

# DON'T BE TOO HASTY TO IMPLEMENT REFORMS



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Since the auditor general reported to Canadians seven weeks ago, Canadians have been subjected to a steady stream of announcements regarding how the federal government is going to deal with a series of allegations of mismanagement that go far beyond those associated with the sponsorship program. By broadening the debate about integrity in government, Prime Minister Paul Martin has nurtured the notion that there is an increasing confidence crisis with our federal politicians and public servants.

For example, the prime minister has cancelled the sponsorship program and initiated three separate enquiries into its administration. The government has also fired three CEOs of Crown corporations, announced new ways of appointing the heads of Crown corporations, enlarged the role of members of Parliament in the appointment of members of the Immigration and Refugee Board, and has begun to define the role of MPs in the selection of Supreme Court judges. As further evidence, the government has just released draft whistleblowing legislation to encourage public servants to make public any con-

cerns they might have about current and past government indiscretions.

To enhance the role of members of Parliament and improve the appointment process, Government House Leader Jacques Saada announced last week that the "government believes the parliamentarians from all parties should have the opportunity to review and provide input on key appointments."

It appears that this government believes that a key operating principle to improve integrity in government is to increase the involvement of MPs in setting the criteria and selection of candidates for many appointments to the senior ranks of the public service, writ large.

Before one moves too quickly, however, one should remember that increased parliamentary involvement in grants and contributions at Human Resources and Development Canada was one of the major factors that led to problems with that department's job grants program. David Good explores this issue in his book, *The Politics of Public Management*, where he argues, "there are ... significant limits on the role that a member of Parliament can and should play in such programs."

It is imperative, therefore, that the government proceed carefully in its efforts to improve the quality of the appointment process, fully recognizing the difficulty of transforming a partisan body like the House of Commons into an independent and neutral selection panel.

Many readers will recall that the Liberals campaigned on an integrity plat-

form in 1993. Upon assuming power, they introduced a series of measures designed to improve the appointment process. Without much fanfare, Marcel Masse, as secretary of the Treasury Board, eliminated almost 1,000 so-called patronage appointments after conducting a review of all federal agencies, boards and commissions. As well, Penny Collenette, the director of appointments in the Prime Minister's Office, introduced a number of new initiatives to make the process more transparent. These included informing potential candidates for Governor-in-Council jobs by advertising in the media, creating representative selection boards for the most senior of the jobs, preparing job descriptions, and publishing a catalogue of all the Governor-in-Council jobs that fell under the purview of the federal government.

Despite these measures, the evidence suggests that the current system still needs improvement, especially in attracting qualified people with appropriate skills who are not chosen based on partisan connections. There are at least two places to look for some instruction on how to improve the appointment process without yielding to the immediate pressure to solve the problem without first defining it.

In 1995, the British government of Tony Blair struck a commission of enquiry into its appointment process. In due course, the Nolan Commission reported and Prime Minister Blair created the Office of the Commissioner for Public Appointments ([www.ocpa.gov.uk](http://www.ocpa.gov.uk)) based on the following principles:

- Make the system merit-based and transparent;
- Use independent panels and acknowledge the principle of equal opportunities; and
- Ensure a commitment from the se-

lection committee to probity and integrity.

In Canada, the Public Policy Forum ([www.pppforum.ca](http://www.pppforum.ca)) has recently completed a study of the appointment process in use in a number of governance regimes, including Crown corporations. It concluded that there is a great deal that could be improved to ensure that appointments meet the needs of board of directors (in the case of Crown corporations), the needs of government and the expectations of the public for a fair and equitable system. The forum also suggested the establishment of an independent advisory committee to oversee appointment recommendations.

As well, the Public Policy Forum suggests that Crown corporation boards of directors should identify skill shortages on their boards, increase training for board members, and assess individual board performance to help improve the functioning of these organizations. Finally, as a possible indication of parliamentary interest, the report points out that Parliament already has the authority to review Governor-in-Council appointments "but seldom exercises this authority."

The opportunity for reforming the appointment process is before parliamentarians. We have much to learn from other countries and jurisdictions as well as our domestic experience at HRDC and elsewhere in the public sector. In our haste to remedy the current system, we should not inadvertently create a more partisan system in the name of good government.

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