair:** Brad Trivers.

**Mr. Trivers:** Thank you, Chair.

I was wondering: You had said that the majority of complaints that come in are related to the disability area. I was wondering how many complaints come in – maybe it's not just on disability but across the ground of discrimination categories – that have a Workers Compensation Board component to them. If you can comment on that – maybe you can't. That's fine, too.

**Brenda Picard:** We don't have statistics on that, and we don't typically – we would have some where workers compensation is also a factor in the life of the complainant. Whether it's involved in our complaint or not would vary, but we do have some where the person is on workers comp and they come to speak to us about a discrimination complaint which may or may not be related to workers comp.

**Chair:** Brad, do you have another question?

**Mr. Trivers:** Yeah, I just wanted to comment.

So there are complaints that come in that are related to workers compensation but you don't have those statistics, necessarily?

**Brenda Picard:** I think it depends on what your definition of "related" is. Typically, if somebody comes and talks to us and says they have a problem with how Workers Compensation made a decision –

**Mr. Trivers:** Yeah.

**Brenda Picard:** – we would direct them to the Workers Compensation Board and tell them that is the appropriate appeal process, so we typically don't review workers compensation decisions. That's not where they would come in; but a complainant who may come to us and say their employer didn't keep their job long enough for them may be on workers compensation.

**Mr. Trivers:** Thank you.

That clarifies it well. I do have another one, Chair?

**Chair:** Okay, Brad Trivers.

**Mr. Trivers:** You mentioned that one of the things you'd like to see is fulltime funding for –

**Chair:** Educational –

**Mr. Trivers:** Yes, educational project manager. I was wondering – just curious – why you wouldn't advise somebody that sat in the department of education and making it part of the curriculum that way? You mentioned that lesson plans were one of the projects. Just – again, just to get the information to understand the request.

**John Rogers:** Yeah, we have partnered with the department of education and work quite closely with them in terms of developing these education packages. We collaborate regularly with the department of education.

We have worked closely with the consultants there in terms of matching the curriculum to human rights complaints, and then bringing out activities, creating activities that can be used in the schools. There is already a strong connection, I guess, is what I'm trying to say to you. Does that answer your question?

**Mr. Trivers:** Chair.

**Chair:** Brad Trivers.

**Mr. Trivers:** It does. I guess what I'm envisioning is someone who's already employed by the department of education and then takes on the role of what you're talking about as part of their job within the department of education instead of hiring a separate person on the human rights commission.

**John Rogers:** (Indistinct)

**Chair:** Brenda Picard.

**Brenda Picard:** I think that the department's curriculum people already have pretty full plates and they don't necessarily have the expertise in the human rights area that we are able to offer; and the curriculum development work of our education officer is only a part of his position, so it's not the full part.

**Mr. Trivers:** Okay.

**Brenda Picard:** The other advantage is that with that curriculum development we've been doing, we actually utilize practicum students that are education students. So not

only are they learning about human rights issues and they're learning about how to create curriculum, but they're developing a skill set to take into the schools as teachers that makes them much more comfortable in dealing with discrimination issues and inclusivity issues and difficult conversations with children and parents.

So we find that that curriculum development project that we've been doing has been very helpful for the students who come and do their practicum with us. Sometimes it's piloting our resources in the schools. Sometimes it's actually working with us to work on those with our education officer, but that's only a portion of what the education officer does. The education officer also does presentations at various schools, but also outside of schools. So it may be to communities, it may be to business organizations, to the universities, to Holland College.

He often when he's there also does inquiries – like, if people call and inquire on the phone about what does the human rights commission do, he may handle many of those inquiries that come in and educate the complainants when they come in, in terms of – so rather than it being one of the lawyers who may end up dealing with the file, we have our education officer do that initial – so in 2015, we had over 300 inquiries, many of whom would have been dealt with by the education officer.

We did 23 presentations to over 600 participants outside the school system, and then we had over 2000 students and teachers who heard presentations by our education officer. That's why we feel the value of our education officer is so important.

**Mr. Trivers:** Thank you.

**Chair:** Thank you, Brad.

Hon. members, I don't have anybody else on my speaking list, so I would like to thank our presenters today.

Thank you for the important work you do for the people of Prince Edward Island at the human rights commission.

As you know, the act says that we will be recruiting and looking at the applications for

members to the board, so we wanted to make sure that we knew a little bit more up to date information about the human rights commission. We've heard your recommendations loud and clear. I know Emily has been furiously typing them down.

