



---

ISSN 1180-4335

**Legislative Assembly  
of Ontario**  
Second Session, 37<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**  
Deuxième session, 37<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Wednesday 22 August 2001**

**Journal  
des débats  
(Hansard)**

**Mercredi 22 août 2001**

**Standing committee on  
government agencies**

Subcommittee report

Intended appointments

**Comité permanent des  
organismes gouvernementaux**

Rapport du sous-comité

Nominations prévues

Chair: James J. Bradley  
Clerk: Donna Bryce

Président : James J. Bradley  
Greffière : Donna Bryce

---

### **Hansard on the Internet**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

### **Copies of Hansard**

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

### **Le Journal des débats sur Internet**

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

### **Renseignements sur l'Index**

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

### **Exemplaires du Journal**

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.

---

Hansard Reporting and Interpretation Services  
3330 Whitney Block, 99 Wellesley St W  
Toronto ON M7A 1A2  
Telephone 416-325-7400; fax 416-325-7430  
Published by the Legislative Assembly of Ontario



Service du Journal des débats et d'interprétation  
3330 Édifice Whitney ; 99, rue Wellesley ouest  
Toronto ON M7A 1A2  
Téléphone, 416-325-7400 ; télécopieur, 416-325-7430  
Publié par l'Assemblée législative de l'Ontario

LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

## STANDING COMMITTEE ON GOVERNMENT AGENCIES

## COMITÉ PERMANENT DES ORGANISMES GOUVERNEMENTAUX

Wednesday 22 August 2001

Mercredi 22 août 2001

*The committee met at 1003 in room 151.*

### SUBCOMMITTEE REPORT

**The Vice-Chair (Mr Bruce Crozier):** We'll bring the committee to order.

The first order of business is the report of the subcommittee on committee business dated Thursday, August 16. I think all members have a copy.

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

**The Vice-Chair:** Adoption has been moved. Is there any discussion? All those in favour? Opposed? It's carried.

### INTENDED APPOINTMENTS

#### BOB PENNOCK

Review of intended appointment, selected by official opposition party: Bob Pennock, intended appointee as member, Ontario Parole and Earned Release Board.

**The Vice-Chair:** We'll then move on to the appointments review. First is a selection of the official opposition: Mr Bob Pennock—I hope that's right and that if not I'll get corrected—intended appointee as a member of the Ontario Parole and Earned Release Board. Mr Pennock, please come and make yourself comfortable.

**Mr Bob Pennock:** Thank you, and you did pronounce it correctly.

**The Vice-Chair:** While you're getting settled in, I would point out that each caucus has an opportunity for about 10 minutes of questions, and you have an opportunity, sir, to have some opening remarks, which will be deducted from the government's time. So when you're comfortable and ready to start, please do so.

**Mr Pennock:** I do have opening remarks. I'd like to thank the committee for allowing me to appear before you today in order to answer any questions you might have.

No doubt you have my CV before you, so I will just take a moment to highlight some of my background, but in particular I'd like to expand on some of my past and present community involvement.

I resided in Toronto all my life until retiring in 1992, when Lorraine and I moved to Fenelon Falls. Fenelon

Falls is located just 20 minutes north of Lindsay, now in the newly amalgamated city of Kawartha Lakes. Happily married for 43 years, Lorraine and I enjoyed watching our three children grow up to be well-adjusted adults. Presently we are the proud grandparents of three grandsons, and I'm certain their main purpose in life today is to keep Lorraine and I young and active.

While in Toronto, I was involved with a number of community projects, which included Scouting, coaching hockey and soccer, fundraising for various organizations, and sitting on the board of the Humber Memorial Hospital, to name just a few. As well, I was an active member of the Naval Reserve for 15 years, attaining the rank of Chief Petty Officer, and received both Canadian Forces decorations and the Centennial Medal.

Since moving to Fenelon Falls, I've continued my community involvement. This has included chairing a planning advisory committee, sitting on various other committees such as environment, sustainable tourism, Canada Day and Santa Day, and acting as treasurer of the Kawartha summer theatre board.

Currently, I am on the City of Kawartha Lakes economic development committee, an improvement committee, and am a board member of the first Kawartha Highland Games. In addition, I have sat on the major gifts board for fundraising for the Ross Memorial Hospital. I am currently a board member of the foundation engaged in a major restoration fundraising project to preserve Ontario's oldest existing live theatre today, the Academy Theatre in Lindsay. As well, I work as a Shriner, assisting burned and crippled children.

My business background was primarily in sales and marketing. In 1973, Lorraine and I started our own insurance restoration firm, servicing the insurance industry. For a number of years I was a director of the National Institute of Fire Restorers, headquartered in Washington, DC. Today I still do some occasional consulting work for a Texas-based firm following major natural disasters.

In 1984, I ran for member of Parliament in the riding of Etobicoke North and was fortunate to have been elected, serving until the election in 1988.

Following that, I was the vice-president of a national corporation, and in 1991 was appointed for a three-year term to the National Parole Board.

I believe the skills I have developed through my business experience, my interest and community involvement, the training and skills I received while a member of

the National Parole Board and my compassion for people all qualify me to make a meaningful contribution as a member of the Ontario Parole and Earned Release Board. Should this committee see fit to confirm my appointment, I assure you I will do all in my power to exercise due diligence in the performance of my duties to this very important task, with all the responsibility it entails for community safety. Thank you.

**The Chair (Mr Jim Bradley):** Thank you very much, sir. We will commence our questioning with the official opposition.

**Mr Bruce Crozier (Essex):** Good morning, sir. I certainly see by the synopsis of your personal experience, and you have mentioned, that you were on the federal Correctional Service of Canada parole board for two years.

**Mr Pennock:** Three years.

**Mr Crozier:** What is the nearest provincial facility to your home town?

**Mr Pennock:** Lindsay.

**Mr Crozier:** Have you visited that facility at any time in the past?

**Mr Pennock:** I've had no occasion to go down to visit that facility.

**Mr Crozier:** Have you visited any provincial facility?

**Mr Pennock:** Yes. When I was a member of Parliament, I had occasion to go to the Toronto West Detention Centre a couple of times.

**Mr Crozier:** Just as a matter of interest, perhaps to nobody else but myself, last week I had an opportunity to tour Kingston Penitentiary. It's an interesting opportunity. I know the general public maybe can't parade through federal and provincial facilities, but it's an experience that, if anyone gets the opportunity, they should take.

**Mr Pennock:** It certainly is, particularly that facility, when they bang that door behind you.

**Mr Crozier:** Yes. The best feeling I had was that I knew I was going to be leaving in two hours.

We've been given some information to prepare for this morning. One of the criteria for the appointment that you're seeking and that I don't doubt you will receive is that you support the government's policy when it comes to public safety. Do you have any comments on what you feel government policy is, or do you know what the government policy is on public safety?

1010

**Mr Pennock:** I have somewhat of an idea that there is a need to ensure that the community at large is protected from a safety standpoint when you are looking at the possible release of someone who has committed an offence. Certainly I think the public is demanding more and more that you exercise due diligence and care in addressing that by the board.

**Mr Crozier:** In your experience, and having said that, tell me what the result of that is; ie, does it result in fewer parolees? Is it more difficult to be paroled? Are the same criteria applied any differently than they have been in the past, in your view?

**Mr Pennock:** Whether it's being applied differently today in the provincial system I really don't know. If I may just speak related to the federal and the provincial, I think the underlying approach by a board member is doing all the work they can beforehand—and that is extensive—to make certain that you can, during the hearing process, determine whether there is a safety risk factor that is there. Once you have determined that it is a manageable risk, then I feel personally that if there are the programs within the community to supply the support to help that person better reintegrate into society and become a good citizen, that is a task that must be undertaken, because if you wait until the two thirds mandatory release period, they go out with little, if any, control at all. I wouldn't be surprised if many of them don't go for parole because they don't want those controls put on them.

**Mr Crozier:** Thank you. I think my colleague has some questions.

**Mr George Smitherman (Toronto Centre-Rosedale):** Mr Pennock, like you, I'm a refugee from Etobicoke, now representing the downtown Toronto riding of Toronto Centre-Rosedale. We have had a difficult summer here in the city of Toronto, in my riding. I'm an Etobicoke Centre kid but I know Etobicoke North rather well. Within that community there are of course some areas where violent, gun-related activity has become all too common.

I'm wondering if you could comment on your understanding of the issue of guns and drugs and violence in communities and the adequacy of response on the part of the government over the summer. Some of us in Toronto are beginning to think the Harris government just likes to talk tough on crime, but in response to a particularly violent summer where guns have become the more normal mode of causing murder, capital crime, capital murder, the government has responded only with a snitch line.

**Mr Pennock:** Being a parent and grandparent and having read in the media the occasions where very innocent bystanders were killed or badly wounded, I think everything possible has to be done to address the control particularly of handguns. They are legislated. I think the federal government has gone to the point—I know I had to register my shotgun and my old Cooney .22, which I've just done recently. If there are ways in which we can address this, then it must be addressed.

We still have a problem with how these weapons find their way through the underground. They find their way in a lot of cases, I think, coming in from the United States, where we all know a lot of people drive around with a Magnum under the seat of their car. So if we can find ways to control that even at the border—but I don't have definitive answers for you on that.

Related to substance abuse, I think that is an excellent question, because therein I have a concern. When I drive back from Toronto to Fenelon Falls and I arrive at 1 or 2 in the morning and I see the children standing on the street, the 10- and 12-year-olds, the first thing is to get themselves into trouble with vandalism. But that's when the traffickers are out. Even in the small town of Fenelon

Falls with 1,800, the OPP just recently did a major bust. They were undercover, I think, for about six to eight months in little old Fenelon Falls. So they are trying to address it. I have to say from my experience at the national level that when you see the backgrounds of many of the people who have committed pretty heinous crimes, substance abuse is probably one of the key factors that's underlying it.

**Mr Smitherman:** As you know, the Harris government went to great expense to fight the federal government's gun registry system. It seemed to me that you were endorsing that by using the word "controls." I'd like you to clarify that.

You speak about the issue of substance abuse. I believe in the period that you represented Etobicoke North, crack cocaine was on the scene and beginning to unravel those communities. It's an insidious drug, and we continue to struggle with knowing exactly how to deal with it when its presence in a community occurs.

We see a move on the part of the government toward the development of facilities where prisoners are in lockdown. I'd like to ask you about your opinion with respect to the adequacy of training and access within the prison system to the kinds of programs that would assist people in meaningfully dealing with substance abuse issues. Do you feel we're doing an effective job in assisting people who may be sentenced on crimes that aren't so serious, getting at them early and attempting to deal with the underlying conditions like substance abuse?

**Mr Pennock:** Well, thank you for that question. First of all, I'd like to state that I feel the provincial parole system is extremely important, because when you get to the federal level and you're looking at an FPS sheet on so many of the people who are in there who have committed very serious crimes, their history has built from a very minor crime going up through the provincial system. That's where, hopefully with the proper programs in place, you can perhaps stop them from making that big step to the upper level.

Related to the programs, frankly I think with the mega-jails coming into effect that there will be an opportunity to bring all of the specialists closer together. It will give the inmates perhaps a wider variety of programs. I don't know this. I'm just assuming that this would be one of the results of that. As well, in some of the smaller institutions today provincially, I understand they have little, if any, opportunity to avail themselves of programs.

The long and the short of it is that with the programs that address the problems they have, be it substance abuse or anger management, you'd better start addressing them sooner rather than later, and when they get in the community, there certainly has to be a strong follow-up.

**The Chair:** That concludes your questions, unfortunately for you.

We now move to the third party, Mr Martin.

**Mr Tony Martin (Sault Ste Marie):** Thank you very much, and thanks for coming today and sitting through this interview.

**Mr Pennock:** It's different to sit at this end of the table, sir.

**Mr Martin:** Yes, I note by your resumé that you've been here as well, and it's good that you have that experience under your belt, particularly as you move forward in taking on further public responsibility.

