



**NLPSPA Newfoundland and Labrador
Public Sector Pensioners' Association**

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Submission to: Honourable Robert Fowler

**Review of Statutory Offices of the House of Assembly
Newfoundland and Labrador**

Submitted by:

**Newfoundland and Labrador Coalition of Seniors',
Pensioners' and Retirees' Associations**

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Opening Statement: The Coalition of Newfoundland and Labrador Seniors,' Pensioners,' and Retirees Associations holds the strong opinion that there has not been enough longevity with the position of the Seniors' Advocate for there to be any review of its purpose, usefulness, impact, structure, and administration. This Statutory Office has only had a lifetime of seven years since the ***ACT RESPECTING THE SENIORS ADVOCATE*** was assented on December 14, 2016, and the Regulations were filed on June 15, 2017. The first Seniors' Advocate, Dr. Suzanne Brake, was appointed in November of 2017, and following her retirement, the position was vacant for approximately a year, before the current Seniors' Advocate, Susan Walsh, was appointed in June of 2022. The lobby to create the position of Seniors' Advocate has had a long history in Newfoundland and Labrador, dating back many years, with this having been a key advocated action by this Coalition, dating back to at least 2008, when this Coalition was first established.

Submission by: The Newfoundland and Labrador Coalition of Seniors,' Pensioners,' and Retirees Associations, a collective of organizations that represents the interests of older persons, has come together to advocate in a united voice on matters that challenge the well-being and quality of life of seniors, pensioners, and retirees in Newfoundland and Labrador. Advocating through this collective voice on matters that are of importance to the combined grouping of these members and their families are:

1. Newfoundland and Labrador Public Sector Pensioners Association
2. St. John's Fire Fighters Retirees Association
3. NAPE Retirees Local 7002
4. Retired Teachers Association of Newfoundland and Labrador
5. Retired Correctional Officers (Represented by NAPE)
6. National Association of Federal Retirees (NL)
7. CARP (Canadian Association of Retired Persons), NL, Chapter 1
8. Marine Atlantic Pensioners Association
9. Silver Lights Retirees (NL Hydro)
10. Royal Newfoundland Constabulary Veterans Association
11. 50+ Federation
12. CBC Pensioners
13. Pulmonary Fibrosis Foundation of Canada

The combined membership represented in Newfoundland and Labrador by this Coalition is about 100,000 and with family extension is estimated to be 300,000-350,000 persons.

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Does the Office of the Seniors' Advocate require a full-time statutory officer? Unequivocally, yes, in the case of the Seniors' Advocate for Newfoundland and Labrador. This office has a minimal level of staffing, consisting of the Advocate, two (2) Advocacy Consultants, and one (1) Administrative Support Person.

Rationale: In the public media and in print, every politician, business person, and the general public acknowledge in one way or another the changing of the demographic in this Province and the impact that this is having on the delivery of all general and social services. None the least of these proponents are the aging persons, themselves, of this Province. The recent Health Accord, ***Our Province. Our Health. Our Future.*** has given some startling statistics of the demographic shifts in our Province. Most of the outmigration is between the ages of 10 years to 35 years with the loss of population most evident in rural and coastal communities. This presents great difficulty for a younger generation to develop, enhance and rebuild industry, since in combination, there has been an alarming decrease in the percentage of children under the age of 15 years and an alarming increase in the percentage of adults over the age of 65 years. Page 16 of the Health Accord states that "the number of persons over 65 years of age has more than doubled over the last thirty (30) years with increases from 107% in the Avalon Region to 125% in the Central Region, and with the greatest increase in Labrador at 318%. The Health Accord concluded that "it is most likely that these numbers of persons over 65 years will continue to increase over the next 20 years". The most compelling statement to support the full-time Office of the Seniors' Advocate is on Page 16 and states that "advanced age is correlated with an increase in chronic illnesses which means that the demands on the health care system are likely to grow for the foreseeable future". To ensure that the right systemic services are available for this demographic of our population will require a dedicated, strong, and committed advocate to ensure aging is done well in our Province. Under no circumstances, knowing what is known, should this position and office be diminished in any way. In fact, it most definitely should be reviewed for enhanced staffing, resources, and accommodations.

