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

**Wednesday 12 March 2003**

**Journal  
des débats  
(Hansard)**

**Mercredi 12 mars 2003**

**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 AGENCIES

## COMITÉ PERMANENT DES ORGANISMES GOUVERNEMENTAUX

Wednesday 12 March 2003

Mercredi 12 mars 2003

*The committee met at 1006 in room 151.*

### SUBCOMMITTEE REPORT

**The Chair (Mr James J. Bradley):** The meeting is called to order. The first item of business is the report of the subcommittee on committee business dated Thursday, February 27, 2003.

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

**The Chair:** Mr Wood has moved its adoption. Any discussion? If not, all in favour? Opposed? The motion is carried.

### INTENDED APPOINTMENTS GARY HARRON

Review of intended appointment, selected by official opposition party: Gary Harron, intended appointee as member, Environmental Review Tribunal.

**The Chair:** We now move to the appointments review. The first individual to come before the committee will be Mr Gary Arthur Harron, intended appointee as member, Environmental Review Tribunal.

Welcome to the committee, Mr Harron. You may come forward. As you are aware, you have an opportunity to make an initial statement if you see fit, and then you will be questioned by any members of the committee who choose to question.

**Mr Gary Harron:** I will take the opportunity of making an opening statement.

Thank you, Mr Chairman and members of the committee, for inviting me here today. I welcome the opportunity to tell you why I believe I can make a contribution as a member of the Environmental Review Tribunal.

At the outset, I would like to elaborate on my background and experience as set out in my curriculum vitae, which I understand committee members have a copy of.

I was raised and educated in rural Bruce county. I graduated from the Ontario Agricultural College, now the University of Guelph. Following graduation, I returned home to work in my family's general store and farming business.

In 1969, I entered municipal politics as a councillor in Amabel township, a rural municipality that was home to

Sauble Beach. I served for 14 years -- 12 as reeve -- culminating as the 1978 warden of Bruce county.

At the outset of the formation of the Niagara Escarpment Commission I was appointed a member, and served in this capacity for 10 years. There I participated in the formation of the Niagara Escarpment plan, whose objective is to preserve and protect this unique land form in its natural state while only permitting development that will not detract from the plan's objectives.

In 1982, I was honoured to be appointed a member of the Ontario Municipal Board, a quasi-judicial body whose jurisdiction is well known, I'm sure, to all members of this committee. This experience as an adjudicator has taught me how to fairly and impartially arrive at a decision after carefully considering and weighing all of the evidence presented.

During the past 20 years, I have sat on several panels formed under the Consolidated Hearings Act, along with members of the then Environmental Appeal Board, where we made decisions on applications for approval of both new and expanding landfill sites. There was considerable evidence presented at those hearings relating to leachate collection and disposal, the effect of the undertaking on the water aquifer, the proper covering of the waste etc.

I have also conducted several hearings as a result of referrals by the Minister of Natural Resources relating to applications for the removal of aggregate. The evidence presented here related to the protection of the water aquifer, the control of dust and noise emissions, regulation of blasting, and considering conditions relating to mitigation measures and rehabilitation.

There is always considerable evidence presented relating to environmental matters when considering landfill and extraction applications. Section 2 of the Planning Act directs the Ontario Municipal Board to have regard to matters of provincial interest during its deliberations. Some of those matters are the protection of ecological systems, including natural areas, features and functions, the orderly development of safe and healthy communities, and the protection of public health and safety. I have always considered the foregoing section 2 as a direction that we as a board must consider environmental concerns during our deliberations.

I believe the foregoing experience I have touched on will be of great benefit as a member of the Environmental Review Tribunal if my application is successful.

As set out in my curriculum vitae, it is evident I have a strong interest in rural Ontario, particularly the agricultural industry. Agriculture is a very important component of Ontario's economy. However, as a result of Justice O'Connor's report, it is evident that many farm practices from an environmental perspective will now have to change. I am keenly interested in hearing appeals in relation to the Nutrient Management Act when it is fully implemented. I believe my experience as an adjudicator, along with my practical experience in agriculture, will assist me in understanding and analyzing the evidence in arriving at impartial decisions while protecting and safeguarding the environment for present and future generations.

Adjudicating applications under the various acts considered by the Environmental Review Tribunal, such as the Environmental Assessment Act, the Environmental Protection Act and the Ontario Water Resources Act, among others, has to be taken very seriously, as the resulting decisions can have a tremendous impact on present and future generations. I can assure you I will do my part in arriving at fair and impartial decisions while considering the intent of the various acts.

**The Vice-Chair (Mr Michael Gravelle):** Thank you, Mr Harron. We should be starting the questioning with the third party, but there is not a representative here, so we'll move to the government members. Mr Johnson, you have a question?

**Mr Bert Johnson (Perth-Middlesex):** Yes. Mr Harron, I just wanted to welcome you to Toronto this morning. Thanks very much for being here.

