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**Assemblée législative  
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**Official Report  
of Debates  
(Hansard)**

**Wednesday 23 October 2002**

**Journal  
des débats  
(Hansard)**

**Mercredi 23 octobre 2002**

**Standing committee on  
government agencies**

Intended appointments

**Comité permanent des  
organismes gouvernementaux**

Nominations prévues

Chair: James J. Bradley  
Clerk: Anne Stokes

Président : James J. Bradley  
Greffière : Anne Stokes

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## LEGISLATIVE ASSEMBLY OF ONTARIO

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON  
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES  
ORGANISMES GOUVERNEMENTAUX

Wednesday 23 October 2002

Mercredi 23 octobre 2002

*The committee met at 1006 in room 151.*

## SUBCOMMITTEE REPORT

**The Chair (Mr James J. Bradley):** I call the committee to order. Our first item of business is the report of the subcommittee on committee business, dated Thursday, October 17, 2002.

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

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

**Mr Bert Johnson (Perth-Middlesex):** Do we get a copy of that?

**Clerk of the Committee (Ms Anne Stokes):** I can get you a copy. A copy was sent to your office last Thursday morning, but I can get you another copy now. I've got one right here. Do you want me to make copies for the committee?

**The Chair:** Any members of the committee need further copies? Mr Johnson can have mine. I'm not going to share mine with Mr Johnson.

**Mr Johnson:** I'm satisfied.

**The Chair:** Thank you very much, sir. Any other discussion? If not, I'll call the motion. All in favour? Opposed? The motion is carried.

## INTENDED APPOINTMENTS

## RICHARD FRAME

Review of intended appointment, selected by the official opposition party: Richard Frame, intended appointee as member, council of the College of Chiropractors of Ontario.

**The Chair:** We now move to appointments review. The first individual is Richard A. Frame, intended appointee as member, council of the College of Chiropractors of Ontario. Mr Frame, you may come forward. As you are aware, you have an opportunity, should you choose to do so, to make an initial statement, the time of which is subsequently subtracted from the government caucus's time. Subsequent to that, there are questions from members of the committee. Welcome, sir.

**Mr Richard Frame:** Thank you, Mr Chair and committee members. I do have a few words of introduction. The first thing I'd like to say is that it's an honour to be considered for this appointment with the council of the

College of Chiropractors of Ontario. I'm just going to give a brief history of my working career and a little bit of who I am.

I started out as a coordinating producer in the Department of Supply and Services in the federal government for a number of years. During that time, I was seconded to the Ministry of External Affairs, where I managed international trade and communication strategies for the 1988 Calgary Olympics. From there I moved on to Canada Newswire, also in Ottawa, for a little while.

We moved to Oakville and I worked for Dome Productions, which is a subsidiary of NetStar. From there, I was promoted, as I like to think of it, because I have a bit of a sports background, to one of my dream jobs, at the Sports Network, TSN.

I then started a company called Frame-by-Frame Strategic Communications Inc with my wife. I was a communications adviser to a few ministers: the Minister of Long-Term Care, intergovernmental affairs, the women's secretariat and the Minister of Education. I then went back to working with Frame-by-Frame.

On the education side, I attended the University of Waterloo. I also briefly went to the University of Houston in Texas on an athletic scholarship for swimming. On the swimming side, as a competitive swimmer I was a three-time member of the Canadian national swim team and holder of various provincial and national records and achieved world ranking in the backstroke. I represented Canada on a number of international swimming events, such as the Pan American Games, where I was a two-time finalist, and Europe and other invitational swim meets.

On an even more personal side, I'm a member of the board of directors of the Oakville Aquatic Club and on the board of directors of Fishing Forever, which is a non-profit organization helping pursue the environmental side of fishing. I've been on the Oakville Chamber of Commerce.

At one point, I left my job at Queen's Park, after discussions with my wife, to become the primary caregiver for my two children and worked out of the house to have more time with them. I have freed up more time for, I'd like to think, things like this.

During my working career, I twice found myself with back pain where I needed the help of a chiropractor. I believe I understand the role of the chiropractor and the role of the patient. I'm an average guy, and I believe I can play a positive role on this council. Thank you.

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

**Mr Michael Gravelle (Thunder Bay-Superior North):** Good morning, Mr Frame. We're always curious about your background when we have people interviewed for these positions, and I am curious about your background in terms of the ministers you may have worked for. Can you give us some more detail as to which ministers you worked for and what role you played? I know there's some reference to you doing some work for the Premier as well.

