



ombud

NEW BRUNSWICK • NOUVEAU-BRUNSWICK

Friday December 9th 2022

Sent via email: bruce.wark@bellaliant.net

Mr. Wark,

Thank you again for submitting your August 13th 2021 complaint with respect to closed meeting practices at the Town of Sackville (Town); particularly with respect to their use during meetings with members of the RCMP since August 2021.

Let me start by reiterating our role. The Office of the Ombud investigates complaints under the *Ombud Act* involving provincial government departments, local governments, crown corporations, and other authorities regarding matters of administration. We are an independent office that operates objectively and impartially. In the course of our investigations, we review policies, processes and legislation and the application of same by authorities. When we find that an administrative error has occurred, or a that a process could be improved, we have the authority to recommend that changes be made to rectify the situation.

During the course of our investigation into the complaint, we reviewed information which the Town provided as well as relevant legislation. We also had meetings with the Town to discuss their closed meeting practices.

It is our understanding that a member of the local RCMP detachment typically attends a Town Council meeting once a month to discuss operational matters and other issues of interest. Town staff have advised that sensitive operational matters are discussed in these meetings, and they are typically brief. We have also been made aware that a statistical report is presented to the public by the Town at every regular meeting of Council and that a member of the RCMP attends a regular meeting once every quarter to answer questions from the public. Furthermore, before the pandemic, open house type meetings were also regularly held with members of the RCMP.

After having reviewed the type of topics that are discussed during said meetings, our Office is satisfied that these discussions are closed in accordance with the exception to the open meeting rule, as set forth in paragraph 68(1) i) of the [Local Governance Act](#) as detailed below:

“...68(1) (i) information gathered by the police, including the Royal Canadian Mounted Police, in the course of investigating any illegal activity or suspected illegal activity, or the source of that information...”

Given these findings, our Office has not found any administrative errors with regards to your complaint. With that, your file with our Office will now be closed. We thank you for bringing this matter to our attention and please do not hesitate in contacting us in the future should you have any new complaints.

Sincerely,



Christine LeBlanc
Senior Investigator