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Liberals put halt to controversial finance disclosure rules for unions

The Canadian Press, December 21 2015.

The federal government has taken its first step towards repealing a controversial law that would have required unions to disclose finite details of their spending.

The government says it is waiving requirements for unions to track every dollar of spending so it could one day be publicly disclosed by the Canada Revenue Agency.

The rules are contained in a private member's bill known as Bill C-377, passed in June over objections from unions, provinces and experts who called it unconstitutional and argued it would cost millions for the federal government to enforce.

Under the law, unions would have had to track spending starting December 31, and the first batch of public disclosures would have been due to the Canada Revenue Agency by mid-2017.

The waiver effectively removes any worry unions had that they would have to open their books to show every transaction as well as the salaries of anyone who worked full-time or part-time for a union even if they weren't a member of the executive.

The Liberals had promised during the election to repeal the bill.

Ottawa renonce à forcer les syndicats à rendre publics leurs états financiers

ICI Radio-Canada, le 21 décembre 2015

Ottawa renonce à l'application d'une loi adoptée sous le régime conservateur qui forçait les syndicats canadiens à diffuser leurs états financiers. Les syndicats auraient ainsi été forcés de divulguer la nature de chacune de leurs dépenses de plus de 5000 $.

La loi modifiant les exigences applicables aux organisations ouvrières de la Loi de l'impôt sur le revenu a été sanctionnée en juin dernier. Elle exigeait des syndicats qu'ils présentent un suivi de leurs activités financières à compter du 31 décembre.

Le gouvernement fera abroger la loi. Mais d'ici là, la ministre du Revenu, Diane Lebouthillier, renonce à son application comme le lui permettait un article du texte de la loi.

L'application de cette loi aurait aussi forcé les syndicats à divulguer des renseignements sur leurs activités politiques, de lobbying et autres activités ne relevant pas du domaine des relations de travail.

« En renonçant à exiger une déclaration de renseignements comme le prévoit le projet de loi C-377, le gouvernement respecte son engagement de rétablir une approche équitable et équilibrée face au mouvement syndical », a déclaré la ministre Lebouthillier par voie de communiqué. « Il libère ainsi tous les intervenants de tâches administratives supplémentaires et leur donne confiance en l'avenir pendant que les étapes nécessaires sont franchies en vue d'abroger le projet de loi. »

L'une des plus importantes centrales syndicales au pays, la Fédération des travailleurs et travailleuses du Québec (FTQ), s'est rapidement réjouie de cette annonce.

Des états financiers pour les membres

Le ministère du Revenu précise que des dispositions du Code canadien du travail - l'article 110 - prévoient déjà une obligation, pour les syndicats, de fournir gratuitement leurs états financiers à leurs membres qui en font la demande. Le ministère précise que plusieurs lois provinciales sur les relations de travail contiennent des dispositions similaires.

« Le gouvernement du Canada croit que les lois du travail doivent être justes et équitables, et il reconnaît le rôle important que jouent les syndicats pour protéger les travailleurs et pour veiller à ce que la classe moyenne puisse croître et prospérer, poursuit Mme Lebouthillier. C'est pour cette raison que nous abrogerons dès que possible le projet de loi C-377 qui, dans sa version actuelle, affaiblit et diminue le mouvement syndical canadien. »

Un projet de loi controversé

Présenté par un député conservateur à titre privé, le projet de loi C-377 avait suscité la controverse au Sénat. Des sénateurs conservateurs ont fait limiter les discussions entourant le projet de loi afin qu'il soit adopté avant la dissolution du Parlement en juin dernier.

Le ministre d'État de la Petite Entreprise, Maxime Bernier, avait salué la démarche des sénateurs conservateurs la jugeant nécessaire pour faire adopter le projet de loi. Il avait soutenu que le projet de loi n'était pas antisyndical, comme le soutenaient ses détracteurs.

M. Bernier estimait que le projet de loi, au contraire, servait les intérêts des travailleurs qui paient leurs cotisations en leur permettant de constater ce que les chefs syndicaux font avec cet argent.