**Mr Frame:** The Premier's office initially contacted me and asked me if I would go into Minister Jackson's office, play the communications role and work with them, which request I accepted. Then I was also asked to go to Minister Dianne Cunningham's office and work in a communications role there under intergovernmental affairs and the women's directorate. Then I was asked to go to the Minister of Education and do the communications role with her. That was under Minister Ecker.

**Mr Gravelle:** Your background suggests you have very relevant skills to be a communications expert, and I certainly don't question that. Was your entrée into that because of your association with the party? Are you a member of the Progressive Conservative Party?

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

**Mr Gravelle:** So you were a supporter of some of these members or ministers, I guess, in that sense.

**Mr Frame:** I believe in what the government's doing, what their intentions are and what their platform is, yes.

**Mr Gravelle:** That fairly leads me to the question of, how did this position you're being offered come about? Was it as a result of your relationship with those ministers? Were there other opportunities you sought out?

**Mr Frame:** I had mentioned to my member of Parliament when I had left Queen's Park that I would be interested in staying involved. I have ongoing friendships with people I've worked with in the past. They knew my intention was to work out of the house, but being the primary caregiver—both my children are in school—I pick up contract work when I can and I'm available for something like this. When the opportunity came up, I was very interested.

**Mr Gravelle:** How did this specific appointment come about? Was it the one you wanted? Did you seek out this particular one?

**Mr Frame:** No, not this particular one. I'm very interested in the health care area, and when they asked if I would be interested in this, I said sure. My interest in the health care side—I think we are all aware of the need for better health personally. We're also aware of the challenges that are presented in the health care system. Like most of us, I'm looking to understand it better and do what we can to help make it better. That's just my day-to-day thinking. When this was offered to me, I wasn't going to say, "That's not the one I want." I was thrilled that I had an opportunity to do this.

**Mr Gravelle:** So you got a direct call from your member, then?

**Mr Frame:** No, it was a member of the Minister of Health and Long-Term Care's office.

**Mr Gravelle:** Who was the minister? That would be Mr Clement, I presume?

**Mr Frame:** Yes.

**Mr Gravelle:** Who's your local member?

**Mr Frame:** Gary Carr.

**Mr Gravelle:** I have some questions I want to ask you specifically about the appointment, but I want to ask Ms Dombrowsky if she has any questions in relation to what I'm asking.

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** No, you've asked my questions.

**Mr Gravelle:** OK. This is an important council to be on. There has certainly been a fair amount of attention paid to the issue in relation to some of the controversy surrounding chiropractic. I presume you're conscious of that, and I'm wondering if you have any thoughts. I know you're a public member of the board and you're not expected to be an expert in that area. It is a board where the majority are practising members. I'm curious as to where you come from in terms of what you hope to achieve on the council.

**Mr Frame:** I am conscious of it and I have been conscious of it based on the media for the last couple of years. I think the issue you're speaking of is that there was a woman who, after having her neck adjusted, had a stroke. I think it was about four months or a considerable amount of time later.

My take on that first is that as a public member—I am not a doctor or even a health care specialist—I think what I would bring is just a rational sort of understanding to it. My view in that area is that I'm not seeing a lot of cases like this. I don't want to dismiss in any way that it's not a serious concern, and obviously there are a number of groups taking this as a serious concern.

My intention would be to try to read up a lot more, find out what the specifics are and better educate myself on what the concerns really are, try to get some perspective. Does this happen a lot more than the public is aware of? Is this a common concern? Is the percentage of this very low, that it can be considered as just one of those things that sometimes happens? I would want to make sure I had a bit better perspective on what that was before I passed judgments.

**Mr Gravelle:** Do you think part of your role, presuming you are appointed, is to try to bring the issue forward in terms of the council itself, or do you view your role as being an advocate for the profession?

**Mr Frame:** To take the first question first, in terms of my role, again I want to understand all the concerns equally initially. I want to say that if this receives a disproportional amount of attention to all of the issues or is a significant issue that needs significant attention—right now, I'm not exactly sure what that is.

The second question was about being an advocate. To a certain extent, I think I can be an advocate. What I want to do is that I think there's a role for the chiropractor. If it

can help people become healthier, if it can educate people on their own personal health, I think the role is significant. That's it.

**Mr Gravelle:** Leona, do you have any questions?

**Mrs Dombrowsky:** No.

**The Chair:** I move to Mr Martin.

**Mr Tony Martin (Sault Ste Marie):** Good morning. Tell me what you know about the Regulated Health Professions Act, if anything.

