



Press Clippings for the period of March 8th to the 14th, 2016 / Revue de presse pour la période du 8 au 14 mars 2016

Système de paye: des problèmes mineurs déjà réglés, dit le ministère

Paul Gaboury, Le Droit, le 14 mars 2016

Le nouveau système «Phénix», qui gère la paye de 124 000 employés de 34 ministères fédéraux, a été mis en service avec succès, mercredi, à part quelques problèmes mineurs qui ont pu être réglés rapidement.

«Seuls quelques problèmes mineurs ont été signalés, lesquels ont été réglés depuis, a indiqué la porte-parole du ministère des Services publics et de l'Approvisionnement, Jessica Kinsbury. En effet, des retenues avaient été prélevées en double pour un élément précis de la paye de certains employés. Les fonds ont déjà été retournés dans les comptes bancaires des personnes touchées.»

Dans le cadre de la mise en service de Phénix, le ministère avait prévu des équipes pour intervenir en cas de problèmes, tant au Centre de traitement à Miramichi que dans les ministères visés. Et c'est ce qui a permis une intervention rapide pour corriger les problèmes rencontrés. «L'équipe de soutien est encore prête à intervenir et continue à surveiller le système et les processus de paiement», a ajouté M^{me} Kinsbury

Le ministère prévoit une autre phase d'implantation, le 21 avril, pour un autre groupe de 170 000 employés travaillant dans 67 autres ministères et organismes fédéraux. Ces employés recevront à leur tour leur première paye à partir nouveau système, deux semaines plus tard.

Le projet Phénix a nécessité cinq ans de préparatifs et des investissements de 300 millions \$. Il doit permettre des économies de 70 millions \$ à compter de 2016-2017. Il permet d'accroître l'automatisation, offre des fonctions de libre-service, et est intégré au système de gestion des ressources humaines PeopleSoft.

Public sector bargaining: The new boss looks a lot like the old boss

Teuila Futai, rabble.ca, March 9 2016

Press Clippings for the period of March 8th to the 14th, 2016 / Revue de presse pour la période du 8 au 14 mars 2016

The Public Service Alliance of Canada (PSAC) returned to the bargaining table this week for a second round of contract negotiations under Justin Trudeau's Liberal government.

Labour reporter Teuila Fuatai looks at what we can expect from the talks.

The situation so far

The collective agreements for five PSAC bargaining units, representing nearly 100,000 public servants, expired in the summer of 2014.

While bargaining with the Treasury Board began under Stephen Harper's government, the Conservatives' resolve to minimize the collective bargaining process and weaken union powers -- through legislation like Bill C-59 -- meant little progress was made in the past two years.

When bargaining resumed in February, representatives at PSAC were hopeful for a fresh perspective from the new Liberal government.

However, contract proposals tabled by the Treasury Board -- under the stewardship of president Scott Brison -- indicated a significantly different situation.

Major issues

PSAC believed the Liberal government's move to reverse parts of C-59, which enabled the elimination of the sick leave plan from its collective agreement, as well as its mandate for improved relations with unions signalled a more amicable environment at the negotiating table.

However, the new government's proposal to continue with the removal of the sick leave plan, while continuing to reverse the appropriate C-59 legislation, made it apparent negotiations were unlikely to be as clean as PSAC had anticipated.

"There were some improvements but certainly we were looking to improvements to the sick leave and not a continuation of the short-term disability program," [PSAC president Robyn Benson told *ipolitics*](#) after last month's negotiations.

"The Liberals had [made] huge promises over their campaign about bringing forward a new mandate but there was very little indication that there was going to be change."

Press Clippings for the period of March 8th to the 14th, 2016 / Revue de presse pour la période du 8 au 14 mars 2016

According to the Conservatives, elimination of the sick leave plan would have created \$900 million in savings for the federal government.

The savings estimate was based on the amount of sick leave civil servants had accumulated over the years. PSAC vehemently disputed the figure, and said the liability amount being touted by the Conservatives did not exist.

Following the February negotiations, the Treasury Board told reporters that while reversing the C-59 legislation was ["the right thing to do"](#) it did not mean the government supported rolling over the same sick leave benefit system from old contracts.

In addition to the sick leave changes, PSAC also raised concerns over the government's commitment to repealing changes made under Bill C-4.

C-4 minimized the rights of public service employees in collective bargaining, including the right to strike, and undermined health and safety provisions for workers.

So far, the Treasury Board has only committed to consultation meetings with public sector groups to discuss the legislation.

PSAC representatives have also outlined fair wage increases and reasonable treatment for members contending with changes in service delivery as negotiation focus points.

What Trudeau promised

An [open letter](#) to public servants from Trudeau during the federal election campaign promised a new era in government and union relations.

Sent in September, Trudeau stated his government would be committed to "bargaining in good faith with public sector unions".

"The Liberal Party of Canada opposed the provisions in the Conservatives' Bill C-59, which will create a new sick leave regime, implemented through legislation, completely outside the collective bargaining process," the letter said.

Press Clippings for the period of March 8th to the 14th, 2016 / Revue de presse pour la période du 8 au 14 mars 2016

Trudeau also addressed changes ushered in under C-4 and acknowledged it "stacked the deck against workers with regards to their choice of dispute resolution and arbitration."

"We will consult with unions to revision the offending C-4 legislation," he stated.

These promises have been cited by PSAC as expectations during the negotiating process.

Looking ahead

Outcomes from this week in Ottawa will determine what happens next for PSAC.

When asked about the current negotiations, the union declined to comment -- saying all interviews would be deferred until the conclusion of this round of bargaining.

