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**Official Report
of Debates
(Hansard)**

Wednesday 27 June 2001

**Journal
des débats
(Hansard)**

Mercredi 27 juin 2001

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**Comité permanent des
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Nominations prévues

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Wednesday 27 June 2001

Mercredi 27 juin 2001

The committee met at 1004 in room 151.

SUBCOMMITTEE REPORT

The Vice-Chair (Mr Bruce Crozier): We will call the committee to order. At the outset, we will handle a little bit of business with regard to the report of the subcommittee of Thursday, June 21.

Mr Bob Wood (London West): Mr Chair, I move its adoption.

The Vice-Chair: Discussion? All those in favour? Carried.

INTENDED APPOINTMENTS
ROGER CURRIE

Review of intended appointment, selected by third party: Roger Currie, intended appointee as member, Ontario Film Review Board.

The Vice-Chair: We will begin with our intended appointees this morning, the first one being Mr Roger Currie, who is an intended appointee as a member of the Ontario Film Review Board. Good morning, Mr Currie. Just in case you weren't aware, you are certainly free to make some remarks to the committee. The time that you take will be dutifully deducted from the government's time, and then we have about 10 minutes with each of the parties for a little discussion. Please make yourself comfortable and continue, Mr Currie.

Mr Roger Currie: Thank you, Mr Chairman and members of the committee, for allowing me to appear this morning. I'm hoping to be appointed to the Ontario Film Review Board and would consider it an honour and a privilege to serve the province in this capacity.

I've only been a permanent resident of Ontario since May 2000, but my family has owned summer property on Lake of the Woods for more than 70 years. When the opportunity came for my wife and I to consider a different lifestyle, we jumped at the chance to become year-rounders. I work part-time at radio station CJRL in Kenora and both of us do considerable freelance writing from home.

In the short time, we have become quite involved in the community. I've joined the Kenora Rotary Club and have undertaken a significant fundraising project for the Lake of the Woods District Hospital. We're truly proud to be residents of northwestern Ontario.

The film review board is an agency I feel particularly well suited to serve. Film has been a major interest of mine since childhood. While studying at the University of Manitoba, I served as producer of a 45-minute dramatic film which ended up winning a couple of Canadian film awards and I was personally responsible for getting the film sold to network television. At the same time, I started a very successful film society on campus at the University of Manitoba.

After university, I spent a year in the movie theatre business working as an assistant manager with both Famous Players and the Odeon chain, now Cineplex, in Winnipeg.

In 1970, I began what has been a very rewarding 31-year career now in the world of radio, working mostly as a journalist and latterly a program host. Whenever possible over the years I've specialized in reporting on the entertainment industry. In the 1980s I hosted a syndicated program called Show Business People and regularly attended the Toronto film festival and other events such as that during those years.

The issue of censorship and film classification has been front and centre at times. In the early 1970s, I covered Manitoba's move to do away with censorship in favour of classification, and in 1973 I covered the prosecution and trial of the movie *Last Tango in Paris* on charges of obscenity. While I've never served on a film classification board before, I did sit on two appeal panels in Manitoba in the early 1990s.

I applaud governments for moving away from censorship in recent years, but I fully appreciate the need of consumers, especially parents, for the best possible guidance on the content of films and videos.

As a journalist who's tried to be responsive to the concerns of the community, I think I've developed a reasonably good sense of what constitutes community standards. At the same time, I think I have a good appreciation of the trends in the industry and the views from the artistic community's point of view. I'm confident that I can be a fair and knowledgeable arbiter on these matters. Thank you.

The Vice-Chair: Thank you, Mr Currie. We'll begin our round of discussion with Mr Martin from the third party.

Mr Tony Martin (Sault Ste Marie): You certainly have an impressive resumé of involvement in media, and I suppose, if you get this appointment, that will serve you

well in terms of background. However, my concern in all of this—and you mentioned it in your opening—is your understanding of community standards. What would it be?

Mr Currie: I think it varies somewhat from place to place. What would be acceptable in Toronto might not be quite as acceptable in a place like Kenora, but I think it's kind of a moving thing as well. In terms of trying to keep a gauge of it, I would certainly, in all of northwestern Ontario, try and make it known that I'm on the board and am interested in hearing from people as to what they feel about what is out there and whether it's acceptable or not.

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Mr Martin: So what would you recommend in terms of the board itself staying in touch, given, as you've mentioned in your answer, that there may be varying levels of what would be considered community standards depending on where you've living in Ontario? What would your recommendation be as a member of the board to make sure that the board stayed in touch with what the community saw as either acceptable or unacceptable?

Mr Currie: They do some interactivity now in terms of their Web site and that sort of thing. That could be promoted a little more, expanded. In my own situation, I do a fair amount of freelance writing, a lot of it on-line, and I have a Web site where that is featured. I would make this position a part of that, and also anybody else who happened to be on the board from that part of the province; I could sort of include them in that as well. Individually we could probably do more in that regard.

Mr Martin: How do you think your particular background, having done a study on, for example, *Last Tango in Paris* and also your involvement with some of the major movie chains, will influence your ability to participate and make decisions?

Mr Currie: I don't think it will influence it. It gives me a good sense of the history of the issues and where we've come from, where we're going, I suppose, again relating back to community standards, that sort of thing. I certainly wouldn't put myself up as any kind of industry person or anything like that.

Mr Martin: The board itself announced an overhaul of the system to assist them, such that—as it is now, you have various categories that people look at when they're considering whether to go to a movie or not, AA or PG or whatever—it would be more specific, where you would have 14A, which would mean that children under the age of 14 would have to be accompanied by an adult, and then an 18A. Are you aware of that initiative?

Mr Currie: Yes, I am.

Mr Martin: What's your feeling about it?

Mr Currie: I think it's an important move. Again, it's something that you can't sort of stay fixed at forever. Maybe a couple of years down the road you might look at a further split in the classification. But I think for now it sounds like a reasonable move.

Mr Martin: How did you hear about, living way up in Kenora, the availability of an appointment to this board?

Mr Currie: It's something that I've had an interest in for quite some time. When I lived in Winnipeg I expressed interest in the classification board there a couple of times. Nothing really came of it. But when we moved to Ontario I thought I would find out about it here as well.

Mr Martin: Do you have any affiliation with any political party?

Mr Currie: None at all.

Mr Peter Kormos (Niagara Centre): Thank you, Mr Currie. For those of you who haven't seen *Last Tango in Paris*, it makes buttering your toast at the breakfast table a far different experience than it has been.

The reference to *Last Tango in Paris* of course would focus people's attention on, let's say, sexuality or sexual behaviour in film. What about violence in film and the fact that all of us, and certainly our children—there has been all sorts of data released—see literally hundreds, if not thousands, of killings, rapes, murders, slaughters, slashings, be it on television or in film? Can you comment on that or any personal concerns that you might have about that?

Mr Currie: From a personal point of view, I'm a parent. My daughter is almost 27, so she makes those decisions for herself now, but when she was younger I certainly had quite serious concerns probably as much about violent content as about sexual content. I think the board is cognizant of that and their guidelines reflect that. It's very important.

Mr Kormos: There's been concern expressed about the Nintendo-style games that are available for computers at home—and I assume they may be available in commercial outlets where kids go out and play these games—and the content of those. I don't believe that the film review board in Ontario currently has power to control those. Would you, appreciating that you're not the policy-maker, but as a member of the film review board you would be in a position to provide input, be interested—I don't say from a personal point of view—in having the film review board have the same jurisdiction over those video games as they do over film?

Mr Currie: I would have to become much better acquainted with the issue in terms of what the logistics would be of doing it, how practical it would be, but I think it's certainly worth looking at.

Mr Kormos: What do you think the overriding purpose of a film review board is, other than telling me I can't look at certain things or our children can't look at certain things? What's the fundamental purpose of the film review board, in your view?

Mr Currie: I see it as being a consumer guide basically in terms of content and guidance, particularly to families.

Mr Kormos: Do you believe the film review board should have the authority to tell people what they can and cannot see?

Mr Currie: As I say, it's been moving away from that. I understand it still has ultimate power to prohibit

films from being shown. I'm not sure whether I agree with that.

Mr Kormos: How strong a consideration is the argument of artistic merit? I refer back to, and you and the other members may be familiar with, the Mapplethorpe controversy in the United States, where there was a legitimate battle between artistic merit and concern about the sexual content of those photographs.

Mr Currie: Redeeming social importance? Was that one of the phrases?

Mr Kormos: Well, yes, but where do you stand on the artistic merit versus—

Mr Currie: I think it has to be a consideration. Certainly I've been fascinated to read about the material the board deals with and how much of it is purely adult sexual content, which to my mind doesn't have a lot of artistic merit attached to it. I mean, there's certainly a difference between *Last Tango in Paris* and/or its equivalent nowadays and a lot of the stuff that's available.

Mr Kormos: There's a difference between Mapplethorpe and schlock porn, but others wouldn't agree with me; they'd say no. But do you see it as an artist's role, be it a filmmaker, be it a painter, be it a photographer, to push the envelope? Do you see that as their function socially and perhaps even historically?

Mr Currie: In context, to use the tired phrase, if there's a larger purpose I think it's relevant and maybe the envelope in those situations can be pushed a little bit.