**Mr Frame:** As I said, I'm not the professional here, but from what I understand, the intention is to regulate, in this case, the College of Chiropractors, that all chiropractors must meet certain standards, be educated in and qualify to become a member of the college and maintain those standards and that the college is responsible for making sure members meet and maintain those standards. The act ensures that and the college monitors and maintains those standards.

**Mr Martin:** What do you know about the scope of practice of chiropractors?

1020

**Mr Frame:** Probably the majority is that people with back pain go and see a back care specialist. The chiropractor understands what back pain is. The scope can be that it could be a back adjustment, it can be massage, it can be advice on exercise, diet, stretching. It can vary within that range. The chiropractor can offer a number of solutions to alleviate the back pain of the patient.

**Mr Martin:** Part of the difficulty in rolling out the Regulated Health Professions Act is the continuing struggle among professions for turf. Who do you think would be the big competitors for chiropractors?

**Mr Frame:** You know, I haven't really thought about it. Chiropractors, from what I understand—and I am just going off on my own opinion here. Chiropractors probably see more reactive business, that is, people with back pain go, "My back hurts. I'm going to go see a chiropractor." On the proactive side, it's basically the fitness industry that would—once people are more active, physically fit, from what I understand, your stomach muscles are stronger and the chances of back pain being created and increasing become less. So the fitness industry, I would think, is a competitor.

**Mr Martin:** Do you see chiropractic fitting into, for example, the reform of primary care in the province?

**Mr Frame:** I don't know all the details of what that would imply, so I caution myself on answering that question. What I will say is that in my own personal case—and I think it could benefit others—when I had my back pain, I wish I had known earlier how to prevent it. I would have tried to increase my fitness regime, increase my stomach muscles and do those types of things in order to avoid the back pain.

I'm sorry. Can you give me that question again?

**Mr Martin:** Just the reform of primary care and how chiropractic would fit in.

**Mr Frame:** You know what? I don't think I can answer that. I don't know what the role would be specifically and enough about the reforms, what would

be necessary to make that a significant change in a reform.

**Mr Martin:** The reform, to some degree, is to try and bring more of the professionals in the health care field together under one roof so that there's a continuous, seamless transference from one to the other, depending on what was required. I was just asking if you felt that in that the chiropractor would find a slot somewhere.

**Mr Frame:** In theory, that sounds very good. My experience in this world is that theory and practice don't always mesh comfortably. I'd like to become more aware of the specific concerns of the College of Chiropractors and to know that I would agree that the theory of meshing them all together would be beneficial for the college and patients of the chiropractors.

**Mr Martin:** Do you think chiropractic care should be covered by OHIP?

**Mr Frame:** Yes, I like the fact that it is. I know that right now it's limited, but I think it can play a role there, yes.

**Mr Martin:** Having said all that now, what would be the biggest motivator for you in terms of accepting this appointment? I think my biggest role here is to make sure that the people we appoint have some very clear and legitimate reasons for seeking an appointment and come to a particular challenge with some background or expertise. What would be your biggest motivator for this? I know you were under the care of a chiropractor, so you've experienced that. Why this appointment among so many others in the health care field? You just said you're interested in health care.

**Mr Frame:** First, it's health care, and any form of health care, as I said earlier, has some challenges. I'm interested in it because I think we can all find a role where we can increase our awareness of our own personal health. I think the chiropractic field is one of the areas we can become more familiar with and more comfortable with in order to avoid back pain. As someone who has had back pain, it can be pretty limiting at times. If we can play a role to be more aware of that and can decrease the time that people spent away from their jobs, I think that's a significant contribution to society. I'm a big fan of any time we can do that. To keep people healthier and happier with their families and their jobs and not interrupted by any type of pain that keeps them away from those is enough for me to try to do what I can to play that role and to make things better.

**Mr Martin:** You mentioned earlier that you, a member of the Progressive Conservative Party, have worked with various ministries and support the direction of the government we have in place now. How do you see that meshing with your appointment to the chiropractic college?

**Mr Frame:** I agree with the present government's direction and I also believe in good health care. I'm not exactly sure what you're trying to get to there.

**Mr Martin:** I'm not trying to get anywhere. I'm just trying to see if there's a connection for you.

**Mr Frame:** I don't really see one. As I said in my introduction, I'm just a guy that's had different jobs. I

used to be an athlete and I know what it's like to be healthy, and if there's any way I can play a role in helping people stay healthy, then I'm happy with that.