You mentioned that you had conducted one of the hearings on aggregate removal. I wondered, was that contested because of the rules of the Niagara Escarpment or was that a --

**Mr Harron:** No, it was not on the escarpment. It was appealed by neighbouring property owners as a concern for their water supply, as the intent was to go below the water table.

**Mr Johnson:** They were going to extract below the water table?

**Mr Harron:** Yes.

**Mr Johnson:** What concerns did that raise?

**Mr Harron:** It was a rural farm group. They had had experience with another quarry in the community that blasted below a certain level of quarry stone and some of their wells went dry. In this particular case, the evidence of the applicant was not that he needed to go below the water table. I approved the application, but on condition that he stay three feet above the water table.

**Mr Johnson:** In that area of the province, is the water table close to the surface?

**Mr Harron:** No. That gave him probably 25 years of extraction before he would need to go near the water table.

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

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

**The Vice-Chair:** We then move to the official opposition.

**Mr James J. Bradley (St Catharines):** Did Mr Wood say he would yield the balance of his time to the official opposition?

**Mr Wood:** Waive. Sorry, I should have spoken more clearly.

**The Vice-Chair:** He did say "waive," Mr Bradley. I know you'd like lots of time, and certainly you can proceed.

**Mr Bradley:** Well, it was a good try, anyway. The first question the opposition always asks is, are you now or have you ever been a member of the Progressive Conservative Party?

**Mr Harron:** I have not been involved in any type of politics, municipally or provincially, since my appointment to the Ontario Municipal Board 20 years ago. I feel that if you sit on an independent tribunal, you have to set politics aside. Prior to my appointment, I was a member of the Ontario Progressive Conservative Party.

**Mr Bradley:** It sets my heart in a state of relief to know that, because the opposition will say you never know, when you ask that question, what answer you're going to get. So you were appointed by a Conservative government in that particular situation?

**Mr Harron:** Yes, the government of Premier Bill Davis at the time.

**Mr Bradley:** Of course, being a member of the OMB, you would not want to continue in an active role, and that makes sense.

One of the fears that some people have, and I heard you mention the Nutrient Management Act, is that there are some out there who have been advocating that some farmers be exempted from the provisions of the Nutrient Management Act. That has been advocated, I think, by someone on the government side. Correct me if I am wrong. The parliamentary assistant to the Minister of the Environment has been advocating that certain farm operations be exempted from the Nutrient Management Act. Do you think that all farms should be subject to that, or do you believe there should be exemptions to it?

**Mr Harron:** As I understand the proposed legislation, it is to be staged. I understand that the more intense agricultural operations, such as what they refer to now as large intensive operations, where they operate with a liquid manure system, are going to be brought into regulation or control in the first stage, and over a period of years the smaller farms that have fewer animal units and use what we refer to as dry manure, where straw, shavings etc are used, are to come in at a later date.

I conducted a very interesting hearing about three years ago in West Perth county that was related to a bylaw of a municipality that wanted to put a cap on the number of livestock so they could regulate -- this was before the Nutrient Management Act came in. I heard a lot of very interesting evidence there. Some of the evidence I heard from the experts was a concern that even smaller farm operations, if the animal waste is located and handled incorrectly, can cause pollution. So I guess the bottom line is that the regulations or the new act will have to be left in the hands of the legislators to

bring in what they see fit after the consultation process. However, I do believe that small farms, as well as large farms, can cause pollution.

**Mr Bradley:** I won't say that is a view you disagree with, because it would be unfair of me to say that, but that would be a view that seems to be contrary to the parliamentary assistant to the Minister of the Environment, and I accept that that is the case.

This may be a little bit outside your purview, but with your background and experience, you may be able to help us out a little bit here. Many of us believe, and I think probably a pretty good consensus of this committee believes, that the smaller farmers in particular should receive assistance from perhaps the Ministry of Agriculture and Food in meeting the obligations of the Nutrient Management Act. Do you think it would be helpful to have some financial assistance and advice from the Ministry of Agriculture and Food to allow them to comply with the provisions of the act?

**Mr Harron:** I don't think I should make a statement on whether or not the government should give financial assistance. Again, that is up to the government of the day. There is no doubt that any business person can use help financially if they have a large expenditure. As far as advice from the Ministry of Agriculture and Food, yes, I think that would be very helpful to the farmers, particularly if they have to bring in nutrient management plans, and I believe the legislation is going to require this. Some farmers may find that difficult, and I think advice from OMAFRA would be very helpful.

**Mr Bradley:** There is the issue of the permits to take water. In fact, the Minister of the Environment overruled a ruling of the Environmental Review Tribunal. I think Pauline Browes was the officer who was sitting at that time; she's a former Conservative cabinet minister in the government of Brian Mulroney. I have known Ms Browes for a number of years. I was quite concerned to see the minister overrule the adjudicator in this particular case and give -- I'll sound inflammatory to say it -- the multinational company the right to take far more water from the ground for industrial purposes and taking it away, as a matter of fact, than Ms Browes thought ought to be the case.