Mr Frank Mazzilli (London-Fanshawe): Thank you very much, sir, and certainly on this side I'm honoured to support your appointment.

The one thing that I did hear—and I will make it short—and I know it's a difficult one to answer because it's not defined: you talked about community standards. It's something I've always had difficulty with, whether it's politicians' standards or someone setting the definition of standards, community standards. You had difficulty telling Mr Martin what community standards are, and it's a difficult one to tell because it's the standards and the mood of the community that day, and the makeup of that community. The makeup of communities changes and sometimes the community standards change with the makeup of the communities. So I'm glad that you will keep an open mind and I encourage you to keep an open mind, but at the same time represent the view of the community that you're appointed to represent.

Mr Wood: We'll waive the balance of our time.

Mr John Gerretsen (Kingston and the Islands): Welcome, Mr Currie. You're certainly from one of the most beautiful parts of this province, the Lake of the Woods area, which always reminds me very much of my part of the province, the Thousand Islands area. It's very similar to that.

I noticed in your resumé that the first person you ever interviewed was Lester Pearson. He's certainly a man whom many politicians nowadays could look up to with great admiration, because we just don't have politicians of that stature any more.

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What I wanted to ask you, and Mr Kormos sort of hit on it earlier, in some of the background information that we were presented on what the board does, it certainly seems that the vast majority of its time is taken up with what is referred to in the text here as adult sex films. Something like 239,000 minutes have been viewed compared to only 123,000 minutes in mainstream and foreign and things like that. I know there's always this debate between freedom of expression and sexual exploitation, and where do we draw the line. Can you give us any ideas as to how you view that whole scenario? Where do you think the line should be drawn between people being allowed to express their feelings and something just being totally outrageous, that it has absolutely no redeeming value at all? Can you give us a little insight into how you approach that?

Mr Currie: Sometimes I think it's a tough call, but I would suggest that in a majority of those however many minutes you just quoted there, there's not much doubt as to whether there's any artistic merit at all. I think it's strictly a commercial venture, which is finding a marketplace certainly, but artistic merit doesn't enter into a lot of it, I don't think.

Mr Gerretsen: Let's assume for a moment that there is no artistic merit. Would you then see your role as making sure that product is either not shown or allowed into the province in any way, shape or form, or that there be restrictions placed on it as to how it can be marketed and who can see it? I'm thinking particularly of children who obviously should not be able to see it. Where do you draw the line there? What should it be? Should we just ban it outright or should we put some severe restrictions on it?

Mr Currie: There you're getting into an area where jurisdiction is divided between the province and the federal authority. There is the Criminal Code and the obscenity provisions that come in at a certain point. I know there are cases before the courts now that may determine some of that. In terms of the board's ability and authority to regulate, it's going to be difficult as time goes on, because very soon we're going to be in a situation where video on demand over the Internet is going to be much more a reality. We're approaching it now, but pretty soon, if you have access to the Internet, you will be able to get whatever is out there with nobody looking over your shoulder.

Mr Gerretsen: That leads me to the next question, before I turn it over to my colleague here. Then what's the sense of still having the board? If, in effect, the same material can be obtained by individuals in the privacy of their own homes through computers etc, why censor any of it? I'm just sort of asking you what you think.

Mr Currie: It's a valid question which I have certainly thought about, and I don't know what the ultimate answer is going to be on that. It may be that whole area would be more appropriately left to law enforcement and the board should concentrate more on the mainstream product. I'm not sure.

Mr Gerretsen: Good luck in your appointment.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): Good morning, Mr Currie. I'm a mother of four children and so, as you can perhaps understand, I am certainly very interested in the rating system that is in place. As a parent, I go to that very regularly when we go to the video store, when we watch movies at home on TV. I have to say that I am more and more disappointed at what we are able to access over our regular cable channels. Having that perspective shared with you, I am curious; do you know how many people sit on the Ontario Film Review Board?

Mr Currie: I'm not sure precisely but I think it's around 35.

Mrs Dombrowsky: Do you know how many would be women?

Mr Currie: Something approaching half, I think.

Mrs Dombrowsky: It is? I'm glad to hear that. You know, of course, about the trends in our society where more and more women and children are victims of violence, where they are victims of offences that involve firearms. There are many people within the community of the province, and even the country, who are very concerned and would perhaps connect that what is seen, what is presented through the video media, the film media, is quite often replayed or it's used as a model for some real-life tragedies. Someone has seen something in a movie, a violent act, and they have then gone out and done what they have seen.

Do you think there is anything the film review board can do, in light of this, to look to minimize those sorts of things happening in the future? Do you think there is perhaps access to these sorts of films—it's very easy to get them, to watch them—for youngsters to watch them, or for people who may not be of healthy mind to watch them and then, as a society, we deal with the aftermath? Do you think that the film review board has any role to play in perhaps preventing that kind of material from getting into communities or maybe even being distributed?

Mr Currie: Again, we're in an area that some of it is before the courts right now. I don't know. I still go back to my thought that the board's most important role is to educate, to view and to draw attention to what could be offensive or objectionable or dangerous content. Putting a flag on that, I think, is about as much as they can do. There's a lot of argument that could be made in terms of the copycat syndrome that you're talking about. I don't know that the review board can do a terrific amount in terms of resolving that issue.

Mrs Dombrowsky: Also, it is within your mandate to review films and videos, but we also know that music videos are very much a part of our culture today. Does that fall under your purview, do you understand?

Mr Currie: Music videos such as we would see on MuchMusic and channels like that?

Mrs Dombrowsky: Yes.

Mr Currie: I don't believe it's under their jurisdiction, no.

Mrs Dombrowsky: Do you think that's something that perhaps should be?

Mr Currie: No, I think it would probably fall more properly under something like the Canadian Broadcast Standards Council, which is affiliated with the CRTC.

Mrs Dombrowsky: That would conclude my questions. Thank you.

The Vice-Chair: Anything further, Mr Gerretsen?

Mr Gerretsen: No, thank you.

The Vice-Chair: That's fine, sir. I want to thank you for joining us this morning. The concurrence of these appointments will be made at the end of the meeting.

By the way, when it was mentioned that you interviewed Lester Pearson, I'm the proud owner of a tie that belonged to Lester Pearson and I wear it on occasion.

Mr Currie: Is that it?

The Vice-Chair: This is not it, but I wear it on occasion. Had I known you were coming, I would have worn it this morning.

Mr Currie: I'll just tell you very quickly, it lasted all of about 70 seconds, I think. I ambushed him after he made a speech one day and he took pity on me.

Mr Gerretsen: Was it the highlight of your broadcasting career?

Mr Currie: Not quite.

RAY BARLOW

Review of intended appointment, selected by third party: Ray Barlow, intended appointee as member, Niagara District Health Council.

The Vice-Chair: The next intended appointee is Ray Barlow as a member of the Niagara District Health Council. Mr Barlow, please join us. Make yourself comfortable. You may be aware that you are free to make some opening remarks. Any time you take will be deducted from the government side, but then we'll allow you to spend about 10 minutes with each of the caucuses. So make yourself comfortable.

Mr Ray Barlow: My name is Ray Barlow. I would like to thank this committee for hearing me today. I am currently a member of the Niagara region, living in a small community called Ridgeway, just outside of Fort Erie. My wife, Michele, and I moved to the Niagara region in 1995 and have called it home ever since. We are the proud parents of a four-year-old boy named Bryce and a one-year-old girl named Andrea. The Niagara region is a great place to live and raise a family and I am proud to be part of this community.

In 1998, I finished my MBA at Niagara University in their full-time program, while working full-time and helping to raise my son through his first year. The reality of time management during this year became a quickly learned lesson.

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Prior to this, I graduated from Bishop's University with an economics degree in 1992. Currently, I am the general manager of a large retirement community located in Port Colborne, Ontario. I work very closely with a

skilled group of people with a great desire and compassion for seniors. I enjoy the diversity and constantly changing demands of my work. I am a licensed nursing home administrator in the province of Ontario and I worked in long-term care prior to my current employment. I am currently on the board of directors for CCAC Niagara. I have experience working with the Ministry of Health and Long-Term Care and a respect for the complexities of health care.

Overall, I see the growing importance of technology in health care and believe that as demands increase at all levels, further efficiencies will be created by keeping health providers with the people. I believe in the power of people and that every member of every community must be involved with the community at any level in order to keep their community well.

I look forward to the challenges if appointed to the Niagara DHC, and I am prepared to meet those challenges. I will be happy to answer any questions.

The Vice-Chair: Thank you, sir. We'll move first to the government caucus.

Mr Mazzilli: Thank you very much, Mr Barlow, for attending. What perspective would you bring to the district health council? Some people bring a personal perspective if they work in the field; if they're a nurse or a doctor, say, they would bring that perspective. You have an interesting perspective as a parent with two young children, and from working in the retirement field with older people, if you will. I say that with respect, because all of our parents and grandparents are aging. So you seem to have both of those perspectives. Which perspective would take priority, if either?

Mr Barlow: You're talking about the education/health care debate?

Mr Mazzilli: No, I'm talking about health care. You have two perspectives: as a parent with young children, obviously you would want health care there for families, and then you have the perspective of working in a retirement environment. Do you think you can bring both perspectives to the district health council, both as a parent and someone working in the field?