You're obviously a person with a varied background of experience and commitment to public life and community. Besides the fact that you served on the federal parole board, at this time in your life, having done that, why this particular appointment? Why would you have sought this, and why are you interested in this?

1020

**Mr Pennock:** If I may clarify, I did not seek this as a specific appointment. With the new city of Kawartha Lakes, a number of the committees that I'd sat on were dissolved and newly created with only council members sitting on them. I was going to have time on my hands, and I like to be a very busy individual. I thought there might be an opportunity to serve some way provincially. I did speak to the member, and he suggested I send my resumé in, which I did. So I did not send my resumé specifically for the parole board. I received a call asking if I would be interested in that appointment, and that's how that came about.

**Mr Martin:** Who was the member you gave your application to?

**Mr Pennock:** Minister Hodgson, Mr Hodgson.

**Mr Martin:** And he forwarded it to the appointments secretariat, and they looked at your background and determined that this might be an appropriate fit for you?

**Mr Pennock:** I assume that's what happened.

**Mr Martin:** And you're feeling, obviously, that it might be, so you've decided to move forward.

**Mr Pennock:** Yes.

**Mr Martin:** Maybe you could share with us why it is that you would—it's obviously going to take some time out of your life and will take away from some of the other things that you like to do. Why would you, at this time in your life, want to do that?

**Mr Pennock:** From my exposure at the federal level, I believe very strongly, first of all, that we need to protect the people in our community. But more importantly, I think the parole system, if it's done effectively, can help people who have gone astray, if they're handled properly, get on the right track in life. Call it a cause or call it a wish; I'd like to be part of that.

**Mr Martin:** OK. There have been some pretty significant changes over the last five or six years in the parole system in Ontario, first of all brought forward by the NDP government in 1995 under the tutelage of David Christopherson, who was the Solicitor General at the time, and just recently—and over the last number of years, but some of it recently—by the present government. Are you aware of those changes?

**Mr Pennock:** I'm aware of some of the changes and some of the proposed changes, yes.

**Mr Martin:** Do you understand why those changes were brought in?

**Mr Pennock:** The background of the whys and wheres, no, I don't. But, for example, the victim participation at parole hearings: that had just started toward the end of my tenure with the federal government. I certainly think that is a very needed addition, from a number of standpoints. The victim participating, first of all, in a lot of cases gives the victim an insight into how detailed parole is and makes them aware that it's not just a flippancy decision that is taken. From the standpoint of the inmate's rehabilitation, for them to actually become aware of some of the traumatic change they have caused in people's lives just may help in their rehabilitation. I think parole members need every bit of information they can have, and if they get the victim impact statement or participation by the victim in the hearing, I think that's a big step forward.

**Mr Martin:** I think that's important too, and I think that was indicated by the support of the government that I was part of in the early 1990s in moving forward to reform. But the thing that concerns me, and I have to say this, and I would suggest that in listening to the answers you gave to Mr Crozier that it probably concerns you too, is the emphasis now by this government that appointees to parole boards share their commitment to public safety. I believe you also have to sign a form now if you're going to take an appointment by this government to be committed to the program of the government. Stats are saying that there are fewer and fewer people getting parole in Ontario. You were saying earlier that parole plays an important role in helping a person rehabilitate and then get back into the community in a more positive way. You yourself suggested that if they go their full term and they get out when they're legally allowed out without the kind of supervision and experience they would have on parole, that may actually present more problems to the public in terms of safety than going the route of parole.

If that becomes obvious to you in your appointment, that strongly held feeling that you have from your experience with the federal system that this government is in fact increasing the potential for bad things to happen out there as people get out of prison without the parole, do you think you'll have the ability and the opportunity to make recommendations that might change the view of this government where that's concerned, or does that concern you at all?

**Mr Pennock:** People who know me know I'm never one to keep quiet if I think there is something that needs to be addressed. I certainly wouldn't hesitate to do so if I felt I could make a sound recommendation for improvement.

But to answer what I think might be a concern of yours, and I apologize for referring to the federal system because that's what I knew, I have to say that I, and I'm certain each of my colleagues in that instance, went into hearings with a very open mind. The commitment at the federal and I believe the provincial level is the same: community safety and whether or not that person could be a manageable risk before you go to the next step of

rehabilitation. I have to say that in my three years there I felt no influence either from Correctional Services Canada or from the ministry or anyone else to change the view that I had as a board member in the releasing process. So I think I will go into this with the same approach, that I take each case on its individual merits, weigh all the material that's before me and make a determination: would I want that person out and living in my community?

**Mr Martin:** There is also another side, of course, to this whole issue of parole and working with people who find themselves in difficulty with the law. That's the question of rehabilitation, a piece of this that I feel very strongly committed to. My feeling is that there is no human being, no matter how bad they are, who isn't redeemable, whom we should discard or not make every effort to rehabilitate. There is an approach to justice out there right now that a lot of people are working in called restorative justice, where healing is on the agenda. What is your position where that is concerned, and how do you think that will fit into your role as a member of this board?

**Mr Pennock:** As I stated earlier, I really believe the after-parole programs are extremely important, because if you don't get to the root cause of substance abuse, anger management, the chance of recidivism is going to be extremely high.

In preparing for today, I had the plan for 2000-01, and it was encouraging to see in that that they are looking at further expansion of programs in the community treatment houses and workplaces and things like that. I think they have to continually be moving in that direction, and it appears the government is looking at that seriously.

**Mr Martin:** Which brings me to the last question I have for you. You had made the point that giving people a chance to be out on parole is a good approach if the programs are in place. In your answer here you're saying that you're seeing in the 2000-01 program that they are in fact going to be. Our experience with this government is that they make a lot of big announcements suggesting they're going to spend money on things and then end up not doing it.

When you were with the federal parole board, did you feel there were enough programs out there? Do you think there are enough programs out there now, funded adequately, to deal with the challenge of good parole policy in this province?

**1030**

**Mr Pennock:** I think federally they have an advantage in the parole program of having halfway houses available for day parole release. I would think in the federal system, without that, there would be a lot more denials of parole, because that put a check and balance in that you couldn't have directly in the community. But the community per se I don't think looks upon the need of programs the way that you and I might look at the need of programs in the community. I don't think I'm in a position to say, is it adequately funded, but I think I am in a position to say that, personally, without giving them

the support once they reach the community, the chance of them reoffending increases dramatically.

**The Chair:** Thank you very much. We will move now to the government benches; Mr Dunlop has a question.

**Mr Garfield Dunlop (Simcoe North):** Thank you very much, Mr Chair. I was just wondering if you hooked the fans up to the kitchen fans here. It smells like garlic in this room now. Did you notice that?

**Mr Pennock:** I was beginning to think it was me.

**Mr Dunlop:** No, it's garlic bread cooking somewhere.

I just wanted to ask you if you were familiar with the Corrections Accountability Act that our government passed last fall, if you want to comment on it at all.

**Mr Pennock:** Is that the one that's still awaiting the signature—it follows the victim awareness and things like that? I'm not certain I am.

**Mr Dunlop:** No, it's an act we passed just last fall. I just wanted to know if you were familiar with it.

**Mr Pennock:** No, I'm not.

**Mr Dunlop:** That's OK; I just wanted to hear your comments on it. It's just that I wanted to point out that our government has made a number of reforms in corrections, along with the fact that we've built huge jails and are eliminating a lot of the old and tired buildings. I just wondered how you felt about that.

**Mr Pennock:** I think I commented earlier that I think the move to the mega-jails is a very positive thing for the inmates. It's going to enhance the programs, broaden the programs, give access to programs, where in the smaller institutions, like the Lindsay Jail, they're just not available.

**The Chair:** Any other—

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

**The Chair:** I'm an impartial Chair or I would have said that of course you wouldn't want to close the Niagara Detention Centre. But being an impartial Chair, I'm not allowed to say that.

Thank you very much, Mr Pennock, for being with us today. We appreciate your answers and your appearance before the committee, sir.

**Mr Pennock:** Thank you.

#### MARC COOMBS

Review of intended appointment, selected by official opposition party: Marc Coombs, intended appointee as member, Township of Cramahe Police Services Board.

**The Chair:** Our next intended appointee is Marc Coombs, intended appointee as member, Township of—

**Mr Marc Coombs:** Cramahe.

**The Chair:** —Cramahe Police Services Board. Now, the people outside of the township no doubt have to struggle with that, and the people in the township can have it roll off their tongues very easily.

**Mr Coombs:** Yes.

**The Chair:** Welcome to the committee, sir. As you know, you have an opportunity to make an initial statement, if you wish. That's always up to the applicant herself or himself. Subsequent to that, there are questions

from each of the parties represented in the Legislature and on this committee. Welcome, sir.

**Mr Coombs:** Thanks; I will make a brief opening statement. My name is Marc Coombs and I'm hoping to become one of the provincial representatives on the new Cramahe township police services board. I have lived with my wife and family in Cramahe township since 1992, and I have been and continue to be very involved in the community. I have served in many communities, both in our township as well as in Northumberland county.

Just a few highlights will be: serving in Cramahe township as a councillor from 1998 to 2000; being on the St Mary's school council since 1996; and currently serving as chair of both the Apple Route and also the Northumberland Tourism Advisory Committee.

During my tenure on council, I was the council rep for the Northumberland Community Policing Advisory Committee. As such, I helped develop, along with other municipal reps, and in conjunction with the community policing volunteers, the Northumberland OPP 1999 business plan, the first done with community input.

I am looking forward to serving my community on the new police services board. Thank you.

**The Chair:** Thank you very much, sir. We will commence the questioning in this case with the third party.

**Mr Martin:** Thank you for coming this morning and for putting your name forward to serve in this way. Given your very impressive background of involvement in community and public life, why at this time would you choose to serve in this way, on a police services board? What would be the motivation behind your wanting to serve, to take on this appointment?

**Mr Coombs:** I'm not on council presently, so I have a little bit more time than I did in the previous three years. The township amalgamated recently, and just recently signed a contract with the OPP. Before that, I was the council rep on the community policing advisory committee, which was the precursor to a police services board if you don't have a contract. So it's really just continuing the work I did while I was on council.

I'm involved a lot in economic development and tourism issues in the community. But I also feel that the other issue is the policing issue and having a safe community. So I think it's important, and that's why I put my name forward for that.

**Mr Martin:** How did you find out about this appointment, and what process did you use to apply?

**Mr Coombs:** Certainly I knew it was available. A staff member at the local MPP's office called me and told me to forward my resumé if I was interested. I was interested and did so.

**Mr Martin:** Who is your MPP?

**Mr Coombs:** Doug Galt.

**Mr Martin:** Other than the fact that you've had some previous experience, is there anything else that you think positions you to carry out this responsibility in a way that would make it important for us to appoint you here this morning?

**Mr Coombs:** Sure. I am involved in the community, and I think that speaks a lot right there. Probably more than anybody else in the community, I have been involved in the OPP as far as overseeing it from a council's point of view: budgeting and setting priorities and objectives for the community as far as police service is concerned. I think those are important aspects of the position.

**Mr Martin:** What are some of the biggest policing issues where your community is concerned?

**Mr Coombs:** We're a rural community, so a lot of the issues are somewhat smaller issues. They're break and enters, vandalism in the main village. There are also problems with drugs coming into our community. Certainly I think if you ask the residents, most of the issues are related to break and enters and vandalism. As well, traffic issues occasionally come up.

**Mr Martin:** What do you think you'll be able to do to take a stab at that in your role as a member of the board?

**Mr Coombs:** In the past, we made sure the OPP was fully aware of the concerns of the local community and that they got put down in writing in a business plan and were followed up on a monthly basis to make sure that action was being taken and that B and Es were being cleared and the problem was being addressed.

**Mr Martin:** In the background material we've been given, we're led to understand that your township has in fact contracted with the OPP to provide—

**Mr Coombs:** Yes, just recently.

**Mr Martin:** Is that something you think will be a good move?

**Mr Coombs:** From a financial point of view, it provides a lot of stability to the administration to be able to budget over a long period of time and, yes, I think it is the best solution for policing in our community.

