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Hundreds of public servants share pay problems with minister by letter

Union says IBM, creator of new pay system, has to share the blame for pay problems

Julie Ireton, CBC News, June 21 2016

More than 1,000 federal workers have sent letters to the minister of public services about how the new pay system is affecting their lives after the Public Service Alliance of Canada (PSAC) launched a letter writing campaign late last week.

The government brought in its new Phoenix pay system in February and since then, workers from several federal departments across the country have complained about their pay cheques being wrong, late or that they haven't been paid at all.

Chris Aylward, vice-president of PSAC, said the letters are giving voice to workers and their stories of financial difficulties.

"We've had more than 1,100 letters sent, explaining the impact," said Aylward. "Families having to use Visa cards for everyday purchases. Who's paying the interest on that when the government can't pay the employees?"

Aylward said other workers are telling the government their utilities have been cut off and some are having to borrow money from families.

[More workers hired to address backlog](#)

Minister of Public Services and Procurement Judy Foote said late last week the government will hire 100 new workers at a centre in Gatineau, Que., to help manage the pay problems. She said this temporary centre is expected to be up and running this month and will remain in place until the backlog issues are addressed.

"We welcome certainly the minister's acknowledgement that there are now problems with Phoenix. That's a welcoming sign for us," said Aylward. But he noted that IBM — the company that sold the multi-million-dollar system to the government in the first place — also needs to take some of the blame.

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"This is an IBM off-the-shelf piece of software that they're trying to adapt to every single pay anomaly within the federal government. I guess they were told by IBM we can do that. And obviously you can't," said Aylward.

Foote said she has also asked Canada's auditor general to examine the planning for Phoenix and its implementation to see what went wrong.

The government's pay modernization project created 550 new jobs at the public service pay centre in Miramichi, N.B.

Women have 'transformed' the PS, except at the very top

Kathryn May, The Ottawa Citizen, June 21 2016

Women have broken all gender barriers in Canada's public service in ways few countries can boast — until they hit the deputy ministers' "club" where some complain there's little "diversity of mindset," says a new report.

It's among the findings of a new Carleton University study, Women's Leadership Matters, into the impact of female leadership on the public service, where women now hold more than 55 per cent of the jobs and 46 per cent of all executive positions below deputy ministers.

At the top, however, women haven't made the same progress. They held about one-third of the deputy minister jobs when the study was conducted between 2014 and 2015.

Marika Morris, an adjunct research professor who led the study, said women and visible minorities do well when hiring is based on open, merit-based competitions, but they "don't do as well" when the prime minister makes "at pleasure" appointments into deputy minister jobs.

The study is part of the Women in Public Service Project, run by the Washington-based Wilson Centre, aimed at getting women into 50 per cent of the world's public service jobs by 2050.

Canada already stands out in the world with a public service that exceeds the 50-per-cent female target. This study examined the impact women are having on shaping the public service and whether that impact could be measured.

The study, based on 26 in-depth interviews with former and current executives, comes 25 years after the milestone 1990 report of the Task Force on Barriers to Women in the Public Service.

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Morris said the process of picking executives up to the assistant deputy minister level was seen as fair and rigorous, but that it “became more mysterious and less transparent” for deputy minister appointments.

Morris said women have made such huge inroads at the senior levels that the perception of the top ranks being an “old boys’ club” no longer exists.

There is, however, a perception of a “certain mindset” among deputy ministers and a preconceived notion of what a leader is “so they pick people who look like them and that becomes difficult to change,” said Morris.

“Just because we have more women and visible minorities, it doesn’t mean we’re truly diverse if we keep promoting people like us. Typically introverts, economists, policy wonks ... There is a typology if you look at who gets promoted,” one respondent said.

Morris said such concerns were raised by only a few respondents but were strong enough to warrant further study.

The concern is there isn’t enough “diversity” in thinking and experience.

At all other levels of the public service, respondents felt diversity was thriving with women, the disabled, aboriginals and ethnic minorities able to bring different experiences and perspectives that made for better policy decisions, program development, consultations and work environment across departments.

Morris recommended the government re-examine the way it makes Governor in Council, or political, appointments, to ensure the criteria used for hiring candidates does not disadvantage women or other groups.

