

**Transcript of the Public Hearings of the Statutory Review Committee
on Access to Information and Protection of Privacy**

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Presenter: Lynn Hammond
Private Citizen

ATIPPA Review Committee Members:

Clyde K. Wells, Chair
Doug Letto, Member
Jennifer Stoddart, Member

August 20, 2014

Lynn Hammond

C. WELLS:

Good morning, Ms. Hammond.

L. HAMMOND:

Good morning.

C. WELLS:

And thank you very much for being here today to make your presentation. We appreciate very much your interest in it and we appreciate very much your coming to make the presentation to us.

L. HAMMOND:

Thank you. I am very pleased to be here.

C. WELLS:

Okay. Whenever you're ready.

L. HAMMOND:

Okay. I'll introduce myself. My name is Lynn Hammond. I am a private citizen and a communications consultant. I would like to say that the comments that I make today are not reflective of my clients, of any political party, or any of the organizations that I'm affiliated with. They are very much mine and, really, I felt it was important to come today because of my personal experiences working in the

Government of Newfoundland and Labrador.

I can provide you a little bit about my background and experience. I graduated from Memorial with a degree in political science. While there, I worked in the House of Assembly as a page. Upon graduation I began working as a constituency assistant and did so for two liberal Cabinet ministers. My first experience in communications was as a communications specialist with municipal and provincial affairs and that included the Office of the Fire Commissioner and the Emergency Measures Organization. I then worked as communications director in that department. And those positions were political staff at the time.

When the government changed from a Liberal government to a Conservative government the role of Director of Communications changed as well. Those positions then became Public Service positions. And those who were in the role at the time were dismissed from their job and they then were rehired or had to reapply for those positions.

After that, I returned to government as Director

of Communications for the Department of Education. I moved on to Senior Manager of Communications for economic policy with the Communications and Consultations Branch of Executive Council, then the Director of Communications and Consultations with that branch, which included a focus on Public Engagement.

I left the Public Service, went to Nova Scotia for three years where I continued my studies at the masters level in Political Science. And then later returned to a political position in the premier's office under Premier Dunderdale and I was there for six months.

So, I really have a broad perspective and a depth of understanding when it comes to how information is shared is provided to Cabinet Ministers, in particular. And so, the three issues that I would like to discuss are advice to ministers, cabinet confidentiality, and also the disclosure of personal financial information with regards to members of the Public Service.

With regards to advice for ministers, perhaps many people in the public may think of what they've heard of as a briefing note. So, in the last 15 years we've seen such a significant change in technology. Information is moving faster than ever. It moves faster than ever outside the Public Service, so, of course it is changed at its speed inside the Public Service as well. It used to be that an issue would arise, you'd have time to prepare a briefing note, it would work its way through the system and several hours later then it would be provided to the minister. In matters of things that would be routine or something that could be anticipated, this is still very much the case.

So, for example, if a minister is planning on Intergovernmental Affairs meetings or if there is a policy issue that's moving forward and needs to be considered at the Executive Council level, yes, those briefing notes are still prepared. However, when it comes to matters of media relations or public information, we no longer have that 24-hour (inaudible) cycle. We don't have a 12-hour or a six-hour. Sometimes now we're looking at having to

respond in six minutes because information may be in the public sphere that is inaccurate and needs to be corrected. There used to be the time when you'd get your media, most of your media calls in the morning and you'd have several hours to work through them. Members of the media are now under a very different level of having to provide their stories because they're competing with social media now, and so the public expects the media to turn around information much more quickly. And so this has changed the way that communications directors would then interact with their ministers.

There is often no longer the opportunity to ensure that every nuance, every word is exactly as it might be. What's really important is that ministers have the most up to date and accurate information as possible in a timely manner. And so I do have concerns when it comes to the disclosure of these types of toing and froing of conversations that we might use, say, even on our BlackBerries. The conversations that might normally have 15 years ago occurred in the office face to face, now, because of time pressure, there are different ways that we have

to communicate.