Mr Barlow: I believe that's an advantage I have, yes. I would also say that it's very clear to me that the views of the community must be brought forth to the district health council.

Mr Mazzilli: That's my only question.

The Vice-Chair: Anything further?

Mr Wood: We'll waive the balance of our time.

The Vice-Chair: Now we'll move to the official opposition.

Mr Gerretsen: Just a procedural question: when the government waives its time, is that time added on to the other two parties' times?

The Vice-Chair: If it were up to the Chair, it probably would be, but I don't think it is, no. I have to retain my neutrality.

Mr Gerretsen: You are the Chair. You are in charge, and I think you should set the rules and regulations for this.

The Vice-Chair: I think the precedent is that they just simply waive it.

Mr Gerretsen: Oh, precedent, precedent.

Mr Barlow, I have a couple of questions. You're already on the community care access centre, you run a nursing home and you now want to be on the district health council. In following up the excellent questioning of Mr Mazzilli, let me ask you, do you not feel there may be a bit of a conflict between these various roles you would be expected to play in these various aspects? Just a question, sir.

Mr Barlow: I'm not aware of any conflict. However, if there was a conflict, I believe there is a conflict-of-interest clause in both organizations, and I would fully respect those clauses. Conflicts of interest are very easy matters to contain. You just refrain from any of the decision-making.

Mr Gerretsen: Community care access centres are in great difficulty clear across the province right now. Newspaper reports from right across the province make it quite evident that the community care access centres are not getting as much money as they need to carry out what they perceive to be their functions. In light of that and in light of the ever-expanding role your own community care access centre undoubtedly is having in the Niagara area, with people being released from hospitals earlier and sicker, needing more home care, nursing care and what have you, why do you feel you want to add the extra responsibility of sitting on the district health council as well as on the community care access centre?

Mr Barlow: I haven't entirely made my decisions in terms of whether I'm going to be continuing with the community care access centre or not, given my new responsibilities. I have seen a lot of the work that the district health council has done over the years—I've been receiving their reports for five to six years—and it's something that's of interest to me. I think it's a very important perspective to pursue in that a lot of the views of the Niagara region have to be brought forth via the DHC.

Mr Gerretsen: Do you feel that right now that's not happening in Niagara, that the district health council is following a course of action that you disagree with personally?

Mr Barlow: I haven't taken it from that perspective. I have seen some very good things they've discussed in their service plans.

Mr Gerretsen: Could you give us an example?

Mr Barlow: I know there is some work being done on physician recruitment by the DHCs, which is very important. I believe it's an issue that faces a broad spectrum of Ontario. They have adopted some very good workings to that. I am aware of the fact that the community of Port Colborne has had some great success in recruiting. I believe they've recruited about five physicians to that local community. What's been done across the Niagara region I'm not too clear on.

Mr Gerretsen: How long have you been on the community care access centre?

Mr Barlow: For about three years.

Mr Gerretsen: About three years. Thank you.

Mrs Dombrowsky: Good morning, Mr Barlow. Just to pick up on your last statement, you have indicated that you are aware of the performance of the district health council in providing some services. Are you familiar with the Maclean's health report which indicated that the Niagara region district health council has dropped significantly in its ranking over the course of the last year? It went from 19th to 28th.

There were two significant reasons. One was the fact that the heart attack survival category declined significantly; if you had a heart attack in your region, chances that you would survive that experience were not as good as in other parts of the province, sadly. The other problem in the Niagara area is that local residents are compelled to seek health care outside the region. Are you familiar with that study?

Mr Barlow: I'm not aware of the Maclean's report. I do look at Maclean's from time to time, but I did not read that report, so it's not fair for me to comment on it.

Mrs Dombrowsky: Would you be aware that those in fact are issues within the Niagara region? I would expect that with your involvement on the CCAC, you might have some sense or some inkling that patients in need are not able to access important services within your community.

Mr Barlow: I can look at it from another perspective. The Niagara Economic and Tourism Corp commissioned a study by David Foot with some other demographic professionals. Some of what you've talked about is obviously addressed in that study. The one thing I can probably comment on is that I know the ranking has dropped because there is no longer a nursing school in the Niagara region for RNs. I believe Niagara College dropped that program. I'm not exactly sure if it's finished or not. But there is no mechanism to get trained RNs into the Niagara region locally. They must go outside of that region.

Mrs Dombrowsky: I guess I'm just having a little difficulty understanding how, if a nursing school is no longer present within the community—I think that's sad because we need more than we have—that is really going to impact services within the area, diminish the services.

Near the very end of your comments, you talked about further efficiencies. Would you be able to read that statement you made? I was just curious.

Mr Barlow: I'll say very clearly that overall, I see the growing importance of technology in health care and believe that as the demands at all levels increase, there will be further efficiencies created by keeping health providers with the people.

Mrs Dombrowsky: "Further efficiencies," for me, is a bit of a flag that says "more cuts."

Finally, do you belong to a political party?

Mr Barlow: Just to answer that further, I don't take efficiencies as cuts; I see better allocation of people.

Mrs Dombrowsky: We've just heard that terminology so very often and that's usually what it means.

Do you belong to a political party?

Mr Barlow: No, I don't.

Mrs Dombrowsky: You don't. Thanks very much, Mr Barlow. I appreciate your answers.

1040

The Vice-Chair: Any further questions? We'll move to the third party.

Mr Kormos: Howdy. I for one am pleased that you applied for the position. This was one of the advertised vacancies?

Mr Barlow: Yes, it was.

Mr Kormos: And you responded to the ad?

Mr Barlow: I didn't respond to the ad. I was in discussion with our MPP's office.

Mr Kormos: As a result of the ad?

Mr Barlow: Yes.

Mr Kormos: You were interviewed by the district health council's nomination committee?

Mr Barlow: No, I was not.

Mr Kormos: Oh, you weren't. Fair enough. But you spoke with Mr Hudak?

Mr Barlow: I spoke with his office, yes.

Mr Kormos: It's not a problem. I would expect you to. Did you speak with Mr Hudak?

Mr Barlow: On the matter, no, I didn't.

Mr Kormos: His office gave you advice on how to apply for the position?

Mr Barlow: Yes, they did.

Mr Kormos: What was that advice?

Mr Barlow: To submit my resumé.

Mr Kormos: To whom?

Mr Barlow: They said to forward it through them and they would forward it to the district health service.

Mr Kormos: To submit your resumé to the MPP's office. OK. You came here with briefing notes?

Mr Barlow: Yes.

Mr Kormos: You've been referring to those during the course of your responses to other members of the committee.

Mr Barlow: These are my own notes. I did some research on the—

Mr Kormos: No problem. It's important because I've chastised other people for not doing research. You came here with notes, anticipating certain questions, right?

Mr Barlow: Yes.

Mr Kormos: That's a good thing, because we've had people come here not knowing what the heck they were even applying for and expecting to get appointed. I've got no quarrel, but I am concerned. After you submitted your resumé to your MPP's office, what happened then?

Mr Barlow: I guess—

Mr Kormos: If you don't know, it's OK.

Mr Barlow: I don't know.

Mr Kormos: What was your next contact? Did Mr Harris call you? Did he invite you over for a glass of water?

Mr Jerry J. Ouellette (Oshawa): Is that how it's done?

Mr Kormos: I don't know. What happened next? I don't know. I've never applied for these kinds of positions.

Mr Barlow: The next thing I heard was that my appointment had been approved.

Interjection: Approved?

Mr Kormos: Who did you hear that from?

Mr Barlow: Approved—

Mr Kormos: Fair enough. Who did you hear that from?

Mr Barlow: Not approved, but it had been brought forward through cabinet.

Mr Kormos: Who did you hear that from?

Mr Barlow: From the MPP's office.

Mr Kormos: Yes, that it had been brought forward through cabinet. You haven't been interviewed?

Mr Barlow: As of yet, no.

Mr Kormos: Nobody phoned you and asked you about your background?

Mr Barlow: Oh, yes, I did—

Mr Kormos: Who phoned you and asked you about your background?

Mr Barlow: I'm not sure exactly what office it is, but I had a lady call me who asked a bunch of questions of me.

Mr Kormos: What kind of questions?

Mr Barlow: What organizations I had been involved with, what my position is, and so on and so forth.

Mr Kormos: You, of course, wouldn't want to breach procedure, would you?

Mr Barlow: I'm not aware of the procedure.

Mr Kormos: But you wouldn't want to breach it, would you?

Mr Barlow: I'm not aware of the procedure.

Mr Kormos: Would you want to break the rules?

Mr Barlow: I'm not particularly a person to break rules, no.

Mr Kormos: You're not a scofflaw, are you?

Mr Barlow: I don't understand that terminology.

Mr Kormos: You're a law-abiding, process-abiding person, aren't you?

Mr Barlow: Yes, I am.

Mr Kormos: Did you know that the procedure prescribed for appointments to district health councils is that the district health council's nomination committee interviews candidates? Were you ever made aware of that?

Mr Barlow: I'll be blatantly honest. I've developed a very strong relationship with both our MP's office, John Maloney, in Port Colborne, as well as our MPP's office.

Mr Kormos: Of course, because you advocate for your residents.

Mr Barlow: We have a lot of problems with our residents and I end up being in the advocate role.

Mr Kormos: No problem with that. You should have that relationship.