Another round of bargaining has already been planned for April.

Négos à l'AFPC: «beaucoup de vent, peu de changement»

Paul Gaboury, Le Droit, le 14 mars 2016

Après une autre semaine de négociations, l'Alliance de la fonction publique du Canada (AFPC) déplore le peu de progrès aux tables, s'inquiétant même du «sérieux» démontré par l'employeur.

Les négociations avaient repris pendant trois jours, cette semaine, entre le gouvernement et plusieurs éléments de l'AFPC, qui ont fait le point vendredi sur les pourparlers de la semaine, en ne cachant pas leur déception. Les discussions n'ont pas permis de faire de progrès notables, selon la mise à jour faite sur le web par l'AFPC, vendredi.

Du côté du groupe Programmes et administration (70 000 membres), l'équipe a résumé la semaine en indiquant qu'il n'y avait «pas beaucoup d'intérêt du côté patronal».



Press Clippings for the period of March 8th to the 14th, 2016 / Revue de presse pour la période du 8 au 14 mars 2016

L'équipe de négociations du Groupe des Services techniques (10 000 membres) abonde dans le même sens. «Le rythme des négociations demeure lent et notre équipe persiste à croire qu'il n'y a pas de différence entre un gouvernement conservateur et un gouvernement libéral.»

«Beaucoup de vent, peu de changement», résume pour sa part l'équipe du groupe Enseignement et bibliothéconomie (1000 membres).

du pareil au même

En février, l'AFPC avait déploré que la proposition concernant le régime de congés de maladie était presque identique à celle du gouvernement conservateur, avec le remplacement du système actuel par un nouveau régime d'assurance invalidité, avec bonification.

Or, la position du gouvernement n'a pas changé au cours des échanges qui ont eu lieu cette semaine.

«La même réforme des congés de maladie est à la table de négociation et les préoccupations de nos membres sont à peine examinées», a souligné l'équipe de négociations du groupe des Services techniques.

Toutes déterminées «à conserver le régime existant ou à l'améliorer», les équipes de l'AFPC veulent que toute modification soit «négociée».

«Nous avons répété que la raison d'être d'un régime est d'éviter que les fonctionnaires aient à choisir entre aller au travail quand ils sont malades ou perdre leur revenu.»

Les négociations entre le gouvernement et l'AFPC reprendront pendant la semaine du 11 avril.

New horizons

Elizabeth Thompson, Canadian Lawyer, March 7 2016

It's where the criminal law drafted in government offices meets the gritty reality of the streets. Homeless men lie passed out near the door of Vancouver's Main Street courthouse. Drug syringes litter the ground. Indigenous women, like those who have been murdered or gone missing, dot the court docket. That courthouse is also where new federal Justice Minister Jody Wilson-Raybould got her trial by fire as a lawyer — an experience that influences her to this day. "I certainly look

Press Clippings for the period of March 8th to the 14th, 2016 / Revue de presse pour la période du 8 au 14 mars 2016

to my years as a prosecutor on the Downtown Eastside that opened my eyes wider to a lot of the inequalities that exist, that continue to exist in our society,” she says.

Prime Minister Justin Trudeau took many observers by surprise last November when he chose Wilson-Raybould, who turns 45 this month, to become Canada’s justice minister and attorney general — the first indigenous Canadian to ever fill that role.

The task she faces became even more obvious when the government made public her mandate letter; a daunting list filled with legally complex and hot-button, emotionally charged issues. Review the government’s litigation strategy. Modernize Canada’s criminal justice system. Conduct a review of the Harper government’s tough-on-crime changes. Draft legislation to allow physician-assisted death by the deadline imposed by the Supreme Court. Launch an inquiry into murdered and missing indigenous women. Restore a modern court challenges program. Toughen the laws and bail conditions in cases of domestic assault. Overhaul controversial Conservative anti-terrorism Bill 51 and Bill 42 on firearms. Make gender identity prohibited grounds for discrimination in the Canadian Human Rights Act. Legalize marijuana.

Wilson-Raybould knows she’s got her work cut out for her, describing the challenge ahead as “overwhelming” but “a tremendous opportunity.” She tells Canadian Lawyer, “It’s a tremendous honour to be here but it is going to take a lot of work and it is going to take the support of lawyers right across the country and Canadians.”

If she appears unafraid to tackle a challenge that might make others flinch, it comes as no surprise to those closest to her, who paint a picture of someone fearless and adventurous — even as a young child.

Lawyer Kory Wilson, who recently became executive director of aboriginal initiatives and partnerships for the British Columbia Institute of Technology, says her younger sister was sometimes a bit too fearless. “I remember one time in Victoria there was an abandoned house and there was a bee’s nest. As soon as I saw it, I ran away, but she went to investigate and see if there were actually bees in there. I was quite a distance away when, of course, all of the bees came out of the nest and they were stinging her and she was running towards me. She has had stitches — I have never had any stitches. So she has always just gone for it.”

Her father, hereditary chief Bill Wilson, describes Wilson-Raybould as a smart and adventurous child.

“Kory would be sitting under a tree reading and Jody would be up in the tree dropping apples on her or else she would be trying to fly off the roof or trying to do something silly,” he says.

Press Clippings for the period of March 8th to the 14th, 2016 / Revue de presse pour la période du 8 au 14 mars 2016

Wilson-Raybould admits she didn't shy away from adventure. "I have to say that I was a curious kid and I got in trouble from time to time. But I had a great upbringing. I was exposed to many things — both in the political world through my father and my grandmother and beyond, but was given tremendous opportunities to explore and to be exposed to many different people beyond the small community where I grew up in."