**Mr Martin:** But it changes the role of the police services board, in that you no longer have the very direct, almost hands-on, oversight you would have with the local police service. Now it's more—

**Mr Coombs:** We're too small a community to have a local police service. We're only 5,000 people. We've always had the OPP police our community.

**Mr Martin:** I grew up in a little town called Wawa, and they've always had their own police service. They've now got a population between 4,000 and 4,500, and they still find it the way they want to go and they find that it works.

One of the things they feel with the local policing service is that they have more control. They have more say, more hands-on and back and forth with the chief in that. With the OPP, that's not there. Do you think that'll be a difficulty?

**Mr Coombs:** That's certainly a hurdle the OPP has to overcome. One of the biggest problems they have is becoming a community police force, much in the way you're talking. In the three previous years that I was on the advisory committee, we worked very closely with the detachment commander and with the community policing officer. They fully understand that they have to become

very responsive to what the community's needs are, and the police services board is the venue for making sure that happens.

**1040**

**The Chair:** We move to the government benches.

**Mr Wood:** We'll waive our time.

**The Chair:** The government has waived its time, so we move to the official opposition.

**Mr Smitherman:** I have a question, just to get started, and it is about community policing, which is one of these phrases that's often used but defined differently. I would be interested to hear what that means to you.

**Mr Coombs:** Community policing is the community being aware of what's going on and making sure they become aware that they are really part of the solution and should get involved. As such, we do have a community policing association—volunteers who are involved in the community. From a policing point of view, it also means that the police force, whether it be a municipal force or the OPP, has to realize that they are supposed to be part of the community and that they should know the community and know who's there and be fully familiar with the area.

**Mr Smitherman:** You used the words "supposed to be," and I just want to make sure I'm getting the sequence right. This is a small community of 5,000 people with historic service from the OPP. Earlier, in an answer to Mr Martin, you acknowledged that one of the big challenges for the OPP as a police service is to transition itself from being a big, perhaps—these are my words—bureaucratic and centralized service to one that is more responsive toward the community. What has been your view about the evolution of this? Again, you used the words "supposed to be," and I'm concerned that we don't necessarily have the safeguards that are designed to give real life to the definition, which I think was a good one, that you gave around community policing.

**Mr Coombs:** I think the changes to the Police Services Act and the fact that municipalities now pay for policing drastically changed the playing field. One small issue that I think we addressed with the OPP right off the bat was that before their staff would float. We were looking for their police officers to be much more familiar with the community. If they are only one year in our community and then they go somewhere else in Ontario, it's hard to build up a relationship with the community policing officer and the officers themselves; not that they have to be there forever, but that was the hurdle the OPP had to overcome, to make staffing in the area much more reliable from the point of view that we wanted to be able to build up a relationship with the police officers who are in the area and certainly with the community policing officer who is in charge of the area.

In the three years since the Police Services Act—which I believe was 1997, so it started in 1998—they have worked very strongly toward that. The detachment commander is very visible in the area, very well known

to the councils in the area and very open, and there's a lot of good give and take.

**Mr Smitherman:** Your community is one of the smaller communities in that area. You've got some small urban centres.

**Mr Coombs:** That's right.

**Mr Smitherman:** I have a riding that has an enormous variance of income levels, as an example. It seems to me, and my observations of community policing are, that it works well where there's a strong community voice. But in those communities that have a more muted voice—and it could be muted for a number of reasons, including size—I'm concerned that those communities have sometimes struggled in their fight to receive adequate attention and resources. Has that always been a concern for a community that size?

**Mr Coombs:** I would guess it would be a concern. We haven't had that problem, fortunately. We developed a very good relationship with the OPP, and they have tried very hard over the three years I've dealt with them to become a community police force.

**Mr Smitherman:** The last question I have—you mentioned B and Es two or three times, which gives rise to the view that you consider that the number one concern with respect to policing in your community, and you talked about the cleared rate. I'm wondering if you have any statistics available with respect to the incidence of domestic assault in your community and the cleared rate on domestic assaults.

**Mr Coombs:** No, I don't.

**Mr Crozier:** Just a couple of quick questions, sir. You mentioned that part of the decision process to continue with the OPP was that your community was too small. I might suggest that the OPP should provide an adequate number of officers, which you would have had to provide under local policing. I suppose some of the capital costs such as cruisers would be the same.

Do you see the OPP being able to provide a more cost-effective service because you might be subsidized by larger communities that have the OPP, or by the OPP overall? How can the OPP provide it any more cost-effectively than a local service if they have to provide the same service?

**Mr Coombs:** Obviously, a lot of the OPP's costs are spread over Ontario, and that makes a big difference when it's a small community of 5,000 people wanting to go out and start up a new police force. The previous council to the one I sat on went through that exercise of costing out what it would be to have constables, have a building, have police cars, have a radio system, and at the end of the day, never mind the added burden from an HR point of view, it doesn't balance out.

**Mr Crozier:** But the OPP still has to have a building as well. Did they have one there previously?

**Mr Coombs:** They have one in Cobourg and they have one in Campbellford, which is in the county. Like I said, they have an existing infrastructure that allows them to do business fairly efficiently, especially from—

**Mr Crozier:** And those are outside the policing area that they—

**Mr Coombs:** Of our township. Yes, one is approximately 15 minutes, and the other one is about half an hour.

**Mr Crozier:** But you still feel the police officers are in the area and not just being dispatched from there, so there is no loss in reaction time?

**Mr Coombs:** We've had no problem. Each community has a community policing office, a storefront on the main street so that the OPP officers have a terminal where they can go to work. In the last three years, we've noticed a tremendous rise in their visibility, which is what the community wanted to see. It's worked out well, yes.

**The Chair:** That completes the questioning of the three parties. Thank you very much, Mr Coombs, for being with us today. You may step down.

#### RON NISBET

Review of intended appointment, selected by official opposition party: Ron Nisbet, intended appointee as member, Ontario Parks Board of Directors.

**The Chair:** Our next intended appointee is Ron Nisbet. He's an intended appointee as member, Ontario Parks Board of Directors.

Welcome to the committee, Mr Nisbet. As you are likely aware, you have an opportunity to make an initial statement if you choose to do so. Subsequent to that, representatives of each of the three parties represented on this committee have up to 10 minutes to ask you questions. Just a note, to give a heads-up to people, we'll be commencing our questions with the government members in this particular case.

Welcome, sir. It's nice to have you with us.

**Mr Ron Nisbet:** Good morning, ladies and gentlemen. My name is Ron Nisbet, as indicated. I have been practising as a chartered accountant for the last 35 years. Twelve of those years were spent in industry and 23 years in public practice, firstly with a small firm and later with an international firm.

During my years in public practice, I performed auditing and consulting engagements for several not-for-profit organizations. Additionally, I have performed volunteer work for not-for-profit organizations, presently being involved with Rotary International, both at the club and district levels, acting as a director and treasurer of a group home for physically challenged adults, and doing volunteer work for Foodpath in Mississauga. I believe this gives me an understanding of the workings and objectives of not-for-profit and government-funded organizations.

Being a cottage owner in a fairly remote part of eastern Ontario, I see the need for protecting the ecology and environment, tempered with the objective of making available to the general public the facilities that we have, but ensuring that we also protect them for our children and grandchildren.

I feel that my administrative and financial experience, coupled with my desire to work with others to maintain a proper balance on our public lands, puts me in good stead to serve on the board of directors of Ontario Parks.

**The Chair:** We commence the questioning with the government caucus.

**Mr Wood:** We will waive our time.

**The Chair:** The government caucus has waived its time, so we will commence now with the official opposition.

**Mr Smitherman:** Welcome, Mr Nisbet. Notwithstanding your reference to your cottage, with my first question I'm more interested in the proximity of provincial parks to your home.

1050

**Mr Nisbet:** My home?

**Mr Smitherman:** Yes. You live in Mississauga, I understand?

**Mr Nisbet:** Yes, I do.

**Mr Smitherman:** Bronte Creek Provincial Park is near your home and was subject to some consideration on the part of the government in the last two or three years to sell off a portion of that park for a golf course development. Can you offer your view on the appropriateness of even considering that?

**Mr Nisbet:** I am a golfer, incidentally. We have a lot of golf courses in the Mississauga-Milton-Oakville area. I'm not sure I agree 100% with the idea of taking away from our provincial parks at this point to build additional golf courses in the Oakville-Milton-Mississauga area.

**Mr Smitherman:** Do you happen to be a hunter?

**Mr Nisbet:** No, I'm not.

**Mr Smitherman:** On the issue of broader access to a variety of provincially owned lands for the purposes of hunting or for the purposes of resource extraction, you said with respect to golf that you're not sure you agree 100%.

**Mr Nisbet:** No.

**Mr Smitherman:** Can you be any more categorical about your view with respect to enhanced access for hunting or resource extraction on the kinds of lands that you might have the opportunity, as a director of the Ontario Parks board, to consider?

**Mr Nisbet:** I believe there was an initiative brought in by the provincial government about four years ago, Lands for Life, and I think the idea there was to balance out the desires, needs and wants of the government to maintain or enhance our provincial lands, coupled with the other interest groups: hunters, mining companies and logging companies.

I think we have to be very careful about allowing additional things to be done to our public lands. We know what can happen in other countries of the world and we know what has happened in other countries of the world when there have been no restrictions and when industries have been allowed to just arbitrarily virtually destroy things like rain forests. I think we have to be very careful. I think we have to look at special interest groups, and even the smaller groups of special interest groups, on

an individual basis when it comes to allowing additional hunting, any mining and any logging on provincial lands, and specifically in provincial parks.

**Mr Smitherman:** The last two years in Ontario have been difficult years from the standpoint of public confidence in the quality of drinkable water. Walkerton obviously comes to mind. But we learned subsequent to that of a variety of properties owned by the Ontario government, many in the hands of the Ontario Realty Corp. A very high proportion, and I'm sorry I don't have those numbers in front of me, of water that was designed to be available for drinking by consumers both of water and provincial parks—we've learned that a very high proportion of those water systems at provincial parks are not producing a quality of water suitable for public consumption.

What's your understanding of the nature of that issue and of the actions that have been taken on the part of the government to restore the quality of drinkable water to those provincial parks?

**Mr Nisbet:** I can't honestly say I am that knowledgeable as far as what has been done. I can certainly speak to the area in which we have our cottage, which I mentioned is in northeastern Ontario. We are very fortunate. We have a small lake there and it's actually not far from a provincial park, Bon Echo Provincial Park. We are very fortunate in that our lake is a small lake, spring fed, and we are in the top 10% as far as quality and clearness is concerned.

I think we have to be very cognizant of water quality. We have to be paying attention at all times to make sure that is maintained. I really can't comment that much more on the matter.

**Mr Smitherman:** As a member of this board, would you be prepared to make it—you obviously have a strong commitment; you've analyzed the quality of water at your cottage property and you're very conscious of it. Would you, as a director of the Ontario Parks Board, be someone that I should have confidence would be there with a view to making the quality of water on those sites a top priority for use?

**Mr Nisbet:** Yes.

**Mr Smitherman:** I have no further questions.

**The Vice-Chair:** We'll move on to the third party.

**Mr Martin:** Thank you very much, Mr Nisbet, for coming this morning. Right off the top, I've looked at your resumé, and other than some of the answers to Mr Smitherman's questions that you are a golfer and that you have a cottage, there's not much in here to indicate to me why you would have an interest in this appointment. So I guess the first question is, why this appointment?

**Mr Nisbet:** I retired from private practice two years ago, and I'm still looking for challenges. I do a fair amount of volunteer work now, but I'd like to look at any opportunities that are provided to me to do more volunteer work. This interests me, as I indicated, because of the fact that I am a very keen outdoors person, even though I'm not a hunter. I love the outdoors, and I am very keen about keeping it as pristine as possible.

Thirdly, I think I have something to offer. I have a fairly extensive business background, both in industry and in private practice, and I think I have something to offer with my financial and administrative background. So when I was approached about considering this, I grabbed at the opportunity.