**1020**

How would you view the government if you were sitting on an Environmental Review Tribunal listening to all of the evidence, adjudicating only after a very deliberate looking at it, deliberations which were very careful, to have a minister overrule it? How would you feel about that, having a minister overrule you as a person on the Environmental Review Tribunal?

**Mr Harron:** As a member of administrative tribunals -- I have been for the past 19 or 20 years -- we never really like to be overruled and be overturned because we do make our decisions based on the evidence that comes before us. However, the legislation is set up that in certain cases the minister has the right to overturn a decision of the tribunal, and that's the way the legislation is drawn up and we have to accept that. As I say, we

probably would just as soon not have our decisions overturned, but the legislation enables that to be done and we have to accept that.

**Mr Bradley:** There is another issue. The province's Environmental Assessment Act applies, as you know, only to the public sector and any public sector undertakings. However, the minister retains the statutory discretion to exempt any public sector project from the requirement of undergoing an environmental assessment. In addition, environmental assessments are required of private sector projects at the government's discretion. For example, many private sector landfill sites are covered under the regulations.

Environmental groups and lawyers have argued for years that the act should be amended to make environmental assessments mandatory for all environmentally significant projects, regardless of whether they are proposed by a public sector agency or a private sector firm.

Would you be able to comment on that, whether if there are large, significant projects in the private sector they should automatically come under the purview of the Environmental Assessment Act?

**Mr Harron:** Once again, that is the state of the legislation at this time and we have to accept that. I've always considered the environment and the protection of the environment in my deliberations even with the OMB, as I set out in my opening statement. If there are environmental concerns, such as when they're constructing new highways etc and the public are concerned, I would hope they have a chance to voice those concerns. But once again, that's a decision in the hands of the minister and I'm not sure it would be right for a member of our tribunal to be telling the minister whether he can or cannot overrule when he's given that power under the legislation.

**Mr Bradley:** In January 2001 there was a submission to the Walkerton inquiry. Environmental Commissioner Gord Miller criticized the Ministry of the Environment for failing to compile the comprehensive information needed to make accurate assessments about the potential impact of what we call permits to take water and its effect on the ecosystem. In his testimony before the Environmental Review Tribunal in the OMYA permit case, he noted that the ministry does not have a mechanism in place to summarize and tabulate the total number of water takings for a watershed. In his January 2001 report, he suggested that the problems he had uncovered in the administration of the permits to take water were "contributing to the growing number of leave to appeal applications to the tribunal related to permits to take water under the Environmental Bill of Rights."

Do you have any comments on that, that we don't have this total amount, and that your ability as a tribunal member to rule is in fact impacted adversely by the lack of this knowledge of all the water that's out there and how much water is being taken out?

**Mr Harron:** I have not had the opportunity to sit on an appeal relating to water-taking at the OMB. However,

a couple of my colleagues have, and I read their decisions. There's no doubt that, sitting as an administrative tribunal, if you have to make a decision on the impact that water-taking to a certain volume may have on the aquifer -- I believe in the one case referred to, it was a river -- it certainly would be helpful to know the volume or capacity of that water, what's available in the aquifer or the river, to assess the impact that the removal of certain portions would have. There's no doubt that would be very helpful to a tribunal.

**Mr Bradley:** In your experience on the Ontario Municipal Board -- this may be a difficult question, but I'm curious about your point of view because you have a lot of experience in that regard -- what would you consider to have been the most momentous hearing, or the one which gathered the most public attention?

**Mr Harron:** That I was involved in?

**Mr Bradley:** Yes.

**Mr Harron:** I was involved in a major what we used to term "store war" hearing in the town of Collingwood. I can speak to this because the decision has been out for some time; if it was still pending, I couldn't. The official plan in that case protected the downtown core and read that only large commercial development could locate on the periphery if they could show there were enough dollars in the marketplace to support their business without detrimentally affecting the downtown. That hearing went on for in excess of four months. What we did in that case was put conditions on the decisions. Facilities such as major banks, the liquor store, the beer store, offices etc could only locate in the downtown. The zoning that we put out on the periphery would allow the development that was proposed, but we reduced it to about two thirds of the proposed size and did not allow it to build for three years until business picked up. That seems to have worked. I've driven through Collingwood a number of times and their downtown seems to be thriving well. That was one that sticks in my mind.

The one landfill site that I was involved in, I was there sitting with two members of what I believe was the Environmental Appeal Board at that time. We sat there for a considerable time and heard a lot of evidence. We eventually had to refuse that application because it could not be proven to us that the water aquifer under the landfill site was anything but on the same level, maybe even the same aquifer, that served several residential houses about a half a mile away. It just could not be proven safe. That was a long, drawn-out hearing and very difficult -- and not an easy decision to make, because the municipality had spent considerable revenue trying to establish a landfill site. So those are the two that come to mind.

