



Press Clippings for the period of September 20<sup>th</sup> to 26<sup>th</sup> 2016 / Revue de presse pour la période du 20 au 26 septembre 2016

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## **Fiasco Phénix: un bureau de réclamations créé**

**Paul Gaboury, Le Droit, le 21 septembre 2016**

Les fonctionnaires fédéraux peuvent demander le remboursement de frais financiers qu'ils ont dû encourir en raison des ratés du système de paye Phénix. Toutefois, le gouvernement ne sait pas encore comment il aidera les employés dont la cote de crédit personnelle a pu être affectée.

Le Secrétariat du Conseil du Trésor a mis sur pied un bureau de réclamations pour rembourser les employés, qui devront remplir un formulaire en ligne.

Impossible pour l'instant de savoir quelles sommes devront être remboursées. Toutefois, on confirme que la création de ce bureau coûtera un million de dollars. Le ministère des Services publics et de l'Approvisionnement a déjà indiqué [que 50 millions \\$ seront dépensés pour régler les problèmes de Phénix d'ici la fin de l'année.](#)

Le formulaire de remboursement demande aux employés d'expliquer leur problème de paye. Puis, ils sont invités à décrire les dépenses engagées, en joignant les pièces justificatives. Les ministères pourront rembourser les sommes totalisant moins de 500\$, alors que les autres devront passer par le Secrétariat du Conseil du Trésor.

Le gouvernement n'a pas encore dit comment il pourrait aider les employés dont la cote de crédit sera touchée par ces problèmes financiers liés aux ratés de Phénix, ce qui risque de nuire à leur capacité d'emprunt dans l'avenir.

«C'est une bonne question, nous prenons note», a répondu Renée Lafontaine, sous-ministre au Secrétariat du Conseil du Trésor. Le gouvernement entend cependant intervenir pour s'assurer que la cote de sécurité de ses employés ne sera pas touchée par une mauvaise cote de crédit.

### **Manque de capacité des serveurs**

Par ailleurs, la sous-ministre des Services publics et de l'Approvisionnement, Marie Lemay, a confirmé que [la panne majeure survenue mardi](#) avait été causée par un manque de capacité des serveurs.



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Le ministère étudie avec Services partagés Canada comment il peut éviter de surcharger le système en procédant à ses opérations.

«Nous en faisons beaucoup actuellement, a indiqué M<sup>me</sup> Lemay. Mais la situation n'est pas pire qu'elle ne l'était avant Phénix, alors que les systèmes tombaient aussi en panne. C'est une situation qui arrive et à laquelle nous devons nous adapter. Quand il s'agit de la paye de 300 000 employés, je peux vous dire que tout le monde prend la situation au sérieux.»

Dans sa mise à jour, la sous-ministre a expliqué que le nombre de cas «en arriéré» est passé de 82 000 à 57 500 employés. Elle est toujours confiante d'atteindre l'objectif du 31 octobre, malgré la panne générale du système qui a fait perdre plusieurs heures de travail, et qui a aussi touché le système des pensions.

Malgré tout, les fonctionnaires ont pratiquement tous été payés, exception faite de 47 des 300 000 employés.

## **Le VG se penchera sur Phénix**

**Le Droit, le 19 septembre 2016**

Le vérificateur général Michael Ferguson a convenu d'examiner ce qui a mené au fiasco du système de paie de la fonction publique fédérale Phénix, ayant fait en sorte que plus de 80 000 fonctionnaires ont reçu des montants inférieurs ou supérieurs à ce qu'ils avaient droit, ou absolument rien.

La ministre des Services publics, Judy Foote, a indiqué lundi qu'il y aurait investigation du vérificateur général, avec l'objectif de déterminer ce qui avait mal tourné et de s'assurer que des problèmes similaires puissent être évités à l'avenir.

Mme Foote a aussi blâmé le précédent gouvernement conservateur, à l'origine du système Phénix, pour avoir coupé 700 emplois reliés à la paie et avoir pris des raccourcis sur la formation.

La ministre a affirmé que des problèmes touchaient encore 67 500 employés de l'État, comparativement à 82 000 à la mi-juillet. Elle a dit avoir espoir que les cas pendants soient réglés d'ici la fin octobre, bien que des syndicats de la fonction publique demeurent sceptiques.

Mme Foote a dû répondre à des questions sur le système lors d'une présence devant un comité des Communes, lundi.