Néodémocrates, Libéraux et bloquistes s'étaient opposés au projet de loi pendant que plusieurs provinces et syndicats avaient signifié leur intention de contester la loi devant les tribunaux.

The Transparency Act is one Harper law Trudeau should have left alone

Alan Freeman, iPolitics.ca, December 24 2015

At times I have to pinch myself when I tune into the radio these days. As I listen to the CBC, I'm likely to hear the federal environment minister discussing climate change or the transport minister responding to questions about financial assistance to Bombardier.

Am I in the wrong country? Ministers of the Crown actually responding to detailed questions from members of the press on issues of public interest? *What's going on here?*

Perhaps nothing illustrates better the revival of Canadian democracy following the end of the unfortunate Harper decade than the Liberal government's embrace of openness and transparency. The prime minister gives regular news conferences. Ministers are tripping over each other to make announcements publicly. Canadian diplomats, suddenly liberated from the clutches of the PMO, are giving informative interviews. There are technical briefings on complex issues. Ministerial mandate letters and estimates of federal transfers payments to provinces are out there for anybody to read.

This is all good news for citizens and for political discourse. And so far, it's working well for the government. I'm convinced that one of the reasons the public reacted with such equanimity to the delay in getting the 25,000 Syrian refugees to Canada by the end of the year is that, by being open with the press and the public, the government got the benefit of the doubt. There was much better understanding of the obstacles to a rapid resettlement process, and why a delay was needed, than there would have been under a Harper-era cone of silence.

With this full-on embrace of open communications and access to information, it is all the more perplexing and disappointing to see the Trudeau government scrap efforts aimed at forcing First Nations to make public their financial statements and the salaries of their leaders.

Last week, Minister of Indigenous and Northern Affairs Carolyn Bennett announced that she was going to stop enforcing the compliance measures imposed under the First Nations Financial Transparency Act and unblock millions of dollars that had been withheld from First Nations that had failed to comply with the law.

The law, enacted in 2013, prompted an outcry from leaders of the First Nations who claimed their sovereignty was being threatened. What the law *did* do was expose a scattering of tiny, often impoverished communities across the country where chiefs were paying themselves fat salaries, sometimes in the hundreds of thousands of dollars.

Despite the protests, most communities have abided by the law. According to published reports, only 38 of 581 bands were offside as of last week.

Ms. Bennett claims she's in favour of transparency and will work in conjunction with First Nations leaders to create a new regime — but in the meantime, they can breathe easy and forget about the requirements imposed under the existing law. Any court actions taken to force disclosure will also be halted.

While the Harper government's relations with indigenous people may have been fraught, that doesn't mean that everything they did has to be shredded. Rather than just halting application of the Transparency Act and promising a replacement sometime in the far-distant future, why not wait until an alternate piece of legislation is ready and apply the law of the land in the meantime?

By doing it this way, Ms. Bennett is rewarding the First Nations leaders who obfuscated and held back information from their own people — and all Canadian taxpayers. Both groups have a right to know how their dollars are spent.

Of course, the Assembly of First Nations has applauded the move, claiming the Transparency Act "does not respect our rights and must be repealed."

Sean Jones, a Vancouver lawyer practicing aboriginal law, argued in a recent op-ed for *The Globe and Mail* that the Transparency Act was unnecessary because band members "already had the right to go to court to force the band to disclose its finances, including the remuneration of chief, councillors and employees."

So any band member with the tens of thousands of dollars needed to pay a high-priced lawyer can go to court and spend months or years trying to extract basic financial information. Some transparency. Tell that to a band member in northern Saskatchewan who suspects the chief has paid himself and his council members exorbitant salaries while the rank and file just scrapes by. Easy access to financial information is exactly why the Act was needed.

It's great to see the Trudeau government attempting to turn the page in relations with First Nations. But transparency and openness are good for *everybody* — even your friends. If Bennett wants to show respect for First Nations and how they run their affairs, she shouldn't cater to the minority of leaders who refuse to come clean. Instead, she should empower band members who want to know where the money goes and in particular, what their leaders get paid.