**Mr Martin:** You're aware that there is some controversy about chiropractic at the moment in terms of some of the neck adjustments and back adjustments and the contention that some folks have gotten strokes and that kind of thing. Any comment or—

**Mr Frame:** As I said before, I don't feel that as a public member—I'm not a health care professional specifically. As a general public member, sure, I'd like to become more aware of the specifics. I'd like the details of how it happened. Is this a common thing? I read it on a Web site. I guess before I comment on that, I would like to become more aware of the details. If this appointment does go through, I'd like to find out what some of the experts can tell me and try to find some other research I can gather on my own and come to a rational conclusion. I'm concerned about it, but I'm not willing to state one way or another that I think this is a major or a minor concern. I don't know at this point.

**The Chair:** That concludes your questions, Mr Martin. We now move to the government caucus.

**Mr Wayne Wettlaufer (Kitchener Centre):** Mr Frame, welcome, first of all, this morning. I too, like you, have had experience with chiropractors—maybe I've had more than you have. I suffered a very serious car accident many years ago and I wouldn't be walking if it weren't for a chiropractor. The physicians wanted to operate.

There is nevertheless a train of thought among the public that while chiropractic visits are very good, very beneficial for those, as you described, in the reactive situation, there are those among the public and probably in the opposition parties, maybe even in our own party, who feel that there is an insistence on the part of chiropractors that patients visit them every two weeks or every three weeks or every month in what they call preventive health care. There are those who feel this is a drain on OHIP, on the health care system. Do you have any views in that regard?

1030

**Mr Frame:** As to the beginning of your statement, I found, after having my back pain, that I went for my adjustments with my chiropractor but I also did what he told me to, which was exercise more and become proactive about my own health care. I think what you're also implying and, if I can say, one of the concerns we have is that we want to keep people out of hospitals, want to keep people out of being further drained. If the chiropractor and the patient believe that visits every three weeks are necessary to avoid further pain and further potential disability, then I think that needs to be considered.

If it's a general sort of feeling—and I don't know this—that chiropractors are just trying to do this for business, then I'm concerned about it. But I don't know that as a fact. I'm not in the room when the chiropractor, a doctor and the patient are discussing that particular patient's well-being.

**Mr Wettlaufer:** Very good. You're aware, of course, that chiropractors push what I would call holistic medicine. They stress the use of vitamins as opposed to pharmaceuticals. There are times where that could be construed as somewhat controversial. Many people feel there is a genuine place for pharmaceuticals. Other people feel that pharmaceuticals are over-prescribed by the family doctor or the specialist. On the other hand, maybe the chiropractors don't recognize the merit of pharmaceuticals in any way, shape or form. What would be your reaction there?

**Mr Frame:** I don't think all chiropractors push the holistic side. I know my chiropractor doesn't. I know there is an association with chiropractors and the holistic side. I think the key thing here is that the patient has to be responsible for his or her own health care, that the patient has to be aware and rational when dealing with the chiropractor, to listen to the advice of the chiropractor and choose what is most beneficial to the patient. The patient has their doctor, their GP, they can go to for advice and also has other resources where they can get advice, and I think the patient needs to be responsible that way to manage their own health care.

**Mr Wettlaufer:** One last thing I have to say. I was impressed with the way you answered the questions on the opposite side relating to the court controversy, the treatment. I think this is something we shouldn't be commenting on right now. It is a matter before the courts, unless it has just recently been settled, which I'm not aware of. I've been following it very closely, and you were very prudent in answering it the way you did.

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

**The Chair:** Thank you. You may step down, sir.

Before I move to actual consideration of this, just a note of information for us because it falls under the category of appointments review. I have received from Gina Thorn, general manager of the Public Appointments Secretariat in the Office of the Premier, a copy of memorandum that went to Claude DesRosiers, Clerk of the Legislative Assembly:

"This is to inform you that one item included in the September 20, 2002, memorandum has been withdrawn and therefore should not be considered.

"The item is as follows:

"Cabinet September 17, 2002. Ministry of Municipal Affairs and Housing, Ontario Rental Housing Tribunal. Peter A.P. Zakarow."

So that intended appointee is withdrawn.

We will now deal with the only appointment we have before us this morning. The motion is from Mr Wood.

**Mr Wood:** I move concurrence re Mr Frame.

**The Chair:** Mr Wood has moved concurrence regarding the intended appointment of Richard A. Frame to the council of the College of Chiropractors of Ontario. Any discussion?