“Some careers have taken circuitous routes, but what should perhaps count more is whether candidates have the brains, talent, commitment, expertise and varied experience that a senior leader should have. One way to increase ‘diversity of mindset’ at the top is to value this type of varied experience,” she said.

The Liberal government is developing a new approach for GIC appointments that is aimed at being an “open, transparent and merit-based selection process” to help ministers make appointments to commissions, boards, Crown corporation agencies and tribunals. Prime Minister Justin Trudeau also asked Privy Council Clerk Michael Wernick to develop a new process for the way the next clerk is selected.

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The government has not announced any intention to review the way deputy ministers are appointed by the prime minister at the suggestion of the clerk. It has signalled it wants to bring in more executives from outside government to fill some deputy minister posts.

Overall, Morris said, the study showed women have “transformed” the public service by their numbers and an open, collaborative leadership style that has long been associated with women.

Collaborative leaders are good listeners and consensus builders. Studies show such leaders in the private sector have had measurable results such as an improved bottom line, especially among knowledge workers.

She said women’s influence in the public service is “night and day” compared with the 1990s when women barely had 14 per cent of executive jobs. Those early leaders were described as “iron ladies,” “tough as nails” and, according to one respondent, “made men cry.”

They paved the way for female executives — between the 1990s and today — who transformed public service leadership with a more collegial style.

“This is not a biological thing,” Morris said. “Some women do not have this leadership style and some men do. It can be learned. It’s not just a matter of appointing more women but learning from women.”

She said women flowed into senior jobs across government with this management style — except in departments where women don’t hold half the jobs such as the RCMP and military, where collegial leadership is “absent altogether.”

Morris also concluded that the female bureaucrats might have been the only female decision-makers at the table in male-dominated industries, from automotive to national security, over the past 25 years when women were not as equally represented in Parliament or at the cabinet table.

Women account for 50 per cent of Trudeau’s cabinet, but only 26 per cent of MPs overall are female.

“A fully representative public service may be one of the more significant and effective ways Canadian women have had an impact on national decisions in the absence of equal representation of women in Parliament,” Morris said.

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Now that women have the critical mass, the next phase is breaking down the public service structures, flattening the hierarchy and changing old mindsets so that the collaborative leadership style can flourish and become the norm.

She said that is the leadership style of the future, especially for the millennial generation. The Liberal government is targeting millennials for the next crop of leaders.

It's also a leadership style many argue will be critical to the rollout of the government's promised mental health strategy to get rid of structures and practices that contribute to the high levels of anxiety and depression in the public service.

"I think that leadership style is trying to take root more and more ... but like when a plant can't go beyond the pot, it needs enough room to spread or it can only reach a certain level," said Morris who found that growth to be restrained by too many layers and middle managers, too many bad managers, too much paperwork, a lack of trust, and a fear of taking risks.

Female Leadership In the PS

Carleton University's Women Leadership Matters is the first study of its kind to explore the impact of women leadership in Canada's public service. The study, led by researcher Marika Morris, conducted 26 in-depth interviews with former and current public servants. She concluded an open, collaborative leadership style, typically associated with women, had transformed the public service but had rubbed up against public service hierarchy, practices and structures that have not changed in 100 years. Some of her recommendations to help remove those restrictions and allow this new leadership to flourish include:

- More support for a more modern, less hierarchical form of leadership, what the academic literature refers to as "women's leadership style."
- Re-examine the process of Governor in Council appointments to ensure criteria being used are not disadvantaging women and other traditionally disadvantaged groups.
- Promote an inclusive workplace culture in the pockets of the public service where it has not yet taken root.
- Reinstate and modernize past successful programs or create new leadership development programs to strengthen leadership capacity in the public service.
- Reduce fear in the public service by developing an approach to taking calculated risks and making mistakes.
- Play a greater role to help other countries and other workplaces improve gender, diversity and inclusion practices.

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Federal public servants say fear of reprisals top concern for potential whistleblowers

Don Butler, The Ottawa Citizen, June 26 2016

A fear of reprisals is the main reason why federal public servants are reluctant whistleblowers, says a [report](#) done for the Office of the [Public Sector Integrity Commissioner](#).

The report, Exploring the Culture of Whistleblowing in the Federal Public Sector, was prepared by Phoenix SPI, an Ottawa public opinion and market research firm.