**Mr Martin:** I come from Sault Ste Marie—I actually grew up in Wawa—where we're surrounded by parks and the outdoors, and we take tremendous personal interest in the stewardship of those public lands and become quite concerned when we see them not being used appropriately and people coming to the management of those lands without a complete knowledge of the sensitivity and fragility of the ecosystem there that serves us all. I think you would agree with me that it's the environment that gives life and sustains it, and if we destroy it, we won't be able to get it back.

I know of your business background and accounting background and the fact that you have a lot of talent there. What experience would you bring that would be relevant to the development of provincial parks and actually doing some of the things you said you wanted to do? You talked about pristine and keeping the water clean and all that kind of thing. What background or experience do you have that would serve you in your capacity as protector and steward of those very valuable and important resources?

**Mr Nisbet:** First of all, I do have some marketing skills, having run a small accounting firm for a number of years and also being in industry for a number of years.

I don't know how to answer your question. The interest is there, and if the interest is there and the passion is there to be involved in looking after our environment, I think I will be able to do the job. I hate to keep referring to our cottage, but we have six acres of bush on our property. Other than an area probably no more than 150 by 150 where the cottage sits, it's all bush, other than the road in, and we have maintained it that way for the past 40 years, and I want to see it left that way. Just a little story: my grandchildren were up there a couple of weeks ago with our son and they saw three deer on the road when they got up in the morning. In that type of thing, you shouldn't take this away from those who follow us. So I feel very strongly that we must protect this and look after it. I think I have the passion to do that.

1100

**Mr Martin:** Well, you'll have your hands full. When you lead off your answer with the fact that you have marketing skills, that concerns us in the north. We know that there's a balance, and probably letting people know about the wonderful outdoors that's up there is one part of it, but the Minister of Natural Resources for the province is on record as saying in 1996 that Ontario parks would operate like a business. That runs up against the understanding many of us have that parks exist to protect the province's natural features and wildlife and are held in a public trust by the government for present and future generations. How do you balance those two things: running the parks as a business and also pro-

tecting this heritage, this valuable resource that we're given stewardship of for a while?

**Mr Nisbet:** I think you can run any organization like a business, but some organizations have to be run differently. They can be very successful, yet not make a profit. As I indicated, I have been heavily involved in consulting in not-for-profit organizations and have also been involved on a volunteer basis. I think you have to temper any business decisions you make with regard to something like our park system with the good and the long-term goals, with what you are trying to accomplish.

I would hate to see us ever reach a situation where individuals, residents of this province or visitors, were not able to make use of our public park system because they couldn't afford it. That should never happen. Because they are held in public trust, everyone has a right to use these facilities. I think we have to be very careful about any business decisions we make. I think we should make business decisions, but I think we have to be very careful, with the ones we make, that it is for the good of all.

**Mr Martin:** Let me tell you that we're concerned up north about that. I'll just give you an example. This summer I had family who live in northern Ontario plus family visiting from Ireland, and we went up to use the great outdoors, the parks. It didn't seem to matter where we pulled up, there was a machine that took money for parking. You could use your credit card. A little swimming hole that we all went to over the years is called Catherine's Cove. It's just a little parking area and there's a beach on either side of an outcropping of stone. We used to pull in there when we were kids. The parents would take us from Wawa to the Soo. We'd stop and have a swim on a hot day. There's a machine there now for a credit card to be put in. You have to pay. I wasn't into any of the remote camping areas that I've gone to over the years, but I'm afraid that if I do go in there at some point there'll be one of those machines in there too, and if I don't put my money in there'll be somebody there being paid to give me a ticket.

I guess I see us going down that road. I understand the need for government to find the money they need to maintain and look after things, but where's the line, in your view, for those of us who call Ontario home, who have some natural ownership and responsibility, by virtue of our citizenship, where those resources are concerned? As you said, you don't want to get to a point where people can't afford it, but we're already moving there, in just the little example I shared with you. Any thoughts on that?

**Mr Nisbet:** I don't like it, but from a business standpoint that may be the most economical way of doing it. Once again, I think you've got to look at each individual situation when it comes to that type of thing and you've got to deal with it on the most economical basis, but tempered with what the long-term goals are, ie, keeping it pristine and accessible to all.

**Mr Martin:** If I have some further time—

**The Chair:** You still have a minute.

**Mr Martin:** The Lands for Life exercise was huge across the north and had a lot of people involved. At the end of the day there was an agreement between the ministry, the forest industry and what they call a Partnership for Public Lands, composed of a number of environmental groups, naturalist groups, the wildlife fund etc. There is a sense, particularly among those of us who live in the north and want to protect the varied demands on that resource, that in fact some of the agreements made were not made in good faith. We're beginning to see, where it was said there would be no hunting in parklands, that now there will be hunting in some areas, and where mining was to be curtailed, now a message is being sent to prospectors that isn't quite in accord with the agreement that was made.

What is your understanding of that agreement? Have you looked at that in preparation for this appointment? Where would you stand on some of those issues?

**Mr Nisbet:** I've taken a limited look at it. My understanding of it is that it was created to create a balance, as I indicated earlier, between the maintenance of our public park system and our public lands, coupled with dealing with the special interest groups like the hunters, the miners and the loggers. It was not my understanding that they were saying there would be no hunting and no logging and no mining, but that each application, if you like, or each situation would be looked at on an individual basis and would be dealt with on an individual basis.

I agree with that. I think any time you have a new initiative such as that—and that's been in place, I believe, for about four years—there is going to be a learning curve involved on both sides, and I think both sides have to be in a position to look at each individual situation and make a decision accordingly.

**Mr Martin:** The accord—

**The Chair:** That is going to be the limit of your questions, and the limit of all questions that we have.

Thank you very much, Mr Nisbet, for being with us today.

**Mr Nisbet:** Thank you.

#### MARK ROCHON

Review of intended appointment, selected by official opposition party: Mark Rochon, intended appointee as member, Ontario Family Health Network.

**The Chair:** Our next intended appointee is Mark Rochon, who is intended appointee as member, Ontario Family Health Network.

Mr Rochon, you may come forward, please. As you probably know, you have an opportunity to make an initial statement should you see fit to do so. Subsequent to that, there are questions that will be directed to you by members of the committee. You're welcome to get some water to start with. By the way, when we start the questions we will be starting with the official opposition, as we've gone around the rotation. Welcome, Mr Rochon.

**Mr Mark Rochon:** Thank you. Good morning, Mr Bradley and members of the committee. It's a pleasure for me to be with you this morning. I consider it a privilege to be considered as a member of the Ontario Family Health Network. I believe that the goals of the network are important to the health service system to: improve access, quality and continuity of care; increase patient and provider satisfaction and improve cost-effectiveness through improved communication and alignment of payment mechanisms with the needs and expectations of both patients and providers; and improve access for patients and the work life of those involved in the provision of primary health services.

I've worked in various roles in the health service system for over 20 years. I've held senior leadership positions at the Clarke Institute of Psychiatry, now the Centre for Addiction and Mental Health. I've been the chief executive officer of the Georgetown and District Memorial Hospital, Bennett Health Care Centre and Humber Memorial Hospital; assistant deputy minister of the institutional health group with the Ontario Ministry of Health; and the chief executive officer of the Health Services Restructuring Commission. My current role is the president and chief executive officer of the Toronto Rehabilitation Institute. I'm also appointed as an assistant professor in the departments of health management policy and evaluation and physical therapy at the University of Toronto. I look forward to our discussion and questions this morning.

1110

**The Chair:** Thank you very much. We commence with the official opposition.

**Mr Smitherman:** Mr Rochon, I'm not going to vote for your appointment, and I'm not sure if I'm not going to vote for your appointment because of the haphazard job you did at the Health Services Restructuring Commission or if the government did such a haphazard job with the windup of the Health Services Restructuring Commission. But it strikes me, and at the heart of my question to you is, why would you entertain joining again with this government in one more use of your busy time when on the file that you led for them for two years, the Health Services Restructuring Commission, where I note the words "accountable to the commissioners" are highlighted in your resumé, in fact Dr Sinclair, the head of those commissioners, has been highly critical of the way that the government implemented the HSRC recommendations or directions that they felt were appropriate and chose, frankly, not to do others? I'll give you one example before I give you a chance to address this.

As you well know, the Wellesley Central Hospital is in my riding. It recently closed. The HSRC directive on closing that hospital also contained a directive that an ambulatory care centre would be opened and that ambulatory care centre, I think you would agree, would be an important access point when we think about primary health care reform. Nothing has happened three years later. We have some administrators running around,

but we have a community that is dramatically underserved.

Given your past involvement with the HSRC and the way that the government adopted some recommendations at the expense of others, which resulted in a closure of beds before long-term-care beds were opened, causing enormous challenges in the system, particularly here in Toronto, emergency room delays etc, why would you do this one more time? What gives you faith that primary health care reform is anything more than a hollow phrase for this government like “smart growth”?

**Mr Rochon:** First of all, the work that I was involved in with the Health Services Restructuring Commission was important work that I believe and many others believe was important in the development and evolution of the health service system, and I’m proud of the work that we engaged in with the restructuring commission.

The reason I would like to be involved with primary health care reform is that I believe it’s an important element of our health service system. Most of the services we provide in publicly funded health services are at the primary health level, and I believe it’s important as our population continues to expand and age that we find better ways of delivering primary health care. The government has committed substantial amounts of money for the development of information technology for primary health care and also to change the payment mechanisms for those involved in primary health care. So they’ve made a financial commitment to this. From my perspective, it’s a very important part of the evolution of our health services system, and I would like to be part of it.

**Mr Smitherman:** You said that you’re proud of your work at the HSRC, but I’d like you to address whether you’re proud of when the government shut down the HSRC and took the responsibility for deciding what to implement and, frankly, what to ignore. Are you proud of the way the government dealt with the HSRC directives that were provided to them upon the windup of the HSRC when the minister took that responsibility back?

**Mr Rochon:** It was always intended that the restructuring commission would come to an end. Legislation that created the commission had a sunset provision that it would wind up four years after its creation, and that’s what happened.

**Mr Smitherman:** What of the directives though? Yes, I understand it is sunsetted, but you guys said, “Do these six things,” or eight things, whatever, it doesn’t matter what number it is, and they chose some and ignored others. Did they do a disservice to the work of the HSRC?

**Mr Rochon:** The evidence I see is that the government made certain decisions that in hindsight it felt made sense. It made substantial investments in long-term care. It made substantial investments in home care. In any major health service restructuring or any restructuring of any kind, there are always issues with respect to implementation that you learn from.

From where I stand, I think the question you’re asking about government and what it did is a reasonable question for you to ask government. In terms of where I sit on this issue, I believe that the recommendations and the directions we issued were fair and reasonable, were made with the best intentions for the patients and the population, the citizens of Ontario, and I stand behind the recommendations and directions that we issued.

**Mr Smitherman:** With fairness, I’m asking you a question about whether you’re happy with the way that government did it, because you’re here as an Ontarian allowing your name to be put forward, and I’m asking you about the effect of your past experience.

Let me just fast-forward, then. You’re now looking to take on a gig making recommendations to the government around primary care reform. Based on your past role and the fact that only 2% of the province’s family doctors have signed up in this voluntary program, if we had the opportunity to hold you accountable two or three years from now—which we won’t—with what confidence would you be able to say that the government has moved forward on this, that they are going to do more than just talk about primary health care reform?

We see that in British Columbia and Saskatchewan those governments have already signed agreements with the federal government to access money to move forward on primary health care reform. We see a Premier who’s happy to hammer the federal government, but when there are funds available, as there are in this instance for primary health care reform, we’re no closer to an agreement, I understand.

**Mr Rochon:** We have an agreement with the Ontario Medical Association to move forward with primary health care reform. As I understand it, it’s a goal of this government to move forward with primary health care reform and the job of the network is to implement.