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## **Auditor general to investigate Phoenix fiasco**

**Michael Ferguson asked to determine how new public service payroll system became such a disaster**

**Canadian Press, iPolitics.ca, September 19 2016**

Auditor general Michael Ferguson has been asked to determine how a move to modernize the federal government's payroll system turned into a fiasco in which more than 80,000 public servants were paid too much, too little or not at all.

Public Services Minister Judy Foote says Ferguson has agreed to conduct an audit of the problem-plagued transition to the Phoenix pay system.

She says the objective is to find out what went wrong and assure that similar problems can be avoided in future.

In the meantime, she's blaming the previous Conservative government, which initiated the move to Phoenix, for cutting 700 payroll staff and skimping on training.

Foote says the number of public servants still experiencing problems with their pay cheques has been whittled down to 67,500 from 82,000 in mid-July.

She remains confident that the remaining cases will be resolved by the end of October, although public service unions are skeptical.

Foote was grilled on the Phoenix system during an appearance Monday at a Commons committee.

She said the previous government had the option of doing "a full court press," directly training every employee involved with the new payroll system, or simply training a few people who could train everyone else. They opted for the latter because "it was cheaper."

Since problems emerged last spring, Foote told the committee that 250 additional compensation advisers have been hired to help eliminate the backlog of problem cases.

Opposition MPs said Foote must take the blame for proceeding with the second phase of the transition to Phoenix in April, despite warnings from public service unions that the government wasn't ready.

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But Foote said she was assured by bureaucrats that “we were in a ready-to-go state” and that “there was no going back” to the old payroll system and no way to run the old and new systems simultaneously.

Senior bureaucrats who attended the committee with Foote confirmed that they told her the system was ready to be launched, an opinion shared by an independent, outside consultant.

Conservative MP Steven Blaney said “the blame game is not really useful” for public servants waiting to be paid, but then proceeded to lay the blame squarely on Foote.

“What we know now is that system was not ready to be implemented, she rushed into it. Now we have extra costs for taxpayers, nightmares for many workers,” Blaney said outside the committee meeting.

New Democrat MP Erin Weir pointed out that the old and new pay systems operated in tandem from February to April and questioned why that couldn’t have continued until the glitches with Phoenix were ironed out.

## **Not the time to lay blame for Phoenix failures, deputy minister says**

**Backlog of cases from before June now down to 57,500, with Oct. 31 deadline looming  
CBC News, September 21 2016**

The deputy minister in charge of fixing the federal government's problem-plagued Phoenix payroll system is urging people to withhold judgment on blame for the botched rollout until after the auditor general and the ministry conduct their own investigations.

- [Judy Foote says 'there was no going back' at time of Phoenix launch](#)
- [Payroll fix could cost \\$50M this year, government says](#)

At a briefing Wednesday, deputy minister of public services and procurement Marie Lemay said questions of accountability over how the government could approve the full launch of the system in April should wait until after the problems are resolved.

"I also want answers," said Lemay. "But we have to take the time to review the facts."

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"I expect we'll see multiple points of failure that will be identified and we need to understand these fully. At this point I think it would be wrong to state that one person or one element is to blame," she said.

"Once we have a complete understanding of what went wrong, appropriate steps will be taken."

### Problems began shortly after rollout

Lemay's comments come two days after Minister of Public Services and Procurement Judy Foote told a House committee she had received repeated assurances that the Phoenix system was ready to go when it fully launched, but declined to say where those assurances came from.

The government rolled out the payroll system to some 120,000 federal employees in February, and despite urgings from the public service unions to delay the full launch, the government rolled out the system to the entire public service in April.

After Phoenix was introduced across the country, employees began reporting pay problems. By July, the government acknowledged more than 80,000 public servants have experienced some pay problems, with the majority being underpaid, while some have been overpaid or not paid at all.

Foote also confirmed at that committee meeting that the auditor general had agreed to review the rollout.

### 10,000 claims processed in 2 weeks

Lemay provided an update on the government's progress in dealing with the backlog of claims that had accumulated before June. Since the last update two weeks ago, compensation workers have processed close to 10,000 claims, bringing the backlog down from 67,500 to 57,500.

The government has promised the backlog will be eliminated by Oct. 31, and Lemay suggested that they remained on track to do so.

She also noted that the ministry has received 47 new "priority one" cases of workers not receiving pay, and said those would be handled by the next pay period, and that another 145 "priority two" cases would be handled in the next six weeks.