It summarizes the results of 10 focus groups held with federal public servants last November in Ottawa, Winnipeg, Regina, Quebec City and Moncton. One group in each location was conducted with non-management employees and the other with executives and managers.

[Related](#)

- [Whistleblowing report highlights](#)
- [Legal 'reverse onus' needed to ease whistleblower reprisal fears, Friday says](#)

While many said there was greater awareness about whistle-blowing now and more procedures are in place to facilitate it, the report says some public servants were skeptical about the extent to which things had really changed, suggesting the supposed changes “amount to ‘window-dressing.’”

Fear of reprisals was such a dominant theme that it rated its own section in the Phoenix report, which notes that the issue was identified and discussed by all groups before it was even introduced as a topic of discussion.

“Most participants believe that fear of reprisals for reporting wrongdoing is a real concern,” the report says, though the extent to which the concern is real can vary.

“For example, it was suggested that some departments are probably worse than others, given their internal culture,” says the report. “In other words, the fear is justified, but to different degrees depending on context and circumstances.”

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Moreover, a majority of managers in each focus group said concerns about reprisals for reporting wrongdoing “are as justified or more justified” for public service managers, in part because they have no union to support them.

Focus group participants routinely identified a range of potential reprisals, including ostracism, being blacklisted from assignments, job loss, being re-assigned or transferred, being given an increased workload or work no one else wants, harassment, poor evaluations, inability to get references and absence of promotion opportunities.

Many used the expression “career limiting move” or the acronym CLM to refer to the phenomenon of reprisals in a general way.

Asked what concerns an employee might have about reporting a wrongdoing, managers most often identified fear, the report says. “This included fear of lack of support, fear of loss of anonymity, fear of reprisals, fear of taking on hierarchy/power, fear of the effect of reporting on the work climate and fear of repercussions.”

The report says there was a “virtual consensus” among participants that fear of reprisals couldn’t be eliminated entirely. Instead, the objective should be to reduce that fear to the point where it does not prevent whistle-blowing.

To reduce fear of reprisals, those in the focus groups said more buy-in from upper management was required, along with more and better training, guidance and support for managers.

Other suggestions included ensuring anonymity and confidentiality throughout the process, providing counselling to whistleblowers and union involvement.

Some said there should be a strong, independent third-party process for investigating cases of wrongdoing and making decisions. That was noteworthy, the report says, because it pointed to a lack of awareness of the public sector integrity commissioner’s office, which was created in 2007 to play precisely that role.

But the office has had a troubled history. The first commissioner, Christiane Ouimet, resigned in disgrace just before the release of an audit that found she had mistreated her staff and failed to fulfil her mandate.

Her successor, Mario Dion, tabled just nine cases of wrongdoing and referred another six reprisal cases to the Public Servants Disclosure Protection Tribunal during his four years as commissioner. Whistleblower advocates have criticized the office as ineffectual and frustrating to deal with.

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Based on that history, Joe Friday, the current integrity commissioner, said it's "completely legitimate" for public servants to question the effectiveness of his office. "The onus is on me and my office, as well as Treasury Board the employer, to address those issues."

Friday said his office commissioned the focus group research — which follows similar research done in 2011 — to get "as clear and as current an understanding as possible about the barriers facing potential whistleblowers."

Friday has commissioned followup research on whistle-blowing barriers by leadership consultant Craig Dowden, who wrote a report last year on the growing problem of incivility in the public service. Dowden is expected to report the results of the research early next year.

Most focus group participants said their own attitude toward whistle-blowing was positive, describing whistleblowers as courageous and saying their actions showed integrity and professionalism.

But many had a more nuanced view, saying whistle-blowing had both positive and negative dimensions, the report says.

"It is positive insofar as it shows the integrity and courage of whistleblowers, but negative insofar as the need to disclose reveals that something bad is occurring in the workplace or the work environment," the report explains. "It reveals the best and the worst of human nature."

While whistleblowers need to be supported and protected, some said the process can be used to falsely accuse someone in pursuit of a personal vendetta. Others said there are difficulties and complications that need to be considered, and the issue may not be black and white.

And though whistle-blowing is encouraged in principle, some skeptical public servants said whistleblowers "are still more likely to be punished than rewarded for their actions and to be perceived negatively (e.g., as snitches)."