As well, it is also important to note that the Public Service, we have a system where our Cabinet ministers are not necessarily the experts in the area that they represent the department for. The Minister of Health is not required to be a doctor or a nurse. The Minister of Education is not required to be a teacher. But they have a group of public servants who work for them who have these areas of expertise, who provide them with their knowledge, their understanding and certainly from their own personal influences. But at the end of the day, the decision is the minister's. That is where the accountability lies. And so, in releasing information with regards to recommendations that the Public Service may make, I question sometimes the value. I appreciate that the public has a right and an expectation for information and I think that there are many ways that that can be done. There are many circumstances where departments collect data on a regular sometimes annual basis. It can be anticipated that this information will be asked for, it often is on an annual basis, and there are ways and means where that

can be disclosed in a more proactive manner.

And so I do feel, though, that it is critical that public servants are able to provide their advice and recommendations to ministers openly and freely without the concern that it's then later going to have to be debated in a public sphere. It is critical that ministers have the opportunity to receive all of that information. Not for there to be a filter or a vetting before it gets to the minister.

And so that's really what I wanted to say on advice to ministers. Would you like to ask me questions about that now or would you like me to continue through?

D. LETTO:

No, I've got a couple.

L. HAMMOND:

Okay, sure.

D. LETTO:

Okay. So it sounds from what you're saying, I mean when we think of advice to ministers we think of traditional briefing notes and so on, but you're saying that the technology has made it so that that

advice can come in many formats - short bursts through a BlackBerry and so on.

L. HAMMOND:

Absolutely.

D. LETTO:

So you would like to see protection for that kind of information as advice?

L. HAMMOND:

As advice to ministers. And because in a single form as a single document, for example, that may appear to be something very different. There may have been a conversation beforehand. There may have been a conversation after. And so it's only a small portion of information not received in the context perhaps of a full briefing of information. It just happens to be the written portion. And so as technology has changed, the things that would have been verbal before are not necessarily verbal now.

D. LETTO:

So what's the upshot then if somebody, let's assume you're still in the government, what's the upshot if somebody says I want Lynn Hammond's e-mails involving her and her minister from June the 1st of 2013 to today's date? What's the upshot of the relationship

between you and the minister in that context?

L. HAMMOND:

What do you mean by "upshot"?

D. LETTO:

Well, what's the effect of having to make that public, let's say?

L. HAMMOND:

Right, okay. So the effect of having to make that public is the thought then that the person writing the e-mails then has to perhaps filter or be constantly thinking about should this be released to the public, how should I be writing this. So, rather than being able to be blunt and direct. And I think that necessity of being able to be direct, of not having to ensure all the nuances are covered is the matter of concern. If you take a paragraph to explain an issue it's very different than the single sentence. And so the importance of being able to be direct, I think.

C. WELLS:

Ms. Hammond, you might be interested in knowing as a matter of interest that three representatives of Memorial University occupied this chair before you did and one of the representations they made was

precisely what you're just saying, that e-mail and the change in technology has created circumstances that cause them apprehension about having to release e-mails that were exchanged by employees doing their work in the ordinary course and they're giving opinions that are not really the university's opinions. They may be quite different from what the university thinks but ATIPPA could require them to release this publicly. It is not unlike what you've just told us. I just thought I'd mention that. It is not a question, but you may find some comfort in the fact that others share your view.

L. HAMMOND:

And I do feel, and I've had this conversation with many people that I've worked with. It is something that people say that they are concerned. There are concerns about your ability to do the work because of concerns for sharing e-mailing correspondence. And as I've said, I certainly consider myself as an advocate for the disclosure of information. I think when the public has information they can then be empowered to understand issues more fully. But finding a collection of e-mails may be interesting but it is not necessarily in the public interest,

especially if it creates a whole other level of discussion around an issue that's not really focused on a goal.

D. LETTO:

And are you distinguishing here between e-mails and texts that are sent back and forth because you are in a hurry and you're on the go versus something that's more thoughtful where you have time to develop it?

L. HAMMOND:

Well, usually in that what I would say a kind of a long thoughtful, that's something that would perhaps be able to be done then in briefing notes.

