



ALBERTA  
JUSTICE AND SOLICITOR GENERAL

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Office of the Minister  
MLA, Calgary-Acadia

AR50792

**JUN 08 2022**

Ms. Deborah E. Palter  
President  
The Advocates' Society

Ms. Tamara Prince  
Chair, Alberta Advisory Committee  
The Advocates' Society

c/o Ms. Suzanne Amiel  
Policy Lawyer  
The Advocates' Society  
[suzanne@advocates.ca](mailto:suzanne@advocates.ca)

Dear Ms. Palter and Ms. Prince:

Thank you for your letter of May 3, 2022 to the Honourable Whitney Issik, Associate Minister of Status of Women, and me, regarding Bill 14, the *Provincial Court (Sexual Assault Awareness Training) Amendment Act, 2022*. I appreciate the opportunity to respond and to provide the following information.

I commend the Advocates' Society for their ongoing work to promote a fair and accessible system of justice. I acknowledge the concerns raised by the Advocates' Society with Bill 14 and I want to assure you that the Government of Alberta respects and understands the need for judicial independence, including the need for the judiciary to control their own education. The eligibility criteria for appointment to the Provincial Court of Alberta falls within the responsibility of government and ours has determined it is in the best interests of Albertans that completion of education in sexual assault law and social context issues be made part of the criteria. We believe the approach taken in Bill 14 strikes a proper balance between judicial independence and the government's responsibility to select the best qualified candidates for appointment.

When Bill 14 comes into effect, candidates applying for judicial office will be required to complete sexual assault law and social context issues education in order to be eligible for appointment and candidates on the appointment eligibility list must either complete the education

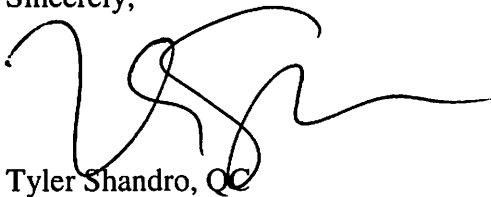
before appointment, or undertake to complete it after. Education completed prior to appointment will have to be acceptable to the Provincial Court Nominating Committee (PCNC), and education completed after appointment will have to be acceptable to the chief judge of the Provincial Court of Alberta. As Bill 14 comes into effect on proclamation, sufficient time will be taken to develop an education program that meets Alberta's needs, with the PCNC and the chief judge consulted on details of the nature and scope of the education. When the development is complete, the educational requirements candidates will be expected to fulfill will be clear and defined.

I can assure you that in developing the education program mandated by Bill 14, consideration will be given to building in measures to maintain confidentiality of the identity of candidates participating in the education program and to making sure cost and accessibility are not barriers to anyone seeking judicial office. One of the criteria used in Alberta to assess candidates for judicial appointment is that the provincial judiciary should be reasonably representative of the population it serves. Our government encourages and supports candidates from all backgrounds and any size of firm to apply for appointment, and will continue to do so after Bill 14 comes into force.

Finally, I agree the Provincial Court of Alberta has done and continues to do excellent work in establishing education plans and encouraging ongoing education of its judges; however, I do not agree Bill 14 will provide no additional benefit to Albertans. When a candidate is appointed as a judge, there will inevitably be some delay between when they are appointed and when they are able to complete education in sexual assault law, social context issues and other important subjects offered through the court. Having candidates take the education before they are appointed eliminates this gap.

Thank you again for taking the time to write and for sharing your concerns with the Alberta government.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tyler Shandro', with a long horizontal flourish extending to the right.

Tyler Shandro, QC  
Minister

cc: The Honourable Whitney Issik, Associate Minister of Status of Women