She was born in Vancouver where her father was studying law at the University of British Columbia and became only the second aboriginal student to graduate from the law school. She comes from the Musgamagw-Tsawataineuk/Laich-Kwil-Tach people of Northern Vancouver Island. Much of her childhood was spent in Cape Mudge on Quadra Island and in Comox, where her grandmother Ethel Pearson, known as Pugladee, was the matriarch of their Eagle clan. It was there, often over tea and homemade bread on her grandmother's porch or attending a meeting with her outspoken, political father, that she learned about the culture and the values of her people.

"I worshipped my dad when I was young and had the opportunities to travel with him," Wilson-Raybould recalls. "He instilled in me, as did my grandmother, the values that I carry to this day in terms of knowing who I am and understanding my culture and the laws of our Big House, which is our system of government, and ensuring that I never forget where I come from. For me those teachings have enabled . . . me to harness the opportunities to ensure that not only do I do my part to create the space for indigenous people and others generally to improve their quality of life [but] to recognize that everybody plays a role in the community."

When she was five, her grandmother held a naming potlatch and gave Wilson-Raybould the name Puglaas, which means "a woman born to noble people." (Her Twitter account is @puglaas). In her clan, she is a Hiligaxste', a role that translates as one who "corrects the chiefs path" — perhaps an apt role for Canada's new attorney general.

Bill Wilson credits his first wife, Sandra, with raising their daughters after the two divorced. "They were basically raised by a single mother and I was travelling the country. I was an Indian politician at a very young age and I was very seldom around."

Only 14 months apart, Wilson-Raybould and her sister were very close growing up and remain so. They were on the same swimming and track and field teams. They graduated law school together in 1999.

Kory Wilson says her sister is smart, practical, and a good judge of character — qualities that will serve her well as justice minister. "She's not swayed by emotion. She has been attacked in many different ways by people and she carries herself with class. She keeps on the high road, if you will. She's tenacious. She doesn't rattle. Methodical. Thorough. You see a problem and

Press Clippings for the period of March 8th to the 14th, 2016 / Revue de presse pour la période du 8 au 14 mars 2016

either put it into [an]action plan or you keep dwelling on the problem, but she'll come up with an action plan," she says. "She is an incredibly hard worker. The only thing I would like to see is to make sure she takes a little more personal time and looks after herself as well because she has a tendency to just jump in both feet first. I don't mean that in the sense that she doesn't look to where she's jumping, but she's all in, she's all in with everything that she does."

Their upbringing will also influence how she approaches her new job, Kory Wilson predicts. "We were raised to make a difference and to make use of the skills that we have. The creator has given us certain skills and opportunities and we have to make sure that we give back and use them in a way to make life better for people and for aboriginal people."

Wilson-Raybould says it was always presumed when she was growing up that she would play a leadership role in the community. "That wasn't necessarily taking an elected leadership role. I was taught that leadership comes in many forms and that each person in a community has a role to play, and if you're inhibited from playing that role then the community suffers."

In 1983, when she was only 12, her father, who was negotiating at a conference to convince the federal government to include an aboriginal rights section in the 1982 Constitutional Act, announced to then prime minister Pierre Trudeau that his daughters wanted to be lawyers — and prime minister. "I have two children in Vancouver Island, both of whom for some misguided reason say they want to be a lawyer," he said in the video of the exchange that resurfaced after Wilson-Raybould was named to cabinet. "Both of whom want to be the prime minister. Both of whom, prime minister, are women." In response, Trudeau quipped, "Tell them I'll stick around until they're ready."

After completing a BA in poli-sci and history at the University of Victoria in 1996, Wilson-Raybould followed in her father's footsteps to UBC's Peter A. Allard School of Law. "I learned amazing things when I was in law school, certainly, and I think have provided me with significant complement or background to my teachings as a young person and throughout the course of my life to bring me to where I am."

After graduating in 1999 and being called to the bar in 2000, the sisters both headed for the Vancouver courthouse — Wilson-Raybould in the Crown's office while her sibling became a defence lawyer. "First off, you have to know your stuff inside and out," Kory Wilson recalls. "You have to be able to think on your feet quickly. You have to be able to think in a non-emotional, non-biased way. You have to be able to analyze or critique things very quickly and you have to be able to deal with all kinds of people."

Her sister says, "I became a prosecutor because I really liked being in court and as a provincial

Press Clippings for the period of March 8th to the 14th, 2016 / Revue de presse pour la période du 8 au 14 mars 2016

Crown prosecutor I was in court almost every day. It gave me a large familiarity with the Criminal Code and the day to day realities of being a prosecutor.”

At first, Wilson-Raybould handled cases from petty theft to armed robbery, working her way up to having her own courtroom. It was also during that time she saw firsthand the impact of government budget cuts to victims services. “When I was a prosecutor, when I first started, we enjoyed the benefits of having a more robust victims services support but I found over time there were cutbacks to victims services.”

Working in the Downtown Eastside also shaped her perceptions of the relationship between Canada’s indigenous peoples and the legal system. “I always knew that there was an overrepresentation of indigenous peoples and vulnerable people in the criminal justice system but it became certainly more pronounced to me being down there for almost four years. It was a great experience. It was an eye opening experience. It reconfirmed for me the commitment to public service and the importance of it.”