They also thought the chances of reporting wrongdoing and coming out of the process unscathed were limited, the report says. "While there might be some 'success stories,' the perception was that the deck is stacked against whistleblowers."

Participants identified several key factors or considerations that would encourage them to report wrongdoing.

Among them: strong evidence of wrongdoing and its perceived severity, support from other witnesses, the certainty of anonymity, support for whistle-blowing from higher echelons within

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the public service, a simple sense of justice, and a sense of loyalty to the federal public service and the people of Canada.

Liberal appointments signal intent to diversify Canadian judiciary

Sean Fine, The Globe and Mail, June 20 2016

The Liberal government has begun to change the face of the Canadian judiciary, appointing an aboriginal judge, an Asian-Canadian judge and an prominent member of the LGBT community in its first set of 15 appointments – of which just three were white males.

Justice Minister Jody Wilson-Raybould also signalled the government’s intention to take a different approach from its Conservative predecessors by promoting two human-rights specialists, including one who fought for gay rights in a landmark case, to Alberta’s highest court.

The Liberals waited more than seven months to name a single judge to the federally appointed courts (provincial superior and appeal courts, the Federal Court and Tax Court), even as vacancies swelled to nearly 50 from about a dozen last summer before the election was called.

The first group indicates a shift in who sits as a judge in federally appointed courts – and who gets promoted. It includes Jonathon George of the Kettle and Stony Point First Nation in southwestern Ontario; like the Justice Minister herself, he is a second-generation lawyer. He was promoted to the Ontario Superior Court from the Ontario Court of Justice.

Douglas Mah, an Asian-Canadian, joins the Alberta Court of Queen’s Bench.

Lucy McSweeney, the Children’s Lawyer of Ontario, was named to the Ontario Superior Court. She received a professional leadership award in 2013 from Out On Bay Street, a group that helps LGBT law graduates transition to working life.

“I think it’s sending a strong signal that for [the Liberals], merit involves considering the diverse perspectives that people bring to the law, and that includes the backgrounds and the communities they identify with,” said Paul Saguil, a Toronto lawyer and board member of Pride Toronto, who described Ms. McSweeney as a mentor to him. “That signal is important in instilling public confidence in the judiciary.”

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Sheila Greckol, one of the two appointees to the Alberta Court of Appeal, represented Delwin Vriend, a teacher who was fired because he was gay, and fought all the way to the Supreme Court of Canada to establish that Alberta's human-rights code discriminated by excluding gays from its protections. Justice Greckol was a labour lawyer who represented unions. Ms. Wilson-Raybould promoted her from the Court of Queen's Bench to replace Russell Brown, who was an irreverent right-wing blogger as an academic.

Sheilah Martin, the other Alberta appeal court appointee, was the law dean at the University of Calgary with a long list of publishing credits to her name focused on the equality section of the Charter of Rights and Freedoms. She, too, was promoted from the Court of Queen's Bench.

During the decade-long tenure of prime minister Stephen Harper, that court became home to small-c conservative judges such as Justice Brown, who referred to Justin Trudeau in a 2008 blog as "unspeakably awful," and Thomas Wakeling. (Mr. Harper later promoted Justice Brown to the Supreme Court of Canada.) And new judges appointed by Mr. Harper across Canada included barely a handful from visible minorities.

"The Liberals are back to doing what they've always done, which is to appoint people who are obviously left-wing," Tom Flanagan, an adviser to Mr. Harper when he was opposition leader, told *The Globe and Mail*. He disputed that the conservatives appointed conservative judges. "The Conservatives were afraid to play the game," he said.

Another observer said the Liberals were playing the same game as the Conservatives, but in reverse. "Individuals with those kinds of backgrounds [as Justices Greckol and Martin] were not being appointed under the Harper appointment process," University of Alberta law professor Eric Adams said in an interview.

He said the Trudeau government's first appointments, like those made during Mr. Harper's decade in power, show "there is more than simply pure merit that's at play. These aren't appointments that are being made without consideration for candidates' previous ideologies. And that's not a criticism – I want to make that clear. In exercising its power of appointment, governments look for judges who, yes, are talented and fair-minded, but also align with the particular worldview of the government of the day."

In all three promotions from superior courts to appeal courts, Ms. Wilson-Raybould shut out judges appointed by the Harper government, reaching back each time to the Liberal era of Paul Martin and Jean Chrétien. (The third of the three promotions put Judith Woods, a member of the Tax Court of Canada, on the Federal Court of Appeal.)