Structure, that's something that has greater time. But the reality of the day now is that the time has changed. The time for response and expectations have changed. And so it really is a much faster paced response in that environment, certainly than it was even five or six years ago. And as technology changes it seems to me that it's getting faster and faster.

J. STODDART:

Ms. Hammond, have you had in your quite impressive experience in the communications world for public bodies, have you had a problem with your e-mails

being disclosed or a colleague's e-mails being disclosed?

L. HAMMOND:

I haven't had a personal problem with any e-mails that were disclosed. I would consider it, I think probably because I was in a situation with the Cabinet ministers that I worked with. And for clarity, when I was working for Cabinet ministers I think that would have ended around 2007, so technology has even gone, after that time I was working in communications consultations branch. So even then I had that greater time and access to Cabinet ministers. I know on one occasion, in particular when I worked in the Premier's Office, there was an access to informations request and there were e-mails that were released that originated from me regarding an announcement. It didn't create any matter of concern for me. They were external e-mails. But it's certainly something that I would personally keep in mind.

It is interesting. I think I learned at a very young age. Actually, my mother told me don't write anything down that you don't want to see again. And

so that's something I've carried through. And so in reality the things that we write down can return to us. And so it's something that perhaps even before this legislation, it is something that I would have been mindful of.

J. STODDART:

Okay. Well, I'm just wondering in terms of our job here, if you have any concerns with the present Act because I read section 20, which is Policy Advice and Recommendations, and it has quite a wide series of grounds to refuse to reveal advice, proposals, recommendations. It doesn't mean the minister couldn't if he or she thought it was judicious or in the public interest and so on. So I'm just wondering whether you found that this particular part of the Act was not sufficient to shield the kind of quick e-mail transmission of, Minister, you should say this. Here are your talking points. Avoid this.

L. HAMMOND:

I believe it is. And I guess for me I believe it does cover that now. However, there is a lot of information data that is collected in a department and that data, while it may later lead to deliberations on advice, that data itself is not, I

don't believe, advice to ministers. And I think that it is important to consider that opportunity to even seek to release data to the public. Just because data is collected and then later appended to a briefing note, I wonder that there should be some separation between that data and the analysis and advice. I think that there are a lot of opportunities to be able to release data that should be proactively considered even.

J. STODDART:

Thank you.

C. WELLS:

Much of the concern that you've expressed is really addressed by section 20 in that.

L. HAMMOND:

It is.

C. WELLS:

You agree with that?

L. HAMMOND:

I do.

C. WELLS:

We've heard a number of representations that section 20 should be amended by putting it back to the way it was prior to the Bill 29 amendment. I'm concluding

from what you're saying, and Bill 29 amendment, amongst one or two other things, added to what was there before and "The head of a public body may refuse and disclose to an applicant information that would reveal advice or recommendations developed by or for a public body or a minister".

L. HAMMOND:

That's right.

C. WELLS:

And they added to it now "proposals, analyses or policy options".

L. HAMMOND:

That's right.

C. WELLS:

And I take it your position is that it should remain as it was amended.

L. HAMMOND:

I believe so.

C. WELLS:

Okay. I just wanted to make sure that I was interpreting your position correctly.

L. HAMMOND:

Yes.

D. LETTO:

On the point that you were making before, that we had part of this discussion yesterday with the minister and this related to briefing notes and how they're constructed, and the difficulty of severing the policy advice from everything else. With your experience in terms of how advice for ministers is constructed, the entire package, if from the beginning you set out with the idea that our goal is to separate the policy advice from the other things, whether it's data, whether it's highlighting issues that the minister ought to be concerned with, if in the genesis of that document, if that was done, would that solve a lot of the issues in terms of the difficulty that people have had trying to go through line by line and figure out what's advice and what's recommendations and so on?

L. HAMMOND:

Well, when you speak of a briefing book, typically what would happen, for example, when a new minister goes into a department there would be an all-issues briefing book. So it would be a very significant briefing book. This also occurs in transition of governments. So from one political party to another.

