

PACIFIC SOCIETY FOR THE ADVANCEMENT
OF EMPLOYMENT EQUITY

In response to:
Email dated March 22, 2022 from the Office of the Ombudsperson

May 6, 2022

Subject: Budget available for Systemic Investigations

Dear Ms. Christina McMillan,

Thank you for your response. The PSAEE has had an opportunity to review your Annual Reports.

It is stated by your office that in addition to ‘individual complaint’ investigations, you release public reports on ‘issues that impact many people’. As concrete examples of these issues, your office in 2020/2021 carried out two systemic investigations:

1. Concerning: Ministry of Education

This report followed investigation into errors made by the Ministry of Education involving the posting of more than 18,000 grade 12 exam marks in 2019

2. Concerning: BC’s Minister of Public Safety and Solicitor General

Two ministerial orders made under the Emergency Program Act in response to the COVID-19 pandemic

These issues that your office looked into were issues that were affecting many people. Were these investigations brought before your office by a citizen acting in privacy capacity or on behalf of a public organization? For clarity, when you refer to “own motion” investigations, you are referring to investigations of a ‘systemic scope’ – which are different from other kinds of investigations that your office does. Please correct me if I am mistaken.

The PSAEE repeats for emphasis that it is in the interest of our organization to see that your office has the resources to undertake systemic investigations. The PSAEE understands that in 2020/2021 your operating budget was reported to be \$9,366,000. From this, your actual operating expenditure was close to the limits of the operating budget. It is unclear how much of this expenditure was divested towards the systemic investigations. There are two questions that the PSAEE is interested to learn more about:

- What proportion of the operating budget is reserved by the Office of the Ombudsperson for the “own motion” investigations?
- As a matter of public interest, are there challenges your office is facing in securing the appropriate funding for taking on systemic investigations?

If you would share, the PSAEE will be taking the matter up with persons and organizations who are in a position to bring change so that you are able to take on such investigations to ultimately bring accountability. On a related note, you may be aware that BC is introducing the anti-racism data act to help identify gaps by collecting data. I will be reaching out to persons who will be directly involved in its implementation to discuss how it can benefit hiring practices in the public sector. **The PSAEE views that there will be systemic investigations required – particularly in hiring processes of the public sector.** This is another reason why the PSAEE views the capabilities and limitations of your office to be particularly important. I will look forward to hearing from you on these very significant matters and hope that you can appreciate why this is important to the PSAEE.

Sincerely,

Jay Krishan