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Liberal ministers announce steps to fix Harper's environmental overhaul

Mike De Souza, National Observer, June 20 2016

Six federal cabinet ministers launched a sweeping review of Canada's environmental laws on Monday, pledging to restore what the previous government took away.

The announcement is only the start of a major wave of consultations to overhaul four major laws that were radically altered as part of a "responsible resource development" plan introduced in 2012 by former prime minister Stephen Harper's government.

"This is probably the most fundamental transformation of federal environmental law in a generation and this is what the government is looking at," said Stephen Hazell, an environmental lawyer who previously headed a government team that developed federal environmental regulations in the 1990s.

The overhaul could address the concerns of conservation groups who believe the previous government scrapped important federal powers to protect the environment. But at the same time, it may cause uncertainty over the next few months for industry stakeholders trying to make final decisions on new projects.

[Liberal ministers announce four separate reviews](#)

The consultations would involve two reviews in Parliament and two separate panels led by independent experts appointed by the government.

Members of Prime Minister Justin Trudeau's cabinet said that one of the independent panels would be designed to overhaul the [embattled National Energy Board](#) - the federal pipeline watchdog that has been widely criticized for being ineffective and too cozy with industry.

The other independent panel would examine how the Canadian Environmental Assessment Agency can restore "robust oversight and thorough environmental assessments" in areas of federal jurisdiction - based on scientific evidence - while working with the provinces and territories to avoid duplication.

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Environment and Climate Change Minister Catherine McKenna noted that the Liberal government was [delivering on a promise](#) to review the environmental assessment process and restore public trust.

“We're hoping obviously to do this as quickly as possible, but we need to be doing it in an open and transparent way, and also respecting the parliamentary process,” said McKenna, flanked by five other cabinet ministers, following a weekly meeting on Parliament Hill.

The government is inviting Canadians to [comment](#) on the proposed review before it appoints members of the panels later this summer. Both panels would then have until the end of January to submit their recommendations to the government, which would make the reports public.

“Then we'll move forward,” McKenna said. “Some changes may be able to be made sooner, some changes may be regulatory, some changes may require new legislation and we'll be moving forward as quickly as possible on that.”

[NEB awarded \\$500,000 contract to Ernst & Young to fix management](#)

Natural Resources Minister Jim Carr also signaled that the review would examine the governance of the National Energy Board and the role of its chair and chief executive officer - a position currently held by Peter Watson.

This move comes a few months after the NEB said it was already modernizing and reviewing its operations through a contract awarded to Ernst and Young. The NEB paid the consulting firm more than [\\$500,000](#) for a report that ultimately told the regulator it needed to fix problems with its management.

Carr also said the government was looking to improve consultations with Indigenous groups as part of the review - a major complaint that surfaced during recent federal reviews of proposed pipeline projects by Enbridge and Kinder Morgan to the west coast of British Columbia.

“In my mandate letter from the Prime Minister, at the very heart of it, is that the reform of the National Energy Board has to include embedding Indigenous cultural practices,” Carr said. “There will be every opportunity over the next number of months for Indigenous communities to reinforce that point with the ministerial panel and with Crown consultations.”

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We'll definitely change some things, says Marc Garneau

Federal Fisheries Minister Dominic LeBlanc, Indigenous and Northern Affairs Minister Carolyn Bennett, Science Minister Kirsty Duncan, and Transport Minister Marc Garneau would also be overseeing the review.

LeBlanc and Garneau would focus on reviewing changes made to the federal Fisheries Act as well as the changes made to the Navigable Waters Protection Act. The former Harper government had changed the latter so dramatically that it deleted the word "waters" from the law's title, renaming it as the Navigation Protection Act and removing protections from tens of thousands of Canadian rivers and lakes.

"The Act itself is one of the oldest acts in the country and, in fact, as many people like to say, it initially addressed any water body that could hold a canoe," Garneau said. "And so this is a law that was changed in 2012 by the previous government. Some of the changes that were made we may end up saying they're reasonable, but some of them we definitely will change."

But the reviews of the fisheries and navigation legislation would go through parliamentary committees and could take longer for the government to pursue.