Vancouver defence lawyer Terry La Liberté says Wilson-Raybould quickly earned a reputation as someone who was smart, fair, and a skilled prosecutor. “Everybody who had dealings with her knew that she was a person of her word and had compassion — excellent trial skills, of course — but also compassion and knew what the real role of a prosecutor was,” he says. “She has been here. She has actually talked to the people who are affected. She has worked with these people and made choices about their future in a really meaningful way.”

In 2003, Haida leader Miles Richardson, then chief commissioner for the B.C. Treaty Commission, wooed Wilson-Raybould away from the prosecutor’s office to work with the commission, which oversees treaty negotiations across British Columbia.

The B.C. Treaty Commission can be controversial in the province, explains Kory Wilson. “There are those people who are adamantly opposed to the treaty process and there are people who have embraced it so much so that they have created their own treaty. So there are all of these opposing views and they have to be balanced.”

Don Rusnak met Wilson-Raybould at the commission when he was a young lawyer eager to change the world quickly. What he learned from Wilson-Raybould was the importance of pragmatism and being able to bring people together. She had “excellent relationships with the federal negotiators, the provincial British Columbia negotiators, and First Nations negotiators,” says Rusnak, who was elected for the federal Liberals in the riding of Thunder Bay-Rainy River last October. “She brought people together when I was there and taught me that that was extremely important — relationships and bringing people together.”

Press Clippings for the period of March 8th to the 14th, 2016 / Revue de presse pour la période du 8 au 14 mars 2016

It was during her years working with the commission that she met her husband Tim Raybould, a Cambridge-educated management and public policy consultant who works with First Nations. Together, they have run the KaLoNa Group, a consulting firm that does work for First Nations governments. “[She] and her husband are a very strong team,” says Kory Wilson. “They work together very well. Tim is very much involved in a lot of the discussions and thinking of a better way and a better world, if you want to say, or a better Canada.”

In 2009, Wilson-Raybould followed her father into First Nations politics as a councillor for the We Wai Kai Nation and regional chief for the British Columbia Assembly of First Nations — the only woman among the regional chiefs. There, she focused on questions such as good governance, empowering First Nations to improve their economies, and realizing the promise of the recognition of treaty rights in s. 35 of the 1982 Constitution Act. She also served as a director of the First Nations’ Land Advisory Board and chaired the First Nations Finance Authority, which provides financing, investment, and advisory services for First Nations governments.

Wilson-Raybould says her time as a regional chief contributed to the decision to run for the Liberal party. “I look to my over 10 years of elected experience . . . as being, probably, the biggest catalyst that led me down the path to put my name forward in federal politics.”

She got a taste of the uglier side of politics during a special chiefs assembly in Ottawa in 2014 — in an incident that makes the heckling she will now have to face in the House of Commons during Question Period pale by comparison. Her older sister was there when some of the delegates tried to shout Wilson-Raybould down as she spoke to a motion. “I wanted to just get in there and start screaming and protecting her,” Kory Wilson recalls, getting emotional about it even today. “It was horrible. I was bursting into tears and so were other people standing around her

. . . standing behind her while these other people are just treating her like crap. She kept her voice relatively calm. She didn’t have tears come to her eyes and she just waited until they stopped and she just politely said, ‘May I speak now. May I speak now.’ Eventually, they stopped and allowed her to speak.

“She would just stand there. It was just so brilliant; it was amazing. It happened on the floor of the assembly and as it went on more and more people came and stood behind her.”

Her father points out First Nations politics is not for the faint of heart. “The thing that I think gave her some qualifications is that she got to travel and then she got to see internal Indian

Press Clippings for the period of March 8th to the 14th, 2016 / Revue de presse pour la période du 8 au 14 mars 2016

politics and there is nothing tougher, nothing uglier, nothing harder than native Indian politics and I can tell you that from 60 years of experience,” he says. “That’s really a great training ground for white politics . . . which I find to be very simple.”

It was at the First Nations crown gathering with Stephen Harper in 2012 that Wilson-Raybould took another step down the path to federal politics after she realized that Harper had little interest in the work that she and others had put into proposing solutions. “That’s where, I guess I would say, things crystallized for me in the sense of what I was going to do in terms of my political positions or putting my name forward to be an MP We worked really hard at the time and I know the leadership is still working hard to ensure that they present thoughtful solutions and then the frustration came when those thoughtful solutions weren’t heard.”

A year later, Wilson-Raybould found someone interested in listening when Liberal Leader Justin Trudeau attended an Assembly of First Nations meeting in Whitehorse and sat in on a session on land claims that she chaired. He arranged to meet privately with her afterwards and encouraged her to run for the Liberal Party. In July 2014, despite grumbling that the party had used moral suasion to convince prospective challengers to step aside, Wilson-Raybould was acclaimed as the Liberal candidate in the newly created riding of Vancouver Granville and in 2015 went on to win the riding.

While Wilson-Raybould was on every observer’s short list for a cabinet post, it took many by surprise when Trudeau named the rookie MP justice minister. Few people were happier than her father. “I was just glad that she didn’t get the asshole of cabinet, which would be Indian Affairs, because it always has been a completely incompetent and inept department,” he says bluntly, pointing out that the justice department and the prime minister’s office are where real progress can be made.

Since she was sworn in, her schedule has been a whirlwind with people vying for even small blocks of her time. She is inheriting a Department of Justice that has been hard hit over the past several years. The Harper government was in open warfare with the Supreme Court of Canada, convinced that the will of Parliament should take precedence over the Charter of Rights. The Supreme Court struck down a number of laws, ruling they contravened the Charter. Challenges of other laws adopted by the Conservatives are still making their way through the courts.