Mr Barlow: I've had a number of dealings with both those offices for many years now, and I think they're very aware of my involvement so I'm not exactly—

Mr Kormos: You guys had a heck of a board meeting down with the CCAC—what, a week and a half ago?

Mr Barlow: It was an interesting meeting, yes.

Mr Kormos: It was a long one, wasn't it?

Mr Barlow: Yes, it was.

Mr Kormos: And at that meeting a decision was made to lay off staff?

Mr Mazzilli: On a point of order, Mr Chair: What we're talking about in this committee happens frequently. What happened at a closed-door meeting at a CCAC should not be something—

The Vice-Chair: I don't know whether that's a point of order, but the intended appointees, as you have reminded some, are free to answer any questions that are asked, or they don't have to answer them. I'm sure he can do this on his own.

Mr Mazzilli: I would just point out to you that if you don't feel like—

The Vice-Chair: Thank you.

Mr Barlow: I can quickly answer that.

Mr Kormos: Sure.

Mr Barlow: The board is currently still making deliberations on the whole situation and there hasn't been full closure of the whole process yet.

Mr Kormos: But I read in the paper that some pink slips were being issued by the CCAC. Was that a fair commentary in the paper?

Mr Barlow: Again, there are still some deliberations in process on that matter which I wish not to comment on at this time.

Mr Kormos: I heard the board expressed concern to the press about a \$9-million shortfall in funding. Was that a fair comment, the one that I overheard?

Mr Barlow: Again, there are a number of things going on regarding this matter that are not finalized.

Mr Kormos: I heard that as a result of the funding shortfall, 1,000 people currently receiving CCAC home care are going to have to be shoved off home care and put on a waiting list. Was that accurate information?

Mr Barlow: They haven't been confirmed yet.

Mr Kormos: I heard there are going to be percentage drops in the number of folks, people like our grandfolks and our moms and dads, who aren't going to get fed any more by home care people, that there is going to be a significant percentage reduction in the amount of service in home care.

Mr Barlow: I can answer that. I don't believe anyone is going to lose any current service.

Mr Kormos: Who is the fellow you were sitting with in the back there?

Mr Barlow: Mr Neal Roberts.

Mr Kormos: What do you know about him? He met you here?

Mr Barlow: He did, yes.

Mr Kormos: He escorted you to this room?

Mr Barlow: No, he did not.

Mr Kormos: He met you here in the room?

Mr Barlow: When I walked in, he did.

Mr Kormos: Did you know you were going to meet him here?

Mr Barlow: No, I didn't.

Mr Kormos: Do you know what his function is?

Mr Barlow: I'm not exactly clear, no.

Mr Kormos: What was the impression he gave you? You're not a kid. I can't tell you not to talk to strangers, but this is the big city, after all, and you never can tell what somebody is approaching you for. Were you just being friendly when you had your chat with him?

Mr Barlow: Actually, I do know Neal Roberts. He ran the ambulance system in Port Colborne for many years, and being a retirement development, we saw a lot of each other.

Mr Kormos: All right. Is he applying for a position here today?

Mr Barlow: I don't know.

Mr Kormos: Do you mean you just met him here by accident?

Mr Barlow: I don't know.

Mr Kormos: You have no idea what he's doing here?

Mr Barlow: I know he's aware that I'm being appointed to the district health council.

Mr Kormos: You have no idea whether he came up from Port Colborne to provide with you moral support?

Mr Barlow: I know he has some affiliation with our MPP's office.

Mr Kormos: If that's all, no problem. So Mr Roberts was here to make sure you got here, maybe.

Mr Barlow: Did you want to call Mr Roberts up here?

Mr Kormos: I would love to but, trust me, Mazzilli would be bouncing off the ceiling if I were to suggest that.

I appreciate the intimate relationship. There's nothing wrong with it. People should feel close to their MPP. Once again, my concern, though, is the breach of protocol.

The Vice-Chair: You have three minutes.

Mr Kormos: All right. Why is it that you'd want to leave the CCAC board and move on to DHC?

Mr Barlow: I haven't said that.

Mr Kormos: Well, you suggested you haven't made a decision yet about whether you're going to remain on the CCAC board and that you're contemplating leaving it if you get appointed to the DHC.

Mr Barlow: I'm still investigating, but if there is any conflict from me being on both boards, I would step down from the CCAC.

Mr Kormos: What was your understanding of the purpose of this meeting?

Mr Barlow: To understand my credentials and my background.

Mr Kormos: What was this committee to do?

Mr Barlow: Thrash that out of me.

Mr Kormos: I'm sorry?

Mr Barlow: To thrash that out.

Mr Kormos: Thrash that out?

Mr Barlow: Bring that out.

Mr Kormos: To what end?

Mr Barlow: To decide whether I should be appointed or not.

Mr Kormos: Who gave you that information?

Mr Barlow: I got it in the briefing notes in terms of what the standing committee is about, the terms of reference.

Mr Kormos: Of the committee. Who provided you with those?

Mr Barlow: There is a lady from the office of the appointments. I don't have her name.

Mr Kormos: Did you have any conversations with anybody in preparation for this meeting?

Mr Barlow: Yes, I did.

Mr Kormos: With whom?

Mr Barlow: I had some conversations with a former member of the district health council.

Mr Kormos: Who is that?

Mr Barlow: A lady named Candice Paris.

Mr Kormos: How did you make that contact?

Mr Barlow: I know her personally.

Mr Kormos: And you called her to inquire as to what was going to happen at the committee?

Mr Barlow: Yes.

Mr Kormos: Did you talk to anybody else in preparation for this committee?

Mr Barlow: I talked to the office of the committee that sent me a lot of information in terms of what the DHC is.

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Mr Kormos: See, this is turning into a longer process than it should be. Did you talk to anybody else?

Mr Barlow: No.

Mr Kormos: OK. You were advised that your appointment had been approved by cabinet?

Mr Barlow: No, I wasn't.

Mr Kormos: What were you told about cabinet then, vis-à-vis your appointment?

Mr Barlow: I was told that cabinet was passing that on.

Mr Kormos: I'm sorry?

Mr Barlow: Cabinet was passing that forward.

Mr Kormos: What does that mean to you?

Mr Barlow: I don't have a great concept of the political realm. Forgive me.

Mr Kormos: Neither do I. But who gave you that information that cabinet was passing it on?

Mr Barlow: I had a call from the MPP's office.

Mr Kormos: From Mr Hudak's office? You can call him Mr Hudak. You can call him Tim. You can call him Minister. You can call him Minister Hudak.

Mr Barlow: I don't know him that well.

Mr Kormos: OK. They told you that the appointment was being passed on. Were you aware that you were in a competition here?

Mr Barlow: I'm not, no.

Mr Kormos: Would you want to defeat somebody who might be a better candidate than you? Would that be fair?

Mr Barlow: I don't think I can comment on that, not knowing the other candidates.

Mr Kormos: I'm asking you if there were a better candidate, do you think it's fair that you get the appointment rather than a better candidate?

Mr Barlow: I believe I have the relevant experience to sit on this committee.

Mr Kormos: I'm asking you do you think it's fair that you get that appointment if there were other candidates who were better suited or better qualified than you?

The Vice-Chair: That's the last question. Go ahead.

Mr Barlow: How would you define that? I wouldn't—

Mr Kormos: Thank you very much. I've got a feeling you don't gotta worry. Go sit with Mr Roberts and wait for the conclusion of the morning.

The Vice-Chair: Thank you, Mr Barlow. You've done an outstanding job in representing yourself before the committee this morning. The concurrences will be held later in the meeting. Thank you very much for coming.

Obviously, he was warned about everybody but Mr Kormos.

ROB DAVIS

Review of intended appointment, selected by third party: Rob Davis, intended appointee as member, Social Benefits Tribunal and Social Assistance Review Board.

The Vice-Chair: The next intended appointee, as a member of the Social Benefits Tribunal and Social Assistance Review Board, is Mr Rob Davis. Welcome. You are free to make some opening remarks if you so choose. The time of those remarks will be deducted from the time of the government caucus, but we hope to leave you ample time to discuss your intended appointment with all three caucuses. So make yourself comfortable and we can begin.

Mr Rob Davis: I guess by way of introduction, I was born and raised in this great city of Toronto back in the 1960s. I suppose it may sound a bit cliché or perhaps even stereotypical to say that growing up I faced a number of challenges, not the least of which was the situation of being in a single-parent family. By any number of measures, I would say that we were poor. But growing up in the west end of the city of Toronto in a very close-knit community imbued me with a sense of public service, whether it was through activities at school, through my church or other institutions, and that has been carried with me throughout my life.

In the early 1990s, as a local resident, I saw the need for reform in the institution of local government in the former city of York, and I successfully sought election as a member of city council. Back then we were called the politically incorrect term of alderman, and I became, I suppose, one of the youngest aldermen or city councillors in Ontario—certainly, I think, the first African-Caribbean-Canadian councillor in the 200-some-odd-year history of the former city of York. I really set about

dealing with issues related to governance and reforming the ways in which government interacted with the citizens of the city that I lived in.