**Mr Martin:** Even though I think Mr Frame is probably an exemplary good citizen, the connection here between his working for the government and different ministries and his obvious membership in the Con-

servative Party, which in itself should not and does not get in the way of his being available or qualifying for an appointment and perhaps doing a good job—but when we consider the number of people we've had through here in the last number of months getting appointments who either worked for government or were heavily involved in government campaigns or in fact, as the Liberal Party pointed out last week in the Legislature, actually ran for the government party in elections, the whole issue of finding citizens with no leaning politically to be active on these boards, to participate in these boards—I guess I was looking for, in my questioning, some strong reason that Mr Frame would want this appointment to counterbalance my concern re his employment with the government in the not too distant past and his political affiliation. I didn't find it, so I am going to be voting against this appointment.

**Mr Gravelle:** If I may express some concerns as well, Mr Frame seems like a fine gentleman and very interested in doing a good job. There is no question that members of all political parties can be very good representatives on a number of government agencies, but there does seem to be a bit of a pattern emerging. Regardless of the fact that a member is being appointed as a public member of an organization, I have a certain expectation of some thoughts and preparation. Mr Frame was quite careful to indicate that he wasn't prepared to comment in any significant way. That leads one to the impression—and perhaps the government members will be critical of me for saying this—that the major qualification he has is his background with the governing party.

You can certainly have members from all parties who are clearly good fits, and we've seen them here and we've approved them. In fact, we've praised some of them in terms of their appointments. But this one has the look that Mr Frame's major credential is that he has been a supporter of and has worked for various ministers. Because he was not in any sense, from my perspective, as prepared as he should have been for the position, I just don't feel I can support it.

**Mr Wettlaufer:** I can't use the word I'm thinking of right now because it's not considered parliamentary. But let me say that hearing the criticisms of the two opposition members across is rather ironic in view of the fact that when the David Peterson government came to power they replaced many of the senior civil servants, holus-bolus, with Liberal appointments. The NDP replaced many civil servants based on nothing but political affiliation.

I have to say that it's natural, when you come from the business world, that you are going to naturally affiliate with people who are like you in terms of business acumen, business awareness, understanding of the issues of the day, whether it be political or real-life issues. It's only natural for us to put forward people who think like us when we were in the business world, who affiliated with us in the business world. It's only natural that we're going to put forward people who we feel have the necessary acumen. If that happens to be someone with a political affiliation, I don't know why that person should

be criticized or denied the opportunity to be appointed simply on the basis of his political affiliation. It's rather ironic that this criticism would come from the members opposite.

**1040**

**The Chair:** Any further discussion? If not, then I will call the vote. All in favour? Opposed? The motion is carried.

## COMMITTEE BUSINESS

**The Chair:** The next item of business is dealing with the Sudbury community care access centre and its appearance before the committee and the committee dealing with it, the specific scheduling, the specific details of it. Another side question I'll throw in is whether in one instance we would be able to have one appointment as well. Perhaps I'll allow our clerk to put out some options for us to start the discussion, and then I'll go to Mr Wood.

**Clerk of the Committee:** I'll just let you know where we stand right now. We have two intended appointees scheduled for next week. I thought we could have the briefing. We had agreed on a half-hour briefing. I have received names from the Liberal and NDP caucuses. I thought the following week we could schedule our first one-and-a-half-hour caucus time with the half-hour opening statements as well. That would be a two-hour meeting. Then the following week is constituency week. Perhaps the following week we could then go on to the next caucus hour-and-a-half and then, following, the third caucus.

I think the question too is, we do have a number of intended appointees we have to consider. In a two-hour meeting we could have a one-and-a-half-hour hearing, plus a half-hour with one intended appointee. Do you want to extend the meeting times and deal with more intended appointees? I just want to know how to schedule and what you'd like to do.

**The Chair:** Mr Wood, I'll hear from you first.

**Mr Wood:** The idea of how you've set it out is good. The only concern I have is that we should do the hour and a half in one bite, so to speak. In other words, I don't think it's appropriate to split up. If we're going to hear the people recommended by the Liberals, we should do all that in one day; ditto with the other two parties. The rest of that's fine. We are not thinking in terms of an extension of time. We're either going to lose some appointments or have to reduce the amount of time we're going to spend on appointments.

**Mr Gravelle:** My understanding, from what the clerk just said, was that's how it would work. If indeed we had two appointment interviews next week, plus the briefing from research, and then the following week, which would be the week of November 6, we would then have one of the witnesses who have been called, plus the opportunity for the parties to make opening statements, which would be two hours. You would deal with one witness—is that not true—completely?