Staff in the justice department has dropped to 4,399 in 2014 from 4,812 in 2006. Roughly 100 of the 413 full-time jobs lost were lawyers. At one point, morale was so low that one lawyer in the aboriginal law section who had pre-existing mental health problems committed suicide. Len MacKay, president of the Association of Justice Counsel, says morale has picked up a bit since the election and the union, which represents justice department lawyers, is pleased with

Press Clippings for the period of March 8th to the 14th, 2016 / Revue de presse pour la période du 8 au 14 mars 2016

Wilson-Raybould's appointment.

However, he also recognizes that her mandate letter spells out a long list of things she is expected to accomplish. "It's quite ambitious so that is what she has to look towards — dealing with a lot of stuff that the Harper government left behind and probably other things that have evolved over the last couple of years in the courts," he says. "I think it's going to be a difficult sort of task for her to do things like assisted suicide and legalizing marijuana. But those are things that any minister would have to face."

Wilson-Raybould says the part of her mandate letter that resonates with her the most is not necessarily the daunting to-do list but the opening paragraphs that are contained in every minister's letter, describing how the Liberals intend to be a government of cabinet and work together as a team. "As the minister and the attorney general, we have thousands upon thousands of cases that we have before the courts, but as the minister of justice recognize that we can and must do better as a government to ensure that in every decision that we make — whether we are talking about climate change or looking to renegotiate a health accord, that we're doing it in a collaborative way."

Wilson-Raybould also sees Canada's legal system as one of its selling points on the world stage. "People can come here and ensure that their differences will be respected and that their contributions to the country will be respected."

The fact that some of the things she has been asked to accomplish were already underway before she became minister will help, says Wilson-Raybould. "In terms of what my priority is, some of the mandate bullets were already deeply rooted in terms of discussions and actions — whether we're talking about physician-assisted dying or murdered and missing women, we're looking at marijuana or developing a framework for an approach to review our justice system."

Litigation review is already underway. "We're already deeply engaged in our litigation review and we will continue to be," Wilson-Raybould explains. "We certainly have taken action since I have entered into this role. Our litigation review will be consistent with the direction that we have been given to ensure that they are consistent with our commitments — whether that be in the area of indigenous peoples or with respect to veterans or immigration — that they uphold the Charter of Rights and Freedoms and our values."

Some litigation has already been dropped. In November, the government abandoned its appeal of a Federal Court ruling that struck down the Conservative government's rule prohibiting a woman from taking the oath of citizenship with a niqab covering the lower part of her face. In December, the government dropped the appeal of a Federal Court decision that found that

Press Clippings for the period of March 8th to the 14th, 2016 / Revue de presse pour la période du 8 au 14 mars 2016

government cuts to refugee health benefits were unconstitutional.

“I have the utmost respect for our institutions of government and that includes the judiciary and decisions our courts make,” says Wilson-Raybould. “I have the responsibility in this position, one, and in my own mandate letter, to review legislation from the previous government and to review our approach to litigation. I see that as a huge responsibility, occupying a lot of — necessarily so — my time.”

Ensuring that legislation the government drafts is Charter compliant and that there are “substantive discussions among Parliamentarians” will be a priority, she says. “One of the things for us moving forward into our mandate is ensuring that underlying all the decisions that we make is the utmost respect for the Charter and our values and ensuring that we’re open and transparent as a government.”

MacKay predicts the Liberal government will be less likely to risk laws being struck down by the courts on Charter grounds. The Harper government “had difficulty producing Charter-compliant legislation at times.

I suspect this government isn’t going to have that difficulty.”

MacKay, who works as a Crown prosecutor in Halifax, says one of the toughest challenges Wilson-Raybould may face is fulfilling the Liberal Party’s promise to legalize marijuana. “I would think the legalization and regulation of marijuana looks like a pretty big one compared with the rest,” he says.

“That’s going to be extraordinarily complicated, I think, and will take probably several years to develop.

But then it was one of their campaign platforms so they pretty much have to follow up on that.”

Wilson-Raybould is already working on a game plan. “I never smoked marijuana. . . . That’s my personal choice. In terms of legalizing and, more importantly, strictly regulating marijuana, I am working with the ministers of health and public safety to put in place a framework to approach legalization and regulation and we have committed to putting in place a task force that will work with the provinces and the territories and other stakeholders to ensure that we approach this in a comprehensive way and ensure that people’s voices are heard. And that ultimately we keep it out of the hands of kids and the proceeds out of the hands of criminals.”

Some are hoping Wilson-Raybould’s experience as a Crown will influence her decisions on mandatory minimum sentences. Vancouver’s *La Liberté* says judges are appalled by the mandatory minimums and have been “throwing out cases on the most specious arguments because they didn’t like it being forced down their throat. Right now with these mandatory

Press Clippings for the period of March 8th to the 14th, 2016 / Revue de presse pour la période du 8 au 14 mars 2016

sentences, there's almost more discretion in the prosecutor than there is in the judge."

Wilson Raybould says she will be looking at the 51 new mandatory minimum sentences introduced over the past 10 years.

After her experience as a prosecutor on those gritty streets of Vancouver's Downtown Eastside she recognizes the need for judges to be able to exercise discretion. "I think that we need to understand when it comes to vulnerable people, particularly, that come before the criminal justice system that there are other reasons other than being inherently a criminal. Realities such as poverty, such as addiction, mental health issues, that we collectively as a community need to address — whether that's being preventative or when they are actually within the criminal justice system, looking at restorative justice measures to do as much as we can to ensure for those people that it's not a revolving door — that they're not going to come back based on other issues that they may be having, that we can find a broader approach to ensuring that that door is not revolving."