Then there's the House of Assembly briefing book which would traditionally be assembled just prior to the opening of the legislature for each session. And the way it used to work, for example, you'd start, you'd have your briefing book of highlighted issues. If, for example, someone then submitted a request for the, what is the table of contents for the briefing book? Well, then you've given them identification of issues that may not even be in the public realm right now. And, so, there is challenges in providing that full structure of that book. The way it used to work would be that those briefing notes would then be replaced as information then became available. With the way that information flows now often that process of amending briefing notes is not always the way it works. And of course ministers are individuals. They work very differently. Some individuals wish to have full, complete text briefing materials. Others may wish to have well I know those issues, I'll just have three or four points on each. Others prefer to be briefed verbally. So it isn't necessarily even consistent across the board.

D. LETTO:

When you say, though, issues that might not be in the

public realm, I presume they still would be of some public interest.

L. HAMMOND:

Yes.

D. LETTO:

If, as they are laid out in that document they are devoid of policy options and device that would seem like something that the public would also be interested in knowing, what it is that the minister needs to be considering.

L. HAMMOND:

Right.

D. LETTO:

It's their province. They're the taxpayers.

L. HAMMOND:

True. But as you know, in working for the media, part of the role of the communications director is to identify all those questions that could potentially be asked for a politician. I mean, really, you're planning for the nuance of things that you would hope wouldn't be asked. In preparing someone for an interview with the media you really go above and beyond in bringing out ideas, say, that external critics may have raised. So it is not as cut and

dry.

C. WELLS:

There are issues in contemplation that are not in existence.

L. HAMMOND:

Yes. They may be hypotheticals.

C. WELLS:

Yes, that's normal.

D. LETTO:

So presumably they wouldn't be the hot button issues if they're hypotheticals. I'm thinking of real stuff that somebody who is being prepared for the ministry, there should be - like health care in northern Newfoundland is an issue, Minister, because the following events have happened.

L. HAMMOND:

Okay, yes. The status of the health care facility on the west coast. Okay?

D. LETTO:

Facts.

L. HAMMOND:

So here are the facts, here are the, say, background issues, analysis, stakeholder considerations, what the opposition has said, what the media has said,

some of that and then there is the data. The timeline, any interruptions in the process. They are two separate groupings, let's say, of information. If they were in different sections yes, it would make it easier. That's what you're getting at?

D. LETTO:

Yes.

L. HAMMOND:

Yes, okay. Direct and blunt.

D. LETTO:

Yes. So I think we mostly agree on that.

L. HAMMOND:

Yes.

C. WELLS:

Okay. That tends to cover your first topic and your second topic was Cabinet confidences.

L. HAMMOND:

Yes, I have had experience working in the office of Cabinet ministers. I have had experience in preparing communications plans that are appended to Cabinet documents. While I was in the Communications and Consultations branch, part of my role was to review the communications plans of other communications directors considering the whole of the

Cabinet document. I have sat at the table for committee meetings of Cabinet and also at meetings of Cabinet. So, I do feel that I have a true appreciation of that process. So if I could just give a brief overview of what that process looks like.

An issue may arise as part of a policy platform for government. It may originate in the Premier's Office. It may originate at a meeting of Cabinet ministers. It may originate in the department. But ultimately the procedure generally goes that a Cabinet document is prepared in a department. So let's say, for example, the Department of Education. So, a number of members of the Public Service would work on that document. Some would be doing research on background, some would be consulting with stakeholders, others in the communications branch would be working on the communications function, and so that's a collaborative document that is then created. They also liaise with members of other government departments to see where there would be connections. The document then may go through many revisions as it works up, we'll say, up the chain to

directors, assistant deputy ministers, the deputy minister, and the minister. Ultimately then that document is signed off by the Cabinet minister responsible for the department. It then goes to Cabinet secretariat where additional analysis is provided. And so the purpose there is to really ensure that all matters related across government have been considered. So to ensure that the gender analysis has been done, that are there aboriginal considerations that have been looked at, and then they go back to a number of departments to make sure all issues are covered. It is then considered at a Cabinet committee meeting - so usually the Social Policy Committee of Cabinet, the Economic Policy Committee of Cabinet or Treasury Board, before it then gets recommended for approval to move on to Cabinet.

