



## **Office of the Ethics Commissioner**

### **Assisting Constituents and Friends**

**2019**

#### **1. Assisting constituents with matters before the courts or quasi-judicial tribunals**

##### **a) Courts**

- Members of the Legislative Assembly and their constituency staff should not assist or intervene for parties appearing before courts in Alberta nor should they provide letters of reference for those appearing in court. This prohibition protects judicial independence.

##### **b) Quasi-judicial tribunals**

- Members of the Legislative Assembly and their constituency staff should not appear with a constituent or friend to provide assistance during a hearing nor merely to support the constituent or friend as their mere presence may create a perception of bias.
- Members of the Legislative Assembly and their constituency staff should not write a letter of support for a constituent or a friend appearing before a quasi-judicial tribunal.
- Quasi-judicial tribunal members are appointed by the government and appearing before them for a constituent or a friend or providing a letter would be considered as improperly using the Member's influence as a Member.
- Quasi-judicial tribunals include Worker's Compensation Board Appeals Commission, Alberta Utilities Commission, Alberta Gaming and Liquor Commission (board hearings only), Alberta Labour Relations Board, Alberta Energy Regulator, Land Compensation Board, Surface Rights Board, Environmental Appeals Board, Mental Health Review Panels, AISH Appeal Panels, Child Care Licensing Appeal Panel, Student Financial Assistance Appeals Committee. This list is not complete and the Office of the Ethics Commissioner should be consulted if there are any questions about whether a body is a quasi-judicial tribunal.
- Constituents or friends may be assisted by obtaining information for them (eg. regarding policies and procedures, dates and times of hearings, status of the case, general information), helping them to understand basic processes or assisting them fill out forms. Members and their constituency staff should take care not to give legal advice.

- Members, and particularly the Minister responsible for a tribunal, should not contact the chair or a member of a board about any quasi-judicial matter before the board.
- c) Agencies and programs
- Members may contact provincial agencies or programs to assist constituents but communication is to be limited to clarification of policy and obtaining information.

## **2. Letters of Support**

- Members may write letters of support for constituents for events and projects provided there is no possibility that the Member, or any of their direct associates, will benefit from the Member writing the letter.
- Ministers may not write letters of support for constituents for any grants or provincial funding that is administered or funded by their own ministry.

## **3. Personal References**

- Members should only write letters of reference for friends and business associates.
- Members should not write letters of reference for their spouses or children.
- Any such letters should not be written on the Member's or on constituency letterhead.
- The letter should not indicate that the author is a Member of the Legislative Assembly.
- A Member may write a reference for a former employee or volunteer if their relationship arose out of the Member's role as a Member. A Member may use official letterhead and title for these letters.