**Mr Wood:** What kind of witness are you talking about?

**Mr Gravelle:** All three parties would have a chance to interview that one witness.

**Mr Wood:** When you're talking about witnesses, are you talking about intended appointees or are you talking about someone who's been recommended to speak on the issues pertaining to the CCAC?

**Mr Gravelle:** No, I'm talking about in terms of the review of the CCAC. We would have one witness on November 6 who would come in—whether it was our choice or the third party's choice. Obviously the government party hasn't put any names forward yet. But we would deal with that one witness that week and then the following opportunity we would have the second witness for the review.

**Mr Wood:** When you say "witness," it can be more than one, of course. You can recommend three, if you want.

**Mr Gravelle:** We've made our recommendations, and I believe the third party has as well. All I'm saying is that each party can deal with their calls in one week.

**Mr Wood:** Each party gets one day is what I'm saying, which I think everybody else is saying too.

**Mr Gravelle:** I think we've agreed to that.

**Mr Wood:** OK.

**Mr Gravelle:** We're not arguing that.

**Clerk of the Committee:** Do we want to deal with an intended appointee? Within the two-hour time frame we could have one half-hour time with the intended appointee and a one-and-a-half-hour period regarding the agency review of the CCAC. Would that be agreeable, so we could get as many so we don't have a backlog?

**Mr Wood:** As far as I'm concerned, yes. Bear in mind, the choice has to be made. If we get a backlog because of this review, either we don't review some of the people or we cut the time spent for review of intended appointees.

**Mr Gravelle:** That sounds like a threat.

**Mr Wood:** It's not a threat.

**Mr Gravelle:** It sounds a bit like a threat. We've had an agreement on the amount of time, which you were very happy to agree to. In fact, you presented in terms of the amount of time we were having. Now you're saying, unless things work out the way you want them, you're going to say we won't be allowed to interview people or we'll have to cut the review. It's got sort of a threat-like quality, Bob.

**Mr Wood:** No, quite the contrary. We're entirely in the hands of the opposition on this. You've suggested a review. We've agreed to a review. You can designate as many people as you want, but if you make more designations than the time permits us to review in a half-hour, we've either got to not review some of them or reduce the time. We're in the hands of the opposition on that too. Make as many designations as you want, but bear in mind, because we're doing a review, it limits the time we have otherwise available.

**Mr Gravelle:** You're saying you wouldn't be able to extend any time in terms of—

**Mr Wood:** I don't think we can. That's up to the House leaders. In any case, we have donated, so far, all of our time for review of intended appointees to the opposition. We have not taken up any yet. We may in the future take up a few, but I think we have been more than generous in making time available to the other parties to do the reviews or do the review of agencies, if that's what they prefer.

I am pointing out there are consequences. Decisions have to be made as to what the priorities are. We're in your hands. If the opposition wants to review more and reduce the time, that's fine. If they want to review less, that's fine too.

We're certainly prepared to support a review of agencies as well, which indeed we have. We are not offering any sort of threat to anybody. What we are doing is drawing to your attention the consequences of what has been decided. We are happy to review as many names as you want to put forward. We'll agree to any reasonable division of time, so you can review everyone you want to review. I think so far we've reviewed everyone who's been requested, and we're happy to continue with that.

But I did want to draw to your attention that there may be some considerations as to how you organize this so you can get reviewed exactly what you want reviewed. We fully support reviewing everything that you folks want to review.

**Mr Martin:** I'm OK with all of this up until the point where you become somewhat difficult in terms of reviewing people we would call forward for appointments review.

The spirit of this committee has always been—in the 12 years I've been here anyway—that together we try to find ways to make sure we review those people whom each caucus determines it wants to have a chat with.

The fact that you haven't brought any people forward is certainly not seen by me as some generosity on your part. You can always call people forward, and we would hope that at some point you would actually participate more actively in the proceedings of this committee by both calling people forward and actually talking to people when they come here, asking questions, taking up your time, participating in this process that's really important.

As a matter of fact, it's a privilege we have here that they don't have in many other jurisdictions to actually call forward public appointees and interview them. I think we do the whole system a disservice by not participating in a way that reflects a respect for that process.

My hope is that we would continue in the same spirit that this committee has for a long time. We haven't been calling a lot of people forward either, but from time to time we do see people we want to talk with, for whatever reason. Maybe the Chair or the clerk can clarify this for me, but if we call people forward, as is our right to do, it's the committee's job to try and schedule that. If we can't schedule it in the time that's available, we often make motions to extend the period so that we can actually bring those people in and have a chat with them.