During that process, right from the very beginning when you look at the work that is done by the public servants on that document, we are looking at people with very different personal experiences, very different backgrounds, all contributing to this document which is really much more than that because

what it becomes is the policy of government. And even, let's say, at the committee stage, you may have Cabinet ministers from very different backgrounds and very different experiences. I know an issue that I go back to is when you look at the experience of when the change was made from denominational education in this province, I can only imagine the deliberations and the different feelings and opinions at each of those tables. I can only imagine that they were very significant. But what happens in Cabinet, what is a part of the process that we have today that I feel that must be respected, is that at the end of the day Cabinet comes forward with the united voice as one as the government. And so the deliberations on those Cabinet documents, the differing opinions, as I said earlier, when you look at the importance of being able to brief ministers, those conversations, those deliberations, that information has to be able to flow freely and directly so that all individuals who contribute can fully contribute to the process so at the end of the day government feels that it has made the right decision with the information available to it and is then able to move forward with that common voice.

So I do feel that Cabinet confidentiality and that process needs to be respected and protected. However, as I also indicated earlier, when you talk about briefing materials, just because something becomes a part of a Cabinet deliberation doesn't mean that it should then automatically be excluded. So something that would normally be created, data that would be collected, there is still value in what I would have considered that continued proactive disclosure of information.

So there is that line between information that would have normally been collected that is useful information. Let's say, for example, if you look at employees for overtime and excess sick time, the Health Care Corporation, for example, they would be collecting that data on a regular basis. They would see trends. Those trends would then indicate well, there may be other issues at bay. There are opportunities to disclose that information. The media may repeatedly ask for that information and so if you're a member of the media and you can get that information on every six months and then all of a sudden because a document goes to Cabinet about it

then all of a sudden that information is then cut off. There is a line there to continue information disclosure.

C. WELLS:

In other words, if it would have been otherwise available it should be available.

L. HAMMOND:

It should still be available.

C. WELLS:

The mere fact that it's gone to Cabinet doesn't give it a special status.

L. HAMMOND:

Absolutely. That's right.

C. WELLS:

Makes sense.

D. LETTO:

You've focused on deliberations and you mentioned differing opinions and information. And I think part of what we're trying to, certainly I'm trying to come to grips with is, is everything that kind of fits into that basket called "Cabinet" something that should be never disclosed or what sorts of materials can be and should be? And I think a lot of the complaint that we've heard expressed to us has been

that way too much is being excluded. So, can you be a little more, maybe expand a little more on the sorts of information that you think could accompany Cabinet papers but need not necessarily be held from being disclosed?

L. HAMMOND:

I can't provide you examples because of my responsibilities.

D. LETTO:

Fair enough.

L. HAMMOND:

But maybe I can approach it in a different way, if I could. When I talked about technology and how technology has changed and the demands on media have also changed in the last ten years, five years, but we've also seen how other activities of government have changed at the same time. And as I've said, I truly am an advocate for the disclosure of information, but what we also see is governments, not just Government of Newfoundland and Labrador but the federal government and other governments across the country, have changed access to the individuals within government who provide information. So let's say perhaps when I was the Director of Communications

in Municipal Affairs, the Fire Commissioner was a regular source of information to the media. We also would have, for example, in that department we did a lot of work with the Department of Environment. And so there were officials in water resources who would regularly do interviews with the media. In my experience, the media find tremendous value in being able to interview experts. People who are on the ground doing work. Let's say they're engineers, and others. And so there has been a lessening of access to those types of public servants, I mean, really across the country in many ways.

D. LETTO:

People have been directed to the minister.

L. HAMMOND:

Well, they're directed to the minister. And so the minister is not necessarily an expert in the field. The minister has been briefed. And so it's a policy decision of government who is the spokesperson of government. And so, it has been my experience that when you've been able provide access to individuals who can explain things and provide detailed information, then the media feels that they have a better grasp of the story. And so there are other

ways to provide information to the media and to provide information to the public without going through access to information requests.