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Trudeau must clarify 'unwritten' PS rules: expert panel

Kathryn May, Ottawa Citizen, December 28 2015

Prime Minister Justin Trudeau should "clarify" the unwritten rules for Canada's public service and expand the responsibilities of deputy ministers to help public servants resume the role they were traditionally intended to play, says one of Canada's former top bureaucrats.

Kevin Lynch, former clerk of the Privy Council and now vice-chair of BMO Financial Group, argues that deputy ministers' responsibilities should extend beyond financial responsibility and signing off their department's books to include the "overall health" of their department to ensure it is doing its job impartially.

"It would expand the list of things that deputies are accountable for (to include) a well-functioning department," said Lynch. "We saw it as an annual health check that deputy ministers should sign off in addition to a financial report on the department."

The recommendation is among the fixes proposed by a blue-chip panel of experts on governance aimed at getting the public service back to its traditional non-partisan role.

Along with Lynch, the panel included Jim Dinning, former Alberta provincial treasurer; Jean Charest, former premier of Quebec; Monique Leroux, chief executive` of Desjardins Group; and Heather Munroe-Blum, principal emerita of McGill University

The panel looked at reforms for four key players in Canada's democracy: parliamentary committees, cabinet, the public service and political staffers — or what it termed the "political service." The panel's reforms are aimed at rebooting the checks and balances of the four institutions.

For the public service, the first thing to do is clarify the "conventions" or unwritten rules underpinning its role on policy advice, as well as carrying out programs and delivering services, says the panel.

Lynch said that clarity should come in a statement from the prime minister. He said the statement should be made in Parliament, with all-party support, and would be the benchmark for future behaviour.

After the sponsorship scandal of the Chrétien era, the Conservative government under Stephen Harper passed legislation that beefed up the role and responsibilities of deputy ministers, making them "accounting officers" responsible for the management of their departments.

The panel wants deputy ministers to also annually attest to measures that ensure regular meetings between the minister and deputy ministers, as well as working relationships between the minister, minister's office and departmental officials.

Deputies would also have to attest to the "highest levels of integrity and impartiality" in the department on policy advice, program delivery, regulatory administration and departmental communications. They would have to confirm departments have the policy capacity to deliver the government's agenda and handle the study of long-term issues.

The department would also be expected to consult Canadians and use digital technology to stay abreast of the public's views when developing policies and programs.

Many argue the existing legislation for "accounting officers" covers much of this territory because deputy ministers are responsible for following all Treasury Board policies and the code of conduct.

Lynch said the panel was intent that its report, published by the Public Policy Forum, not be shelved without debate so it is taking the discussion on the road. He and other members are touring the public policy and management schools at universities across the country to discuss the proposals.

Academics and public management experts have sounded the alarm for years on the deterioration of Canada's democratic institutions as more power was centralized in the Prime Minister's Office. Many argue the problems got worse under the Conservative government.

Lynch said the panel is proposing "practical" fixes that could be done quickly without changing the constitution and new legislation.

A big problem for the public service is the mushrooming army of political staffers led by the PMO, the "political service" that has taken over some of the work of the public service.

Politicians began to rely on staffers for ideas and advice, sidelining the public service. As a result, the public service didn't use, and thus lost, some of its policy capacity, and deputy ministers ended up more connected to the PMO than their ministers.

The panel recommended a new code of conduct for political staff that would clearly spell out the roles and duties of public servants and what political staff can do. It also urged more training and an oversight body for political staff.

Trudeau introduced a new code of conduct for staffers in his updated Guide to Ministers.

But Lynch said "short-termism" and political parties being in "permanent campaign" mode have changed the nature of the work of the public service and its relationship with politicians.

"This is not about going back to the good old days," said Lynch. "These broad trends are happening regardless and what we have to do is figure out — given that reality — the checks and balances that will ensure (our institutions) work they way they are intended."

Politicians are racing to keep up with today's rapid, "technology-driven round-the-clock news cycle." Parties are seen to be always in campaign mode and focus on short-term issues for political gain rather than long-term policies and strategies. Public servants, however, are supposed to be neutral and have no role in campaigns.