**The Vice-Chair:** Thank you very much, Mr Harron. Mr Bradley, I apologize. Time has expired.

**Mr Bradley:** I'm usually the Chair and I have to cut him off, you see.

**Mr Harron:** I understand.

**The Vice-Chair:** I didn't enjoy doing that. I don't want you to think I enjoyed it.

**Mr Bradley:** This is called revenge. Now, he says he doesn't enjoy it; I'm sure he does enjoy being able to cut me off.

**The Vice-Chair:** I do not.

**Mr Harron:** Thank you very much.

**The Vice-Chair:** Thank you very much, Mr Harron. Before we call the next appointee, Mr Bradley will resume the chairmanship.

*Interjections.*

**The Chair:** I'm still reeling from the fact that the Conservative members wouldn't allow us to have the additional time from the third party.

**Mr Wood:** We're getting into practise for the election.

**Mr Wayne Wettlaufer (Kitchener Centre):** Jim, we just knew that you don't need that much time. You're so bright that you can just get to the heart of the matter right quickly.

**Mr Wood:** We're surprised you needed 12 minutes.

#### STANLEY SPENCER

Review of intended appointment, selected by official opposition party: Stanley Spencer, intended appointee as member, council of the Royal College of Dental Surgeons of Ontario.

**The Chair:** Here we go. Our second intended appointee is Stanley C. Spencer, intended appointee as member, council of the Royal College of Dental Surgeons of Ontario. Welcome to the committee, sir.

**Mr Stanley Spencer:** Thank you very much.

**The Chair:** I know you're aware that you have an opportunity to make an initial statement if you see fit. Subsequent to that, there will be questions from members of the committee who deem it appropriate to ask you questions. Welcome again, sir.

**Mr Spencer:** Thank you, Mr Chairman and to committee members, for affording me the opportunity to speak to you today. I'm honoured to be nominated for a position on the council as well as the opportunity to serve the province. I understand that you all have a copy of my CV, but I'd like to expand on that for a moment, if you please.

**1030**

I'm a chartered accountant by profession and I'm a senior partner in the firm of Mintz and Partners LLP. I've been with this firm for approximately 25 years and I've been a partner for over 21 years. Before I obtained my CA, I had my honours BA at York University and I received my bachelor of commerce at the University of Windsor. I worked three and a half years at Coopers and Lybrand, where I got my articles for my CA. After leaving Coopers and Lybrand, I worked for a medium-sized accounting firm and then moved on to Mintz and Partners in 1979.

During my time at Mintz and Partners, I handled a number of internal matters that helped the firm grow. I initiated and built our human resource area. Once accomplishing that, I moved on to set up a formalized payroll

and accounts payable system and oversaw that for a short period of time. After that, I ran the accounting division for our firm for seven years and helped monitor all the partners and people under me. From there, as the firm grew, I set up my own division of small business. I've been running that ever since. I have nine people who report to me on a daily basis. I specialize in consulting operations, professional start-up, and business and estate planning.

My outside activities: I'm a member of the Canadian Institute of Chartered Accountants and the Institute of Chartered Accountants of Ontario. I've been a member of these in good standing since 1976. I was also a member on the endowment foundation of the Baycrest Centre from 1987 to 1997. I was on the finance committee of the Baycrest Centre in 1992. I was also on the Big Brothers program from 1982 to 1984. I've been on the board of directors, from 1997 to the present, of the Rae Bobbe Charitable Foundation and the Adolph and Klara Brettler Charitable Foundation. These are two private charities. We monitor their investments and give out funds to other charities in the GTA. I'm also on the board of directors, on the finance committee, and I am treasurer of another charity called Leave Out Violence, which helps children in schools curb their violence. We try to turn them to expressing themselves through writing, photography and publishing things, as well as train them to train other people to move from a violent nature to a more productive nature. Finally, I also sat on the endowment committee advisory board of Crescent School from 2000 to 2001.

Having sat on a number of boards and dealt with professionals in my professional career, these are strong assets in helping me to work on the committee that I hope I will be appointed to. Thank you very much.

**The Chair:** I will now begin with the government caucus.

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

**The Chair:** You started last time, actually, so I should have gone to -- you waived your time; OK. I'll go to the official opposition.

**Mr Michael Gravelle (Thunder Bay-Superior North):** It's good to know you're going to waive your time.

Good morning, Mr Spencer. I am curious as to how this appointment came about. Can you tell us the process? Were you in touch with a member of the Parliament; or can you give us a sense of how this appointment came about? It would be a good way to start, I think.

