



Legislative Assembly of Saskatchewan

BOARD OF INTERNAL ECONOMY

HANSARD VERBATIM REPORT



No. 6 — July 4, 2013

BOARD OF INTERNAL ECONOMY

Hon. Dan D’Autremont, Chair
Cannington

Hon. June Draude
Kelvington-Wadena

Ms. Doreen Eagles
Estevan

Mr. David Forbes
Saskatoon Centre

Hon. Jeremy Harrison
Meadow Lake

Hon. Nancy Heppner
Martensville

Ms. Cathy Sproule
Saskatoon Nutana

[The board met at 15:05.]

The Chair: — We will start this meeting of the Board of Internal Economy for July 4th, 2013. Present we have Ms. Doreen Eagles, Ms. June Draude, Ms. Nancy Heppner, and Mr. David Forbes.

Before you, you see the agenda. I wonder if someone could move that we approve the proposed agenda please? Ms. Eagles. Seconder? Mr. Forbes. All in favour? Carried.

If you will take a look at the minutes of the previous meeting, for approval. Is there any discussion? If there's no discussion, would someone move the adoption of the minutes? Okay, Ms. Draude. Seconder? Mr. Forbes. All in favour? Carried.

Before we proceed to our first item, I would like to introduce to you Ms. Janet Mirwaldt. Janet, if you would come forward please. And Janet is the number two person in the Ombudsman's office at the present time. As you know, we have received a letter of resignation from Mr. Kevin Fenwick, who served for many years as the Ombudsman, and so this meeting is to look at an Acting Ombudsman and to start the process to find a new Ombudsman.

So I've asked Janet to come, who has been recommended to us by Mr. Fenwick as a possible Acting Ombudsman. So Janet, I wonder if you could give us a description of your qualifications and your role currently with the Ombudsman.

Ms. Mirwaldt: — Hi. First of all, I would want to thank Kevin for putting my name forward. It's a great honour that he did so. I have a great deal of respect for Mr. Fenwick, and for him to think that I could even take this on an interim basis was quite rewarding for me professionally.

My background is as a social worker. I have a master's in social work. I started working in the child welfare field beginning in 1982 in Manitoba. I worked primarily the first half of my career in northern Manitoba as a practising social worker for the ministry there, and my background was in domestic violence and child abuse investigations.

From there I moved to Winnipeg and still worked within social work with Winnipeg Child and Family Services. The history of child welfare in Manitoba is a bit different than in Saskatchewan so it moved into government. We were a private agency; we were back to government. And I worked within that field and moved my way up to be supervisor within a child protection agency in Winnipeg.

And then in 1999, I was appointed the Children's Advocate in Manitoba which was an independent office as well. And we had previously been under government and it was the first independent office where it moved to make the office independent, and I was fortunate enough to be asked to serve.

I had two terms. And I served both terms, and at the end of my term went back into government as the director of legislation for the ministry in Manitoba. And then my husband was offered a position in Saskatchewan with the Ministry of Justice here, and so we packed up and moved to Regina in 2007. And I was

again very fortunate to see an ad in the paper for Deputy Ombudsman and had been aware of the work of Ombudsman Saskatchewan and applied, and again lucky enough that Kevin hired me.

And so I've been working with Kevin since 2007 as his deputy in Regina, and seeing the transformation of that office from what we had viewed as a traditional ombudsman style to the approach and the model that we currently implement throughout Saskatchewan.

And when the Public Interest Disclosure Commissioner came up, that became my portfolio as well. So, primarily in Regina, I supervise the investigative staff both on the ombudsman side and the public interest disclosure side, and I'm the lead and am responsible for all the systemic work completed by the Ombudsman.

I had shared the deputy role with our deputy in Saskatoon, and her name was Joni Sereda. And I say it in past tense because Joni recently retired, pretty well the same week Kevin announced his resignation. But we were more aware of Joni's retirement, pending retirement, than Kevin's, so what we've done over the last year is work a new model. So we have a person responsible for intake system, and I was responsible for the investigations, health, public interest disclosure, and the systemic reviews.