I’m interested in seeing implementation occur. One of the principles behind implementation in Ontario is that it’s voluntary. To improve the chances of high rates of inclusion of physicians and others, and patients, you have to create a system that makes it worthwhile for people to join up. I think that the provision of flexible funding, different approaches to funding primary care physicians, as well as resources for information technology, are important elements in this, so I am confident that it will happen. I think it remains to be seen what the eventual rate of participation would be across Ontario, but the network is just really starting.

**The Chair:** We have a little bit of time for Mr Crozier. You have till 11:27.

**Mr Crozier:** I just want to pick up a bit on what my colleague has mentioned about the 2% that are participating at the present time. As you go into this appointment, what is it that you see is necessary to be done to increase that to a more meaningful number? Two per cent is dismal. The PricewaterhouseCoopers report says that over 70% of the physicians interviewed said their expectations have been met and the patients are

happy, but 70% of 2% isn't very much. So what are we going to do?

**Mr Rochon:** The 2% is a reflection of the number of physicians who were included in the initial pilot projects, so 2% at this point isn't a surprising number. I think what we need to do, given the experiences from these pilot projects and these pilot sites, is to learn from them—that's the purpose of the PricewaterhouseCoopers review—to take the recommendations from the review and make changes where necessary.

For example, one of the suggestions in the review was that we make the contract that physicians are asked to sign less onerous and that we create a system for patients to roster that's less onerous. I think those are a couple of initiatives we can look at by way of implementation, to make that 2% number grow.

1120

When I talk to family physicians whom I know, they see the need for significant change in the way primary care services are organized and funded. They feel that the current essentially fee-for-service basis for payment doesn't align well with the needs of their patients and their own needs as providers. So I think we need to look at ways that recognize there are no magic bullets in this, that there is no single solution to improving the health service system, and in particular primary health care reform.

For example, I don't think it would make sense for the Ontario Family Health Network to offer only one way of reimbursing primary health care providers. I think there is going to be a mix, and that the mix and the approaches ought to align with the health goals of the system. For example, if you want to encourage certain things to occur, such as screening for certain diseases, there ought to be an incentive built into the way you reimburse people—physicians and primary health groups—to encourage that activity to take place.

**Mr Crozier:** Well, sir, I can tell you that the physicians I've talked to in this group who are testing this are not happy. I agree with you that there is no magic bullet, it would seem. There's going to have to be some imagination used in how to solve this problem. I guess I've talked to the 30% who aren't happy. Certainly there is one in the Chatham-Kent area, and my information is that it's a dismal failure.

**Mr Rochon:** I think that in the Price Waterhouse review you will see evidence that the particular method they chose for reimbursement may be part of the problem they're experiencing in Chatham-Kent.

**Mr Martin:** I don't envy you your task. Primary health care reform has been on the agenda for as long as I've been in this job, which will be 11 years in another week or two. We don't seem to be able to get our heads around it, nor do we seem to have the political will to actually get it done.

Some suggest the problem is the funding to health care. You've heard the term "silos." It goes to different silos that don't necessarily co-operate with each other. As a matter of fact, they're oftentimes in competition with

each other for any extra dollars that may be available to health care.

The agreement that was signed with the OMA to actually move in this direction, I would suggest, belies the history of protectionism that goes on within that organization of the monies that flow. We have a wonderful example in Sault Ste Marie of a community health care centre, the Group Health Centre, which since its inception has fought the OMA and doctors in terms of any little bit of money they might get to actually support what I think would be a wonderful pilot project that doesn't need to be developed; it's already there.

How do we break down these silos? How do we get those groups to actually begin to work together and co-operate so we can get this primary reform done?

**Mr Rochon:** Mr Martin, that's a very difficult question you've posed. I think silos are a fact of life in almost any organization or system we deal with. In many respects, when you create a system or an approach, you are in part deciding which silos you're going to create and how you're going to manage them. In other words, you will always have silos.

I think one way of trying to break down the ones that exist and that may be getting in the way of the evolution of primary health care would be to create a system and an approach for providers where, when they look at the benefits of going into different practice arrangements with colleagues, they won't do anything but join up. We have to make it easy for them. We have to make it easy for individual practitioners to make decisions that they see in the best interests of their patients, their colleagues and themselves, so that together they can make the system improve. For example, by offering and encouraging physicians to work in groups, like the organization you referred to in Sault Ste Marie, we create an environment where practitioners' quality of life can improve dramatically and the access for patients can improve, because they have ways in which they can get to primary care providers in off-hours—in the evening or at night.

So I think one of the ways we can help to deal with the question of silos is to make the incentives so enticing that people are going to want to join up and patients are going to want to join up as well.

**Mr Martin:** So you're saying a combination of the voluntary and the enticements.

**Mr Rochon:** Incentives.

**Mr Martin:** Do you think voluntary will work?

**Mr Rochon:** The flip side is, if not voluntary, then mandatory. I think that in a province that's as large and diverse as Ontario, with in excess of 8,000 or 9,000 family practitioners, a voluntary approach is probably the best way to go at it.

**Mr Martin:** Are you aware of the Group Health Centre in the Soo?

**Mr Rochon:** Yes, I am.

**Mr Martin:** Have you been—

**Mr Rochon:** I've been to the Soo.

**Mr Martin:** Have you been to visit the centre?

**Mr Rochon:** I haven't been to the centre per se, but I've met with centre staff in my role with the restructuring commission.

**Mr Martin:** I would certainly recommend, in the new role you'll probably have after today—I don't sense there will be enough resistance here not to have you appointed—that you go and visit and have a chat with those people. For as long as I've been in this job, no matter what stripe the government, my own included, it seems they've been fighting an uphill battle. They've proven their ability to deliver and to set up an alternate model at the centre. My whole family—I've got four kids; we're all members of the Group Health Centre. They have, I think, 40,000 roster patients, and doctors and nurse practitioners and physiotherapists. They provide a lot of services they normally wouldn't be able to provide because of the unique and creative way they spread their money around and spend it.

Given that you were part of the restructuring commission and the work you've done there, why is it that an operation like the Group Health Centre in Sault Ste Marie cannot seem to make its way forward and be taken at least as a model? It's not one of the pilot projects. To me it's like the nose on your face. Maybe it's too much like the nose on your face. You don't see it because it's there and it functions and it does its job. Why is it that an organization like the Group Health Centre cannot get the recognition that I think it has earned? Why is it that it can't be used as a pilot project and given further opportunity to do even more?

I could sit here for half an hour—because I've worked with them very closely over the 11 years I've been in this job—about the ways they could expand and get into new areas and provide all kinds of services to the whole area of Algoma. Why is it they can't get recognition? Would the reason for them not being able to get the recognition and the battles they've fought have something to do with why we can't get primary care reform on the rails in this province?

**Mr Rochon:** I don't know how to answer the question about recognition. I think it's an important model to understand and to examine. There is, I suspect, at least 20 years of experience with that model in Sault Ste Marie that we can learn from. I think it's important. Perhaps part of the problem in the past, and this is just speculation, has been that the Group Health Centre and its way of doing business has been the exception. We have the Group Health Centre, we have community health centres in Ontario and health service organizations that all fundamentally deal with various forms of capitation payments. Maybe the issue is that it was the exception.

With the success in the future of primary health care reform in Ontario, the Group Health Centre won't be the exception. In other words, the relationship the payer, the province of Ontario, will have with the Group Health Centre will be similar to the relationships it'll have with other similar groups across Ontario and maybe those battles that you referred to won't exist in the future,

because they're not so much out of the norm of business relationships between physicians and primary health care providers in the province.

**1130**

**Mr Martin:** Out of your experience with the restructuring commission, and I'm sure having looked at Sault Ste Marie—it was the last community to have their program laid out—you understand the difficulties that had to have been on the table for you when you came in, because it always is, it seems. When I look at the Group Health Centre in Sault Ste Marie and I talk with some of the doctors who have come to practise there, they tell me about, as you suggest, the benefits of not having to worry when you get up in the morning and go to your building whether the heat is on and the electricity is running and all your staff are in place. That's there. You come in, you walk in and you do your doctoring. You work at your profession. You go home at night and you don't worry about running a business. When you go on vacation there's somebody to pick up the slack.

I suggest the reason that in many ways Sault Ste Marie has been as successful as it has, although we're still short of medical professionals and people have to travel a lot out of our community and that's a huge problem as well, is that the presence of the Group Health Centre has attracted a significant number of doctors to our area and continues to be a very important vehicle of primary care delivery in our community.

What do they need to do? What would you suggest they need to do in order to become the player that I think they have the potential to be in leading this reform that's going on?

**Mr Rochon:** I think one thing that the Group Health Centre might consider doing is—my answer is based on interviews that I conducted over three years ago, so you have to take my answer with a grain of salt. But I would argue that the relationships among providers in Sault Ste Marie have the starting point of a very interesting health system. The hospitals came together voluntarily to figure out how to work together in the community—I think that was a very extraordinary thing for those two hospitals to do—and overcame decades of competition. We have a very strong Group Health Centre and we have a community care access centre in the Soo that deals with access to long-term care and home care and so forth. If communities like the Soo can figure out ways in which those major elements of the health services system can work better together, I think that would be an important move forward, an important way in which citizens of Ontario can get improved service.

One of the issues we face in health services is the movement of patients through the various elements of the health services system. It's not only the handoff from one provider to another but also issues related to the flow of information and how information moves from a primary health care provider or group to a hospital and back to a nursing home and back and so forth. So those are very important parts of the system that I think can help make it better.

**Mr Martin:** You'll be happy to know that since your visit two years ago there has in fact been even more co-operation. The hospitals are working very closely with the Group Health Centre now in putting forth models and approaches and supporting each other in their needs for various resources. That's very positive. I think it speaks to the co-operative nature of some of the dialogue, as you suggest has happened in the Soo over a 10-year period now.

But what's the resistance? What's the resistance in government to that model, to the Group Health Centre such that they—

**The Chair:** This will be the last question, by the way.

**Mr Martin:** Yes—such that they couldn't get recognized as a pilot project in the, what is it, 13 that were—

**Mr Rochon:** I can't answer that question. I don't know. I don't know what the resistance, as you put it, would be. To me they are an example of one way of organizing primary health care services. I think it's worthy of our examination in the network to see if there are lessons that we can learn from the Group Health Centre in Sault Ste Marie that could be emulated in other parts of the province.

**The Chair:** Thank you very much, Mr Martin. We will now move to the government members, and Mr Wood.

**Mr Wood:** Do you think the goal of 80% participation by GPs by 2004 can be achieved?

**Mr Rochon:** It's ambitious, Mr Wood. I don't think I know enough to tell you if we can achieve that yet. We're just starting to get organized. It's going to be an ambitious goal; 80% is a lot. It means that major communities like Toronto, Ottawa, London, Hamilton need to have extraordinary participation by citizens and by primary health care providers to meet that goal. In dealing with communities of 400,000 or 500,000 to 2.5 million, organizing something like primary health care is a daunting challenge.

I think it is a reasonable goal; whether it can be achieved in 2004 or whether it's 2005 or 2006, I really don't know. But to make a difference, we need significant participation by primary health care providers. So I think that a goal of 80% is a reasonable one.

**Mr Wood:** Do you see primary care reform as achieving savings, and if so, where?

**Mr Rochon:** No, I don't see it as achieving savings. I think its main goal is to improve the system; it isn't about saving money.

**Mr Wood:** Do you see the costs as being likely to go up as a result of primary care reform?

**Mr Rochon:** I think that what we may see in the future is cost avoidance. In other words, if we do a better job at organizing primary health care services, we may be smarter at spending scarce resources in the future.

**Mr Wood:** Together, what I think I heard you just say—and perhaps you can confirm this if I got it right—you think that the costs won't go up as much as they might otherwise have gone up.

**Mr Rochon:** That's correct.

**Mr Wood:** OK. In marketing primary care reform to the physicians, what do you see as being the key messages that are important in that marketing effort?