Trudeau shuffles the DM deck a second time

Kathryn May, Ottawa Citizen, March 8 2016

Prime Minister Justin Trudeau went outside of Canada's public service to fill two deputy minister positions in his second shake-up of bureaucracy's senior ranks within a week.

The public service was waiting for the other shoe to drop with so many deputy ministers announcing retirements. Last week's shuffle, involving six key posts, was Trudeau's first attempt at shaping the public service and plugging holes in key jobs at departments handling some of its highest priority files.

On Tuesday, Trudeau announced the recruitment of think-tank executive Dylan Jones and Nova Scotia's top bureaucrat Catherine Blewett to fill top departmental posts vacated by retiring senior bureaucrats Matthew King and Daphne Meredith.

Jones is the president and CEO of Canada West Foundation, a Calgary-based conservative think-tank and he takes over Meredith's job as deputy minister of Western Economic Diversification in June.

Jones joined the Canada West Foundation, which focuses on national issues and policies that affect the West, as president and CEO in June 2012, replacing long-time president Roger Gibbons.



Press Clippings for the period of March 8th to the 14th, 2016 / Revue de presse pour la période du 8 au 14 mars 2016

Blewett, the clerk of Nova Scotia's executive council and cabinet secretary moves to Ottawa to become deputy minister of Fisheries and Oceans in June. She takes over from Matthew King who also announced his retirement this week.

The prime minister usually picks deputy ministers from the ranks of the public service on the advice of the clerk of the Privy Council, but there are plenty of cases of deputy ministers in the provinces recruited into top jobs.

The Chrétien government was the last to recruit a province's top bureaucrat when it hired Claire Morris, the clerk and cabinet secretary in New Brunswick. She headed Human Resources Development Canada and Intergovernmental Affairs.

Former Liberal cabinet minister Marcel Masse had been a deputy minister of Finance and was deputy cabinet secretary in New Brunswick when he was picked by then Prime Minister Joe Clark in 1979 to come to Ottawa as clerk of the Privy Council.

In other moves, Marie Lemay, the president of the Quebec regional agency, the Economic Development Agency of Canada for the Regions of Quebec, is promoted to deputy minister at Public Services and Procurement, taking over from George Da Pont who announced his retirement this week. She inherits thorny military procurement files such as the shipbuilding and F-35 projects. Lemay is a former CEO of the National Capital Commission.

Siddika Methani, who spent much of her career at Health Canada, is moving from associate deputy minister at Environment and Climate Change to become president of the Public Health Agency of Canada. She replaces Krista Outhwaite who was named the first president of the public health agency. The president handles the day-to-day duties of running the agency allowing the chief health officer to focus on public health issues.

Mithani will be replaced at Environment by Coleen Volk, currently deputy secretary at PCO in charge of senior personnel, business transformation and renewal.

Many have expected the Liberals to bring more outsiders into the public service, which has often been criticized for being too insular. The move is also seen as shoring up gaps in policy capacity. More new blood could enter the senior ranks in another shuffle rumoured for the summer.

There could be at least dozen top-ranking executives retiring over the year. The numbers are higher than normal because some who could have left earlier stayed for the election and to help manage the transition.



Press Clippings for the period of March 8th to the 14th, 2016 / Revue de presse pour la période du 8 au 14 mars 2016

Trudeau earlier recruited Matthew Mendelsohn, the head a founder of Ontario's Mowat Centre as a deputy secretary overseeing a delivery unit in the powerful Privy Council Office.

Like the Canada West Foundation, the Mowat provided an Ontario lens on national issues and polices that affect the province. Mendelsohn also worked on the Liberals election platform and the Conservatives have fiercely criticized his appointment as a partisan and opening the door to the politicization of the public service.

The Shuffle in brief

[Catherine Blewett](#), clerk of the executive council and Secretary to Cabinet in Nova Scotia, becomes deputy minister of Fisheries and Oceans, effective June 20.

[Marie Lemay](#), president of Economic Development Agency of Canada for the Regions of Quebec, becomes deputy minister of Public Services and Procurement, effective April 11.

[Dylan Jones](#), president and Chief Executive Officer of the Canada West Foundation, becomes deputy minister of Western Economic Diversification, effective June 20.

[Siddika Mithani](#), associate deputy minister of Environment and Climate Change, becomes President of the Public Health Agency of Canada, effective April 11.

[Coleen Volk](#), deputy secretary at Privy Council Office for senior personnel, business transformation and renewal becomes Associate deputy minister at Environment and Climate Change, effective April 11.

Scott Brison warned over turtle's pace of public service

Public service accustomed to 'limited disclosure, insular policymaking,' documents warned Treasury Board head

Catherine Tunney, CBC News, March 8 2016

Canada's new Treasury Board president was warned about the efficiency and openness of the federal public service when he took over the job as its top employer, according to documents obtained by CBC News.

Press Clippings for the period of March 8th to the 14th, 2016 / Revue de presse pour la période du 8 au 14 mars 2016

Briefing notes prepared for Scott Brison in November warn the public service will have to undergo a "cultural change" if the reigning Liberals want to deliver on their promise of open government.

The documents, obtained under the Access to Information Act, describe a public service used to "limited disclosure" and "insular policymaking."

When Brison took over the cabinet position in November, he was tasked with reforming Canada's access to information laws, making the government "open by default," improving the government's communications policy and bettering government services.

"Some of these changes are not easy. They are radical departures from how the government has operated over the last decade," the documents read.