The Chair: — Okay, thank you. Does anyone have any questions at this time? Okay, thank you, Janet.

Ms. Mirwaldt: — Thank you very much.

The Chair: — Okay. I think what we will do is we will deal with item no. 1 and then go in camera for item no. 2.

Item no. 1 is a motion to acknowledge the resignation of Mr. Kevin Fenwick as the Ombudsman and the Public Interest Disclosure Commissioner for Saskatchewan and to express our gratitude for his services to the Legislative Assembly of Saskatchewan.

Would someone like to move a motion? I will give you the motion, whomever. Okay, I recognize Ms. Draude.

Hon. Ms. Draude: —

That the Board of Internal Economy acknowledge the resignation of Mr. Kevin Fenwick, Q.C., as the Ombudsman and the Public Interest Disclosure Commissioner of Saskatchewan, and express its gratitude for his service to the Legislative Assembly of Saskatchewan.

The Chair: — Seconder? Mr. Forbes. Any discussion?

Hon. Ms. Draude: — I want to ask, is there anything, do we send them anything? Like do we just send them this letter, thanks a lot, and that's . . .

The Chair: — Actually since you raised that, I will be having a farewell reception for him, which I think is a tradition whenever

any of the officers of the legislature leave. And so all of the MLAs [Member of the Legislative Assembly] as well as all of his staff will be invited. And other people that were involved in dealing with Mr. Fenwick as the Ombudsman will be invited as well.

We haven't nailed this down yet totally as to the date. We're getting confirmations, but it will likely be the 23rd of July, so roughly three weeks from now.

All in favour of that motion? Carried.

Okay, if we could have a motion to go in camera please. Ms. Doreen Eagles has moved we go in camera. Seconded by Mr. Forbes. All in favour? This committee now moves in camera.

[The board continued in camera from 15:14 until 15:28.]

The Chair: — Okay, the committee is now back in session.

Item no. 2 before us on the agenda is the appointment of an Acting Ombudsman. We've had a chance to meet with Ms. Janet Mirwaldt. Janet is the recommendation from our departing Ombudsman, Mr. Kevin Fenwick. Are there any other questions related to this? If not, I have a motion that I would propose:

That Ms. Janet Mirwaldt be appointed the Acting Ombudsman for Saskatchewan pursuant to section 6 of *The Ombudsman Act, 2012*, at a rate of remuneration commensurate with section 7 of the said Act, and that the appointment is made effective July 1, 2013.

Could someone move that motion? Ms. Eagles. Seconder? Mr. Forbes. All in favour? Carried.

[15:30]

Okay, thank you. Item no. 3 is the appointment of an Acting Public Interest Disclosure Commissioner. Mr. Fenwick filled both of these roles, first as Ombudsman and as the Public Interest Disclosure Commissioner. These are separate offices, but he filled both of those roles, and the duties of the Public Interest Disclosure Commissioner was assisted by the Office of the Ombudsman's staff.

So I have a motion that I would recommend:

That the Acting Ombudsman, Ms. Janet Mirwaldt, be appointed the Acting Public Interest Disclosure Commissioner for Saskatchewan pursuant to section 31 of *The Public Interest Disclosure Act*, with no remuneration, and that the appointment is made effective July 1st, 2013; and further,

That in accordance with the appointment of the Acting Ombudsman to serve as the acting public interest disclosure, the Office of the Ombudsman shall continue to serve as the office of the commissioner pursuant to an order of the Assembly dated May 3rd, 2013.

Would someone move that motion? Ms. Heppner. Seconder, Mr. Forbes. All in favour? Carried.

Okay, item no. 4 is to appoint a subcommittee to conduct a national open competition for the recruitment of an ombudsman. As well this hopefully would become the Public Interest Disclosure Commissioner as well. So it would be . . . We would hope to fill both of those positions again, even though they're two separate offices, with one individual.