When you serve as a city councillor for the number of years I have, unfortunately for your family but fortunately I think for you, you get many, many opportunities to sit on committees and subcommittees and agencies and boards—almost too numerous to mention here. I want to just give a sampling of the types of experiences I've had. I was the board member of Northwestern General Hospital, prior to its amalgamation and transformation to the Humber River Regional Hospital, as it is known with the three campuses. I was a founder and member of the local community economic development advisory committee. I sat on the library board and the board of health. I was an executive member of the Black Business and Professional Association. I sat on a fundraising committee to raise money for the Johnston Chair in Black Canadian Studies at Dalhousie. I sat on virtually every committee of city council in that period of time, as well as having the opportunity to work on some interesting issues vis-à-vis the AMO task force on social benefits, which was a group that sought to open the lines of communication with the ministry to make certain we weren't ever blindsided by decisions and that there was an understanding between the people who were legislating some of the service provisions versus the people who were actually providing the service.

That's just a very broad and brief explanation of some of my experiences. I have to say it has been a tremendous journey to be involved in government and to be involved in public service. It's one that I wish to continue. I am open to questions and look forward to answering them as forthrightly as I possibly can.

The Vice-Chair: We will begin the questioning with the official opposition. Ms Dombrowsky—Mrs Dombrowsky—which do you prefer, Leona?

Mrs Dombrowsky: Mrs.

The Vice-Chair: OK, thanks.

Mrs Dombrowsky: Good morning. How are you this morning, Mr Davis? It's very nice to see you here.

Mr Davis: Good morning. I'm fine, thank you.

Mrs Dombrowsky: While you certainly have indicated your political experiences on your resumé, I understand that you have some other political experiences as well. Would you like to share those with us this morning?

Mr Davis: Sure. I was elected student council president at my high school, St Michael's College School. I've been involved in an organization called the ICPC, which is the International Conference on the Prevention of Crime. One of my areas of forté has been in the area of community-based crime prevention. I chaired the city's task force on community safety and crime prevention, presented papers at international conferences in Africa and in other countries.

I was recently at the EU summit participating in an organization called the IDU, which is the International Democratic Union. It is an organization of centre and

centre-right parties looking at promoting democracy around the world. It was quite interesting because we met many opposition party members from countries where they don't have the same rights that opposition parties have in this province and in this country.

Mrs Dombrowsky: That's an arguable point.

Mr Gerretsen: Don't give him any ideas

Mr Davis: No, if I may finish. In 1991, as I mentioned earlier, I ran as a municipal candidate. I ran for election in 1994. In 1996, I had the opportunity to be a candidate for provincial Parliament to replace Bob Rae in the riding of York South. In 1997, I ran in the new amalgamated city of Toronto, as I did in the year 2000, although unsuccessfully.

Mrs Dombrowsky: You ran municipally in the year 2000 unsuccessfully?

Mr Davis: That is correct.

Mrs Dombrowsky: When you ran to replace former Premier Bob Rae, for which party were you running.

Mr Davis: It was the Progressive Party. I thought you all knew that.

Mrs Dombrowsky: Maybe I did, but just for the record that's good information to have. Are you employed at the present time?

Mr Davis: I'm sorry?

Mrs Dombrowsky: Are you employed at the present time?

Mr Davis: No.

Mrs Dombrowsky: OK. With regard to the role that you would have as someone appointed to the social benefits tribunal, you are familiar, perhaps, with the reform that this government has enacted with regard to the tribunal. Would it be your perspective that it is more challenging for people who would seek to appeal a decision to pursue it through the tribunal process?

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Mr Davis: I want to explain my answer perhaps by using an anecdote. Any time there is a change in legislation or in the procedure that a particular quasi-judicial body uses in applying the law, it is a challenge for citizens—

Mrs Dombrowsky: Especially when they add a step to a process that wasn't there before.

Mr Davis: I'm not going to put your words in my mouth, but let me say this. I have been a very ardent supporter of communities, whether they're going through the old rent control process or the new rent tribunal process, or the old Liquor Licence Board process or the new Alcohol and Gaming Commission process, or the old metro licensing process. I think I know where your question is really leading.

One of the areas I've worked quite a lot is in helping citizens cut through what I call the bureaucratic clutter of some of these quasi-judicial bodies, to help them achieve the end result and get the types of judgments they're seeking. One of the strengths I think I would bring to the table is to really try and make it as easy as possible for lay people to have access to and go through the tribunal and the appeal process. I think that's very important. So

while I haven't sat on a quasi-judicial tribunal myself, I've had many, many years of contact with them from the advocacy side. I think that brings some skills to the table.

Mrs Dombrowsky: My question has been answered, but I do have another one. These are not my words. I'm not trying to put any words in your mouth. I want you to be very clear on that. When the Social Assistance Reform Act, 1997 was debated in the Legislature, the new Social Benefits Tribunal was criticized by then-Ombudsman Roberta Jamieson and Allan Borovoy of the Canadian Civil Liberties Association, among others who were opposed to the elimination of the Social Assistance Review Board. They argued that adding a first-stage internal review to the appeal process would make it more cumbersome and time-consuming for appellants, who are usually in great need of the benefit under dispute. Those are other individuals who were very familiar with the previous system whose opinion it was that this additional step was not in the better interests of the people who were being served.

In my role as an MPP, I can share with you most definitely that I see a lot of people in my office who are perplexed by this very issue, who do not have the resources or the understanding—and I represent a part of rural Ontario where not everyone has transportation to access support services to get direction, support and advice to understand, when they've been denied, how they might address that. There has been this additional step added which, again, adds to their burden in terms of having their issues addressed in a timely way. We are talking about situations where there are wee children who sometimes have to go over a weekend without food. They have to visit the food bank for these necessities.

I think it's important for you to understand. I appreciate your answer, but my life experience in this role would suggest that people are not especially well served by this additional step that has been added under the Social Assistance Reform Act, 1997.

Mr Gerretsen: Just a couple of very quick questions. Are you interested in seeking further political office at any time in the future? I personally believe there is absolutely nothing wrong with doing that and, as a matter of fact, people ought to be commended for doing that, particularly if they run at the local level, which is probably the most relevant to them.

Mr Davis: I have to tell you it's not a decision I've yet made, so to say either way would be to speculate on potential opportunities in the future. At this point in time, I'm very interested in new and different challenges, and that's why I'm here and not seeking office.

Mr Gerretsen: But it's not beyond the realm of possibility that you may run in the next municipal, provincial or federal election, for that matter.

Mr Davis: No, it's not. I'm a young man—sure, I have grey hair—so I think that in the next 40 years there will be ample opportunity to seek office.

Mr Gerretsen: Do you have any personal opinions—and I'm talking about your personal opinion now, not a party opinion. I realize you were a Conservative

candidate, but I'm not interested in your party's opinion or the Liberal Party's opinion or the NDP party's opinion. Do you have any personal opinions about the 22% decrease in social assistance payments initiated by the Harris government back in 1995 as to how it affected individuals, children, single parents, everyone? What do you personally think about that decision and how it affected people?

Mr Davis: I expressed my opinion on that matter to the media back at the time the cuts were announced, and they were well reported. I don't have a problem repeating them here. Personally, I would have liked to have seen the cuts matched in sync with some of the job creation opportunities that were occurring. I would have liked to see the cuts to taxes which helped create the economic expansion we've been witness to over the last five or six years in step with job creation. That being said, hindsight is 20/20. Who was to know that the government of the day was actually going to achieve its job creation goals well in advance of its stated target?

Again, those are comments that are, quite frankly, public. They were reported in the media here in Toronto.

Mr Gerretsen: Do you think that anybody receiving \$1,300 or \$1,400 a month in social assistance is getting rich living off the system, as it were? I find it incredible, sir, since you indicated yourself that you're from a very poor background. I'm not sure whether you or your family were on social assistance or not—

Mr Davis: No. We were never on social assistance.

Mr Gerretsen: —and quite frankly, it's irrelevant. I've always had it very good in this country. I'll be the first to admit that. My parents came here with almost nothing in their pockets and three kids in tow, and we've always had a very good life and have always been very successful. I find incredible the constant attack on the poor and the vulnerable in our society and how this notion is advanced by certain people that with this \$1,400 a month, these people who, for whatever reason, didn't work—there may good reasons, bad reasons, whatever—were living off the system and off you and me and that's why we're going to cut them back—and I've got the rates here—to \$1,100, \$900 or \$700 in various categories. I find that repulsive. I've found it repulsive over the last five years and will continue to do so no matter how well off I am myself.

You, coming from a position like that, I can't understand—

Interjection: Amen, Amen.

The Vice-Chair: I'll give you, Mr Davis, the opportunity to reply.

Mr Davis: I have to tell you, I've never ever heard any member of the government caucus state an opinion as you've stated it now. Never ever, ever have I heard a member of the government say that people are getting rich off the system. I've never heard a member of caucus or cabinet say, "We want to get these lazy bums off social assistance," or suggest in any way, shape or form that people on social assistance should be scapegoated. I haven't heard it. I've heard the government—

Mr Gerretsen: Well, their actions have certainly indicated it.

The Vice-Chair: I'll let you gentlemen carry this on at a later date. I think I've given you both an opportunity and we have gone over our time. I will now move on to the third party.