The changes introduced by the Harper government was linked to lobbying efforts from the oil and gas industry, along with other sectors. But the Canadian oil and gas industry's main lobby group said it agreed that the Liberal government's review could improve public trust in its projects.

"We expect that the thorough review, consultation process and applying the interim principles will enhance the public's trust in the federal regulatory system of major natural resource projects," said Canadian Association of Petroleum Producers spokeswoman Chelsie Klassen in a statement sent to *National Observer*. "While CAPP members managed effectively within the old structure, all regulatory requirements and processes need modernizing from time to time. We have participated in past government reviews of CEAA and other modernization projects and plan to participate in the review announced today."

But not all critics believe the government is taking the right approach. Green Leader [Elizabeth May](#) has said that the government should have undone all of the changes introduced by Harper's government and started its review based on the previous versions of the environmental laws.

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John Bennett, a senior policy expert from Friends of the Earth Canada, agreed.

"What the government has done is make the Harper's damage the default system," said Bennett, who suggested the government should put a moratorium on new project approvals until the review is complete.

Hazell, the lawyer who helped lead the government's efforts to implement the original Canadian Environmental Assessment Act in the 1990s, said he believes the government is taking the right approach by launching consultations that would also allow federal politicians to review changes before implementation.

"It's a big job, so yes, they've got to talk to a lot of people," said Hazell, now general counsel and director of conservation with Nature Canada.

Hazell was invited inside the House of Commons by the government to attend the announcement.

Liberal MP fights backlash against his animal cruelty bill

Conservative MP Robert Sopuck worries the bill would 'place all animal use in legal jeopardy. Marco Vigliotti, The Hill Times, June 22 2016

Liberal MP Nathaniel Erskine-Smith said he's surprised by the strong backlash to his private member's bill seeking to strengthen animal cruelty laws.

Mr. Erskine-Smith's (Beaches-East York, Ont.) Bill C-246, known as the Modernizing Animal Protections Act, went through first reading in February and quickly attracted criticism from hunting and angling groups over provisions expanding the scope of animal cruelty offences in the Criminal Code.

Opponents worry the bill could lead to the criminalization of common animal-use practices, though the Toronto MP says the focus rests exclusively on bolstering legal penalties for those who commit heinous acts of abuse.

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“The intention is not to affect fishing, farming, or hunting. It’s to update our animal cruelty laws,” he said in an interview, clarifying that it would not undermine “accepted animal use[s].”

The bill went through the first hour of second reading debate on May 9, with the second hour scheduled for Sept. 28.

Mr. Erskine-Smith, a lawyer, said he decided to introduce the bill because animal welfare protections were overwhelmingly identified as a major concern by constituents in his left-leaning Toronto riding.

And although not currently playing host to any animals, he said he grew up with two cats and a dog, and anticipates adding an animal to his household after his wife gives birth, expected in August.

He’s also a vegan.

The rookie MP framed his bill as an update to previous legislative tries to strengthen animal cruelty laws that cobbles together several proposed reforms into one expansive piece of legislation.

It prohibits the importation of shark fins, bans the sale of products made with dog and cat fur, and requires clothing manufacturers to disclose the source of fur used in their products.

It would also look to strengthen the law against bestiality following a recent Supreme Court decision that the current definition in law only referred to the physical penetration of an animal.

Few legislators have raised complaints about these sections of the bill, though the Fur Industry Council of Canada is questioning the necessity of a ban of dog and cat fur because it says no one in the domestic industry uses it.

However, activists say that dog and cat fur products manufactured in China are marketed and sold in North America and Europe.

Criminal law updates creating controversy

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Proposed additions to the Criminal Code, however, have ignited heated debate.

Most notably, the bill would add the term “recklessly” to the wording of an offence that currently classifies as a crime the wilful killing of an animal in a brutal or vicious manner. It also adds: “regardless of whether the animal dies immediately.”

Mr. Erskine-Smith describes these additions as necessary to close glaring loopholes in animal cruelty protections.

Under the current definition, he said prosecutors must prove that alleged perpetrators of animal abuse did so deliberately, which is very challenging.

He cites as an example an owner starving their dog to death. Currently, the Crown attorney would be forced to prove that the perpetrator wilfully intended to kill the dog, he said.

