

Review of Statutory Offices of the House of Assembly

PROCEDURAL GUIDELINES

1. General:

- a. The Review of Statutory Offices of the House of Assembly is an independent review to examine the structure or administration of six of the Province's statutory offices as set out in the Terms of Reference (<https://www.rsonl.ca/terms-of-reference/>). The Review is bound by the limits of the Terms of Reference. The Review will be conducted by the Honourable Robert A. Fowler, Consultant.
- b. The Review is committed to a thorough, fair, transparent, and independent process.
- c. The Consultant will make any findings and recommendations he deems appropriate. The findings and recommendations of the Consultant will be contained in a report filed upon completion of the Consultant's work.
- d. The Review's office is located at 3rd Floor, Gosling Building, 285 Duckworth Street, St. John's, NL A1C 1G9.
- e. The Consultant will appoint/retain legal counsel, subject matter experts, and researchers to assist him. This Review team will ensure that all matters which bear on the Terms of Reference are brought to the attention of the Consultant.
- f. The Review will be conscious of the need to act efficiently so as to ensure that any costs incurred by the Review are only those that are reasonable and necessary to address the Terms of Reference. The Consultant will have the ability to do such things as are necessary in this regard, including, but not limited to, determining the scope of participation, directing areas of research, and setting time limits for submissions.

2. Who can participate:

- a. The Consultant invites any member of the public to comment on any issue related to the Review or its Terms of Reference.
- b. The Consultant will also reach out directly to solicit comments from:
 - The Commissioner for Legislative Standards (and former Commissioners)
 - Office of the Chief Electoral Officer (and former Officers)
 - Office of the Child and Youth Advocate (and former Officers)
 - Office of the Citizens' Representative (and former Officers)
 - Office of the Information and Privacy Commissioner (and former Commissioners)
 - Office of the Seniors' Advocate (and former Officers)
 - Office of the Clerk of the House of Assembly (and former Clerks)

- The Speaker of the House of Assembly (and former Speakers)
 - The Clerk of the Executive Council (and former Clerks)
 - The Independent Appointments Commission (and former members)
 - Members of the House of Assembly (and former members)
- c. The Consultant will provide direction about the appropriate scope of participation as needed.

3. Methods of communication:

- a. The six statutory offices, the Office of the Clerk of the House of Assembly, the Speaker of the House of Assembly, the Clerk of the Executive Council, and the Independent Appointments Commission must accept communications through email.
- b. The Review may communicate with participants via phone, video conference, or email.
- c. Subject to guideline 11, participants may communicate with the Review by email to info@rsonl.ca or by telephone to 709-729-8866 or 1-833-699-3011.
- d. The Review may communicate with participants and the public through announcements, which will be available on both the Review website (<https://www.rsonl.ca/>) and on Twitter (@NLStatReview).
- e. The Review will not accept comments, questions, or submissions through Twitter.

4. General information collection:

- a. The Review may utilize a range of research and other processes where such research or processes are deemed by the Consultant to be necessary.
- b. The Review will proceed informally and not according to the law of evidence and may accept information from any source.
- c. The relevance, reliability, weight, and appropriateness of any factual information are substantive issues that the statutory offices may address in their comments and that the Consultant will address in the final report.

5. Written submissions:

- a. All participants are encouraged to provide written submissions to info@rsonl.ca by July 17, 2023. Submissions may only address the subject matter as set out by the Terms of Reference. Written submissions received after July 17, 2023 will only be accepted with the approval of the Consultant.

6. Oral submissions and interviews:

- a. Where appropriate, the Consultant may permit participants to provide oral submissions by phone or video conference.

- b. The Consultant will offer to interview the Commissioner for Legislative Standards, Office of the Chief Electoral Officer, Office of the Child and Youth Advocate, Office of the Citizens' Representative, Office of the Information and Privacy Commissioner, Office of the Seniors' Advocate, and Office of the Clerk of the House of Assembly. Other interviews may take place at the Consultant's discretion.
- c. Interviews may take place in person or by phone or video conference.
- d. The Review will summarize the material features of all oral submissions and interviews. Participants will be given an opportunity to comment on the summaries of their submissions or interview.
- e. Summaries of oral submissions will be posted on the Review's website.
- f. Interviews may be recorded for reference and summarization purposes only.
- g. Only the material summarized on the Review's website will be considered in the Review's report.
- h. Where appropriate, the Consultant may allow affected parties or participants to respond to interview or oral submission summaries.

7. Responses:

- a. The Consultant may invite some participants to provide final written submissions to respond to other submissions. After that time, the Review's record and the comments of the participants will be considered final, subject to direction by the Consultant.
- b. The Consultant may, from time to time, identify potential issues and seek specific submissions on those issues. Neither the identification of an issue, nor any comment or question elaborating upon it, implies any views on whether an issue will or ought to be addressed or about how any issue ought to be framed or decided. The final report may pass over issues that were identified and may address issues that were not identified. Participants are expected to make any submissions they wish considered on any issue relating to the Review or the Terms of Reference, irrespective of whether the issue is identified by the Consultant.
- c. The Consultant aims to provide participants with as much time as is reasonably possible to provide submissions and comments on specific issues.

8. Confidential and anonymous submissions:

- a. Participants may, on request or by invitation, provide a submission on an anonymous or confidential basis based on special circumstances.
- b. Where appropriate, counsel for the Review will discuss a request or invitation with a participant to identify terms on which information can be provided and shared fairly while preserving anonymity or confidentiality.
- c. Where both the participant and the Consultant agree to terms, a summary of the material features of the submission will be prepared. The participant will be given an

- opportunity to comment on the summary, which will then be shared on the Review's website.
- d. Only the material features summarized on the Review's website will be considered in the Review's report.
 - e. If a participant requests or is invited to provide a submission on an anonymous or confidential basis and no agreement is reached, the Review will not consider or share any information in respect of that request or invitation.

9. Request for information:

- a. The Consultant may request information or comments from other individuals or institutions as it sees fit orally, by email, or otherwise.
- b. Participants may suggest individuals or institutions from whom the Consultant might request information or comment. The Review team or the Consultant may seek comments on the suggestion before deciding whether to seek information or comment.

10. Amendments to and comments on procedure:

- a. These guidelines are subject to interpretation or revision as the Consultant thinks appropriate.
- b. Participants and counsel are invited to make comments on these guidelines at any time. Comments may be submitted to info@rsonl.ca.