**Mr Spencer:** I am a member of the Conservative Party, but --

**Mr Gravelle:** That's very forthcoming of you. I didn't even ask that.

**Mr Spencer:** I have been a supporter of the Conservatives since I was 18 years old. I recently have been asking to do some work for the province in any capacity. As you can tell, I like to work in the community and give back because it's been very good to me. I was at some meetings etc, and they heard that I wanted to do

something for the province. When the minister's office, from the health department, phoned me and asked me if I would like to sit on one of these committees, I stated yes, they gave me a choice, and this is the one I chose.

**Mr Gravelle:** So do you view this as being a bit of a reward for being a member of the party?

**Mr Spencer:** Well, not so much a reward, so to speak. I want to help; I want to do things. As you can tell from my CV, I want to do stuff within the community and be active there and give back. This isn't the first time I've asked. I've asked a number of times, and finally it came through.

**Mr Gravelle:** So who is the member where you reside, your provincial member?

**Mr Spencer:** Mr Turnbull is my member.

**Mr Gravelle:** I do actually want to talk more at a later point about your Leave Out Violence initiative. It does sound really interesting. Obviously, we have some anti-violence measures as well in northern Ontario, but I do want to pursue this particular appointment a little further, Mr Spencer. Is it one that you have some familiarity with? I realize you're going to be a public member of the board, but I presume you've done some research to see whether or not this is an appropriate board for you to be sitting on. When you were offered this position, did it strike you as being one to which you would be able to contribute in a meaningful way or was there something else you were more interested in?

**Mr Spencer:** I was given a number of boards that I could sit on. I picked two. One of them did not have an opening; this one did. I was very glad to step forward on it. With my practice, I deal with a number of professionals across the board. I deal with lawyers, doctors, dentists, architects etc. Although they deal with different fields, they all have the same problems, and they all report to some form of board. I hear not only the complaints or the concerns of the dentists, doctors and other people; I also hear the other side of the coin, the patients and clients. So I get a good cross-mix of hearing these. Not that I am a big drinker, but I'm like a bartender: I tend to listen to people and help them with their problems. I enjoy doing that. That's part of my job.

**Mr Gravelle:** I take it, then, that you are familiar with one of the major issues that obviously is facing the Royal College of Dental Surgeons of Ontario; it relates to the issue between the dentists and the dental hygienists. I'd be curious to know your thoughts on that. Certainly it has been going on for some time, going back even to the NDP government when the issue first began, in terms of the ability of the hygienists to do work without the direct supervision of dentists. What are your thoughts on that and, indeed, in terms of how long it has taken to come to some resolution?

**Mr Spencer:** Well, my thoughts on that are basically that every profession right now is breaking off into their specialty areas. I know when I first started with my dentist, there was no such thing as a dental hygienist, and then things branched out to where there are dentists, orthodontists, periodontists, hygienists, even technicians

who do certain work to assist the dentists. The main concern that dentists have in this area is if a problem arises from a hygienist's dealing with things. I'm not sure of the length and breadth of what hygienists' teachings are, but if an emergency happens, what would they do in a certain situation such as persistent bleeding or something worse? To have their own office is probably not a bad idea and probably could cut down on some of the costs of dentistry. However, they should be affiliated somehow or be near some type of professional help where, in the case of an emergency, they could call upon it at any time.

**Mr Gravelle:** I don't think they would disagree with you on that. I don't think the dental hygienists are asking for total freedom; it has to do with specific work that they can do. It is a difficult issue, and any decision has been delayed. I know there are some regulatory changes that may be put in place. But the impression I get is that you're more prone to saying that, in the name of protecting the patients, you're more likely to side with the position of the dentists right now. Is that a fair thing for me to say? I don't want to put words in your mouth at all.

1040

**Mr Spencer:** No, it's more that as long as the public is protected on all fronts, this is what I'm looking for. As you well know, very recently the chartered accountants and the CGAs had a very similar situation about signing financial statements out there, and there was a very protracted discussion with Parliament and a lot of discussion on that. So I'm very aware of what is happening in that area and of the decisions that have to be made. Coming out of that foray, I understand the positions on both sides, and we just want to make sure that everything is done properly before we give an OK to go forward, because in the end it's the public that will suffer.

**Mr Gravelle:** Do you view it as being your responsibility, presuming this appointment goes through, that you would take a position on this once you're actually sitting? Do you think it's your responsibility to get involved in this process in a direct way?

**Mr Spencer:** Definitely. If I'm given the authority and sufficient knowledge on that, I can take an objective view of this, and from my experience dealing with the public and dealing with this on a business and practical level, I think I can make an informed decision, once I learn more about it.

**Mr Gravelle:** You did bring up, actually, an area voluntarily, in terms of the CAs, the CGAs and the CMAs. I am curious as to what you thought, as a CA, about the legislation that was brought forward and passed unanimously in the House.

**Mr Spencer:** I can tell you that as a CA, I should have taken great umbrage to it, but I did not.

**Mr Gravelle:** That's interesting.

**Mr Spencer:** I have a nephew who graduated as a CGA and he knew he would not make it through the CA program. I told him to take the CGA program because, I

said, eventually they will be one and the same and that was a way to get to his end goal.