"We have drifted into a period of permanent campaigning, which is an American phenomenon …. which is not a good thing for the role of the public service because it doesn't have a role in a campaign, said Lynch.

"Political parties operate less as a government and more as a party for re-election so the more we get into permanent campaign modes, it changes the relationships and not necessarily in good ways."

Lynch argued that once the governance issue is fixed, the next challenge for the public service will be changing the way it does policy in a world driven by big data and analytics. Public servants must learn to manage risk; they will have to become innovative and use more open communications and using social media.

Top cases of 2015: Busy year sees rulings on everything from assisted suicide to union rights

David Dias, Law Times, December 21 2015

The rights and obligations of public-sector workers are a lot clearer this year after a number of rulings that dealt with a host of touchy issues.

Now, thanks to four rulings at the Supreme Court of Canada and the Federal Court of Appeal, RCMP officers are free to form unions; non-essential employees can strike; governments can unilaterally freeze wages; and managers can dismiss employees without cause.

Issues around mandatory minimum sentencing as well as conflicts of law and interest also weaved their way into the courts with the Supreme Court empowering judges to recognize foreign awards with no real connection to Canada. At the Ontario Superior Court, meanwhile, a big law firm landed in hot water for allegedly advising one party while acting for its would-be opponent.

Perhaps the biggest decision of the year — or at least the most impactful — dealt with the hugely emotional subject of assisted suicide. In a unanimous decision, the top court enshrined the right of patients suffering from incurable and intolerable diseases to seek medical help to end their lives.

Here's a more detailed look at this year's big cases:

Wilson v. Atomic Energy of Canada Ltd.
In a decision that upends 40 years of arbitral law, the Federal Court of Appeal ruled that employers could terminate non-unionized, federally regulated employees without cause as long as they give them proper notice and severance.

The case, *Wilson v. Atomic Energy of Canada*, involved the termination of an employee, Joseph Wilson, who claims he lost his job for raising concerns about procurement practices. The

employer offered Wilson six months of severance, but he refused to sign the release. He remained on the payroll until the severance period expired and then brought an arbitral motion under the Canada Labour Code alleging unjust dismissal.

For the past 40 years, adjudicators have found that terminations of federal employees required just cause. Justice David Stratas, however, put that notion to rest this year when he made it clear that common law principles applied to federally regulated employees.

In Stratas' analysis of the code, he concluded that if Parliament had intended to implement a drastically different legal order in which common law principles played no role, "it would have said so in plain language."

Wilson is appealing to the Supreme Court of Canada with a hearing scheduled for January 2016.

Mounted Police Association of Ontario v. Canada (Attorney General); Meredith v. Canada (Attorney General); Saskatchewan Federation of Labour v. Saskatchewan
Public-sector unions were big winners in January as the Supreme Court of Canada issued a trio of decisions that put limits on how governments use essential-services designations to prevent strikes and reaffirmed the freedom of all employees to form independent associations.

In *Mounted Police Association of Ontario*, the court struck down an Ontario ruling that would have forced RCMP officers to bargain under the management-controlled staff relations representative program. The top court called the program a "human relations scheme" that failed to give RCMP officers the choice and independence that were core principles deemed necessary for true freedom of association.

But the top court was quick to rebalance the scales, ruling in the companion case of *Meredith* that the insufficiency of the RCMP program didn't mean Ottawa would have to roll back wage cuts imposed under the 2009 Expenditure Restraint Act. Unilaterally imposed wage-restraint legislation is permissible, then, as long as the government applies it consistently.

Just two weeks later, the Supreme Court turned to its own reasoning in *Mounted Police Association of Ontario* to strike down a lower-court ruling in *Saskatchewan Federation of Labour v. Saskatchewan* that had permitted broad use of the essential-services designation to prevent strikes in the public sector. The top court found that the province had imposed the designation on non-essential workers and, by prohibiting them from strike action, had violated their right to collective bargaining under freedom of association.

