

Select Special  
**Ethics Commissioner and  
Chief Electoral Officer  
Search Committee**

**Report of the Committee  
*Ethics Commissioner Recommendation  
and Chief Electoral Officer Update***

**Thirty-First Legislature  
First Session  
May 2024**



Select Special Ethics Commissioner and  
Chief Electoral Officer Search Committee

3<sup>rd</sup> Floor, Queen Elizabeth II Building

9820 – 107 Street

Edmonton AB T5K 1E7

780.644.8621

[Committee.Admin@assembly.ab.ca](mailto:Committee.Admin@assembly.ab.ca)



**LEGISLATIVE ASSEMBLY OF ALBERTA**

**Select Special Ethics Commissioner and Chief Electoral Officer Search Committee**

May 2024

**To the Honourable Nathan M. Cooper  
Speaker of the Legislative Assembly  
of the Province of Alberta**

The Select Special Ethics Commissioner and Chief Electoral Officer Search Committee has the honour to submit its report containing the recommendation of a candidate for the position of Ethics Commissioner for consideration by the Legislative Assembly.

An update on the search for a candidate for the position of Chief Electoral Officer is also included.

Sincerely,

*(original signed by)*

Tany Yao, MLA  
Chair, Select Special Ethics Commissioner and Chief Electoral Officer Search Committee

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**SELECT SPECIAL ETHICS COMMISSIONER AND CHIEF ELECTORAL OFFICER  
SEARCH COMMITTEE**

**COMMITTEE MEMBERSHIP**

**Chair:**

Tany Yao, MLA  
Fort McMurray-Wood Buffalo (UC)

**Deputy Chair:**

Glenn van Dijken, MLA  
Athabasca-Barrhead-Westlock (UC)

**Members:**

Lorne Dach, MLA  
Edmonton-McClung (NDP)

Angela D. Pitt, MLA  
Airdrie-East (UC)

Nolan B. Dyck, MLA  
Grande Prairie (UC)

Hon. Irfan Sabir, MLA  
Calgary-Bhullar-McCall (NDP)

Janis Irwin, MLA  
Edmonton-Highlands-Norwood (NDP)

Jason Stephan, MLA  
Red Deer-South (UC)

Chelsae Petrovic  
Livingstone-Macleod (UC)

Peggy K. Wright  
Edmonton-Beverly-Clareview (NDP)

**Substitutions pursuant to Standing Order 56(2.1-2.4):**

Shane C. Getson\*  
Lac Ste. Anne-Parkland (UC)

**COMMITTEE MANDATE**

**Government Motion 15**

On December 5, 2023, the Legislative Assembly passed Government Motion 15, which appointed the Select Special Ethics Commissioner and Chief Electoral Officer Search Committee, an all-party committee consisting of 10 Members, for the purpose of inviting applications for the positions of Ethics Commissioner and Chief Electoral Officer and to recommend to the Assembly the applicant it considers most suitable to each of these positions.

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\* Mr. Getson was a substitute for Mr. Stephan on April 23 and 26, and May 6 and 8, 2024.

## ETHICS COMMISSIONER – RECOMMENDATION

At the May 8, 2024, meeting of the Select Special Ethics Commissioner and Chief Electoral Officer Search Committee the following motion was passed by the Committee:

That the Select Special Ethics Commissioner and Chief Electoral Officer Search Committee

- (a) approve the draft report dated May 2024,
- (b) recommend to the Legislative Assembly that
  - i) Shawn McLeod be recommended for appointment to the position of Ethics Commissioner for a five-year term commencing on May 26, 2024, and
  - ii) the Speaker be authorized to, on its behalf, enter into a remuneration agreement with the appointee as it relates to Mr. McLeod's appointment.

## SELECTION PROCESS

The searches for the Ethics Commissioner and Chief Electoral Officer were conducted over several meetings, beginning on December 19, 2023, and on May 8, 2024, the Committee confirmed its recommendation on a candidate for the Ethics Commissioner position. The Committee, with the assistance of the Clerk, Office of Parliamentary Counsel, Communications Services, Human Resource Services, and Committee Services from the Legislative Assembly Office as well as senior staff from Executive Search with the Alberta Public Service Commission, developed guidelines for advertising, a position profile, a search timetable, and general procedures.

A combination of social media, print advertising, and digital advertising were the focus of the recruitment campaign for the positions of Ethics Commissioner and Chief Electoral Officer. Both positions were advertised through a package in the *Globe and Mail*, which included a triple print run as well as placement on the *Globe and Mail* website, premium positioning in their career display on Eluta.ca, and a posting on Workopolis. Additional advertising was placed through Postmedia, which included the career sections of the *National Post*, *Edmonton Journal*, and *Calgary Herald*. The job opportunities were promoted on the LinkedIn job site for one month, and the advertisements and position profiles were posted on the Committee page on the Assembly website and on the Elections Alberta website. There were targeted placements on specific professional association career sites. A media advisory and social media posts were also used to increase awareness of the search process.

The Committee was pleased to receive applications from candidates both around Alberta and from other provinces and territories in Canada. At the request of the Committee, Executive Search completed a screening report on top applicants, and the Committee reviewed all resumés and screening reports to determine a candidate shortlist for preliminary interviews. At the direction of the Committee, officials from Executive Search conducted preliminary interviews with identified candidates and reported back to the Committee. The Committee then conducted interviews with selected candidates.