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Renée LaFontaine, the chief financial officer of the Treasury Board Secretariat, also outlined more details of the process for employees looking to be reimbursed for expenses as a result of having their pay delayed or withheld.

LaFontaine said claims under \$500 such as non-sufficient funds charges or interest on late payments will be handled by the department of the employees.

More complex cases or those for claims over \$500 will be forwarded to the Treasury Board office, she said.

The cost of setting up the office at the Treasury Board to handle the claims is estimated at less than \$1 million, LaFontaine said.

That figure doesn't include the cost of the claims. LaFontaine declined to provide an estimate for how much that might be, but did say that those costs would be covered by the departments themselves.

## **Négociations collectives: rien n'a bougé, dit l'AFPC**

**Paul Gaboury, Le Droit, Le 19 septembre 2016**

Après une autre semaine de pourparlers, rien n'a bougé aux différentes tables de négociations entre le Conseil du Trésor et les équipes de l'Alliance de la fonction publique du Canada (AFPC).

La semaine dernière, les équipes de plusieurs groupes étaient de retour aux différentes tables pour le renouvellement des conventions collectives touchant environ 100 000 employés fédéraux.

Selon l'AFPC, le gouvernement libéral a repris le même agenda recyclé de l'ancien gouvernement conservateur. Le syndicat déplore qu'après avoir promis des jours meilleurs aux fonctionnaires, il ne perçoit aucune amélioration, ni dans les négociations, ni dans la gestion des lacunes du système de paye Phénix.

« Oui, nous sommes très déçus. Le gouvernement n'a pas changé son agenda ni le mandat. Il n'y a pas eu assez de progrès pour dire qu'il y a eu du mouvement. Nous n'avons pas déclaré l'impasse, mais il faudrait qu'il y ait quelque chose de nouveau et de substantiel pour que nous acceptions de retourner. Pas question d'aller perdre notre temps encore », a expliqué Larry Rousseau, vice-président exécutif de l'AFPC pour la région de la capitale nationale.

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L'abolition du régime actuel de congés de maladie, que le gouvernement veut remplacer par un régime d'assurance invalidité court terme, est toujours sur la table, alors que l'offre salariale à 0,5 % par année n'a pas changé.

Le vice-président Larry Rousseau a rappelé que la table du groupe Programme et administration (PA) compte plus de 72 000 membres et représente la plus importante unité de négociation en Amérique du Nord.

Le syndicat a tenté encore sans succès de négocier la mise à jour de normes de classification désuètes, entre autres de normes de travail minimales pour les centres d'appel.

Les autres groupes sont ceux des Services techniques (10 000 membres), des Services Frontière-Border (8 500), des Services de l'exploitation SV (11 000) et d'Enseignement et bibliothéconomie EB (900).

### **Commission d'intérêt public**

Si l'impasse persiste, la prochaine étape pourrait être celle d'une Commission d'intérêt public instaurée dans le cadre du processus de négociation sous l'ancien gouvernement conservateur, a rappelé M. Rousseau.

Cette commission est formée de trois personnes et peut s'étendre sur plusieurs mois. À l'Agence du revenu du Canada, elle avait duré plus de quatre mois lors des dernières négociations.

En attendant, l'AFPC va se mettre à l'oeuvre dès maintenant pour préparer ses troupes. « Nous devons déjà commencer à penser à former nos équipes pour les lignes de piquetage et la grève », a souligné M. Rousseau.

## **Crown stays terrorism charges against Edmonton-area teen accused of trying to join ISIL**

**Tony Blais, National Post, September 24 2016**

Terrorism charges have been stayed against an Edmonton-area teen who was accused of trying to leave Canada to join the Islamic State terrorist group.

Nathalie Houle, a spokesperson for the Public Prosecution Service of Canada in Ottawa, confirmed Friday that the terrorism charges against the youth, who is now 18, were stayed.

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The teen, who cannot be identified under the Youth Criminal Justice Act as he was 17 when he was charged in March 2015, had been slated to go to trial in October in Edmonton's Youth Court.

However, defence lawyer Nate Whitling said he received a letter this week from the federal Crown notifying him that the charges had been stayed, but provided no explanation.