We are a recommending body to the Legislature, and we do some interim reports to the Legislature and recommendations do get put in those. The committee members will make note of the recommendations made today, and hopefully they'll be put into our report to the Legislature when it opens.

Thank you so much for your informative report. Thank you.

**John Rogers:** I want to thank you, Madam Chair Casey, and the members of the committee.

I actually appeared before the committee back in 2010, with the chair of that day, Anne Nicholson, and the questions today were amazing. I just want to thank everybody for their interest and the level of questioning. It really helps us to promote what we do.

Thank you very much.

**Chair:** Thank you for your time.

**Brenda Picard:** Thank you.

**Chair:** Thank you.

Members, we're going to continue on. The next item on our agenda is the discussion for upcoming meetings, and we had some – at our last meeting, Emily was going out to set up meetings for the future, and I'm going to ask Emily to give us an update on future meetings.

**Clerk Assistant:** Sure. So I have just some clarification items kind of on the four topics that the committee has designated as their priorities.

Maybe we'll start off with the recycling facility meeting that we were hoping to have in the evening at some point. I had heard – I've been in contact with various groups, and there were some scheduling conflicts with other groups as well. I have spoken

with the St. Teresa and Area Development Corporation and they kind of have suggested that maybe later in this month or early next might be better to ensure that everyone that wants to attend is able to attend.

I was looking at March 1<sup>st</sup>, which is a Wednesday, for an evening meeting. The committee had agreed to have an evening meeting out at St. Teresa's. I guess I'm just wondering if that date works for committee members, and if not then we can kind of discuss another time.

**Some Hon. Members:** (Indistinct)

**Chair:** Or you could send out an email to the –

**An Hon. Member:** Yeah.

**Clerk Assistant:** Yeah, I can – maybe I'll send out an email, but that's kind of the date that –

**Mr. Gallant:** Yeah, perfect.

**Clerk Assistant:** – potentially working with and if you could let me know of any conflicts, scheduling conflicts?

**Some Hon. Members:** (Indistinct)

**Clerk Assistant:** I guess the next item would be – and our next meeting is on the *Freedom of Information and Protection of Privacy Act*. We have Karen Rose, who is the commissioner, coming in next week to provide kind of an overview of that act. She has mentioned to me that she, at some point, will make recommendation but next week is kind of an information session and then there's some changes that have been happening across the country in other jurisdictions, so she wants to have some more time to make recommendations. She's thinking of coming in, maybe again in March.

I was also in contact with Kathryn Dickson, who is the manager of access and privacy services office for government. She's available to come in March as well, so I was thinking I would have those two presenters in at a meeting in March if that is agreeable to the committee.

**Mr. MacEwen:** Yes.

**Clerk Assistant:** I guess, did we want to discuss –

**Mr. Trivers:** One question on that.

**Chair:** Sure.

**Mr. Trivers:** Can we get them in sooner than March? I mean, because we don't have that meeting where we're going to –

**Clerk Assistant:** Sure. There are some scheduling issues with –

**Chair:** School meetings and electoral boundaries?

**Clerk Assistant:** Sorry, not for the evening meeting, but for the freedom of information. There are just some scheduling difficulties with the two presenters being away for a couple of weeks in between this time and in March. So March 16<sup>th</sup> seemed to be a date that worked for both of them to meet with the committee again. I think there are some people that are going to be away, so we're kind of working around those.

**Mr. Trivers:** That was the soonest they could come in, essentially to (Indistinct)

**Clerk Assistant:** Yeah.

**Mr. Trivers:** Okay.

**Clerk Assistant:** Karen Rose will be in next week to provide a preliminary overview of the act, what we have now.

Do we want to discuss further advertising for the human rights commission? I can go over the process of what's been done in the past for this committee looking for sending out ads and looking for people that are interested in the human rights commission?

**Chair:** Okay.

**Clerk Assistant:** In the past we've put ads in all the weekly and daily newspapers: *The Guardian*, the *Journal*, the *Graphics*. We can also put some stuff on our website, so there'd be some additional information, maybe the human rights profile. We can include the annual reports, that kind of thing. That's how we've generally done advertising in the past.

**Chair:** Sonny.

**Mr. Gallant:** Chair, you mentioned a bunch of advertising venues. Is the French newspaper as well, *La Voix Acadienne*?