D. LETTO:

Can I ask just one more question, then my colleagues can go to it. One of the things we're being asked to look at it is the role of the Commissioner and the powers of the Commissioner. That currently if the clerk or his designate or her designate decides that a Cabinet document is an official Cabinet document, the Commissioner can't look at that document and determine whether that's the right classification or not. If he wishes to challenge it he's got to go to the Supreme Court. In respect of the Commissioner is an oversight body is that an appropriate way to do that or? I mean my concern is that it perhaps lessens public confidence in the whole process. What are your thoughts?

L. HAMMOND:

And I've honestly struggled with that question. I see tremendous value in the Office of the Commissioner in ensuring that there is appropriate disclosure of information as well as ensuring that the public are protected when it comes to their

personal information. I do feel that there is a line between the deliberations of a minister and his officials versus the deliberations of Cabinet. And so, really, I guess my answer to that question is I'm not sure. I have concerns about it. I think that the public has a right and should hold their elected officials accountable. But I worry about opening access to the deliberations of Cabinet.

D. LETTO:

I guess this wouldn't be so much opening access as being able to determine that yes, indeed this

L. HAMMOND:

Being able to view.

D. LETTO:

Being able to review, yes. And if the government didn't like the decision

C. WELLS:

To make a determination as to whether or not it was genuinely a Cabinet document. That's all this needs. Producing it for the Commissioner's examination and review to see if it's a valid claim or if government is just trying to hide information. That's the role of the Commissioner in that circumstance.

L. HAMMOND:

And I appreciate the concerns that some may express, but I would also like to say this: that the clerks of the Executive Council that I have worked with, the senior officials in government, deputy ministers, and Members of Cabinet Secretariat are incredibly professional individuals. Many of these people are people who spend their lives working in Public Service and personally I consider them to be professional individuals who take their work very seriously. Personally, I have had tremendous confidence in them. And again, you know what, I really don't know but my personal experience is that I believe in the process as it is and I really do have respect for the people who work there now.

C. WELLS:

Just to follow up on that, all the people who work in Executive Council Treasury Board, all of the staff and the significant numbers, many of the communications people for the ministers all have been involved in drafting and preparing the Cabinet papers, all of those are public servants dedicated and these are some of the incredibly professional people that you talk about. They all have seen and

have access to the Cabinet confidences. Is there any reason to have less confidence in the very professional staff of the Commissioner to take a look at it and say this is or is not, without saying you can't be trusted to do that because you might disclose it?

L. HAMMOND:

It is a fair question. And the difference is this: that in Cabinet, Cabinet members, the members of Cabinet deliberate. The only people external to that group are two officials of the Premier's Office and the clerk and another member.

C. WELLS:

No, I'm not talking about what occurs in Cabinet. I have sat in Cabinets, as you may know, so I know how it functions.

L. HAMMOND:

Yes.

C. WELLS:

So I'm not talking about the functioning of a cabinet. I'm talking about the preparation of Cabinet papers, Cabinet materials, that all of the staff of the Treasury Board, the Cabinet Secretariat, the various ministers and so on all see and have

access to it. Do you have any reason to suggest that they are more trustworthy than the incredibly loyal and competent staff of the Commissioner's Office?

L. HAMMOND:

No.

C. WELLS:

So there doesn't appear to be any underlying reason why the Commissioner should not have the opportunity to see these documents. I don't mean to sit in Cabinet but to see these documents and come to a conclusion as to whether Cabinet confidentiality is validly claimed or not, or solicitor-client privilege is validly claimed or not?

L. HAMMOND:

That's correct.

C. WELLS:

You agree with that?

L. HAMMOND:

I agree with that. But there are other documents or there are the deliberations of Cabinet is something

....

C. WELLS:

Well, the deliberations of Cabinet, I don't think anybody is challenging that. The deliberations of

Cabinet are managed by the clerk and the ministers, basically.