Could the Office of the Seniors Advocate be combined with another Statutory Office and fulfill the obligations of more than one role? No. This Coalition expects a full-time independent and dedicated Seniors' Advocate that does not have any shared role with another statutory officer position.

Rationale #1: This Coalition strongly dismisses any suggestion that the Office of the Seniors' Advocate could be combined with the Office of the Child and Youth Advocate. As already noted above, the population of children and youth is decreasing within our Province, albeit not without increasing health and welfare concerns, and the population of seniors is increasing, also with increasing health and social welfare concerns. This demographic shift on its own is sufficient to dismiss any suggestion of a combination. The Office of the Child and Youth Advocate has a heavy caseload of its own, representing children and youth in Newfoundland and Labrador who are vulnerable and unable to stand up for their own rights and interests in dealing with child serving systems. Often dealing with significant child and youth welfare cases, this office requires its own independence. Any suggestion of a combination here would ensure relegation of the senior population to a backseat position behind children and youth since general sympathy would rest with those underage and significantly vulnerable persons of our communities.

Rationale #2: There should be no consideration that the office of the Seniors Advocate could be combined with the Office of the Citizens' Representative. If there is any consideration that the Office of

the Seniors' Advocate could be combined with the Office of the Citizens' Representative, it is only prudent to examine how many additional duties have been added to the Citizens' Representative in recent years. It is understood that the mandate of the Citizens' Representative, which initially was established as the provincial ombudsman, has expanded and is now responsible for disclosures under the Public Interest Disclosure Act and responsible for the Harassment-Free Workplace Policy of the House of Assembly. Given this wide variation of responsibilities, there can be no guarantee that the voice of seniors would not be lost if there was any consideration of combination with the Office of the Seniors' Advocate.

A combination of the Office of the Seniors' Advocate with any of the other statutory offices under review would be senseless, illogical, and impractical as there is no similarity of purpose whatsoever.

Could the Office of the Seniors' Advocate share physical space and administrative functions with another statutory office? No, not advised.

Rationale #1: This Office currently has a small apartment of offices at 2 Canada Drive in St. John's. There is no additional space in this suite to combine office functions with another service. The staffing of the Office of the Seniors' Advocate is minimal and basic for its purpose right now and if anything, it will require additional facility space and staffing in the near future, as the aging population continues to increase and the demand for increased systemic services and service remedies are sought.

Rationale #2: It has been said by a number of Members of the House of Assembly that they are inundated by calls from older constituents on matters pertaining to housing, rent increases, health care, food and financial insecurity, transportation costs, home heating, and the list goes on and they do not understand why the Seniors' Advocate cannot deal with the personal issues of these people. In answer and rebuttal to these concerns, it is the purpose of the constituency office of an MHA to answer these types of calls and to refer these folks onto an appropriate service. There are also additional service providers who can likewise make such a referral, i.e., Seniors NL who the Government funds for this purpose. The Seniors' Advocate was specifically created to identify, review, and analyze systemic issues that have an impact on a large number of seniors and the reports of the two Advocates: *Long May Your Big Jib Draw: Setting Sail (2019, Brake)* and *Status Report on Recommendations 2022-2023 (2023, Walsh)* testify to the magnitude of the issues identified and the actions taken or not taken to address these concerns. Until such a time as all systemic issues impacting seniors in Newfoundland and Labrador are dealt with, there should be no consideration of any change in mandate for the Seniors' Advocate. Should there be any consideration to add a mandate to deal with personal cases to the Office of the Seniors' Advocate, an additional stream of service provision would be needed, a new mandate developed, new accommodations, and a significant increase in the staff pool, with very high additional costs to government. Possibly closing the constituency offices of the MHAs, if there is reluctance or a limited level of knowledge to deal with the personal concerns of the local residents, might provide a funding source to cover the costs of any such shift of responsibility to the Office of the Seniors' Advocate.