To throw that twist into this, in my view, is a bit unfortunate because my experience so far of working with you, Mr Wood, is that we really try hard to accommodate each other. You've been very good in working with us to try to review this particular agency and we appreciate that.

**1050**

**Mr Wood:** My point to you folks is that we have a limited amount of time made available and we are more than happy to try to accommodate all matters of interest to all members of the committee. However, we do have a limited amount of time available, and if we are going to allocate, as I think we properly have, the time we have to the review of the CCAC, I'm drawing to the attention of all committee members that that has certain implications with respect to the time available for the rest of it. We are prepared to work with all members of the committee to make sure that all persons designated for review get reviewed, but we may not be able to review them for half an hour. I'm drawing that to your attention. After that, I'm in the hands of the other members of the committee.

We are prepared to facilitate review of every intended appointee any of the three parties wish to review. I'm not in any way attempting to limit that or discourage it. In fact, as members well know, I would go further than we go now. I have a bill before the Legislature that would have the committees and the Legislature itself approve every judicial appointment. I fully support the reviews we do and personally will do all I can to make sure every name you want reviewed gets reviewed. I'm drawing your attention to the fact that we may have to make some modifications of the time to get them all done. On the other hand, if your decision is that you'd rather have a longer review and review lesser numbers, we're in your hands. We will work with you to do either, but let us know.

**Mrs Dombrowsky:** To the question that has been put to members by Ms Stokes, I certainly would be prepared to interview an intended appointee for the first half-hour and then proceed with the hour and a half that has been assigned for interviews with CCACs. I would be prepared as an individual member of this committee to follow that—

**Mr Wood:** I agree with that. I'm just pointing out that if we have more people to review than the half-hour slots are going to permit, we're going to have to reduce the amount. I'm drawing that to your attention so that you can tell us what your preference is.

**Mrs Dombrowsky:** Would it be possible to do extensions to accommodate any we can accommodate in that?

**Mr Wood:** We have a limited amount of time available. I am not making any promise on that, but I am not refusing it at this moment either.

**Mrs Dombrowsky:** I guess we just have to see the numbers that come forward and how they might be accommodated.

**The Chair:** You are open to cajoling?

**Mr Wood:** I am open to hearing submissions on that point, but I do draw to your attention that you have the opportunity—if you want to reduce the time, I guarantee

you that all names will be reviewed. If you don't want to do that, you take the chance that we may feel we don't want to extend the time.

I'm inviting you to consider now the question of how you want to prioritize this. I think you'll find us supportive in the manner in which I set out, which is that if you want to review every name designated, we'll do it, but it may not be possible to allocate half an hour in order to get them all done. We will support doing them all, if that's your decision as to prioritization.

**The Chair:** May I also get a clarification, while we're on this: did I hear that the committee will be sitting during constituency week?

**Clerk of the Committee:** It's up to the committee.

**Mrs Dombrowsky:** That would not be practical.

**The Chair:** What is the opinion of the members of the committee?

**Mr Wood:** I support Ms Dombrowsky.

**The Chair:** How many members of the committee—just a straw vote here—would prefer not to sit constituency week?

*Interjections.*

**Mr Wood:** With the Chair not voting, this appears to be unanimous.

**Mr Martin:** Frank wants to come.

**Mr Frank Mazzilli (London-Fanshawe):** I was pretending I was a Liberal and couldn't make a decision.

**The Chair:** You'll have a chance this afternoon to make a decision.

**Mr Gravelle:** One final comment: I don't think it was your intention for us to get into this, but I just think it's an odd approach to take, if I may say so, to Mr Wood. Obviously we've agreed to do this review. We've agreed on the period of time the review is going to take. We've even agreed on how it will be handled in terms of the meetings. As always, we'll get the appointments and we'll make requests for interviews. I would just turn it back to Mr Wood. If at some point you determine that you won't extend it, then that's a consequence as well for the government, to say you won't allow us to interview someone.

I would hope we can work this out. I would hope we'd have the usual co-operation we have, which is that we make extensions. What you appear to be saying is, "Because you've got this review, now you may pay the price in not being able to interview everybody you wanted."

We don't even know how many we're going to call. My emotional instinct is to start calling 20 more just because I was a little offended by your approach. I trust that wasn't your intention, and I don't think it was. But to suggest that, gee, maybe you'll pay a price down the line by not being able to interview them: I would hope we will work that out because there's a consequence on your side if you don't allow us to do that as well.