Mr Martin: From my perspective, your intended appointment to this Social Benefits Tribunal and Social Assistance Review Board is, as the member from Kingston has just suggested, given the terrible circumstances that a whole whack of people are experiencing out there today, one of the most important things that we do here. I believe that one of the more fundamental responsibilities of government is to look after those who are most at risk and most vulnerable in our communities. You're applying for a job where you'll be their last recourse if they've been turned down. Given your tremendously rich background, why did you apply for this particular position?

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Mr Davis: That's a good question. I don't know if you've ever had the prospect of suffering an electoral defeat, but soon after that occurs, you spend a lot of time soul-searching and thinking about the future and thinking about ways in which you can contribute. Quite frankly, after looking at opportunities in the private sector, opportunities in the public sector and NGO-type things, I thought this would be, first, an interesting challenge, but secondly, really an opportunity to help people. I quite firmly believe that it's an opportunity to utilize some of the skills that I've been endowed with or skills that I've developed over a number of years at the tribunal. I think that I can be the type of compassionate, impartial adjudicator and provide what I think will be sound and reasonable decisions that will really make certain that the law is not just a piece of paper that is sort of coldly applied, but that I'll be there to listen to people's stories and to hear them and to give them a voice.

Mr Martin: Have you done anything in particular in the last few months to help you understand the circumstance that some of the folks who may be coming before you are experiencing so that you can make that compassionate, impartial decision?

Mr Davis: I've been doing that my whole life, sir.

Mr Martin: Can you give me some examples of some things that you've done in the last while to understand the circumstances that people are finding themselves in?

Mr Davis: I can talk about raising money to help bury the child of somebody who was killed, allegedly by a parent, by the other parent. I've been involved in helping to raise money for various church organizations. On a very personal level, I deal with people I know. I have personal friends who are on social assistance or who have been on social assistance. I have a fairly intimate understanding of some of the financial and social challenges that they go through.

From the time I was a very young person, I was raising money for probably one of the first Out of the Cold programs that operated from my old church, which is Holy Rosary Roman Catholic Church. For me, it's sort

of hard to say, "This is the one example where I went and did this for a week," because it's something that I do as a matter of course every day, every time there's an opportunity. We've had social functions. In my old days as a city councillor, it was a virtual edict that every bit of excess food was not to be thrown out but was to be donated and dropped off at the Good Shepherd Refuge. Those are examples of dealing with people who are, quite frankly, on the fringes of society. So it's something that I live every day, quite frankly.

Mr Martin: I guess what I was trying to get at is the circumstance that's out there now and in many ways is driven by some of the decisions that this government has made. The member from Kingston a few minutes ago referenced only one.

Are you aware of the work of Campaign 2000?

Mr Davis: No.

Mr Martin: They're a group that was formed after the federal government in 1989 passed a resolution that they would eradicate poverty by the year 2000.

Mr Davis: Yes, now you've refreshed my memory.

Mr Martin: What they found was that in 1989, one in 10 children was living in poverty and in the year 2000, one in five. As a matter of fact, there's a group out of the city of Toronto attached to Campaign 2000 who had a press conference a few weeks ago and suggested that one in three children in Toronto is living in poverty. So even though this government has created all these jobs and we've had this wonderful economy, there's a growing number of people—and many of them working poor—who are still living in some desperate circumstances.

I was in Ottawa on Friday, hosting a forum called the People's Parliament on Poverty. We had two women come forward there who suggested to us that the most important decision they make every day because of the overwhelming circumstance that they face—they're mental health survivors—is whether to live or to die. That's the decision they make every day, because they don't know if they're going to be evicted from their apartment, they don't know if they're going to have enough money to feed themselves. So I guess that's why I was asking you if there was anything that you've done in the recent past to suggest that you would understand the very difficult and compounding circumstance that people are in today because of the initiatives of this government.

Mr Davis: Let me say this, and I don't want to sound like a partisan, but as an observer there was poverty under the Bill Davis regime, there was poverty under the Frank Miller regime, there was poverty under the David Peterson regime, and there was poverty under the Bob Rae regime.

I happen to come from a community rated as having probably the highest per capita levels of poverty in virtually all of Ontario, the former city of York. So I'm not a stranger to this. Again, city government aside, from a very personal level and operating from a constituency-based level, my office would run job fairs. We'd specifically take the new Loblaws store operating at the

Forest Hill market. We would specifically go into the communities that had high rates of unemployment. We would specifically talk to teachers who were working with kids who were at risk. We'd specifically go to some of the social agencies providing services to some of the people you're talking about and to others who had maybe fewer barriers to employment. We'd specifically go to churches that were dealing with communities on the fringes of society or that were susceptible to economic downturns or job loss or high rates of unemployment. We would specifically go to those organizations and try to make connections between probably one of Canada's largest grocery store retailers and an opportunity of having a job. Those are things that I've been involved with and I would say are important.

There was a study that was released, I guess a year or a year and a half ago, that talked about the risk of middle-class flight from the inner city, that having neighbourhoods with people of different socio-economic backgrounds was one of the keys to providing employment for folks who were perhaps—and I hate to use the term—not middle class but lower class or poor, working poor, and that one of the keys to socio-economic mobility was having contact with that middle class, having contact with opportunities to employment. I would argue, sir, that my experience has been to try to create those opportunities, to put people in contact with opportunities to employment.

Eight years ago I started a little thing—it's sort of innocuous—called the Junior Carnival Parade. It's a children's parade fashioned after Caribana, and it takes place in a section of the city where you have the largest concentration of African-Caribbean-Canadian-owned businesses, people who provide employment, pay taxes and create wealth. By bringing a cultural spectacle to the street, we've created jobs and we've provided opportunity and created links with young people in the local stores and provided real economic opportunity. That's just a small thing, but I think I know where you're coming from and I know what you're saying. I believe my role, though, as a member of the tribunal, quite frankly, is not to rewrite the legislation but to try and make certain that people who have been denied access to these benefits haven't been wrongly denied that access and to make certain that if they meet the eligibility requirements they then receive those benefits.

The Vice-Chair: Thank you, Mr Martin. Your time is up.

Mr Martin: My time's up?

Mr Davis: If I may finish, your question is a great question if I were a candidate for provincial Parliament, but I'm not.

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The Vice-Chair: Thank you, Mr Davis. We appreciate your coming here.

Mr Wood: Excuse me, I think we may have a question here.

The Vice-Chair: Oh, well, I think that was just a Freudian slip.

Mr Bert Johnson (Perth-Middlesex): Not so much a question, Rob, but I've been an admirer of yours ever since I attended a seminar you put on in London. I wanted you to know that, because since that time I have followed your career at a distance. I've held an admiration for the way you conduct yourself and the social conscience that hopefully you will bring to this position.

Saying that, politics is a fleeting and flitting career, but I hope you would keep in mind an ambition to perhaps represent your community as mayor of this city and so on at some time. I think if that's a goal you have for yourself, I would encourage that.

I want to remind ourselves a little bit of the position we were in in 1995, and I want to give an example. For instance, the member for Kingston and the Islands has quite a philosophy, I guess, of the cuts that were made in 1995. As I recall, he's absolutely right; it was 21.6% or 22%. I think if he wanted to give the overall picture, he would also remind us that along with that cut, we allowed anyone to earn that back without any kind of penalty. It seems to me that would suit some people. Yes, they might not be able to take a factory job where there were eight-hour shifts and so on, but a few hours helping at the food bank or something like that might very well help qualify them for making that up.

The example I wanted to give—and it's only an example. It's not the worst or the best but it impressed me so much that I've remembered it for nearly six years now. Toward the end of September, a gal phoned me up and said she had a phone call saying that she was going to be cut off benefits altogether. So I asked her a little bit, and, yes, she had a daughter from a previous relationship. The fellow she was living with didn't contribute much and she counted on these benefits to support that family unit.

I thought of myself in 1966 when I got married. I'd started a couple of years before that at Co-operators insurance at \$43 a week. My wife and I discussed it and we wanted a family. I didn't want my kids raised by the neighbours. I married her and we decided to have children that we would raise the way we wanted to. So she stopped working and we adjusted to what that entailed.

When this gal said that she was phoned, I said, "Does your husband?"—and I'm using that word in a big sense—"not contribute?" "No, he doesn't." I pictured my family situation, not unlike her sort of thing. He wasn't contributing and, as a taxpayer, here I was supporting her to support him. Some of things that I may have had a twinge of conscience about—because I do have one too—eased up a little bit and I assured her that I would do my best to have that put in writing for her.

I wanted to say, Mr Davis, that I think the representatives of the other two parties have very well instilled that this is a very responsible position and, yes, you will be the last appeal avenue for some very desperate situations. I'd just like to say that I'll be voting to have you represent the province on that board because

I have a great deal of faith in both your compassion and your judgment.

Mr Gerretsen: On a point of order, Mr Chair: let the record clearly show that when the 22% cut was made, there was no earn-back provision provided for.

Mr Wood: That's not a point of order.

Mr Gerretsen: But the truth should be—

The Vice-Chair: Order.

Mr Mazzilli: Thank you, Mr Davis. I too have followed your career and there is no question in my mind that you will be back.

One thing that really impressed me is, you've highlighted the difficulties with poverty and how it's existed at some level throughout our history in this province. The only debate, when you get all the three parties, is how you reduce it or eliminate it. That seems to be the debate.