“Our [offences in] the Criminal Code...date back to the 1890s, they were slightly updated in the 1950s,” Mr. Erskine-Smith said of the need for reforms.

Scrapping the potential for judges to weigh in on the immediacy of death is another important consideration that could have big consequences for abuse cases.

Mr. Erskine-Smith has regularly cited the case of a man who killed his dog with a baseball bat but was acquitted of animal cruelty charges because the judge ruled the death to be quick.

The bill would also move animal cruelty offences from the property section of the Criminal Code to a new “Offences against Animals” section to recognize that abusing animals is morally reprehensible, Mr. Erskine-Smith said.

“The reason it is a crime to be cruel to animals is because it is wrong to be cruel animals in and of itself, and it’s got nothing to do with their status as property,” he said of the rationale for creating the section.

Critic worries bill would ‘place all animal use in legal jeopardy’

Conservative MP Robert Sopuck (Dauphin-Swan River-Neepawa, Man.), however, worries that creating a new designation would change the way animals are viewed under the law and erode the century of case law precedence regarding offences to animals.

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The bill's decision to move animals out of the property section and into the "public morals section" is problematic because its terms are so "broad" they could "place all animal use in legal jeopardy," he said in a statement released earlier this year.

Mr. Erskine-Smith strongly disputed this characterization, calling it a "fictitious narrative" that had no "zero basis in law."

He accused Mr. Sopuck, who serves as the opposition critic for wildlife conservation and Parks Canada, of "playing politics with an important issue" and viewing it as an opportunity to get a "political win under his belt" by killing a bill advanced by a Liberal MP.

Mr. Erskine-Smith also said he continues to seek feedback on the bill and remains open to changes, adding that he reached out to Mr. Sopuck prior to introducing the legislation in the House in anticipation of concerns from the hunting and angling community.

According to Mr. Erskine-Smith, Mr. Sopuck raised concerns about the definition of animal included in the bill, prompting him to delete it.

"I still [have] my hands out saying I'm willing to work with everyone to make sure we don't lose the good things in the bill because people have political concerns based on perception of something that fundamentally doesn't exist when you sit down and talk to lawyers."

In a phone interview, Mr. Sopuck called accusations he is playing politics "deeply offensive," saying he is raising forceful objections to the bill because of its sweeping consequences.

Specifically, he argued inserting the term "recklessly" raises questions about whether people could face criminal prosecution for accidental or clumsy activities that cause harm to animals, such as failing to swerve off the road to avoid a deer.

"A certain judge can make a decision and all of the sudden what is a normal behaviour has become criminalized," he said, adding the bill also threatens to cripple the ability to conduct medical research and testing involving animals.

Outdoors group says bill 'needs to die'

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A provincial organization advocating for hunters and anglers levelled similar criticisms against the bill, saying its expansive language threatens to jeopardize the legal standing of a sweeping array of uses of animals.

Greg Farrant, manager of government affairs and policy with the Ontario Federation of Hunters and Anglers, said the bill has drawn sharp opposition from the farming and hunting communities, as well as certain religious groups fearful of the possible effect on halal and kosher killing methods, because it goes far beyond addressing serious abuse issues.

“This bill needs to die,” he said, accusing Mr. Erskine-Smith of “underselling and underplaying” the changes the legislation would bring in.

Mr. Farrant said his group has received three legal opinions from criminal defence lawyers warning that the bill is rife with loopholes and potential dangers.

He also noted the reception it has received from the Liberal caucus, citing concerns voiced by former Toronto police chief and Grit MP Bill Blair (Scarborough Southwest, Ont.), who serves as the parliamentary secretary to the justice minister.

During debate on the bill in May, Mr. Blair said he believes there is “considerable merit” in the proposed amendments to the Criminal Code, though he took issue with the absence of exemptions for “specific lawful activities” involving animals, including ranching, hunting, fishing, trapping, and medical research. He also repeated concerns from hunters and anglers about the addition of the term “recklessly” to the animal abuse offence.

Mr. Erskine-Smith said he has repeatedly stressed that he is open to changes, explaining that he wants the bill to make it to committee to allow academics, experts, and Parliamentarians to weigh in on the potential consequences and suggest possible amendments.

He said his bill has received support from “a lot” of his backbench Liberal colleagues, the majority of the NDP caucus and Green Party Leader Elizabeth May (Saanich-Gulf Islands, B.C.), while Bloc Québécois MPs have appeared supportive and some Conservatives have reached out to discuss potential changes.