#### *Related*

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- [ISIL, ISIS or Daesh? Ottawa's past efforts to change its term for terrorist group plagued by confusion](#)

The teen was arrested without incident by the RCMP's Integrated National Security Enforcement team in Beaumont, a bedroom community south of Edmonton, on March 19, 2015, and charged with two counts of conveying terrorist activity.

The first allegation was that on or around March 8, 2015 the teen attempted to leave Canada to participate in an activity of a terrorist group, Islamic State.

The second allegation was that on the same date the teen did, without lawful excuse, attempt to leave Canada for the purpose of committing an act outside of Canada that, if committed in Canada, would be an indictable offence, namely murder, in circumstances that constitute terrorist activities.

A statement from the RCMP in Ottawa at the time said the focus of the investigation was on the "safety and protection of the public" and urged people to come forward if they suspected an individual in their family or community was being "radicalized."

When charges are stayed by the Crown, they have the option to resurrect the prosecution within a year, although that is rare.

## **Atlantic Canada lawyers challenge Trudeau on changes to Supreme Court appointment process**

**Dropping regional representation should require amendment to Constitution, trial lawyers say**



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### **The Canadian Press, CBC News, September 19 2016**

Trial lawyers from across Atlantic Canada are taking Ottawa to court to ensure the region keeps its traditional Supreme Court of Canada seat, saying Prime Minister Justin Trudeau can't change the custom without the approval of every province.

Trudeau has said regional representation among the top court's judges is important, but he has yet to commit to replacing a retired justice from Nova Scotia with someone from the same region, arguing that other forms of diversity are just as important.

The Atlantic Provinces Trial Lawyers Association said Monday it is seeking an order from the Nova Scotia Supreme Court that would require Ottawa to amend the Constitution if it wants to drop regional representation as an unwritten constitutional convention.

Such a change would require unanimous consent of the provinces, the association said.

"It raises questions of regionalism, which are very important to Atlantic Canadians and their participation in Confederation," said Ray Wagner, a Halifax lawyer and spokesman for the association.

"The problem is that we will get swallowed up by larger population areas that get appointments — and we get forgotten and somewhat marginalized."

Without adequate regional representation, Atlantic Canada could be hurt by future Supreme Court decisions dealing with fisheries matters, employment insurance and transfer payments, he said.

### **Long-standing convention**

As grounds for the court application, the association argues that the absence of a judge from one of the four Atlantic provinces would "fundamentally change the long-standing composition of Canada's highest court."

The Canadian Bar Association has already urged Trudeau to respect the regional appointment custom, which does not appear in the Constitution or in Canadian case law.

The convention, in place for 141 years, shouldn't be changed without invoking the Constitution's amending formula because the Supreme Court of Canada has already made a similar ruling regarding proposed changes to the Senate, Wagner said.

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In April 2014, the court slammed the door on reforming or abolishing the Senate without reopening the Constitution. The high court said then prime minister Stephen Harper's plan to impose term limits on senators and create an election process couldn't be done by the federal government alone.

Nova Scotia Premier Stephen McNeil issued a statement Monday reasserting the province's position that the rule should not be changed.

"We believe there are excellent Atlantic Canadian candidates for the seat, and look forward to the region's continued representation on the high court," the premier said.

### 'Regional representation is important'

The court challenge in Nova Scotia comes as a deadline in the appointment process is fast approaching.

Later this month, a new, non-partisan advisory board is expected to recommend to the prime minister a list of three to five candidates who are qualified, functionally bilingual and representative of the diversity of Canada.

The seven-member panel, led by former prime minister Kim Campbell, is expected to review candidates from across the country.

However, federal Justice Minister Jody Wilson-Raybould told the House of Commons the list will include two candidates from Atlantic Canada.

"Regional representation is important and will be considered in the appointments process," Wilson-Raybould said in a statement afterward, adding that the advisory board has been asked that the regional custom be "one of the factors" taken into consideration when making its selections.

Trudeau has said his Liberal government is "folding in all sorts of different aspects to get the best possible people to sit on the Supreme Court."

Last month, Chief Justice Beverley McLachlin suggested an appointment made without regional consideration could end up being challenged in court.

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"Indeed from what I see, it could be something that might someday come before us, but this is a question I think I have to leave aside," she said at the time. "I'm the last to know what will come before the court."

## **Supreme Court ruling on unreasonable delays sets tight deadlines**

**Supreme Court of Canada deadlines set this summer mean provincial court cases must be done within 18 months**

**Blair Rhodes, CBC News, September 23 2016**

Barrett Richard Jordan is having a profound effect on the Nova Scotia justice system, despite formerly facing charges in a province thousands of kilometres away.