I have no problem with competition or anything like that, because good competition makes me stronger. If I have weak competition, that means I am less and the public gets less. The fact that the CGAs want more and want to be able to do this, as long as they pass the proper exams and they keep the high level of standards -- again, I go back to Arthur Andersen and Enron; I've been getting slammed a fair amount on that from outside the CA world, but as long as we can keep our fairly high standards and keep things on a level playing field where they come up to that level and we don't come down to theirs, I think it's a very good idea and it's something that should happen and probably will happen over the next while.

**Mr Gravelle:** Do I have a little more time?

**The Chair:** No, your time's up.

**Mr Gravelle:** Time's up? Really?

**The Chair:** Yes.

**Mr Gravelle:** I wanted to talk about the Leave Out Violence --

**The Chair:** I'd like to be able to do that, but your time is up.

**Mr Gravelle:** That was an immediate return. Thank you, Mr Spencer.

**Mr Spencer:** I'll be happy to talk to you at a later date, if you want to phone me.

**Mr Gravelle:** I'm very interested in it.

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

**Mr Johnson:** Retribution is swift.

**The Chair:** That will teach the member for Thunder Bay to be more tolerant of others.

**Mr Gravelle:** Would it help, Mr Chair, if I told you that I gave you 12 minutes, not 10? Mr Wood noticed.

**Mr Wood:** I even put it on the record.

**The Chair:** We have some flexibility on this committee from time to time, particularly when there's some specific interest.

#### MARGARET BARR

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

**The Chair:** We now have Margaret Barr, intended appointee as member, Ontario Parole and Earned Release Board. You may come forward. Welcome to the committee. I know you're aware that you have an opportunity to make an initial statement, and subsequent to that there will be questions which will commence, in this case, with the official opposition.

**Ms Margaret Barr:** Thank you, Mr Chair. I never pass up an opportunity to make my own statement.

First of all, good morning to all of you. Thank you for the opportunity to address this committee today and for your interest in my intended appointment as a full-time member of the Ontario Parole and Earned Release Board.

It's my understanding that you have in front of you a copy of my most recent and current resumé. It outlines a good deal of my professional background and my proud community service. Therefore, I will attempt to be specific in my opening statements only as they pertain to myself and my qualifications for this intended appointment.

I will begin by stating my complete belief in and commitment to Ontario's parole and temporary absence programs. They are vital to a safe Ontario. It is far safer for Ontario communities when inmates reintegrate under the standard and special conditions of an early release plan than when inmates are reintegrated back into society at the end of their sentence with no supervision. When the parole and temporary absence programs are appropriately and, I must stress, wisely administered, they provide a widely cast safety net for our government's province.

As noted in my resumé, this is not my first appointment to the Ontario Parole and Earned Release Board. I was appointed a part-time member in July 2001. In January 2002, at the request of OPERB's chair, Mr Louis Théorêt, I became an acting full-time member at Central North Correctional Centre in Penetanguishene. CNCC had just commenced operations at that time, and OPERB's chair recognized a need for a board member to go to Central North and establish a presence for the board within that new privatized facility. He also recognized a need for the facilitation of an efficient and safe environment for the parole hearing process and for assistance in the direction and implementation of the board's new mandate, which was to undertake the decisions for inmates requesting temporary absences of over 72 hours.

Although my tenure with OPERB was, relatively speaking, short at that time, I had already gained the necessary course training and knowledge required to allow me to chair the hearing process. I was fortunate to achieve a reputation with the chair and other board members as an effective, straightforward and committed member, dedicated to safe Ontario communities. I spent over eight months at CNCC as acting full-time member and was, from all accounts by those who made such reports, highly successful in that role.

Since that time, I have continued my duties as a hearing chair, at CNCC and in the eastern and western regions' correctional facilities, and I have awaited the opportunity to assume the formal role of a full-time member. With the restructuring of OPERB now fully underway and with your much-hoped-for confirmation of my intended appointment today, I finally have that opportunity.

I thank you for allowing me to make these introductory remarks. I now give the floor back to you and the rest of this esteemed committee, Mr Chair, for any inquiries you may have of me.

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

**Mr Gravelle:** Good morning, Ms Barr. How are you?

**Ms Barr:** Good morning. How are you, sir?

**Mr Gravelle:** I'm afraid I'll be in your weekly column now. "Straight Talk," is it?

**Ms Barr:** Yes.

**Mr Gravelle:** I'll try to be very nice to you.

Obviously with your experience and your keenness to have this full-time appointment confirmed, I want to ask you a few questions just about your thoughts on the way the system is working, because I think one of the points that was raised in the auditor's 2002 report was in terms of the fact that actually in one of the four regions, which I can't identify but I'm sure you can, the actual goal and mandate of the parole board was not being met. There was a denial of even looking at people, making them serve 122 days, which is basically going, it seems to me, somewhat against the mandate -- at least, that was the way the auditor phrased it. I take it you're familiar with that.