L. HAMMOND:

Yes.

C. WELLS:

Yes. But nobody is challenging that. They are talking about Cabinet papers and so on. Okay. Thank you very much for that. That, I think, covers your second point. And the third point that you wanted to make had to do with disclosure of personal financial information of public servants.

L. HAMMOND:

That's right. And I know that this is a change that has occurred. And so I know there has been conversation in the public about whether or not the members of the Public Service, whether or not their salaries would be disclosed. And my understanding is that the way it happens now, is the public Service would be divided generally among union employees and, we'll say, like management-type employees. And so there would be a scale identified for individual jobs based on accountability, responsibility, requirements for experience, et cetera. However, of course, considering when someone is hired, considering

background and experience, the length, the duration of their employment, you could have two people with the same title, similar positions, making different salaries. I think that we need to remember that the Public Service, the members of the Public Service are people. They are people with lives outside of government and there may be some very personal reasons why an individual may not want to disclose their personal information.

I fully appreciate the appropriateness for providing scales with regards to individual types of positions. However, an individual's unique personal financial circumstances, I feel, should not be publicly disclosed. And there could be a number of personal reasons why someone might not want to do that. They could have a member of their family who is dealing with addictions or personal financial trouble and the release of the employee's personal financial information could then put them in a personal difficult situation. You could have a circumstance of a previous marriage or relationship or a jealous ex-spouse. I mean the circumstances are numerous of why an individual would not want their

personal information disclosed.

C. WELLS:

The specifics.

L. HAMMOND:

Pardon me?

C. WELLS:

The specifics of it.

L. HAMMOND:

The specifics. I mean, one could anticipate that an individual at a director level is making between 80 and 100,000 dollars a year, yes. But, that personal's name assigned with the salary is something else. It is personal information. Now I have heard, as well, some suggestion that there should be a dollar threshold on this. That, for example, individuals over \$100,000, that those be disclosed.

My personal feeling is to disclose the assigned position with the spectrum of what that salary would be. However, if the Committee decides that it is necessary for individuals of higher accountability, of higher salaries, for those to be disclosed, then I encourage you to consider it based on accountability, not on a salary number. Rather than identifying that \$100,000 threshold, to consider it on those higher

levels of accountability of senior positions or appointments.

Again, that wouldn't be my preference but if you feel that it is necessary to go to some level of disclosure on that, I encourage you to consider accountability rather than financial value.

D. LETTO:

Currently, I guess, you have the situation where even though ranges are expressed, if there is one of the particular category in a department that salary is disclosed.

L. HAMMOND:

It is.

D. LETTO:

And that's the default position.

L. HAMMOND:

Yes. But that position would likely exist elsewhere in government.

C. WELLS:

But in the salary estimates.

L. HAMMOND:

And I don't know if they release salary estimates. Or do they release them?

C. WELLS:

Oh, they always were released.

L. HAMMOND:

They always had been but I thought that there was some change in that.

D. LETTO:

No, I don't think so.

C. WELLS:

Not that I'm aware of.

L. HAMMOND:

So, and you're right. Those would be the one-offs.

So I suppose the ultimate question could be that if there may be a small grouping of individuals who are identified, should the default then there be everyone? So I guess it is six of one, a half dozen of the other.

C. WELLS:

Ms. Hammond, I thank you very much for agreeing to come and make your presentation here. You had earlier indicated to us you wanted to make a more private presentation but as we explained to you at the time it's important that the public be aware of the representations that the Committee receives, and we're required by the Terms of Reference to conduct

the review in an open and transparent way, and you're agreeing to come today and present this enables us to meet that commitment and we thank you for it.

L. HAMMOND:

Thank you very much for the opportunity.

C. WELLS:

Thank you.

D. LETTO:

Thank you.

C. WELLS:

We will adjourn till 2:30. At last I get to say it right.

C E R T I F I C A T E

I, Beverly Guest, of Elite Transcription, of
Goulds in the Province of Newfoundland and
Labrador, hereby certify that the foregoing,
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Certified By:

Beverly Guest
Beverly Guest