Carter v. Canada (Attorney General)
Assisted suicide will soon be legal across Canada thanks to a unanimous decision at the Supreme Court that grants dignity and autonomy to those with "grievous and irremediable" medical conditions under the right to security of the person.

In its February decision in Carter, the court ruled on a case first brought by the British Columbia Civil Liberties Association on behalf of Kay Carter and Gloria Taylor, who both suffered from intractable terminal diseases. Taylor died of amyotrophic lateral sclerosis in 2012, while the 89-year-old Carter travelled to Switzerland in 2010 to end her life at a medical clinic.

The association argued that the women were being denied their right to security under the Charter of Rights and Freedoms and were facing discrimination given that their conditions made it impossible to end their lives the way able-bodied people could. The highest court in the land agreed, reversing its 1993 decision in *Rodriguez v. British Columbia (Attorney General)*.

While the fear of elderly patients facing pressure to commit suicide had led to arguments about the right to life, the court found legislation that prevented assisted suicide would impose suffering and deny security to those with unbearable conditions. "This would create a 'duty to live,' rather than a 'right to life,' and would call into question the legality of any consent to the withdrawal or refusal of life-saving or life-sustaining treatment," the decision stated.

The Supreme Court's decision will permit doctors to aid in the suicide of adult patients who are suffering from intolerable conditions and have clearly expressed the desire to end their lives. The decision doesn't, however, compel doctors to assist in suicides, a matter the court left to medical colleges and regulators.

R. v. Nur *and* R. v. Charles
Mandatory minimum sentences suffered a big defeat this April with the Supreme Court's finding in *R. v. Nur* and *R. v. Charles* that arbitrary sentences for possession of a firearm amounted to cruel and unusual punishment in contravention of the Charter.

The 6-3 decision, written by Chief Justice Beverley McLachlin, actually upheld the original sentences for the respondents that were longer than the mandatory minimums of three years and five years but nonetheless used a reasonable hypothetical analysis to strike down relevant provisions in the Criminal Code.

McLachlin, in her decision, likened the provisions to a "blunt instrument" that captures

relatively minor offences, such as when someone illegally carries a gun owned by their spouse, that may amount to little more than a licensing infraction.

The decision leaves other mandatory minimum provisions vulnerable to challenge. Indeed, the Supreme Court will hear another such appeal in January, this time for drug possession, in *R. v. Lloyd*.

Trillium Motor World Ltd. v. General Motors of Canada Ltd.
Big law firms got a reminder about conflict of interest rules in July when the Ontario Superior Court granted class action plaintiffs a $45-million award against Cassels Brock & Blackwell LLP.

The case, *Trillium Motor World*, goes back to 2009 when the government bailout of General Motors resulted in the elimination of about 200 car dealerships. The dealerships formed a class action against GM while also suing Cassels Brock for breach of duty.

The plaintiffs claimed they had retained the law firm even as it was acting for the federal government. The firm, for its part, said it never represented the dealerships but only provided legal advice in advance of a possible proceeding.

Justice Thomas McEwen of the Ontario Superior Court felt otherwise. In his 160-page decision, McEwen found Cassels Brock had breached its professional, fiduciary, and contractual duties.

Cassels Brock continues to assert that it wasn't representing the dealerships, which each had their own legal representation. The firm says the decision creates "indeterminate liability" for lawyers and is pursuing an appeal.

Chevron Corp. v. Yaiguaje
International media attention focused on Canada's Supreme Court in September as it issued its ruling in a case that would have global ramifications.

Chevron involved a battle pitting a big oil company against thousands of Ecuadoran villagers who won a $9.5-billion award for environmental damage in 2011.

By then, Chevron had no assets in Ecuador, leading the plaintiffs to seek enforcement in countries where the company owned subsidiaries. In the United States, the attempt failed badly after Chevron successfully argued the plaintiffs' counsel had resorted to bribery and corruption to obtain the massive award.