Jordan was charged with drug offences in British Columbia, and his case took nearly four years to come to trial.

In a landmark decision this summer, the Supreme Court of Canada ruled that was far too long.

- [Supreme Court sets new deadlines for completing trials](#)

In dismissing the case against Jordan, the country's highest court also imposed time limits that all courts must abide by.

Matters in provincial courts must be done within 18 months from the date the information is sworn.

In Supreme Court, the timeline is now 30 months.

### **New deadlines a 'game-changer'**

The director of the province's Public Prosecution Service, Martin Herschorn, refers to the Jordan decision as a game-changer.

"This system, the court has told us, has to change," Herschorn said Friday.

"All the players in Nova Scotia, I know from my personal interaction with them, are committed to making that change."

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Nova Scotia had a head start in dealing with court delays, thanks to an earlier Supreme Court of Canada ruling in the case of Ernest Fenwick MacIntosh. The accused pedophile had Canadian charges against him stayed because the court ruled it took too long to deal with them.

### New delay alert system

"After that case we instituted an electronic delay alert system and every time our senior management team gets together, we review those cases, which have been identified through that electronic system," Herschorn said.

Herschorn said they're also looking at an alert system being built into the Justice Enterprise Information Network — the main computer program that tracks criminal cases in Nova Scotia. That way not just the Crown but all players would be able to keep track of how long a case is taking.

Herschorn said Crowns are now triaging cases and talking with defence lawyers about ways to speed things up.

He described delays as the service's number one priority.

### Defence lawyers agree

His view is shared by defence lawyers.

"There's no doubt that this particular decision makes sure that you're going to be dealt with within a finite period of time, whereas before it wasn't clear," veteran defence lawyer Kevin Burke said earlier this month.

Burke represented one of the [28 people charged in a police drug operation dubbed Operation H-Tort](#). Charges against Burke's client and three other men arrested in the sting were all either stayed or withdrawn because of the new deadlines.

Tom Singleton represented another of the H-Tort accused.

### 'The system ... has to change'

"The whole impetus for the Supreme Court decision was its concern over what this was doing to the administration of justice in Canada," Singleton said.

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In most of the U.S., if someone is charged, "they are usually having a trial in under a year from the date they were charged," he said. Singleton said that seldom happened in Canada.

Herschorn said the delay issue is the top priority for the Public Prosecution Service.

"This system, the court has told us, has to change," he said.

## **Government mum on judicial shortlist**

**Justin Trudeau has called for applications from across Canada to fill a seat customarily reserved for Atlantic Canada, prompting threats of a lawsuit from a group of lawyers from that region.**

**Tonda MacCharles, The Toronto Star, September 24 2016**

A shortlist of names from which the prime minister will pick a new Supreme Court of Canada judge was submitted Friday, but the government will reveal no more information than that.

As an exercise in accountability and transparency for the high court nomination, Prime Minister Justin Trudeau set up a new independent advisory board to receive – and seek out – applications. The board, led by former prime minister Kim Campbell, was tasked with vetting candidates and submitting a shortlist of three to five names of qualified, functionally bilingual candidates.

Trudeau is to select what will be his first nomination to the Supreme Court of Canada from the shortlist. However it is unlikely the next round of consultations, which will include an appearance at a parliamentary committee by the eventual nominee, will be completed before the Supreme Court starts its fall session in October.

At first, Justice Minister Jody Wilson-Raybould's office refused Friday to divulge whether the shortlist had been submitted as per the deadline.

It refused to provide general, non-identifying information about those who had sought a top court job, such as the total number of applicants. They had until Aug. 24 to apply. It also refused to give a breakdown of the gender, province of origin, or professional background (bar, bench or law faculties) of the applicants.

Valerie Gervais, press secretary Wilson-Raybould, said "unfortunately we cannot release that information," adding she did not know the reason why the general information was being kept secret.

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“I know that confidentiality is an aspect that is important and they don’t want to discourage candidates from applying,” said Gervais, clarifying she meant future candidates.

Trudeau called for applications from across Canada to fill a seat customarily reserved for Atlantic Canada, prompting threats of a lawsuit from a group of lawyers from that region.

Gervais sent a pre-drafted statement from the minister that repeated Wilson-Raybould’s talking points from the past week and said only that the board “will be providing the prime minister and I (sic) with a shortlist of candidates.”