**Clerk Assistant:** Sorry. Yes, Sonny, you're right. We do also have a French advertisement that we put in *La Voix*, yes.

**Chair:** Brad Trivers?

**Mr. Trivers:** On that subject, you all know that I'm going to bring up not just putting it on the website, but also using the various social media channels we have –

**Clerk Assistant:** Yeah.

**Mr. Trivers:** – to put that ad out. Because it doesn't look like there's necessarily any age requirement on there and I want to make sure you put the full range of –

**Chair:** Good point.

**Clerk Assistant:** Yes, so we can share everything on our website. We have Facebook, Twitter, and we can send those out kind of weekly until the due date for that. So that keeps kind of showing up and people can see it more than once on our Twitter. Because on Twitter you put something and then it kind of – as you put more stuff, it falls to the bottom, so we could re-advertise in the weeks that we have coming up.

**Chair:** Brad.

**Mr. Trivers:** I would also suggest maybe we send an email to all MLAs asking them to share that in their district and over their social media channels.

**Clerk Assistant:** We can do that.

In terms of a timeline, I kind of see we have to get the ad mocked up and basically it just says that there's openings to send your information in. We would maybe direct them to the website for any additional information. I'm thinking those ads would go out early March, have a deadline of the end of March and then we would have a meeting at some point to go through the applications and make a recommendation.

**Chair:** Thank you.

**Clerk Assistant:** Does that timeline kind of work for everyone?

**Chair:** Yes?

**An Hon. Member:** (Indistinct)

**Clerk Assistant:** Then I just had one more point of clarification to make on the – so the committee last week had decided to look at the effects of potential school closures on communities and I have looked at the different community councils in the areas. Letters would be going out to the communities that might be affected, their community councils, so Belfast, Georgetown, Saint Louis and Charlottetown. I don't know if there's any person that I could –

**Mr. Murphy:** (Indistinct)

**Clerk Assistant:** Okay. So to begin with, those letters would go out and a meeting will be scheduled sometime in the future.

**Chair:** Brad?

**Mr. Trivers:** Thank you, Chair.

I had suggested as well that we do send a letter to the home and school association for Bloomfield, inviting them?

**An Hon. Member:** (Indistinct)

**Mr. Trivers:** If that's okay with (Indistinct) –

**Chair:** Yeah, okay.

**Mr. Trivers:** – (Indistinct) time for (Indistinct) –

**Chair:** Thank you.

**Mr. Trivers:** I think I had suggested last meeting as well that we send letters inviting schools – people from schools and communities where schools are not being closed, to get their perspective.

For example, in my district I have two elementary schools and I know both of them have a profound impact on the community, Gulf Shore Consolidated and Central

Queens Elementary, and possibly the Home and School associations, the municipalities, the learning advisory councils and these sorts of things. Maybe we could draft a letter or send the same letter to them if it's a reasonably generic letter, and I can provide you with the names of people to send that to, or addresses and contact information.

**Chair:** Sonny Gallant.

**Mr. Gallant:** In all due respect, Mr. Trivers, this was brought up in another committee and it was decided that it's not the role of committees to bring all of these people in. There hasn't been a decision made. It's one thing to bring in the municipalities to explain how it could affect things, but there hasn't been a decision made. The process is ongoing. People are going to the public meetings expressing their concerns so is it really the job of our committee to be interfering with that process at this point? The other committee decided they would see how things go and maybe deal with things after, but at this point it's not our job to drive something where there's no decision made yet.

**Chair:** Brad Trivers.

**Mr. Trivers:** Thank you, Chair and thank you, Mr. Gallant.

Yeah, I guess what I thought was proposed at our committee was to look at the impact that schools have on communities, from a community perspective, and that's why I say it's not about school closures because that process is going. There's another process going on within school reviews and rezoning and things. But, it's more about looking at what impact schools have on communities in general. That's why I'm suggesting we go to places like – again, I'll use my district as an example, like Gulf Shore Consolidated and then how they interact with the community, and invite people from there. Do you know what I'm saying? I'm trying to do this outside of that (Indistinct)

**Mr. Gallant:** Okay, I hear what you're saying, Brad. But, how far do you go with it? You first started out saying the municipalities and you rhymed them off and there isn't one in Bloomfield. So if you're going to expand that scope, well that's being done now. I fully believe people have a right

to express their concerns and their ideas. That's happening, so are we going to duplicate that? Are we going to step in somewhere where we shouldn't step as a committee at this point? Do you hear me?