Back in Canada, the top court wouldn't be dealing with corruption or environmental damage but the relatively academic matter of jurisdiction. The plaintiffs sought enforcement while Chevron argued that Canadian courts had no jurisdiction over the matter given that neither the parties nor the incident had any real and substantial connection to Canada (the jurisdictional test laid out in *Club Resorts Ltd. v. Van Breda*).

Justice Clément Gascon quickly dispatched with Chevron's argument with a ruling that established a distinction between motions of first instance and those of recognition and enforcement. In the latter case, plaintiffs don't have to meet the *Van Breda* test for jurisdiction since the courts aren't weighing the merits of the award but only whether to recognize it.

Chevron's next move will be to argue, as it successfully did in the United States last year, that the Ecuadoran decision involved corruption.

Supreme Court to hold hearing as it mulls extension on doctor-assisted death

Canadian Press, iPolitics.ca, December 21 2015

An oral hearing will be held next month at the Supreme Court as it considers whether to approve the federal government's request for an extension in response to its ruling on doctor-assisted death.

The federal government will have half an hour to make its argument on Jan. 11 and the appellants will have the same time to make their case.

Last February, the top court found Canada's criminal code provisions prohibiting doctor-assisted death to be unconstitutional.

It also suspended its decision for a year to allow for Parliament and provincial legislatures to respond, should they so choose, by ushering in legislation consistent with the constitutional parameters set out by the court.

Justice Minister Jody Wilson-Raybould has said more time should be granted to allow the government to consider all possible responses to the decision.

The British Columbia Civil Liberties Association and individuals who spearheaded the case argue an extension would be a setback for Canadians who require immediate relief from unbearable suffering.

Lawyers fight 'far-reaching' retroactive law

Bruce Cheadle, Canadian Press, January 1 2016

A retroactive Conservative law buried in last spring's omnibus budget bill fundamentally undermines the rule of law and government access-to-information systems across Canada, according to court submissions in a paused constitutional challenge.

Twelve of Canada's 13 provincial and territorial information commissioners, as well as the Criminal Lawyers' Association, are seeking intervener status in the case, which challenges the former government's unprecedented rewrite of an old law to get the RCMP and any other government official off the hook for illegally destroying long gun registry records.

The case, brought by federal information commissioner Suzanne Legault on behalf of individual Bill Clennett, is one of the messier legal challenges the new Liberal government will have to mop up in 2016.

The retrospective Conservative changes, backdated all the way to October 2011, served to short-circuit an active investigation by the Ontario Provincial Police into the government-backed actions of the RCMP. Repealing the changes, which became law last June, would presumably put the Mounties back under investigation.

"Should this legislation withstand this challenge, it would have far-reaching implications for criminal law principles," the Criminal Lawyers' Association says in its submission to the Ontario Superior Court of Justice, calling the retroactive legal rewrite ground-breaking.

"State actors obtained the benefit of a retrospective immunization that ordinary citizens have never obtained."

The new Liberal government asked for, and received, a three-month delay in the start of the trial last month as it mulls over its options.

It's been a long legal road.

The federal information commissioner had begun an investigation into a complaint about access to firearms registry records before the government passed the Ending the Long-gun

Registry Act in April 2012. The government subsequently assured Legault that it would preserve the records until her investigation was complete, but then pushed the Mounties to quickly destroy the data, in breach of the law. Legault completed her investigation last spring and informed the government of an alleged offence — at which point the Conservatives retroactively rewrote the law, stripped Legault of her jurisdiction over the gun registry records, retrospectively absolved anyone of wrongdoing, and closed down any further investigation.

The former government called the retroactive law a "technical amendment" designed to correct a "bureaucratic loophole" in the original 2012 act.

The intervener submissions paint a very different picture.

Provincial and territorial information commissioners say they share "profound concern" over questions of "fundamental importance," including "immunizing public officials from liability and prosecution."

"Legislation retroactively removing the right of access and oversight mechanisms in their entirety, or government action destroying the records, is a particularly egregious infringement," of the constitutionally protected right to access government information, says their joint application for intervener status in the court case.

"Should the constitutional validity of these measures be upheld, the implications for access legislation will be nationwide."