Government services need a 'reset'

Brison was reminded the "government is not doing a good enough job of meeting the needs and expectations of citizens for quality, accessible services." The notes say only 45 per cent of Canadians have a positive perception of federal services.

That was illustrated with a stock image of an exasperated worker, his telephone raised high in the air.

At one point, the briefing notes used an image of a turtle to emphasize how slow Treasury Board is at implementing budget decisions. (It takes an average of 15 months for projects to receive funding.)

The documents note that while "the government can rely on a dedicated, high-performing and well-managed public service ... there is room for improvement."

'Intelligent risk-taking' wanted

For the Liberals to reach their promise of "real change," there will need to be a "reset" of how the government delivers results to Canadians, warn the briefing notes.

Brison said his government plans to shake things up in the public service.

"That means, among other things, breaking down some of the hierarchies within the public service around decision making," he said, pointing out that the average age of new hires in Canada's public service is 37 years old.

Press Clippings for the period of March 8th to the 14th, 2016 / Revue de presse pour la période du 8 au 14 mars 2016

"If we're going to attract the best and brightest to the public service, if we're going to attract millennials to the public service, we have to modernize it, including flattening hierarchies that have acted to stifle creativity and good decision making."

Brison says accountability shouldn't be used as an excuse to quash creativity and entrepreneurial thinking.

"We want intelligent risk-taking within the public service."

PSAC agrees

Chris Aylward, national executive vice-president of the Public Service Alliance of Canada, said despite the connotations in the documents, he's not offended by the warning.

"When they're talking about the quality of service, they're absolutely right. When you make serious cuts to vital services that the Conservatives made, well obviously that's going to affect the quality of service," he said.

"So we don't get offended when they talk about the quality of service because we agree ... That's not to say that those who were left behind to do the work are not dedicated, are not competent. They very much are."

'Government is not doing a good enough job of meeting the needs and expectations of citizens for quality, accessible services.'- *Treasury Board briefing notes*

The briefing notes provided recommendations on how the new government can accelerate its open government plans, but they were redacted.

The documents did recommend the government modernize its communication policies so federal departments could release more information.

Access to information

Prime Minister Justin Trudeau came swinging into power on a promise of making the government more open and transparent. But when it comes to making information more readily available, the briefing memos note the public service is bogged down.

More businesses, the public and media are using the Access to Information Act to obtain information, but government institutions are "straining" to meet the demands.



Press Clippings for the period of March 8th to the 14th, 2016 / Revue de presse pour la période du 8 au 14 mars 2016

A page outlining the key issues facing Canada's access to information laws was redacted. Aylward called the rules around those laws "ludicrous."

"There definitely needs to be a cultural shift. We certainly agree with that. The last 10 years have been demoralizing for public sector workers. There's been a culture of fear and suppression," he said.

Aylward said the public service's relationship has changed with a switch in government, but he would still like to see more people hired.

Perception of politicization of the public service is a problem for Liberals

Kathryn May, Ottawa Citizen, March 7 2016

The appointment of Matthew Mendelsohn, who helped write the Liberal election platform, as a senior-ranking bureaucrat is a "clear, unprecedented and blunt" politicization of Canada's non-partisan public service, says former Conservative cabinet minister Jason Kenney.

Kenney said the previous Conservative government — which had a rocky and sometimes hostile relationship with the bureaucracy — would have been vilified if it "plunked" such a key election player into the top ranks of the Privy Council Office (PCO).

"The real shocker here is his appointment to a No. 2 position in the PCO, the summit of the entire public service," said Kenney in an interview. "A fellow who worked as a partisan political Liberal on the election campaign ... I don't think there is any precedent for this."

That perception has dogged the Liberals since Mendelsohn was appointed in December as a deputy secretary in the PCO to head a new "results and delivery" secretariat to ensure election promises are tracked and met.

Results and delivery are big priorities for the Liberals and the public service has a lousy track record at both. By all accounts, Mendelsohn is working hard to get buy-in from ministers, deputy ministers and departments on creating a "delivery culture" in government.

Press Clippings for the period of March 8th to the 14th, 2016 / Revue de presse pour la période du 8 au 14 mars 2016

And there seems little debate Mendelsohn is qualified. He is an academic, founding director of the Mowat Centre, an Ontario think-tank, a former deputy minister of several provincial portfolios, an associate cabinet secretary in Ontario, and a one-time public servant.

But his bona fides include a leave from the Mowat Centre to work on the Liberal platform and help pen Prime Minister Justin Trudeau's mandate letters for ministers.

He is also part of the Dalton McGuinty-Kathleen Wynne brain trust that has joined the Trudeau government.

He worked with Queen's Park veterans Katie Telford, now Trudeau's chief of staff, and Gerald Butts, his principal secretary. (Mendelsohn's wife, Kirsten Mercer, was Wynne's justice policy adviser who moved to Ottawa to become chief of staff for Justice Minister Jody Wilson-Raybould but has since been replaced.)

"The closer you fly to the action, the bigger the risk of being branded," said David Zussman, who holds the Jarislowsky Chair in Public Sector Management at the University of Ottawa. He was recruited into PCO to help lead the Jean Chrétien government's massive program review.

Zussman also cautions that the government has to be careful about the perception that it is too Ontario-centric when staffing ministers' offices.

"They need a national perspective in ministers' offices, and they have to be careful about that. They could all be meritorious appointments, but if they all come from the same place they are not as valuable to ministers as people who come from across the country," he said.

Ralph Heintzman, a research professor at University of Ottawa, was a harsh critic of the Tory government for politicizing the public service, particularly for using government communications to promote party interests.

