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# Premier Ford subjugating Independent Officers of the Legislature

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Like many jurisdictions with parliamentary traditions, the Legislature of Ontario appoints Legislative Officers (sometimes called Parliamentary officers) to oversee and review activities of government that warrant special concern. Their duties include regularly issuing public reports that critically evaluate government performance in specific areas.

The Officers are chosen by an all-party Committee and report directly to the Legislature through the Speaker, not to the Premier and his/her government.

Tradition and current legislation says they are appointed for specific terms and cannot be removed during that time (*unless they can no longer do their job or have committed a wrong-doing serious enough to give the Legislature "cause."*) This inherent security of their positions is necessary to protect the Officers from undue influence by the government they review, or from reprisal for revealing embarrassing information in their reports.

Ontario has nine Legislative Officers and is intent on cutting that to six, by elimination of the Child Advocate, the French Language Services Commissioner and the Environmental Commissioner, through recently introduced Bill 57.

But Bill 57 goes much further. Bill 57 fundamentally undermines the independence of Legislative Officers by allowing a party with a majority to suspend any Legislative Officer based merely on "the opinion the suspension is warranted." Of course, there is no precedent, no test or limitation to guide that opinion.

This power to arbitrarily suspend Officers means the end of the era of independent Officers of the Legislature. Officers will now be "sitting ducks" to threats of retaliation by the governing party demanding a say in what the Officers reveal in their public reports to the Legislature.

By failing to bend to the governing party's wishes, Officers will risk their jobs, even though their jobs are explicitly to shine light on things gone wrong. And just

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to make sure the threat is clear, Bill 57 also removes the ability of eliminated Officers to seek compensation for their loss of income in the courts.

Should you be so naive as to believe that such interference or retribution would be neither allowed or tolerated in Ontario, look no further than the current ECO Commissioner's September 25, 2018 Greenhouse Gas Progress report (where she defended the merits of cap-and-trade). Then I invite you to read the response letter sent by the Minister of Environment Conservation and Parks.

The Minister responded, in part, "I want to respectfully advise that any suggestion we should pursue policies that betray commitments we made to the people is not well taken." The veiled threat made two months ago, was cloaked in the language of respect because of the protection of the independence that the Commissioner enjoyed at the time.

Move ahead in time and read the sentence again, through the eyes of a Legislative Officer who can be summarily suspended because of the opinion of the governing party, and the threat emerges with great clarity.

Bill 57 masquerades as an economic efficiency initiative, while it is a vehicle to dismantle an important parliamentary mechanism of government accountability. It is a shiny new tool for the governing party to stifle the criticism of parliamentary watchdogs using intimidation and threats. Is the Ontario public well-served by this development – I think not.