## **CHIEF ELECTORAL OFFICER POSITION UPDATE**

On May 6, 2024, the Select Special Ethics Commissioner and Chief Electoral Officer Search Committee agreed to conduct a second round of recruitment for the Chief Electoral Officer position. Advertisements for the position will run throughout the month of June, with an application deadline of July 2, 2024.

## **ACKNOWLEDGEMENTS**

The Committee appreciates the expertise and professionalism of Trish Mills, Director of Executive Search, and Julie Barron, Executive Search Consultant, from the Alberta Public Service Commission, as well as the assistance of support staff from the Legislative Assembly Office.

## **CANDIDATE BIOGRAPHY**

### **Biography of Shawn McLeod**

Shawn has divided his career between the private and public sectors. He is a lawyer, working initially in private practice, followed by time as counsel to the Alberta Labour Relations Board, and finally as in-house counsel responsible for various matters including labour relations for a large Alberta industrial construction company. After a brief period advising on labour relations matters for an Alberta energy company, Shawn has most recently worked in the public sector, first as a Deputy Minister and then as Special Advisor doing project work for the Deputy Minister of Executive Counsel.

Shawn has degrees from the University of Alberta in Arts, Business and Law, as well as a one-year French Language Certificate from the University of Quebec at Chicoutimi.

Born in a small town in southern Saskatchewan, he grew up and lived in various places across Alberta. He and his wife have lived in Edmonton for many years where they enjoy spending time with friends and family including their two adult children.

Shawn is a proud member of the St'uxwtews (Bonaparte) First Nation.

## APPENDIX – MINORITY REPORT

On May 6, 2024, the UCP members of the Select Special Ethics Commissioner and Chief Electoral Officer Search Committee (“the Committee”) voted to recommend an individual as the Ethics Commissioner to the Legislature, who did not have all party support. We in the Official Opposition could not, and did not, support this decision, because the selection of an Ethics Commissioner should not be a partisan exercise or include a whipping of votes. We outline our three principal reasons here.

First, the UCP members of the Committee voted as a block to support an individual for appointment as the next Ethics Commissioner, who has well-established ties to the UCP political party. The risk for perceived bias is obvious.

The Ethics Commissioner and all Independent Officers of the Legislature must be able to carry out their duties without perception of any bias, real and perceived, in order to be effective in their role as a check and balance on Government actions and decisions. Unfortunately, the UCP members of the Committee chose to side with a candidate who, as a matter of public record, has an extensive UCP history. This individual put his name forward as a candidate for the UCP nomination in Edmonton-Riverview, has publicly available photos showing his canvassing with UCP candidates, has donated thousands of dollars to the UCP, and, until applying for the position, had spent the last five years working to support UCP Ministers and the Premier in Government. As all Committee members knew before this decision was made, the individual chosen by the UCP has a strong, undeniable history of partisan affiliation with the UCP and the Premier. There is no doubt this results in a strong perception of inserting political bias into an important independent office of the Legislative Assembly. The UCP members of the Committee overlooked all this partisan evidence, ignored the need to uphold the integrity of the office of the Ethics Commissioner, and whipped the vote on party lines to recommend him without the unanimous support of committee members.

Second, the UCP replaced one of their committee members, MLA Jason Stephan, after the Committee completed all of the interviews and prior to final deliberations. They inserted Chief Government Whip, MLA Shane Getson to the Committee. This decision allowed MLA Getson input and a vote on the decision about this appointment without his participation in the interview process or any of the in-camera and confidential proceedings. This is a serious flaw in the UCP committee members’ decision, and it runs afoul of the most basic principles of fairness.

There had been agreement at the beginning of this Committee’s work that members who did not participate in the interviews would not participate in the final decision-making. This is a marked departure from previous committee processes and the agreement struck by the Committee. This raises serious questions and a perception that the UCP had a favoured candidate for this position from the start. It also raises serious questions about whether or not this entire process received central direction on the UCP side from the Premier’s office for the choice of the appointment. Such a position is inherently unfair to all other candidates who applied for this position and participated in interviews in good faith.

Third, the need to search for a new Ethics Commissioner comes as a result of a UCP majority decision to deny reappointment of the current Commissioner. The current Commissioner found, on May 17, 2023,



that Premier Danielle Smith had violated the Conflicts of Interest Act concerning the Artur Pawlowski case. This same Ethics Commissioner made recommendations for the Premier concerning her wholly inappropriate conduct and reserved the right to make future recommendations. The decision to replace the current Ethics Commissioner with an individual with established, strong UCP ties suggests a pattern of behaviour from the Premier and the UCP government. This government seeks to exercise inappropriate control and authority over public institutions, including replacing people on independent bodies with partisan friends and allies as a means of minimizing independent scrutiny of their actions.

From the onset of the process, the UCP government caucus members have used their majority to strong-arm the direction of the Committee to ensure that processes followed in previous search committees were either ignored or over-ridden. The Committee could have sought opportunities to find consensus candidates for such positions, as occurred previously. Instead of putting the public interest first, the UCP government members of the Committee have prioritized partisanship. This does not align with the interests of Albertans and the institutions they cherish and as independent. All independent officers of the Alberta Legislative Assembly should uphold that independence and serve Albertans without undue influence of political partisanship.

Albertans must have faith in the ability of Independent Officers to be impartial and to act in that position without political or perceived bias. As representatives of Albertans, we hold this view strongly. We urge all members of the Legislative Assembly to oppose the recommendation contained in the report.

Lorne Dach, MLA  
Janis Irwin, MLA  
Hon. Irfan Sabir, MLA  
Peggy Wright, MLA