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**Ms Barr:** I'm quite familiar with the situation.

**Mr Gravelle:** Yes. Can you tell me about it?

**Ms Barr:** I must say that no one has informed me which region was undertaking to do this --

**Mr Gravelle:** We're saying we don't know which one it is, yes.

**Ms Barr:** -- so I do not know which one it is. I can certainly assure you that when I was acting full-time member at Central North, I never had such a policy, and neither does the board. I cannot speak to that except to say that I believe -- and I stress the word "believe," because I don't know this for certain -- that must have been an individual. It certainly is not the board policy. I certainly know it's not only not the policy of the board; it's not the chair's policy and never has been, nor will it be my policy.

**Mr Gravelle:** I guess the concern that would be out there -- and the members of the government ought to appreciate this -- is that there may have been some influence in terms of the government saying, "We want to be tougher on people who are in this position." One wonders whether that message got across, although it seems odd that that would be a message that would go to one of the four areas, or one of the four regions. That would be a strange approach. But it is odd.

**Ms Barr:** It's very odd, and was quite shocking to me when I first learned of it. As I say, I don't feel that I'm in a position really to comment on that, except to say that I can certainly tell you that is not a policy of this board and certainly not a view that's shared by our chair or the government, as far as I know.

**Mr Gravelle:** Tell me why you do believe that the system as it is set up is the way the system should work in terms of people who are convicted of crimes, who are serving in a provincial facility, two years less a day -- a variety of crimes, obviously. You made it clear in your opening statement that you feel very strongly about the system. Tell me in just a little bit more detailed way, if you can, why you feel so strongly that it works, that it's the right way to go in terms of getting people back into the community.

**Ms Barr:** You'll forgive me if I don't have my statistics in front of me -- and I'm not a statistician by memory, that's for sure -- but I think you will see, and you may have this in your package, that statistics prove that an inmate who is simply released out on to the street at the end of their sentence -- sometimes they may not even have anyplace to live. Certainly it would be rare, I would think, that they would have employment lined up. They've simply done their sentence and the doors are open and they are released.

Under the guidelines of the Ontario parole and earned release system, first and foremost they must have a confirmed residence with a viable sponsor. If they do not have a confirmed residence in which they can go and live, they simply would automatically, almost -- maybe "automatically" is the wrong word; we would give them a hearing, but we'd let them know right up front they're denied. If they wish to have their say in front of us, they may, but they must have a confirmed residence.

They must have treatment if their offences are in any way related to substance abuse. So if the government of the day will forgive me for using one of their slogans -- which I used long before you did -- without statistics, it's only common sense that someone released into society with no guidelines, no conditions, no mandate for treatment of substance abuse -- and believe me, substance abuse is far and away the largest contributor to crime, certainly, that I see in Ontario. I can't speak for the rest of the world. They have to report to the police; they have to report to their parole and probation officer; they must absolutely prove, when they're on parole, that they are abiding by the conditions, which, as I say, in instances to which they pertain, include treatment, employment and proper reporting.

This issue of being tough on crime -- I don't think anyone believes any more than I do in being tough on crime. But one of the ways to get tough on crime is to successfully reintegrate reoffenders into society, and the parole board does that, I believe.

**Mr Gravelle:** I appreciate what you're saying. Certainly one of the great concerns that the official opposition has, and Mr McGuinty and others have expressed it, has been the decision by the government to build these superjails and to have privately run facilities. I do think a very strong case can be and should continue to be made for publicly run correctional facilities. I'd be curious as to your feelings on that. The evidence that's out there in terms of the institutions in the United States -- and I think this impacts on your particular responsibilities, because of whether or not we have people who are serving in those facilities who are coming out in a better place.

So I'm curious about your thoughts on the restructuring, in terms of superjails, and the fact that this particular government of the day is determined that they become totally privately run facilities, which is having an impact all across the province, actually, in terms of other facilities not being able to expand because municipalities

aren't comfortable with going privately run. So your thoughts would be much appreciated right now.

**Ms Barr:** I must say you're speaking to a very biased person about privatized institutions, because I of course from the beginning have been placed in the only one that Ontario has at this time, which is Central North. I can't speak from a fiscal perspective; I certainly don't know what the figures are as to publicly and privately owned. But I can tell you, from being in Central North on almost a daily and certainly a weekly basis for over a year, that the programs provided to the inmates are more than adequate. I don't see any more problems than you would see in any other institution with security. In fact, in my resumé that you have in front of you I noted that, because security remained in place even during last spring's OPSEU strike, and because the temporary absence coordinator at that time was privately employed by Central North, it was the only institution in Ontario that did not have to cease the temporary absence program during the strike.