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Outside of the Hill, it has won the enthusiastic backing of numerous animal protection advocates, ranging from the Canadian Federation of Humane Societies to the Canadian Veterinary Medical Association.

Mr. Erskine-Smith pointed out that the Canadian Federation of Agriculture, a farmer advocacy body, offered support for what he said was a similar animal cruelty bill in 2004 that died in the Senate when it failed to pass before the end of the parliamentary session.

However, a CFA spokesperson told the *Hill Times* the group would not support C-246 “at this time” because of “outstanding questions on the legal impact to farmers.”

Mr. Sopuck ruled out compromising on the bill, saying it would only serve to encourage animal rights organizations to further “move the goalposts” by seeking more radical reforms as part of their bid to reclassify animals in Canadian law.

Public servants scramble to fill data deficit on Liberals' priorities

Years of belt tightening has created "data gaps" for new government's priorities, has public servants playing catch up.

Alex Boutilier, The Toronto Star, June 22 2016

If Prime Minister Justin Trudeau really is a data geek, he couldn't have been encouraged by what some federal departments had on hand.

Internal documents obtained by the Star suggest years of belt tightening has led to a data deficit in Ottawa, gaps that may “create challenges” in delivering on the Liberal government's priorities.

Early childhood learning and child care, expanding parental leave, increasing youth employment, and expanding training for apprentices and post-secondary students all figured prominently in the [Liberals' election platform](#).

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But as of November, the department responsible for making good on those promises was worried they didn't have enough concrete data to deliver.

"Spending on surveys has been reduced over the last several fiscal years and has been concentrated on priority areas to help manage financial pressures," read documents prepared for the senior public servant at Employment and Social Development Canada (ESDC).

The Liberals have made "evidence-based decision-making" a watchword for their early days in office, and senior staff in the Prime Minister's Office are known for their attachment to [data-driven strategy](#).

A spokesperson for Families, Children and Social Development Minister Jean-Yves Duclos said the issue is government-wide, not isolated in their department.

"This is an issue that all ministers are facing right now. We do know that there are gaps in the data the government owns," Mathieu Filion told the Star in an email.

"There are many discussions on the matter with different minister's offices as to see what will be done to acquire more data."

According to the November documents, Statistics Canada was largely preoccupied with the [restoration of the long-form census](#), but had identified a number priority files.

Along with ESDC, StatsCan was looking to revive "longitudinal surveys" to fill in gaps. Longitudinal surveys are more expensive and time consuming than other methods of collecting data, but the documents suggest they can give greater insight into "the dynamics of life events" and have a greater payoff when continued over a number of years.

StatsCan's wish list includes greater labour market information (specifically aboriginal participation, unpaid internships, temporary foreign workers, and worker mobility), better information on children's physical and mental health development, and more data on Canada's aging population and the resulting effect on the economy and the health-care system.

The agency says the digital economy remains largely in the dark, as well.

"The use of digital technologies is an important and growing phenomenon and stakeholders are increasingly demanding statistical products to address questions on the topic," the documents read.

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“While the agency has been doing some feasibility work on Internet use by children, the incidence of cybercrime amongst Canadian businesses, and has developed some questions for the inclusion in various surveys, there remain important data gaps.”

ESDC is also interested in learning more about Canadians’ “computer literacy” and use of the Internet.

Ready or not with the data to back policy, the Liberals have begun moving ahead on a number of files ESDC identified. On Monday, Employment Minister MaryAnn Mihychuk detailed new projects funded through the federal government aimed at improving job skills of 700 youth and 400 people with disabilities.

In February, Trudeau committed to spending an additional [\\$113 million over three years](#) on the Canada Summer Jobs program, which subsidizes wages for Canadians aged 15 to 30. In 2015-16, the program cost \$106 million and created more than 34,000 summer jobs.

The government has also changed Canada’s child-care benefits, combining four separate benefits into a single monthly payment. That change has been the costliest so far, projected to have a [\\$22.4 billion price tag](#) over five years.

The Liberal’s first budget also committed to spending \$500 million in 2017-18 on a [National Early Learning and Child Care Framework](#), to be designed with input from the provinces, territories, and indigenous communities.