The Centre for Law and Democracy, a Halifax-based advocacy organization, is also seeking intervener status in order to argue that the retroactive changes break binding international law on access to government documents, to which Canada is a party.

But it is the Criminal Lawyers' Association that frames the constitutional challenge in its most basic terms.

"Put simply, citizens must expect that when they break the law, they are subject to investigation, proceeding and sanction even if the government subsequently repeals the law that was contravened," says the CLA submission. "This is fundamental to the rule of law: a citizen is forbidden from breaking the law that exists at the time of their action."

Ottawa to update advertising rules to avoid perception of partisanship

Bill Curry, Globe and Mail, December 31 2015

The federal Liberals are planning to move quickly with strict new rules on advertising and government websites to avoid any perception of partisanship.

In an interview with The Globe and Mail, the minister responsible for the file says the plan is for the government to put interim policies in place soon in order to provide guidance to the public service, while also asking Parliament to study the issue more closely ahead of legislative changes.

“We will be belt and suspenders on this,” Treasury Board President Scott Brison said. “We recognize it’s really important that we avoid even the impression of partisanship.”

Mr. Brison is responsible for delivering on several important files for the government, including reforming the overall look of the federal government and reforming access to information laws so that disclosure by default is the overarching goal.

Treasury Board is also responsible for approving the detailed budgets of all other federal departments, meaning Mr. Brison is being asked to find billions in savings across government so that the Liberals can afford the billions in new spending in areas such as infrastructure that was promised during the federal election campaign.

In appointing Mr. Brison to Treasury Board, Prime Minister Justin Trudeau signalled a desire for tight control of general government spending even as Ottawa goes into deficit to fund billions in campaign promises.

First elected as a Progressive Conservative MP in 1997, Mr. Brison ran unsuccessfully for the PC leadership in 2003 before switching to the Liberals after the merger of the PCs and the Canadian Alliance into the Conservative Party of Canada. Mr. Brison was minister of public works under then-prime minister Paul Martin from July, 2004, until the February, 2006, election. He ran unsuccessfully for the Liberal leadership in 2006.

Throughout the course of a 45-minute interview in his corner office at Treasury Board’s new headquarters on Ottawa’s Elgin Street, Mr. Brison repeatedly promised to work more closely with parliamentary committees and to improve relations with public servants.

Mr. Brison will need to reach budget-friendly labour deals with the federal public service while also relying on government officials to help cabinet find ways of keeping costs in line.

“There are a lot of ideas from public servants about how we can do a better job on behalf of Canadians as a government providing better service and providing better value,” he said.

The Liberals had promised that their spending pledges could be paid for while keeping annual deficits below $10-billion a year. However, the Prime Minister has recently said that may no longer be the case in light of slower-than-expected economic growth.

But the government is not yet backing away from any of those spending promises, meaning there will be pressure on Mr. Brison to find savings elsewhere. Mr. Brison noted that he has experience working on a cabinet committee in Mr. Martin’s government that focused on finding internal savings.

“We’re going to be extremely disciplined in government operations and in expenditures. We have to be disciplined,” he said. “We have a slow-growth environment. We’ve had a slow-growth environment from 2010 forward. We have an ambitious and progressive agenda that’s going to be focused on jobs and growth and fairness for the middle class. For us to do that, we have to be very disciplined fiscally.”

Mr. Brison said the government’s reforms to advertising and communications will be inspired by a private member’s bill put forward in the past Parliament by Liberal MP David McGuinty, which called for advertising to be screened by the Auditor-General.

The government is also taking a cue from another private member’s bill as it looks to reform Canada’s Access to Information Act. Mr. Brison said Bill C-613 from the previous Parliament – which would grant the Access to Information Commissioner new powers to force departments to disclose documents, among other changes – will be a guide for him as he consults Parliament on changes. That bill was put forward by Mr. Trudeau.

“We will be expanding and deepening Access to Information, but the principle that guides is open by default,” Mr. Brison said. “But to do that, engaging Parliament is something we intend on doing as part of this process in building the legislation.”