“In establishing a careful balance between the competing principles of transparency and confidentiality, it was decided that the process should respect the reasonable privacy interests of candidates so that as many qualified candidates as possible will apply. As such, this list will not be made public.”

## **Shared Services likely to become ‘money pit,’ says Canada’s former chief statistician who quit two weeks ago**

**Wayne Smith, who resigned from Statistics Canada this month, says Shared Services’ impediment on Statistics Canada’s mandate is being wrongly dismissed by top bureaucrats who have convinced the current government to push ahead.**

**Rachel Aiello, The Hill Times, September 26 2016**

Canada’s former chief statistician, who publicly quit his job two weeks ago on principle to the cheers of hundreds of Statistics Canada employees, says Shared Services Canada is doomed to fail.

“There’s a really good chance Shared Services Canada will turn into a money pit,” Mr. Smith told *The Hill Times* after he resigned publicly as Canada’s chief statistician on Sept. 16.

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Mr. Smith stepped down after fighting unsuccessfully to free Statistics Canada from Shared Services' government IT department, which Mr. Smith said jeopardizes the number-crunching agency's independence and integrity. As well, he said the model the government created for the government-wide IT management is doomed to fail.

Mr. Smith sent an email to all Statistics Canada employees and publicly talked about his departure on Sept. 16 to hundreds of cheering public servants as he stood on a bench outside the agency's office building in Ottawa's Tunney's Pasture. Media were there to capture the unusual and remarkable scene.

In the email, Mr. Smith said he was resigning because he's concerned about the independence of Statistics Canada, its ability to protect the confidentiality of information, and its ability to operate at its "fullest potential and provide the greatest benefit to Canadians."

As a result of his departure, he told The Hill Times that he's been iced-out of the deputy minister community, one he said he had never really been "in," and, so far, said his claims have been dismissed by the government.

Mr. Smith said he thinks it's a wrong-headed move to transfer Statistics Canada's informatics infrastructure to Shared Services, but believes it's the senior ranks of the bureaucracy that is pushing "extremely strongly," in favour of the Shared Services model.

"This idea came out of the bureaucracy, the most senior bureaucracy is very committed to it, they don't want to walk away from it. [The] Privy Council Office, Treasury Board Secretariat, and more people in the most senior ranks are strongly committed to this," said Mr. Smith, adding that they were the ones to sell it to the current government as worth continuing.

"I think the government wants to believe it," he said.

The \$2-billion department, Shared Services, was created in 2011 by the previous Conservative government to consolidate and modernize the Government of Canada's IT networks and personnel by 2020, a deadline it's now uncertain about meeting, given extensive delays and potential greater

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costs than initially thought. Its three key tasks are to amalgamate all government email systems, merge data centres, and consolidate IT networks.

Public Services and Procurement Minister Judy Foote (Bonavista-Burin-Trinity, Nfld.) is the minister responsible for the department and the estimated 6,000 employees. When the department was unveiled by then Public Works minister Rona Ambrose (Sturgeon River-Parkland, Alta.) in 2011, it was announced that all government informatics and its employees would be moved out of their departments and into this new government-wide IT hub. It was billed as a more cost-efficient, standardized, and secure IT system.

Mr. Smith said, in principle, the job of the national statistics office is centered around information and technology, and “everything we do, from drawing samples, to collecting via the internet, to processing survey data and disseminating survey data, it absolutely requires informatics to run efficiently, and well and properly. ... When the government created Shared Services Canada it took our away our authority to acquire informatics infrastructure, hardware, the servers, and the file servers we needed to do our job, and they gave that authority to SSC.”

Mr. Smith said even though he had the budget to purchase the informatics systems he wanted, the decision-making power had been taken away from him.

“Therefore they can stop me from disseminating data, from producing data, simply by withholding or failing to provide the informatics infrastructure—the computing power—to do it. And it doesn’t really matter, at the end of the day, if they do it out of malicious intent or whether they do it out of incompetence; the result is the same,” said Mr. Smith.

He said there was an “unacceptable level of risk” in its data centre infrastructure, which the two departments disagreed on where the actual drives would be located and who would have access. He said there was an inability for Shared Services to deliver the additional capacity required to move ahead with Statistics Canada’s plans to enhance its website to be more user-friendly. And he said there was, at the time he left, a “lineup” of policy departments at Statistics Canada’s door asking for new data as a result of the Liberal government’s emphasis in evidence-based decision-making.