**Mr Rochon:** To physicians? I think one is it's better for their patients because it brings together groups of physicians to help care for patients. I think it's better for physicians in terms of their lifestyle, in terms of their ability to have confidence that when they are not at work, are not answering the phone, their patients are being appropriately cared for by a colleague. I also think it will improve their own quality improvement processes, because groups of physicians together can learn from one another and can benefit from each other's experiences.

I also think that it would allow physicians to spend time where they think they need to spend time with their patients. In other words, being paid in a way that is more in keeping with the needs of their patients would allow them to align their own schedules and timing so that the patients are better served.

**Mr Wood:** What do you see as the key marketing messages to the patients?

**Mr Rochon:** That they'll get better access; that they'll have opportunities to be helped and looked after when their own physician is not available, but their information will be available to a colleague; that the physicians may not be as rushed as they might otherwise be; that, in the long run, as individuals age, they can be confident that the system that they'll be part of will adapt to their needs as well.

**Mr Wood:** Those are my questions.

1140

**Mr Bert Johnson (Perth-Middlesex):** Mr Rochon, I wanted to make a comment about your appointment and that was that I didn't want to hold you responsible for all of the shortcomings of the restructuring commission—and there were some—any more than I wanted to grace you with all of the successes, of which there were many. What I wanted to do was to listen to you today, read your resumé, use the experience I've had with you, sitting in on some of the restructuring work, and make my mind up on the job that I think you will do on this very important quest that is on.

I wanted to tell you that I'm gratified to hear the way you've answered questions and conducted yourself here today, along with my other knowledge, and it will be a pleasure to support your appointment for me personally.

**Mr Rochon:** Thank you.

**The Chair:** Further questions from government members?

**Mr Wood:** We will waive the balance of our time.

**The Chair:** Thank you, Mr Rochon, for being with us today.

Before we move to our next intended appointee, I just want to alert members of the subcommittee that it would be valuable immediately after this meeting if members of the subcommittee could meet briefly to discuss scheduling, which is always tricky when the House isn't sitting. We have other obligations as well in terms of having to

extend limits and so on. Mr Wood, did you have a comment?

**Mr Wood:** Given the fact that this may require unanimous consent, I wonder if we should do this with the committee as a whole. We may have to extend some time on this depending on what decisions are made with respect to the next sitting date.

**The Chair:** I think that's a good suggestion, Mr Wood. Because of the schedule of members earlier in the summer, we've sometimes had difficulty being able to contact members who are with other committees or fulfilling other obligations as members of the Legislature. So I think your suggestion is one that we should agree with. So at the conclusion of our business today, that is, the intended appointments, we will have the committee deal with the issue of further scheduling, the issue being trying to have as many people as possible before the committee, not stacking up as we sometimes end up doing, and whenever possible not having to extend the period of time. We want to accommodate both the needs of the committee and the order in council passed by cabinet to have a person there as quickly as possible if approved by this committee.

#### SAM CUREATZ

Review of intended appointment, selected by official opposition party: Sam Cureatz, intended appointee as member, Ontario Review Board.

**The Chair:** Our next intended appointee is Mr Sam Cureatz. He's an intended appointee as member, Ontario Review Board. Mr Cureatz, you may come forward, sir.

**Mr Sam Cureatz:** May I help myself to a glass of water?

**The Chair:** You certainly may. This is just between Mr Cureatz and me, but I hope you didn't bring a seagull with you today.

**Mr Cureatz:** As a matter of fact, I was hoping that after the review I might have a little presentation for you.

**The Chair:** The background to that, for members of the committee, is that when Mr Cureatz was a member of the opposition and I was the Minister of the Environment, he was asking about a problem with a landfill site and he sent across to me in the Legislature at that time a seagull. I don't know who had constructed it; it wasn't live. But he sent across a seagull to emphasize his point. I thought it was very innovative. Members of the present Parliament should know that would be considered a prop and would be out of order.

**Mr Dunlop:** You would use those.

**The Chair:** I thought it rather innovative at the time and it certainly would not prejudice, were I a voting member of this committee, the way in which I would vote in the committee. Welcome to the committee, Mr Cureatz, and welcome back to your old abode of the Ontario Legislature.

As you know, you have a chance to make an initial comment, should you see fit to do so. Subsequent to that, there are questions from each of the political parties

represented on the committee. At the end of the deliberations today, members make decisions on intended appointees. Welcome to the committee, and we're happy to hear from you.

**Mr Cureatz:** I do have some opening comments—I hope they're not too lengthy—with regard to the possible appointment of myself to this board.

Ladies and gentlemen of the committee, I would like to thank you very much for the opportunity you've given me in terms of allowing me the chance to be interviewed and to express some thoughts about the possible final conclusion to my appointment to the criminal review board. I want, however, to make a comment to all of you individually. I've had the wonderful opportunity of serving in this Legislature for almost half of my working life. As in all jobs, there are good aspects and bad aspects, but I want to say to you that I know very well the hard work you do brings you satisfaction at the end of the day.

Generally, I have nothing but fond memories of my service to the riding I represented and to all the people of Ontario in the various capacities I held here. Nevertheless, I also want to remind you that there is life after politics and, notwithstanding having served in the assembly for almost 14 years, it has been almost 14 years since I retired. In a lot of ways, when I look back, it seems like it never did happen and that I have developed a whole new career in my law profession.

I brought with me a complete resumé, of which I have copies for those of you who would like to review it now or after the session. Let me just mention a couple of things to give you an overview of who I am. My wife and I and my three sons have been residents of the village of Newcastle community, after my graduation from Queen's law school, for 30 years now. I began my practice of law in 1975 but was elected to provincial Parliament in 1977.

Over my 14 years, I had a wonderful opportunity, as many of you have, of serving in various capacities on behalf of the people of Ontario. For me, two of the highlights were serving as Deputy Speaker for almost half of my entire 14 years at the Legislature under two different administrations. I might add that the first administration was under William Davis, a Progressive Conservative Premier. I was nominated by the then House Leader for the Progressive Conservative Party, Tom Wells, and seconded by the Liberal Party leader, Bob Nixon. Secondly, I served as Deputy Speaker and Chairman of the committee of the whole House under David Peterson, the Liberal Premier. In addition to that, for a very brief time in 1984-85, I was minister without portfolio serving under Premier Miller as Minister for Parliamentary Reform.

I bring this to your attention for a particular reason. As I am sure you are well aware, the criminal review board is structured according to the Criminal Code, and the particular section is 672.38. I have, of course, had the opportunity of reviewing the section of the code and by no means do I claim—and I emphasize this—to be an expert in this section. Mind you, there are particular

provisions where it is recommended that a lawyer of good standing of the provincial bar, where the review board is being set up, is part of the prerequisite terms of a panel being struck to review particular cases and render a disposition. As you know, I fall within this designated category.

However, what I found interesting was that under the “Synopsis” section in the Criminal Code—and for those of you who haven’t had the chance, it’s a big book—in 672.54, there is a particular notation that the board structure is not adversarial. I was very enthusiastic about that. I felt very comfortable when I read that because, in terms of my past experience, the work I always felt best at was not in an adversarial position, and that includes working here in Parliament which, as we all know, tends to be very adversarial.

Both of my positions as Deputy Speaker meant having to work with all parties, with individuals of various concerns. I, and I believe the record stands me correct, never had to expel a member from the Legislature for disrespect to the Chair or on any of my rulings. Further, my appointment for parliamentary reform was part of the unfolding, of opening up the Legislature to include, amongst other things, television broadcasts. Unfortunately, my term was short-lived with the loss of the government, but I had written a particular article that was published in the Canadian Parliamentary Review, of which I have brought along a copy for those of you who are interested, outlining that, generally speaking, there should be continued openness in our parliamentary process.

#### 1150

I have a comfort level that I not only meet the requirements in terms of being a barrister and solicitor sitting on the board, but I also have the past experience of being able to balance and listen to, not in an adversarial position, the concerns I have expressed, certainly those that would be forthcoming rendering dispositions. I’m getting used to using the word “dispositions,” as under the Criminal Code that’s what a judgment is referred to in terms of the review board; it’s a disposition, not a judgment. I’m so used to saying the word “judgment.”

It will have to be a very balanced view taken in terms of protecting the public and the liberties of the individual in question. I feel very confident that I’ll be able to meet what is requested of me under these two concerns. I might add further that I have had the pleasure of being appointed as a deputy judge under the Attorney General, Howard Hampton, during the Bob Rae administration, and I’ve sat so for almost eight years. The deputy judge position has been with the Small Claims Court and, if you have been following recently, the limit has now been raised to \$10,000. I can assure you, on behalf of all deputy judges of Small Claims Court, that we do yeoman service in terms of giving assistance to people to try to make the legal process as gentle as possible so that they have an avenue available to them without extraordinary legal costs. That process often involves the judge—

myself—acting on behalf of the plaintiff, then acting on behalf of the defendant and then rendering a decision.

Of course, my continued involvement with the community after my retirement from politics, such as acting as director of the Oshawa-Whitby-Clarington United Way and as a member of the co-op and fundraising committee for the expansion of Durham College and the progression to university status, has helped me in a general way to have a continued hands-on involvement in our ever-evolving society. With this balancing over many years, again, I feel comfortable that this has put me in very good stead of sitting on the board of review for which I am being considered. The board, of course, does not necessarily fall under the traditional government board. The board falls within the federal jurisdiction of the Criminal Code, to be administered by the provincial government.

Again, I would be remiss if I told you I have had extensive experience with the board or in representing individuals appearing before the board. However, at first blush I am wondering how many lawyers really have had the privilege and opportunity of representing such individuals. I say this because for all practical terms, no doubt, the individuals in question have limited resources and possibly at the most rely on their solicitors who have made applications on behalf of their clients to the legal aid plan. I do not want to tell you about the difficulties involving the finances of those lawyers who practise extensively in criminal fields and who rely heavily on the funds provided by legal aid services. Regrettably, those funds often fall short of what it costs to run a law office today, and I’m so aptly aware of that nowadays.

I guess what I’m trying to say is that I do not feel too embarrassed about the fact that I’ve not had first-hand, hands-on experience representing individuals at the board, but I’m wondering how many lawyers do have such experience. I say that because when I was reviewing part XX of the Criminal Code, particularly section 672.25—again, I’m not bringing out these particular numbers to show that I’ve got some great credential in pulling out the various sections, but only that in this particular section it says that where there is an extensive detail regarding the manner in which, if an individual is not represented by counsel, how counsel would be appointed either by the review board or the Attorney General’s office. This says to me that from time to time it has been difficult to get counsel to represent such individuals, and then it is beholden to a process to ensure that individuals are represented by counsel.

In summation, I feel very comfortable that I’ll be able to perform my appointment with fairness, humility, understanding and compassion, all on behalf of you and the people of Ontario. I thank you for the opportunity of allowing me to make some introductory remarks. Some of you may have some inquiries of me.

**The Vice-Chair:** Thank you, sir. We will begin the caucus review with Mr Martin.

**Mr Martin:** Thanks for being here today and for your obvious long service to the public good of the province.

This is a tough appointment; in my view, one of the tougher challenges one would want to take on on behalf of the public. I'm just wondering why you would want to do this.

**Mr Cureatz:** That's a fair question; I appreciate that very much. As a practising sole practitioner in the village of Newcastle, and as I indicated to you, I feel in a lot ways that my political experience is now well behind me and that I've well established myself in my legal career. I'm sorry, Mr Martin, I don't know your background—I know you're from Sault Ste Marie—but for me it's always of great interest to continue to expand my legal knowledge and to have the opportunity to combine that with serving the people of Ontario.

In my community, in the region of Durham, we have the Whitby Psychiatric Hospital. I had the opportunity, of course, when I was the member to visit the institution a number of times—under all administrations woefully underfunded, and it continues today with concerns. It just so happens in a local paper back in July: "Who's Keeping an Eye on Criminally Insane Patients?" I feel, with the ability I've had first in serving here at Queen's Park and now with my legal background, that I would be able to help my own community, the region of Durham.