Now we would proceed with the process in a similar fashion to what we have done with our last three officers of the legislature that have been appointed: the Chief Electoral Officer; the child advocate; and through the Public Accounts Committee, the Provincial Auditor. So we would use a similar process to what was used in those three events, and that seems to have been a process that has worked well for the legislature, for the members, and for the offices themselves.

I have a proposed amendment to place before you, and that is based on our previous discussion that Mr. Harrison and Mr. Forbes would fill the role of the subcommittee members. This is subject to change on the acceptance by Mr. Harrison, but that the motion would read:

That a national open competition be conducted by the Board of Internal Economy for the recruitment of an ombudsman.

That the board approve the request for \$25,000 for a national open competition; and

That a subcommittee of the board be chaired by the Speaker and consisting of a government member of the board, Mr. Jeremy Harrison, and an opposition member of the board, Mr. David Forbes, be established as the selection panel for the competition; and

That the Legislative Assembly Service provide human resource assistance to the selection panel for the competition; and

That the subcommittee may identify a member of the public with subject matter expertise to provide assistance to the selection panel for the competition; and

That the recruitment process for the position be concluded so that the Legislative Assembly is able to consider the appointment of an ombudsman by April 1st, 2014.

Would someone be prepared to move that motion? Ms. Draude.

Ms. Eagles: — Can I please ask a question on that first . . . [inaudible] . . . please? When you said about a member of the public, they can confer with a member of the public, like does that happen?

The Chair: — It has happened in the past when we had the original competition for the Chief Electoral Officer. We were specifically looking for people with leadership qualities, and we had a member of the public, a well-known business person in the province, that assisted with that committee selection process. So it has happened.

It hasn't been used with the . . . I don't believe it was used with the child advocate, but I know that there was some consultations with the head of the accounting body in Saskatchewan for qualifications and things we needed to be looking at for the Provincial Auditor. So there was some

consultation there.

So thank you everyone for coming in today and for carrying on the business of the board. Thank you.

Ms. Eagles: — Okay, thank you.

[The board adjourned at 16:06.]

The Chair: — I recognize Ms. Draude.

Hon. Ms. Draude: —

That a national open competition be conducted by the Board of Internal Economy for the recruitment of an ombudsman.

That the board approve the request for \$25,000 for a national open competition; and

That a subcommittee of the board be chaired by the Speaker and consisting of a government member of the board, Mr. Jeremy Harrison, and an opposition member of the board, Mr. David Forbes, be established as the selection panel for the competition; and

That the Legislative Assembly Service provide human resource assistance to the selection panel for the competition; and

That the subcommittee may identify a member of the public with subject matter expertise to provide assistance to the selection panel for the competition; and

That the recruitment process for the position be concluded so that the Legislative Assembly is able to consider the appointment of an ombudsman by April the 1st, 2014.

The Chair: — Okay, thank you. Seconder? Mr. Forbes. All in favour? Carried.

Okay, we have one last item of business on the agenda. And I wish to deal with some security issues, so I think it best if we go in camera in discussing security issues for the legislature. So if someone would move that we move in camera?

Hon. Ms. Draude: — I can do that, but I think first I'll ask a question about the Provincial Auditor.

The Chair: — Sure.

Hon. Ms. Draude: — Is there some . . . Nancy tells me it's in conjunction with Public Accounts or do they do the hiring or what happens?

The Chair: — Public Accounts does that process; the Board of Internal Economy does not.

Hon. Ms. Draude: — So there's nothing. Okay, thank you. And I move we go in camera.

The Chair: — Seconded by Mr. Forbes. All in favour? Carried.

[The board continued in camera from 15:38 until 16:05.]

The Chair: — Okay, the committee is back in session. I believe we have concluded all of our business. If there is no further discussion, would someone move we adjourn the meeting? Ms. Heppner. Seconded by Mr. Forbes. All in favour? I don't believe we need to vote on this, but we do it every time. Carried.