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“More money got spent, the results aren’t there, and this is simply because the decisions are outside the control of Statistics Canada now,” said Mr. Smith.

He added that although this was the state of affairs when he resigned, he’s optimistic that because of his outspoken critiques, “every effort will be made to make sure my predictions don’t come true.”

In response to the allegations last week, senior officials from Shared Services and the Treasury Board Secretariat held a technical briefing where Shared Services Canada chief Ron Parker dismissed Mr. Smith’s concerns.

Mr. Parker said that he and Mr. Smith last met at an April meeting and there were “no technical or operational issues” raised. Mr. Smith said this is utterly false.

“I was appalled ... for him to contend that there was no issues is absolutely absurd,” Mr. Smith said, adding that he recalls at that meeting raising a “litany of concerns.”

Mr. Smith said he thinks the government shouldn’t go further down the enterprise-wide IT path until a business plan and accountability model have been established between Shared Services and all partner departments. He said the government should be skeptical about its ability to deliver on such a massive transformation, pointing to the Phoenix pay system debacle that’s disrupted or affected the pay for 82,000 public servants. The Phoenix pay system has cost the government more than \$50-million to fix, and the \$398-million Email Transformation Initiative to move all government email addresses to one your.email@canada.ca system is on hold and 18 months past when it was supposed to be fully implemented.

The complaints from Statistics Canada are not the first from a department who is unsatisfied with Shared Services work. A number of departments are unhappy about the service they’ve received and some other departments that deal with sensitive data have explored ways to opt out of the system. So far, Mr. Parker says the plans do not include any departments opting out of the agreement.

Despite this, Mr. Parker declared the benefits of the enterprise approach remain clear, and “the partners are part of that model and therefore there’s nothing, nothing in the plan that envisions opting-out.”

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As well, Ms. Foote has doubled down on her commitment to the enterprise-wide model.

When asked by *The Hill Times* last week during a scrum Ms. Foote said: “I don’t know that there’s a need for an exception to be made. We appreciate what Statistics Canada is doing, obviously. They’re doing really good work. Long-form census was a case and point. I think the key here is to make sure it gets done and it gets done right, and if we can do that as an enterprise-wide solution, why not do it as an enterprise-wide solution?”

At the same technical briefing, Mr. Parker announced the launch of consultations with employees and industry on the department’s revised IT transformation plan that is projected to be released late winter or early spring, re-evaluating the cost, scope, and timeline of its mandate.

The decision to resign came after months of trying to bring attention to his concerns, said Mr. Smith, who has been raising issues since before the current government was elected and after, in meetings with the minister responsible for Statistics Canada, Innovation Minister Navdeep Bains (Mississauga-Malton, Ont.), and Privy Council Clerk Michael Wernick.

He thought the government’s promise to enhance his agency’s independence would bring sea change to fix his problems with Shared Services. When it didn’t and the issues with Shared Services Canada began to dominate conversations with employees who were saying it affected their ability to do their job, he decided he needed to make it clear he was prepared to resign. After that didn’t move the needle, he submitted his resignation letter to Prime Minister Justin Trudeau (Papineau, Que.) on Aug. 3, enough time he thought for them to implement an independent appointment process for his successor. That didn’t happen and instead the government appointed Anil Arora, who was working as an assistant deputy minister at Health Canada.

“When I penned that letter I thought that the odds were overwhelmingly against it having any impact other than me winding up resigned, and my interpretation of the situation was correct,” said Mr. Smith, who didn’t hear anything from anyone in government from the point of submitting his resignation until Sept. 15, when letters came from both Mr. Wernick and Mr. Trudeau, accepting his resignation.

After the way government has handled his resignation, he thinks Canadians should be skeptical about their commitments to Statistics Canada.

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While he doesn't see himself as a whistleblower, since resigning he said he's received a lot of encouragement from employees at the agency, who have sent him emails supporting his move and thanking him for standing up. He's received support from the national statistics council, from provincial and territorial counterparts, and international support.

"Everybody sees the issue, and they're all living the consequences," Mr. Smith said.

As for what's next, the House Government Operations and Estimates Committee voted last week to invite him to come speak as part of its study on Shared Services Canada, and he's vowing to continue raising the issue and talking about his experiences, until he finds a new job.