I don't know, but I understand there's a training process for those people who are appointed to this board. Part of my jurisdiction would be reviewing and giving dispositions on people at the institution that's within my community. It would allow me an opportunity to have, first, hands-on input in terms of concerns that the community has about the Whitby psychiatric institution, and secondly, embarrassing enough to say, it gives me the opportunity of expanding my legal field.

**Mr Martin:** Again, in keeping with my comment earlier that this will be challenging work for you should you be approved here today, from what I understand it's a constant balancing of interests. On the one hand, it grants persons deemed to be not criminally responsible for a crime a host of procedural rights and guarantees; on the other hand, the board is charged with the duty of assessing the accused's potential dangerousness to society when making a disposition. How are you going to do that?

**Mr Cureatz:** I think you've got the nub of the reason for the board. I read some history when I was the member in terms of the Lieutenant Governor's warrant, and the Supreme Court of Canada directed the provinces to go through a different process. I think this new process is worthwhile. A continued review of patients who are incarcerated in institutions centres in on an evolving society, that, notwithstanding the patient's individual problems, their liberties should still be attended to in terms of legal representation and continued monitoring, not only for their health but for their legal status. As you well put it, how do you do that, balanced against the local community's "Who's Keeping an Eye on the Criminally Insane Patients?"

The immediate knee-jerk reaction by the public out there—I might be wrong—would be, "Put them away

and throw away the key." I don't think that's fair. We have to look at each individual case. Certainly I know, sitting as a deputy judge, when we have a long caseload, notwithstanding that, I give to each individual case my full attention and try to do the best I can in terms of resolving the difficulties at hand.

That's the best I can answer you about how to approach giving a disposition on an individual who appears before the board. I see there are now some new innovative avenues available: the passage of what's referred to as Brian's Law by the federal government, the opportunity of ordering drugs to try to give assistance to those who are incarcerated. But this is new, and I think we don't have a background of precedents yet to see the success rate.

After that discourse, I think you're entitled to a quick synopsis. I guess for me the quick synopsis is that I would err at the beginning, as I learn the process, on being small-c conservative, with openness to the individual who is being reviewed, to have the case presented and to weigh heavily the possibility of the individual's having been rehabilitated and being allowed back into the community.

It's not so easy to say how you are going to do that. I think each individual case is going to have to be examined carefully, weighed and, for me personally at the moment, I will err on the side of caution. As I learn the process and feel more openness to psychiatric input, probably relying heavily on what they have to say, and get a comfort level, I would then feel that a possible disposition of greater leniency, of being allowed back into the community, would be forthcoming from me.

Does that help? I know it's a long answer. I'm struggling with it myself. I really am. I'm looking forward to the opportunity, though, to continue to struggle with it if I'm allowed that opportunity.

**1200**

**Mr Martin:** In your mind, is there any circumstance when society would turn its back and just walk away from an individual?

**Mr Cureatz:** I hope never, not for me.

**Mr Martin:** There would never be a circumstance where that would be—

**Mr Cureatz:** No, in terms of my political representation of individuals from all walks of life, which I know Mr Martin and all of you have probably had, in terms of my law practice—many people still think I'm in politics and come to my office. I give them assistance and direction. There's a phrase in law, pro bono, which means acting on behalf of someone and not charging. In a small community, I have to tell you, I did that regularly. I don't say that in terms of patting myself on the back. I'm just telling you that's the kind of person I am. If I'm not able to help them, then I give them direction as to where they can get help, and that's for people from all walks of life.

**Mr Martin:** You mentioned Brian's Law. That's a provincial statute that was passed here by this government, not without a great deal of debate back and forth

and concern from many groups out there interested in the rights of all individuals to proper process and support. Do you think Brian's Law will be helpful?

**Mr Cureatz:** Yes, I do. I don't think we have had the opportunity of getting a bank of precedence on individuals so that we have a greater comfort level—which brings up another area. Here I'm bringing out frustrations that I have about the board and the process, because it's very onerous in terms of the kinds of people you're dealing with. That is, are we keeping precedents? Then, do we monitor and release any statistical information pertaining to what has happened from the board and these individuals? I'd still like to have the opportunity to sit on the board so I can evaluate whether it would be helpful for the general public to have statistical information.

With regard to my past experience of openness, I don't think we should be frightened of the knowledge we're acquiring on whatever the board is, be it this board or some other board, and should share that knowledge with the general public. But I say that with a caution, that I'd like to get a better comfort level—I don't mean sharing statistical information so that individual rights are infringed upon, but more statistical information so that we have a comfort level. Is Brian's Law successful or not? I think it's a little early in the process yet to really evaluate its success.

I do know that when I was here, the legislation was passed so that generally, if I recall, there were some severe limitations, both for the police and family members, on being able to aggressively institutionalize people who are mentally ill. After my departure, continued interest and, I guess, pressure had forced the government of the day to re-evaluate and not make it as onerous—and that would be subsequent, also bringing in Brian's Law.

All these factors are still new. Generally speaking, the review board is pretty new, and I think it's going to be a learning process for the review board and the public in general to see if the needs are being met, both for the people who are appearing before the review board and for the people of Ontario. If not, I've had the opportunity of speaking with Justice Carruthers, who is the chairperson of the review board, and whether it's he or another chairperson sometime in the future—I don't know whether he has made recommendations to the government yearly or bi-yearly, but certainly it would be in the interest, I think, of sharing information and making recommendations that the board should be altered in such a way, or this way, or fine-tuned, for the benefit of those appearing and for the public in general.

**The Vice-Chair:** Time has expired, Mr Martin.

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

**Mr Smitherman:** Welcome to the committee. Isn't Newcastle all just Courtice now?

**Mr Cureatz:** That's a good question. Actually, no. It's very confusing. Under Darcy McKeough, when we regionalized, that big block of area—and I don't mean to divert but for a minute and a half—east of Oshawa

became the municipality of Newcastle. That's where Courtice was located. But there was also a village of Newcastle, which is near Port Hope, but the village was within the town of Newcastle—that's what it's called. So after a 10- or 15-year process—I think the confusion is still with the community of Durham near Collingwood and the region of Durham. They haven't resolved that one yet. They resolved ours by changing the name from the town of Newcastle to the municipality of Newcastle, in which there are local communities, one of which is the village in which I live and the other is the Courtice area in Bowmanville.

**Mr Smitherman:** Thanks. Is there a big homelessness problem there?

**Mr Cureatz:** Not in the village of Newcastle, no. It's a thriving small community of 5,000 people. But some of my practice does extend to the city of Oshawa. In my representation for three terms I shared the city with Mike Breaugh, whom I got along with very well, by the way—the NDP representative—and I still have occasion to be actively involved in the community. I don't have a hands-on response. Is there a great homelessness problem in Oshawa—

**Mr Smitherman:** How about Whitby?

**Mr Cureatz:** That is farther away from me and I feel less comfortable answering that about Whitby.

**Mr Smitherman:** It gets to the heart of the questions I'd like to ask you. Mr Johnson and I were entertained by your talk about the adversarial nature of this place, but we met up in Nebraska and we basically love each other. I found interesting the work you did on parliamentary reform. I think you'd be disheartened by what goes on around here now.

**Mr Cureatz:** I'm sorry to hear that.

**Mr Smitherman:** Let me just say that with respect to Brian's Law, I voted for Brian's Law although not all members of my party did, in part as a show of faith that a legislative prescription might provide an opportunity for a limited number of people who are a risk to the community, and more particularly to themselves, that they might be forced and therefore available to obtain services which they weren't otherwise accessing, services that were designed to improve their state of mental health.

I'm not sure statistics have been compiled well, but I understand from Bridget Hough, who is the executive director of the Toronto chapter of the Schizophrenia Society of Ontario, that since this bill was given royal assent closing in on a year ago, something like 20 community treatment orders only have been—

**Mr Cureatz:** Does that mean for individuals?

**Mr Smitherman:** Yes, 20. So 20 individuals, in other words, have had community treatment orders written, and that's across the breadth of Ontario.

**Mr Cureatz:** I'm shocked, actually.

**Mr Smitherman:** Let's not pretend that Brian's Law has so far for very many people provided enough help.

You're in my riding. I represent Toronto Centre-Rosedale, which would have been mainly Susan Fish's

territory, I think in the days that you were here. You would probably well know that my riding is home to the largest concentration of hostel shelter beds in Canada and a variety of other services that tend to be focused on people, including people who have been discharged from mental institutions in the absence, in my opinion, of adequate community supports. At the heart of my question is what your attitude would be in determining the appropriateness of release, determining the adequacy of community supports that are specifically available where additional resources can be called in to assist individuals. I guess I'm thinking about family or specific relatives who are offering something in addition to the existing services that are available in communities, because I do very much fear that the absence of services in some communities has meant that the concentration of people who are challenged is occurring, frankly, in places, and that if you hit a critical mass of people like that, you begin to impact the quality of communities.

1210

In other words, my residents, the residents in Toronto Centre-Rosedale, I think are very happy to—they recognize the historic role that our neighbourhoods have played in being home to transient people, a lot of new Canadians, and we take pride in the nature of our communities. But if you hit a certain critical mass where there is too strong a demand on a community and its resources, the net effect is a deteriorating quality of life in those communities which in fact imperils the potential that these newly released folks might have of making a successful transition to broader society. If you look, as an example, at the very strong connection between addiction and mental health, unfortunately many of the people who are being released from institutions, including jails, are being released into areas where there is a concentration of criminal activity and too often drugs.

I've gone on longer than I should have.

**Mr Cureatz:** No, and as a matter of fact I must confess to you that I hadn't made the jump yet in terms of the role of the board and, if you make a disposition, what's the seriousness of the outcome? That's what you're really saying, and I'm glad you brought that to my attention. I've just made a few notes: the need to follow up with the disposition of the placement in the community. What happens in the community? Can the community handle the situation? Are there resources available in the community? I'll remember all that you've said. I don't have a comfort level yet, not having a hands-on working familiarity with the board, that these kinds of questions can be followed up, but you're absolutely right: what's the use of having a comfort level, a feeling that a disposition can be made on behalf of an individual that he or she might have the privilege of going back into the community, if they don't have the support in the community, be it closeness to hospitals or family members? I don't know what the structure is there but it sure doesn't make much sense if you allow people who have been incarcerated back into the community and

there is not the support for them so that they can rely on continued help. That's not going to solve the problem.

**Mr Smitherman:** I asked the question about Whitby earlier because it strikes me that sometimes communities—let's talk about a Durham region context. I know Durham region reasonably well. I have family in Oshawa and served for a couple of years as my party's critic for the GTA and spent a lot of time in Durham region. If I think about Whitby, I think about an affluent community of mainly single-family houses that are owner-occupied and with a very low proportion of tenants and an even lower proportion of affordable housing. In a sense, Oshawa is the community that has been forced to take on Durham region's responsibilities for the provision of social services, often, in my opinion, at the expense of Oshawa's reputation among those other municipalities; that Whitby is allowed to talk about itself with its very high level of household income while Oshawa—

**Mr Cureatz:** Bears the brunt of those responsibilities.

**Mr Smitherman:** —bears the brunt. What about, then, taking a look at trying to make sure that we determine the—

**Mr Cureatz:** Spread the responsibility.

**Mr Smitherman:** And that we determine the origins of people who find themselves in need of additional social services.

Not very many people in my riding are from Toronto Centre-Rosedale; not many people were born and bred there. I'm from Etobicoke. But it is a place where there is this perceived warmth or accommodation that comes from the anonymous areas of a downtown. You know that's occurring in Durham region. If we're going to have successful transitions, particularly for some of these people who have been committed with very serious concerns about their potential for causing harm, it strikes me that we need to work very hard to make sure that there is a more adequate system of support that is broadly spread. Reconnecting these people with their roots and with those additional resources, those family resources, trying to work toward reunification and looking expressly at that is a way we can begin to reverse the trend we have in our province toward creating ghettos—and that's not a word I use lightly—in our urban areas of neighbourhoods where more affluent people draw an imaginary line around them and avoid them. That is unfortunately the effect of what we're doing by allowing these concentrations to move on.