If you bring in these groups – I know there's one municipal official that made comments at one of these meetings but you haven't heard from the other municipalities. That being said, if they can come in and have an input on how it could affect their municipality and the other services in it, I can see that. But as far as expanding it – we talked about this at length at our other committee and that was what was felt at that committee, so I'm just expressing that.

**Mr. Murphy:** What committee was that?

**Chair:** Thanks.

**Mr. Gallant:** The committee yesterday on –

**Mr. Perry:** Education.

**Mr. Gallant:** – education.

**Chair:** Sure, if I could just make a comment. I know last week we talked about – we have eight weeks until the Legislature opens and we have a really deep priority list and then we prioritized it last week. Now we're down to seven weeks before the House opens. Do we want to stick with the list that we had in order, in the interest of time in getting them in before the Legislature opens, to the communities that have schools that are closing? Like Charlottetown and then maybe at a later date we could take others in? Would you be agreeable to that?

Sidney?

**Mr. MacEwen:** Yeah. Thank you.

I think that's good. Last week we did –

**Chair:** We've got a long list.

**Mr. MacEwen:** – put a vote towards having the waste disposal site and the communities affected by school closures in –

**Chair:** Right, as a priority.

**Mr. MacEwen:** – first, as a priority. I get what you're saying, Brad about – of course it's really important. I might be worried if we invite all of the schools in. I can't imagine any school that wouldn't come in to talk about – or any municipalities that couldn't come in. We could have 100 presentations lined up.

I get what you're saying. I'd love for Morell school – which isn't on the block right now for a school closure – for them to come in and tell everybody in the world how great they are to the community (Indistinct) too, because maybe they're on the block later down.

I like your idea, Kathleen, maybe after we have these communities in to – because it is a time sensitive thing that's why we did vote for both things to make them done before the Legislature. We could talk about, after the fact, how, if there's a school closure imminent in their area, maybe adding them to the list after the Legislature. The motion that Steven put forward that time too was about communities that have recommended closures in their area just to hear from those communities and we don't have one for Bloomfield so we'll (Indistinct)

**Mr. Murphy:** (Indistinct)

**Mr. MacEwen:** – ask whatever group represents – that best represents that area.

**Chair:** Brad.

Sorry, Sidney.

**Mr. MacEwen:** I just want to add to that though; we're sending letters out, Emily. I wonder if officially sending a letter out but a call right away because some – if a letter is sent out and they don't have an administrator in that area or they only meet monthly, that letter might not be addressed for three or four weeks. Do you know what I mean?

**Chair:** Okay, sure.

**Clerk Assistant:** Yes.

**Mr. MacEwen:** What about a call to say –

**Chair:** You're going to receive a letter.

**Mr. MacEwen:** – we would like to get in in the next month kind of thing?

**Clerk Assistant:** And I'll just kind of explain to the committee – that's kind of usually my usual practice –

**Mr. MacEwen:** Okay, good.

**Clerk Assistant:** - is just to contact potential presenters so they are aware right away and then the official letter is – I usually send it by email and then also by post.

**Chair:** And the letters have been written and I just signed them so they will be going today.

**Mr. MacEwen:** (Indistinct)

**Clerk Assistant:** I just wanted to seek clarification specifically on the groups that we wanted to have in and I'll work with those five that are potentially –

**Chair:** Hal, before I go to you – Brad, we'll make sure that we add your intervention onto the list –

**Mr. Trivers:** Okay.

**Chair:** – so that we don't forget about it, but is everybody in agreement that we're going to move forward –

**Mr. Perry:** Yep.

**Chair:** – with the suggestion that we made at the last meeting?

**An Hon. Member:** Yes.

**Chair:** Thanks, Hal you are next.

**Mr. Perry:** Thanks, Chair.

Can you just add one other community to that that's incorporated, that 100% of the residents would attend St. Louis school, that's the community of Miminegash?

**Chair:** Okay, yes. Perfect.

**Mr. Murphy:** Good point.

**Chair:** Good idea.

**Clerk Assistant:** Thank you.

**Chair:** Great, thanks.

Any further business?

Being none, I would ask for adjournment.

**Mr. Perry:** (Indistinct)

**Chair:** Thanks everybody.

**Mr. MacEwen:** Thank you.

The Committee adjourned