Heintzman, a key player in writing the public service's ethics code, feels Mendelsohn's appointment is within bounds. He was tapped as a policy expert for the platform but wasn't a candidate or campaign worker.

But perception is reality in politics and Heintzman said Mendelsohn had "sufficient involvement" with the Liberals that the government will now have to be sensitive to all future appointments.

"The very fact the appointment created a perception, fair or not, creates a new situation for the Liberals in the future because it will have to be very sensitive about any future appointments

Press Clippings for the period of March 8th to the 14th, 2016 / Revue de presse pour la période du 8 au 14 mars 2016

from outside the public service to make sure those impressions aren't reinforced," said Heintzman.

That could pose a problem for a government that is anxious to renew the public service and bring in new talent and skills to fill many policy and operational gaps.

The public service has long been criticized as monastic and a "closed shop." In fact, former PCO Clerk Janice Charette made recruitment, including bringing in mid-career and senior executives, one of her top three priorities.

Mark Jarvis is a public servant who worked with Mendelsohn while on leave from Health Canada at the Mowat Centre on a major public service renewal project. He became ensnared in the perception around his former boss when he recently tweeted he was returning to the public service as a senior analyst in PCO.

Senior bureaucrats and fellow academics say Jarvis, "a well-known public intellectual" was appointed because of his expertise. He will work with the PCO team supporting rookie Democratic Institutions Minister Mayam Monsef on democratic reform.

Jarvis is best known for a book he co-wrote with fellow academic Lori Turnbull and celebrated political scientist and Dalhousie University professor Peter Aucoin called *Democratizing the Constitution: Reforming Responsible Government*.

The book won the 2011 Donner Prize for best public policy book the same year that Aucoin died, followed by the 2012 Donald Smiley prize for best book on the study of government and politics in Canada.

Emmett Macfarlane, political scientist at the University of Waterloo and friend of Jarvis, said, "I would roll my eyes" if anyone suggested Jarvis was a partisan.

"He is a policy wonk," Macfarlane said.

"He may have had a professional relationship with Matthew Mendelsohn when he worked under him, but his bona fides on democratic reform, which is what he will be focusing on at PCO, are unparalleled. I honestly can't think of a better person for the job."

In fact, some say the appointment shows the Trudeau government is recognizing public service has to shore up an "atrophied" policy capacity after a decade of Conservative government, which didn't seek bureaucrats' advice.



Press Clippings for the period of March 8th to the 14th, 2016 / Revue de presse pour la période du 8 au 14 mars 2016

“I think it is a good thing that they are putting people in the public service who can actually advise them,” said one longtime bureaucrat. “He (Jarvis) has studied this stuff and knows what he is talking about. Is he the right guy? Don’t know. But is he a good and qualified guy? Yes.”

Zussman said the Liberals are recognizing the government needs more bench strength.

“Harper didn’t want to use the public service in a particular way, but this group wants to use the public service more and they are saying we need more bench strength.”

But Kenney doesn’t buy it and said blaming the Tories is “rubbish.”

He argued the Mendelsohn’s appointment “blurs the distinction between politics and public service” and that will raise questions about his friends and colleagues who join the public service. He said it opens the door to more politically driven appointments with the bureaucracy and sends the message that existing public servants aren’t up to the job.

The PCO wouldn’t comment on Kenney’s allegations.

Prime ministers select their own staff and pick the clerk of the Privy Council Office, who is the prime minister’s deputy minister, head of the public service and secretary to cabinet. The prime minister also appoints deputy ministers, including senior PCO staff, on the advice of the clerk, and there is typically no political influence.

But there were exceptions. The most notable was when former prime minister Brian Mulroney made political ally Dalton Camp a special adviser in the PCO. Mulroney also brought lawyer Stanley Hartt into the public service as deputy minister of Finance and he later became Mulroney’s chief of staff.

Trudeau has asked PCO clerk Michael Wernick for a more open, transparent and rigorous process to select the clerk and some say there could also be a new process for filling deputy minister-level jobs.

There are also former Liberal and Conservative ministerial aides over the years who took advantage of a provision in the Public Service Employment Act that gave them a priority for jobs in the public service.

Tory staffers who joined the public service and rose to deputy minister ranks under Liberals include Peter Harder, Janice Charette and Ian Green. The Conservative government scrapped that perk to “de-politicize” the public service, said Kenney.



Press Clippings for the period of March 8th to the 14th, 2016 / Revue de presse pour la période du 8 au 14 mars 2016

One of the PCO's main jobs is to offer policy advice, but the government's reliance on that advice varies with each prime minister's style and management.

The governments of Pierre Trudeau and Chrétien relied heavily on PCO for advice, but Mulroney and Harper relied more on the PMO. Mulroney actually recruited public servants to become PMO advisers, such as diplomats Derek Burney as his chief of staff and Marc Lortie as press secretary.

Public servants largely feel the Conservative government treated them with indifference. They complained their advice was often irrelevant and their jobs were to implement. The Tories, however, didn't meddle in staffing and made no controversial senior appointments in the senior public service. (The Tory government, however, did make or extend dozens of patronage appointments in its dying days before the election.)

Tony Dean is a former top bureaucrat for the McGuinty government who recruited Mendelsohn as a deputy minister of Ontario's Democratic Renewal Secretariat. He argues that bringing experts into the PCO rather than the PMO signals the government wants "more advice and leadership on the part of the public service and (is) getting that capacity in place.

"This is about aligning heavy hitting capacity with the major files of interest to the government and the prime minister," he said.