I support additional resources for homeless people and I think we have a responsibility we're failing on. This government tried to embarrass me when I refused to support turning an empty hospital into a hostel for 500 people, which is a mass of people in need who ought not to be housed in that number. Everywhere we've done that it's been a failure, both for the residents and for the local communities. So I would ask you, encourage you, implore you to be conscious of that. I would be very grateful, as part of the training process you spoke of, to give you even an hour or so of the flavour of the kinds of challenges that the constituents of Toronto Centre-Rose-

dale and other ridings like Trinity-Spadina and Parkdale-High Park are experiencing here in the city of Toronto. We've got to do a better job of connecting people with supports that are adequate to their needs, and we're not doing that.

**Mr Cureatz:** Well, Mr Smitherman, you're inviting me and I would like to take you up on that invitation in September.

**Mr Smitherman:** Good. Thank you.

**The Chair:** We now move to the governing party.

**Mr Wood:** We've waived our time, actually.

**The Chair:** You've waived your time? I was not present at that time. That completes our discussion with Mr Cureatz.

**Mr Cureatz:** Is this part of the program over?

**The Chair:** This part is over.

**Mr Cureatz:** If I might, and if we're not on the record—if we are on the record, I won't say anything untoward.

**The Chair:** Everything is on the record.

**Mr Cureatz:** I never did have a picture of that eventful day in 1988 when Metro Toronto was thinking of putting a landfill site in my riding, but I did have it on video. The video crew very kindly donated it to me as a keepsake. I went out specifically and got a still picture. Unfortunately, they gave me the video of myself but not the video of you holding the apparatus in question.

**The Chair:** Thank you. I'll let you make this presentation. It's unorthodox but—

**Mr Cureatz:** I've got the picture of me presenting it to you.

**The Chair:** Thank you very much. That's a very good photograph.

**Mr Smitherman:** What happened to your hair?

**The Chair:** I should note, because I think this is broadcast province-wide, that Mr Cureatz's hair was darker then, as was mine, I think, at that time. But this was very interesting. It's a fascinating part of our job that we can be in opposition and in government and have our confrontations at certain times and we still are able to have many humorous moments in the Legislature and in legislative committees.

Thank you very much, Mr Cureatz, for being with us today. You may step down and we will now engage in our deliberations. I will pass the photograph around.

**Mr Cureatz:** I remember, Mr Chair, that your comment when I presented it to you was—I gave you a seagull and you said, "There is a gull, there is a B gull but not a seagull." You forgot that, I can see, but I remember it.

**Mr Smitherman:** It wasn't funny then and it's not funny now.

**The Chair:** It's one of those witticisms. Thank you very much, Mr Cureatz.

Members of the committee, we will now move to the consideration of the appointments and, subsequent to that, at Mr Wood's suggestion, we will determine, as a committee, our future schedule.

Our first intended appointee was Mr Bob Pennock, intended appointee, Ontario Parole and Earned Release Board.

**Mr Wood:** I move concurrence.

**1220**

**The Chair:** Concurrence has been moved by Mr Wood. Any discussion of this appointment of Mr Pennock? Any comment or discussion? If not, I'll call the vote.

All in favour? Opposed? The motion is carried.

The second one we will consider is Marc Coombs, intended appointee as member of the Township of Cramahe Police Services Board.

**Mr Wood:** I move concurrence.

**The Chair:** Mr Wood has moved concurrence. Any discussion? Any comment? If not, I will call the vote.

All in favour? Opposed? The motion is carried.

The third was Mr Ron Nisbet, intended appointee, Ontario Parks Board of Directors.

**Mr Wood:** I move concurrence.

**The Chair:** Mr Wood has moved concurrence. Any discussion?

**Mr Smitherman:** A comment, Mr Chair.

**The Chair:** Mr Smitherman and then Mr Martin.

**Mr Smitherman:** I'll be voting no to this appointee because I felt that the answer to a very basic question, which was with respect to an issue that he knew well was a local issue related to the government's toying with the idea of selling off part of Bronte Creek Provincial Park to a golf course developer, did not meet with his full disapproval, and that, for me, was a litmus test of him being able to properly conduct his important responsibilities. So I will not be supporting this appointee.

**Mr Martin:** The oversight of parks is of particular interest to any of us who call northern Ontario home. As this government moves to define northern Ontario as most of Ontario now, it should be a concern to even more people.

Even though I believe Mr Nisbet to be a decent and honourable person who may in fact do a fair job, he has really no background, other than he has a cottage and he likes to golf, in this very important and complicated work that needs to be done, particularly given the scenario that's unfolding out there with this Lands for Life and Living Legacy, and, I suggest, the battle that's looming between some of the parties that in fact actually signed on to the agreement to launch the Living Legacy initiative.

So I think we need to be appointing to the Ontario Parks Board of Directors people with greater experience and knowledge and understanding in this area. I would hope that the government, if Mr Nisbet doesn't get appointed or if there comes another opening in the not-too-distant future, would look to the north for some appointees to that board. Some of us who have worked very hard over a long period of time to be good stewards of that essential and very important resource that supports life, whether it's water, air, the ecosystem or the animals that we all depend on and live alongside of,

have, just by the very nature of where we live and our day-to-day activity, a tremendous amount of experience and knowledge and understanding in those areas, and not many of us get appointed to these boards, it seems.

So I won't be supporting Mr Nisbet's appointment, even though, as I said, I found him to be a very decent and concerned individual. I appreciated some of the stories that he told, but I just don't think he's got the background and the experience necessary to carry out the job that will be required of this board as we move forward in defining and governing the park areas in the province.

**The Chair:** Thank you very much. Any further comment? If not, I will call the vote.

All in favour? Opposed? The motion is carried.

The next is Mark Rochon, intended appointee as member, Ontario Family Health Network.

**Mr Wood:** I move concurrence.

**The Chair:** Any comment?

**Mr Smitherman:** I also request a recorded vote on this matter, Mr Chair.

I'm astonished that someone of Mark Rochon's experience—and bad experience, in my view, in relation to this government—would come forward suggesting that he's an appropriate candidate-proponent based both on his past experience with the Health Services Restructuring Commission, where the government gerrymandered that process to the point where it selected some items and not others to the effect that it caused very significant problems in our health system. Some of those problems continue to manifest themselves in my riding as of today. I was disheartened by the efforts to which Mr Rochon went to dodge the essential question that I asked of him, which was why would you allow yourself to stand again when the work that you did last time and that you professed to be proud of was butchered to such a great effect by the government.

With respect to the issue of primary health care reform then, it raises questions in my mind about his capacity to have the government implement what those folks in the field who are specialists—people like him—are bringing forward. I don't have the confidence in his ability to do that because he demonstrated to me today, like so many other of the heads of institutions which are entirely dependent upon the government for funding, an unwillingness to call a spade a spade. I think that he, frankly, lacks what we need in primary health care reform, which is someone to help to steel the government, to give life to the words they use all too frequently. So I find that, notwithstanding his broad experience in the health service, his reluctance in being forceful in his dealings with the government make him an unsatisfactory candidate.

**The Chair:** Any further comments? If not, I'll call the vote, and there has been a request for a recorded vote.

### Ayes

Dunlop, Johnson, Molinari, Wood.

### Nays

Crozier, Martin, Smitherman.

**The Chair:** The motion is carried.

The next intended appointee is Sam Cureatz, intended appointee as member, Ontario Review Board.

**Mr Wood:** I move concurrence.

**The Chair:** Concurrence has been moved by Mr Wood. Any comment?

**Mr Smitherman:** I came with an open mind today toward this appointment because I remember that—

*Interjection.*

**Mr Smitherman:** Garfield wouldn't know anything about an open mind. I remembered that—

**Mr Dunlop:** I most certainly would.

**The Chair:** That is out of order.

**Mr Smitherman:** I remembered that my former boss Hugh O'Neil always said nice things. But here we are and I must say that we're five for five yet again on a government that can seemingly only find white males as appropriate for appointment. I'm going to support this one, but on a day when we have five appointees and two of them are former Conservative parliamentarians, I think there is a message here that is sent to Ontarians that it's business as usual with the Family Compact well entrenched. I would just say to the government that if they're having such a difficult challenge finding candidates who are more reflective of the breadth of Ontario society, then we'd be very happy to help them.

**The Chair:** Thank you for your comments. Any further comments? We will call the vote, then.

All in favour? Opposed? The motion is carried.

That concludes our consideration of intended appointees.

We will now move to the issue of scheduling. Mr Wood, did you have an initial comment?

**Mr Wood:** I would think, looking at the calendar, that the two weeks we might look at would be the week after Labour Day or the week after that week. If we go to the second of those two, I think we have to extend time for consideration. I don't have a strong view one way or the other as to those two weeks, but it may well be that other members of the committee do.

**The Chair:** I will try to get some comment on that, because if we can try to develop a date now that may be acceptable, we can do that.

**Mr Wood:** That is what I was going to suggest. That's what I was leading to.

**Mr Martin:** Either of those two weeks is fine.

**Mr Crozier:** We'll do our best. I know my colleague here this morning, Mr Smitherman, is subbing in, so I don't know about Ms Dombrowsky. I won't be available in those two weeks, but I'll see that there is a substitute available.

**The Chair:** There will be a representative of the official opposition there. That's fine. Any further comments, Mr Wood? Any specific suggestions?

**Mr Wood:** I was wondering about the Wednesday after Labour Day.

**The Chair:** Wednesday, September 5. Is that a problem for anyone here that we can see? If it is not a problem, then can we agree? Shall I put it to a vote that the next meeting will be Wednesday, September 5 at a time to be determined by the committee? Is there a suggested time, Mr Wood?

**Mr Wood:** I like what you just said.

**The Chair:** At a time that will be agreed upon by the members of the subcommittee?

**Mr Wood:** I leave it to the Chair.

**The Chair:** OK, to the Chair, that's even better.

**Mr Wood:** Any reasonable time determined by the Chair.

*Interjections.*

**The Chair:** The Chair will be very reasonable, I can assure you of that. I always like to see that members have sufficient time to be able to get into the city of Toronto for this purpose.

That's good, I think that'll be a good time. We will not require an extension, then. I'm sure that each of the caucuses will be appropriately represented.

All in favour of that motion, by the way, by Mr Wood? The motion is carried.

Any other business to come before the committee? If not, I'll accept a motion of adjournment from Mr Martin.

**Mr Martin:** I move adjournment.

**The Chair:** All in favour? The motion is carried. The meeting is adjourned.

*The committee adjourned at 1231.*







## CONTENTS

Wednesday 22 August 2001

<b>Subcommittee report</b> .....	A-161
<b>Intended appointments</b> .....	A-161
Mr Bob Pennock .....	A-161
Mr Marc Coombs.....	A-165
Mr Ron Nisbet .....	A-167
Mr Mark Rochon .....	A-170
Mr Sam Cureatz.....	A-175

### STANDING COMMITTEE ON GOVERNMENT AGENCIES

#### **Chair / Président**

Mr James J. Bradley (St Catharines L)

#### **Vice-Chair / Vice-Président**

Mr Bruce Crozier (Essex L)

Mr James J. Bradley (St Catharines L)

Mr Bruce Crozier (Essex L)

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington L)

Mr Bert Johnson (Perth-Middlesex PC)

Mr Tony Martin (Sault Ste Marie ND)

Mr Frank Mazzilli (London-Fanshawe PC)

Mr Jerry J. Ouellette (Oshawa PC)

Mr Bob Wood (London West / -Ouest PC)

#### **Substitutions / Membres remplaçants**

Mr Garfield Dunlop (Simcoe North / -Nord PC)

Mrs Tina R. Molinari (Thornhill PC)

Mr George Smitherman (Toronto Centre-Rosedale / Toronto-Centre-Rosedale L)

#### **Clerk pro tem / Greffier par intérim**

Mr Douglas Arnott

#### **Staff / Personnel**

Mr David Pond, research officer,  
Research and Information Services