**Mr Wood:** Quite the contrary. My comments were intended to be helpful. I was drawing it to your attention now so that you can make this decision now. If you want to be absolutely certain, cut the time if we have too many

names. I'm putting that forward now so that if we decide to refuse unanimous consent, you are not in a position of being ambushed by that. I want you to know now so you can make this decision.

Bear in mind what the standing orders of the House do. They allocate a certain amount of time for review of intended appointees and the review of agencies, which on the face of it you would think would be divided equally among the three parties. We have been restrained, which has had the effect of giving you people more time, should you wish to use it. It is our desire, and the rules clearly provide for this, that every name you designate can be reviewed. But they also say that if you're going to designate a large number of people for review, you may have to cut the amount of time to review. That's in effect what the standing orders say.

I'm merely drawing that to your attention, not to in any way be unhelpful, so that you know now that we're not guaranteeing we're going to give unanimous consent to extensions. Maybe we will, maybe we won't, but you're not in our hands. If you take a look at the number of people who have been designated, and the deadlines, and want to reduce the amount of time, you will have everyone reviewed you want reviewed. That, I think, is the intention of the standing orders.

I am drawing this to your attention to assist you and give you information in the spirit of making sure you are making informed decisions. Having said all that, we then are going to throw the ball back to you and you can decide how you feel this should be prioritized.

**The Chair:** Let us ask our clerk if she's been able to draw a conclusion from the discussion to this point in time this morning.

**Mr Gravelle:** Yes, please.

**The Chair:** We'll go under the assumption that everybody in the committee is trying to be helpful.

**Clerk of the Committee:** Of course. To start at the beginning: next week we will review two intended appointees and have a briefing on the Sudbury CCAC. The following week—

**Mr Wood:** Sorry. Could I ask a question? Just before we leave that, we could do three, I presume. What did we designate—

**Clerk of the Committee:** Yes, actually, that's true. We could do three.

**The Chair:** Half an hour was designated for the briefing.

**Clerk of the Committee:** The trouble is getting—of the people we have on the list now, if somebody is available at this moment. If they would be available, you're right; we could book three next week with a half-hour briefing.

**Mr Wood:** What I was coming to: as far as I'm concerned, we can do three, if you want.

**Mr Martin:** In terms of the briefing, I was under the impression there was going to be a briefing and then each caucus could put on the record some of their concerns. Is that part of the briefing?

**Clerk of the Committee:** It was suggested to me that the half-hour the committee had agreed on for opening statements from each party would be done with the first witness called by one of the caucuses.

**Mr Wood:** You get the extra half-hour for that.

**Clerk of the Committee:** That means then the following week, which would be November 6, we would have that half-hour for opening statements and the first caucus selection for a witness. I don't want to get confused between witness and appointee. That's a two-hour time frame. Then the following week would be the second caucus witness or witnesses, and again a half-hour time slot would be available for another appointee review. The following week is constituency week. The following week would be the third caucus selection, with another half-hour opportunity for a witness review.

That's five appointee reviews. If we can get three next week and two the following two weeks, that's five. We currently have seven on this subcommittee report—and it's within the 30-day time frame.

**Mr Wood:** To totally beat the point to death, if you want to do more, we have to cut the time, and we're throwing that ball back to you to let us know what you think.

**Mr Gravelle:** We don't want to cut the time.

**Mr Wood:** OK.

**Clerk of the Committee:** So we'll proceed on that basis, then?

**Mr Gravelle:** Please.

**Clerk of the Committee:** Thank you.

**The Chair:** Does that satisfy members of the committee at this point in time? If it does, any further business to come before the committee?

**Mr Martin:** I'm not sure if others want it, but I would really like to have a copy of everybody who is appointed to boards and commissions in the province right now, if there's any way of getting a copy of that material.

**Mr Johnson:** As of today?

**Mr Martin:** Today, yes.

**Mr Wood:** I haven't looked at the Web site recently. Check to see if it's on the Web site.

**Mr Mazzilli:** It should be in the Gazette.

**Mr Wood:** But he's saying where there's a pool of it, so to speak.

**Mr Pond:** The Public Appointments Secretariat's Web site. I've got samples here too, if you want to look at them, that list the current membership and their tenure in office for every ABC in Ontario. All you have to do is go on, plug in the agency, and up will come the current list of its membership and how long they're going to be on that tribunal.

**The Chair:** OK. That information is available. Any further business for the committee? If not, I'll entertain a motion of adjournment.

**Mr Wood:** So moved.

**The Chair:** Mr Wood has moved a motion of adjournment. All in favour? Opposed? Carried. Thank you, members of the committee.

*The committee adjourned at 1103.*



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