What you've highlighted, too, is the question of the level of poverty, because, as you know, there are the working poor. The Liberals, of course, have a solution: increase social assistance payments. That certainly serves one class, but there are people, families, who have gone to work every day for many years and have made, in some cases under Liberal governments, less than others did by staying home. So that's a difficulty.

But the one thing you said today that really impressed me was that, as a board member, your job would be to interpret the legislation, not to write the legislation.

The Vice-Chair: Could you wrap up, please. Your time has expired.

Mr Mazzilli: That is probably one of the most important things you said today, because very few people can go into a quasi-judiciary role without applying their views and actually looking at it as, "I'm going to apply the law of the day, of the government of the day," and I think that is a very impartial, reasonable and responsible way to look at this appointment.

The Vice-Chair: Time has expired. We appreciate your attendance at the meeting today, Mr Davis.

Mr Davis: Thank you, Mr Chairman.

The Vice-Chair: We'll have concurrence shortly.

That ends the interviews of the intended appointees. We're ready to deal with the intended appointee, Mr Roger Currie.

Mr Wood: I move concurrence.

The Vice-Chair: It's been moved by Mr Wood. Any discussion?

All those in favour? Opposed? Carried.

The intended appointee to the Niagara District Health Council, Mr Ray Barlow.

Mr Wood: I move concurrence.

The Vice-Chair: Concurrence has been moved by Mr Wood. Discussion?

Mr Martin: I think this particular person is going to be in conflict of interest in this position so I can't put our caucus's support on the table for this particular appointment.

Mr Gerretsen: I have some concerns as well. He runs a nursing home that he's been involved with from the beginning. He currently sits on a community care access

centre, which is a very important role. As far as direct delivery of services is concerned, it may even be of greater importance than the district health council, which supplies services as well.

However, I was impressed with the gentleman, particularly the manner in which he was able to take the constant barrage of cross-examination that was so ably put by Mr Kormos, who is no longer in the room.

Interjection: Yes, he is.

Mr Kormos: I'm everywhere, John.

Mr Gerretsen: I'm glad I used my words very judiciously in describing his cross-examination. I thought the gentleman did just wonderfully and I think he is a good appointment. I will be supporting the appointment.

1130

The Vice-Chair: Any further discussion on Mr Barlow?

Mr Kormos: I should tell you that Mr Barlow, as an individual, in and by himself, presents himself as capable as anybody. Mr Martin has already referred to his—that is, Mr Martin's—observations that the conflicting roles are ones about which he and the New Democratic Party have concerns.

In addition to that, we all should have concern about the circumvention by this government of the long-standing appointments process to district health councils. Chair, you know, as an experienced long-time member of this Legislative Assembly, that there have been protocols developed and, indeed, beyond being mere protocol, many of these have been formalized by way of processes with respect to various institutions across the province. In years gone by, from time to time I've sat on this committee and we've seen the circumvention of this process by this government in a number of areas. Today we're dealing with it in the context of district health councils.

The process for appointment is advertising a vacancy—and no quarrel; it appears to have been the case here that that's what indeed happened—and then the applicant or applicants, as one would hope, apply and are screened by the district health council nomination committee. The district health council then submits those names for consideration by the government of the day for appointment to the district health council.

That is an entirely appropriate process because (1) it depoliticizes it very clearly; (2) it lets the district health council have some control, because there are requirements for representation from various sectors on the DHC. You want the DHC to be balanced. Again, I should indicate that there is no dispute in terms of Mr Barlow's eligibility vis-à-vis the sector for which there is a vacancy. I concede that. As a matter of fact, I mentioned that to Mr Barlow after he gave his evidence, that indeed one of the eight vacancies currently on the district health council in Niagara requires a person from his sector of health care.

What is troubling—and it's unfortunate—to be frank, is that this is so much like the manner in which the Conservative and Liberal parties chose an Integrity Commissioner but two days ago. I expect that Mr Barlow

will be approved. I don't anticipate sufficient opposition to his appointment for his candidacy to be rejected. It's unfortunate that he's going to be placed on this board under what is something of a cloud, I submit; not a cloud of his own making or a cloud that reflects any internal integrity on the part of Mr Barlow or even reflects any lack of desire to serve.

The fact is that the district health council submitted five names to the government, as far back as February 1999. I confirmed this morning with the district health council that those five names consist of people who are still willing to serve, none of whom has been approached for consideration for appointment. That is a very disturbing thing. Perhaps I was a little unfair in putting to him the fact that if he was competing with somebody who was better qualified—that wasn't the fairest of questions to put to him. I acknowledge that. But my purpose was to make it quite apparent or at least to let people draw the inference as to where I was going to go when it came time for submissions, as now, and how Mr Martin, on behalf of the New Democratic Party, perceived this whole matter.

I find it very troubling that district health councils are increasingly being stacked by hand-picked government appointees. This is something that is of concern in Niagara. Niagara underwent a dramatic and troubling health care restructuring, where governance of its hospitals was put under one mega-board. That mega-board, the Niagara health services board, recently displayed its lack of familiarity and intimacy with the grassroots of Niagara when it fired Dr Abraham for blowing the whistle on a report—can you believe this, Mr Martin?—that had been prepared recommending the closure of one of but three psychiatric units. We only have three municipal psychiatric units. When Dr Abraham blew the whistle on them, Niagara health services responded by telling him he was fired. Dr Abraham said, "I've had it. I quit. I'm not going to let you fire me; I'm going to quit." Here is a psychiatrist with some 20 years' experience who has served our communities incredibly well.

Nobody is questioning Mr Barlow as an individual. Nobody is questioning his personal integrity. But I, as a non-voting person here at this committee, endorse and join Mr Martin in his observations and concerns about that appointment. I don't think it's an insult to any candidate. Mr Barlow was refreshingly different from, for instance, a candidate who I had occasion to observe in this committee last week, one Dean Allison, former failed Alliance candidate, who runs a Wendy's hamburger joint—

Interjection.

Mr Kormos: Well, it's what he runs. He betrayed not only no familiarity with Trillium, either at the local or provincial level, but went on to make it clear he didn't even have the initiative that I expect he would expect of one of his young employees in terms of familiarizing yourself. That's what they teach you. It's basic stuff. We're trying to teach young kids. Every job fair I've been to for young kids says that one of the first things

you do is research the company you're applying to. If a youngster went to Mr Allison and said, "I know I'm applying for a job at a hamburger joint, but I don't know Wendy's from McDonald's from Burger King," I'm sure Mr Allison wouldn't be very impressed. That youngster would not be at the top of his list. I'm sure Mr Allison would look at the youngster and say, "If you haven't got the wherewithal and the smarts, or if you're so cocky as not to even familiarize yourself with the company you're applying for a job with, I'm not interested." I said that about—

Interjection: Was he approved?

Mr Kormos: Yes, he was. I responded to Mr Allison in quite that way. So it was refreshing to see Mr Barlow come here prepared, and I have no quarrel with that. He did his research. He did his homework. That's why as an individual he impresses one. There's no two ways about it. But I, for the life of me, can't understand why the government persists in stacking district health councils across this province. Well, that's hyperbole. I know that. That's mere rhetoric, because I do know why. This government is sabotaging district health councils. This government is stacking them with government appointees.

Mr Barlow made no bones about the fact that his application didn't go to either the district health council or to the government at Queen's Park; it went to his local MPP's office. That in itself isn't offensive but for the fact that you notice his local MPP appears not to have said, "Oh no, Mr Barlow, that's not how it's done." The local Conservative MPP down in Mr Barlow's riding didn't say, "Oh no, Mr Barlow, you see there is a process with district health councils. You submit your application to the district health council, which reviews your application through their nomination committee, vets people and then refers them on to the government." Mr Hudak is either unfamiliar with the process or he is disdainful of the process. If he's unfamiliar with the process, after having been a Tory MPP for several years, then I say shame on him for not being familiar with it. If he is familiar with it, then I say shame on him for being a party to the circumvention of the process, for being a party to the attack on the integrity of district health councils, for being a party to the political stacking of boards of district health councils, be it in Niagara or across the province.

I find Mr Martin's position to be one of integrity in its own right, one that does not in any way attack Mr Barlow but one that has listened to Mr Barlow here, that has assessed all of the facts, that has great concern about the work life of Mr Barlow in a private sector seniors position. Again, it was acknowledged by Mr Barlow that there may be problems with being on the CCAC along with being on the district health council, and I add to that the New Democratic Party's concern about the stacking of DHCs.

1140

Mr Gerretsen: Far be it for me to disagree with Mr Kormos, a man for whom I have the utmost of respect and with whom I agree probably 99% of the time. But I do disagree with him on this. This gentleman wanted to

be on this board. He contacted his local MPP. They said, "Send your resumé." He then sent it in. It's not up to him whether or not—he said he wasn't a member of a political party, but let me go on record stating right here and now that there's nothing wrong with belonging to a political party. All three parties need lots of active people in our ridings. We want them to belong to parties.

I sometimes get the impression here that if somebody belongs to a political party it's being held against the individual. I will go on record as saying that I am against that. I will never vote against anybody just because he happens to be of another party or whatever. I just don't operate that way. If we have a good individual, regardless—you know, some of my best friends are Tories—Tories, not Canadian Alliance members. I know very few of them as a matter of fact. Certainly, I think people in this province should be urged to join parties and to work for local candidates. There's nothing wrong with that. This whole business of, "Are you a member of this party or that party," who cares? If they're good individuals then they should be appointed.