Management of Conflicts. To the knowledge of this Coalition, the Office of the Seniors' Advocate has not experienced any conflict with any other statutory office that would necessitate a change of or any combination of functions with another office.

Rationale: It is understood that there may be some misunderstanding of the role of the Citizens' Representative just the same as there is misunderstanding of the role of the Seniors' Advocate to deal with systemic issues only and not personal situations. However, in fairness, this Coalition understands

that there is a high level of cooperation between the two offices, there is sharing and referral of information and personal cases, as appropriate. It is further understood that the Seniors' Advocate receives an average of 86 advocacy requests a month (over 1,000 per year) from older persons or their families. This Coalition also understands that the staff encourage seniors to use their voices to access what they need, provide information, and that they use the information gathered to analyze when there are sufficient individual concerns on a matter to warrant systemic intervention.

Minimum Required Competencies, Recruitment, and Performance Review/Administrative Oversight.

The position of Seniors' Advocate requires a specific set of competencies, skills, and expertise combined with an empathy for issues impacting seniors and a confidence in public engagement and media relations to be successful in this role.

Rationale #1 Competencies: The minimum requirements must include a high level of knowledge in seniors' issues, history of the development, or not, of remedies to these issues, program and policy development and data analysis, knowledge of government structures and a demonstrated ability to navigate these systems, office management, staff supervision, excellent communication skills and media experience, demonstrated leadership skills, organizational ability, skills in conducting public engagement and the ability to develop and deliver advocacy actions that are authoritative, respectful, professional, yet accountable to the seniors of the province while demanding of action by the respective government departments and agencies. A university degree, preferably at the Masters' level in one of the social science disciplines, such as social work, psychology, sociology should be expected, with consideration for an equivalency is appropriate to do so. This should be supplemented with experience in clinical work with seniors and their families, stakeholders, health care providers, and seniors' advocacy associations.

Rationale #2 Recruitment. It is understood this position is recruited through the Independent Appointments Commission with support from the Public Service Commission. This process appears to have a considerable period of delay in filling a vacant position and the process does not appear to be as transparent as it could be. Considering that there is a parallel review of the Independent Appointments Commission, it is recommended that both Committees engage to determine any cross-sharing of gathered information that might be helpful to both review processes.

Rationale #3 Performance Review & Administrative Oversight. All processes for performance, including discipline and removal from office should be contained within the legislation and regulations for the position of the Seniors' Advocate and its office. It is understood that the current House of Assembly oversight model is working satisfactorily for this office and no changes are recommended.

Concluding Statement. In the matter of the Office of the Seniors' Advocate, this Province should be proud of the way it has set up this Office. The other Canadian Provinces that have a Seniors' Advocate do not have the same level of independence and ability to advocate and ensure accountability of action as does Newfoundland and Labrador simply by having the Office report to the House of Assembly. The Seniors' Advocate for Newfoundland and Labrador does have an excellent working relationship with her counterparts across the country who are looking to learn from our NL experience and process to improve their systems. In addition, those jurisdictions that do not have a Seniors' Advocate have called upon our province for advice and guidance in getting started and setting up such a position, recognizing that this Province has "done it right". This Coalition has a strong well-established relationship with the Office of the Seniors' Advocate that is supportive and respectful of each of our mandates and is strongly recommending that this office continue to function as an independent statutory office for all the logical

reasons offered above. And finally, this Coalition has reviewed the submission to the Statutory Offices Review Commission by the Office of the Seniors' Advocate and is completely supportive and in agreement with all the recommendations that have been made therein.

Thank you for the opportunity to make this submission.