However, having said that, I have some great problems with this whole notion of potential candidates being vetted by a district health council nominating committee. It seems to me, if that is the current process, there's something wrong with that process. To me it sounds very incestuous. This notion that the current board should basically go through a nominating process and approve people who will be their replacements later on isn't right, as far as I'm concerned. It may be the current process. Mr Barlow didn't know about it. It shouldn't be held against him. If Mr Hudak didn't know about it as a minister of the crown, I think he should be severely reprimanded by this committee. I certainly won't move that, but the government members, being very much interested in procedure, will undoubtedly have a word with him, that from now on when people come for applications they should look at the process in which those particular applications are handled, and the different ministries will probably deal with it in different ways.

I certainly will be supporting Mr Barlow, again, because of the excellent manner in which he handled himself under the fierce cross-examination of Mr Kormos earlier.

Mr Mazzilli: Mr Chair, just quickly for the record. We go through this week after week, and when a good candidate comes before this board, people will kindly say nice things, but the local member of provincial Parliament forwarding a resumé and somehow doing a diligent job becomes the issue.

I can tell you that in my constituency many long-time supporters of all parties will show interest in being appointed to boards, and you send those resumé in on behalf of those constituents. You do that. Somehow, if one of those members, whether they belong to the Liberal Party or the Conservative Party or the New Democratic Party, is selected to come before here, the name of that member of provincial Parliament is brought into this committee by the two oppositions and somehow that member has done something wrong.

For the record, the members who have forwarded those resumé's are being diligent members of provincial Parliament. In this case, Tim Hudak, the member for Erie-Lincoln, did an outstanding job in forwarding Mr Barlow's resumé through, and that would be the end of my submission, Mr Chair.

Mr Gerretsen: He didn't follow the rules.

The Vice-Chair: Further discussion? Ready for the question? All those in favour of the appointment of Ray Barlow? Opposed? It's carried.

We'll now deal with the intended appointee, Rob Davis, to the Social Benefits Tribunal and Social Assistance Review Board.

Mr Wood: I move concurrence, Mr Chair.

The Vice-Chair: Discussion?

Mrs Dombrowsky: I unfortunately will not be able to support this appointment. I was concerned by a number of things that the individual made reference to. I certainly am aware of the role. I understand that it's not the role of someone who serves on the tribunal to make the law but to interpret the law to the best of their ability. But I'm concerned about the mindset with which an individual would come to that particular experience. Some references were made about the fact that there were poor people with every government. I think it's important to know there are more today in Ontario than in 1995.

Mr Mazzilli: Not a chance.

Mrs Dombrowsky: That is the truth. I speak the truth. There are more children living in poverty today than in 1995. That you would deny it does not make it less so, and I challenge you to present the figures that would say—

Mr Mazzilli: This is exactly what I said in my submission.

Mrs Dombrowsky: If I might continue, Mr Chair. That is the reality. I find it very disturbing that while it is presented that we have more jobs, we are more affluent as a society, that there are more children at risk. These are the people who come to see me in my constituency office who would suggest that the process that is in place is not serving them well; that the resources they receive are not sufficient so that they can have any quality of life. The very fact that the individual had difficulty talking about poor people—people who will come to this tribunal are not low-income people, they are poor people. Call them poor people. That's what they are. We cannot mask or masquerade that. I'm very concerned when there are people who are in roles that deal with the most sensitive situations in society and are coming to that role with a mindset that they are of a lower economic status. They are in trouble; that's why they are there.

With respect to the opposition calling people to this tribunal and the sense of the government members that we get some perverse pleasure from grilling people, this is part of the democratic process. If it were not an important process it would not be in place, it would not be part of the standing orders. We take this responsibility very seriously. So, for the record, it's important, I think,

that I at least share my perspective of why I come here every week and ask questions as I do.

Mr Martin: Just as briefly as I can, there's nothing more important and fundamental, as I said before, that government does than making sure that those who are within our jurisdiction who are most at risk and most vulnerable get looked after. This government has shown itself time and time again to be more than ready to, in fact, do the opposite, which is to use those who are most vulnerable and most at risk in our community as political pawns: to welfare-bash, to poor-bash, to continually bring forward initiatives that take away and demean and diminish the support for and opportunity for these folks to actually get themselves out of their circumstance or look after themselves in their circumstance time and time again.

1150

What concerns me is that as we sit here week after week we see more and more people brought forward, certainly not from my office but particularly from government member offices, names of people who will support the government's approach to these things. They've on one hand turned over the delivery of services to the most marginal and poor to corporations like Andersen Consulting—now Accenture—to come up with ever new and creative ways to make it impossible for people to actually qualify for some of the programs that are out there now. One of the major reasons you have a shift in numbers of people on assistance is not that they're not out there but that the criteria are now so narrow or the bar so high that they simply don't qualify. These agencies will now ultimately, at the end of the day, decide, once there is an appeal brought forward, whether in fact they qualify. To be stacking these boards with people who support their approach and their program and their philosophy, to me, is not acceptable. I'll be voting against this appointment for that reason.

The Vice-Chair: Mr Gerretsen and then Mr Mazzilli.

Mr Gerretsen: Let me make it absolutely clear that I do not care about a person's political affiliation. This government has made some excellent appointees of people who are card-carrying Tories and probably card-carrying people from other parties. The person who comes to mind is Mr Keith Norton, the Ontario Human Rights Commissioner, a former colleague of mine and certainly an excellent appointment. There are many, many others as well. So what I'm going to say has got nothing to do with the fact that Mr Davis is a card-carrying Tory or ran for the Tories or whatever.

I am very concerned, though, that this is an extremely important position. This is the last appeal that a lot of these individuals have. I know—

Mr Mazzilli: Tell us how efficiencies—

Mr Gerretsen: I'm going to tell you that, Mr Mazzilli. Undoubtedly, Mr Davis has many excellent attributes, but I know of absolutely no one within the social service field or who works with people who are poor and on social assistance—and we should help these people in whichever way we can in a positive fashion to

get out of that rut, to give them life training to make sure they get jobs, all that sort of stuff. I agree with all of that. But I know nobody in that field who has stated to me—and I've spoken to many individuals over the last six years, and not just people who support me or my position or my party's position—that it was a positive move by this government back in the middle of the summer of 1995 to basically cut people off welfare by 21% to 22%. Yes, some people do abuse the system, but the 90% of the people who do not abuse the system in some way or another were severely penalized when they were reduced by some \$200 or \$300, depending upon what category they were in.

Mr Davis could have acknowledged that these people were hurt as a result of that. He doesn't have to necessarily agree with the government's policy of this reduction because he wants to be on this commission. If he had been honest and said, "Yes, I think that was the wrong thing to do," then I would be supporting him. But this notion that somehow an appointee to a board like this should agree with everything the government has done in that area I think is totally fallacious. I regard his unwillingness to admit to that as a deficiency for him in this position. Are there other positions out there that he should be appointed to? That may very well be. But I will not be supporting him for this position, and it's got nothing to do with partisan considerations.

Mr Mazzilli: This is what we again hear from the Liberals. They won't take a position. They're saying that Mr Davis is somehow not qualified for this position. Mr Davis clearly said that it's not his job as a board member to make the law; it's his job as a quasi-judiciary board member to apply the law. If the Liberals and Dalton McGuinty want to restore 21% or 22% to social assistance, plus inflation—make it 30%—run a campaign on it. Put your name on paper and say you will run a campaign on restoring 30% to social assistance.

Don't blame that on Mr Davis, who is coming before this committee, who has applied for a position, who is well qualified, who is remaining neutral on policy and is

saying if appointed, he will, as a quasi-judiciary board member, apply the law of the day. All quasi-judicial bodies have to make legal, sound decisions because they can be appealed to provincial court, as everyone knows. Mr Davis knows that role, knows that he'll be making those decisions based on the legislation, not his personal opinions. I, for one, believe he is probably one of the best people this committee has interviewed, the most qualified and most reasonable person who has come before this committee. I find it appalling that the official opposition is going to be voting against him, personally.

I say to the official opposition, if you believe all these cuts are wrong, go out and run a campaign saying you're going to restore social services by 30% or 35% and we'll fight it out in that forum, as opposed to this forum.

The Vice-Chair: Any further discussion?

I'll put the question, then. All those in favour? Opposed? It's carried.

It is almost 12 of the clock, but we may want to take a few minutes. The standing orders do provide for meeting and arranging the subcommittee, normally, to discuss any further meetings during the intersession. But we have to keep in mind that at this point, we have one intended appointee selected for which the time will expire on July 15. That's something that will have to be dealt with.

Mr Wood: I would ask for unanimous consent of the committee to extend the time for consideration of that intended appointee by 30 days.

The Vice-Chair: It's been requested. Agreed? Agreed.

The subcommittee, then, or some other forum, will take care of when and how we're going to meet.

Mr Wood: I think we might leave the calling at the discretion of the Chair, once we have a sufficient number of people to review.

The Vice-Chair: Good. Thank you, Mr Wood. Is there any further business for the committee? Thank you all. It's been another pleasure chairing the meeting this morning. We're adjourned.

The committee adjourned at 1158.

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