So I'm afraid I'm for it from those regards: from the parole and temporary absence prospect, and from seeing the programs that are within the institution and how it's run. But I certainly couldn't speak from a fiscal perspective. I know, from the parole board perspective, that the inmates come before us with the adequate programming and treatment that they need. I don't know how else I can speak to that.

**Mr Gravelle:** Do you speak to the staff? Have you got any insight into how the correctional staff themselves feel about the system? Certainly one of the real pieces of evidence that we found compelling was that the staff themselves feel very strongly in terms of wanting to be part of a publicly run system. Are you in a position to be able to report on what the correctional staff themselves feel about it?

**Ms Barr:** I'm in a position to, but I don't think it has anything at all to do with my intended appointment today. Probably what they told me, they told me in confidence; some of it positive and, as in any workplace, some negative. But if you're asking me, do I hear more negative than positive -- no, sir, I don't.

**Mr Gravelle:** May I ask you if you are a member of a political party?

**Ms Barr:** I am not. I am not now, nor have I ever been, a member of the Progressive Conservative Party.

**Mr Gravelle:** Seems like a good place to end.

**The Chair:** I thought you only ask that question if you know the answer.

**Mr Gravelle:** I thought I asked that, of any political party.

**The Chair:** That's the end of your questioning? OK, we'll now go to the government caucus.

**Mr Wettlaufer:** Good morning, Margaret.

**Ms Barr:** Good morning, Mr Wettlaufer. I'm sorry I made that comment. I see the house is weighted on that side.

**Mr Wettlaufer:** You don't have to be sorry. I'm glad you've got this appointment before us this morning. I

think with the parole board you definitely need a good sense of humour, and I know of your sense of humour.

**Ms Barr:** Yes, you do.

**Mr Wettlaufer:** I make no apologies for my attitude toward parole and early release. I have a very strong belief that if you commit the crime, you do the time. I personally would probably keep everybody in jail forever and a day.

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**Ms Barr:** That's why we don't have you on the board, Mr Wettlaufer.

**Mr Wettlaufer:** I know, and that's probably why I'll never be on the board.

I'm a little bit alarmed at the reoffending rate that is committed by parolees. While I see the number of paroles has decreased over the last 10 years, from 52% to 29%, which I still think, obviously, is way too high, I notice that the re-offending rate has gone from 1.8% to 3.7%, and this is where I really get upset. I say, if the parole board is doing its job, we shouldn't have a reoffending rate. What would you comment on that?

**Ms Barr:** There again, I apologize for not having a head for remembering numbers, but I can assure you --

**Mr Wettlaufer:** That's why I gave them to you.

**Ms Barr:** I know. You're trying to trip me up, Mr Wettlaufer.

**Mr Wettlaufer:** No.

**Ms Barr:** I'm not sure of the numbers, but I do know that if you look at the number of inmates who are released with absolutely no supervision, you will find their re-offending rate is much higher.

Having said that, I will also say that I would like to be able to sit here before you today and tell you that I have not, nor has this board, ever released an inmate who went out and reoffended. However, there is absolutely no one who can tell you that. I cannot tell you, Mr Wettlaufer, that you may not leave here today and do something I wouldn't expect you to do, which might be something I expect you to do. But I believe that when the process is wisely administered -- and I stressed this in my opening comments -- it is up to the government of the day and this committee to do all it can and all they can to be sure that the people placed on that board are there because they can wisely administer the process. No matter how wisely administered it is, none of us has a crystal ball, but if the process, as it now sits, is followed, believe me, letting an inmate return to society under strict rules and conditions of parole, even though a little earlier than that inmate may have gotten out if you just turned him loose on the street, is going to help make Ontario safer.

**Mr Wettlaufer:** OK. Thank you very much, Margaret.

**The Chair:** Any further questions?

**Mr Frank Mazzilli (London-Fanshawe):** Good morning. Something I was paying attention to was the substance abuse. How many people before the board do you figure are drug abusers?

**Ms Barr:** Oh, my goodness. There again, I'm sure the board has the accurate and precise statistics on that. If I

were just taking a guess off the top of my head, before me personally -- and I have chaired hundreds of hearings -- I would say, conservatively speaking, at least 70% to 75% have some sort of substance abuse problem.

**Mr Mazzilli:** And that's where I'm happy to hear that the criterion for release with substance abuse is to get treatment.

**Ms Barr:** Absolutely.

**Mr Mazzilli:** I'll put in a plug for Mr Wood and myself, working on the Ontario Crime Control Commission with Mr George Chuvalo, as you may have heard.

**Ms Barr:** Yes.

**Mr Mazzilli:** One of the interesting things is that in 1997, 427 people died of drug overdoses. These are drug abusers, if you will, using heavy drugs. In 2001, the numbers come down to 307. Although that's slow, the interesting part is that there's been a 60% increase in people seeking treatment -- approximately 75,000 a year. That could be attributed to the parole board having such a criterion. I don't know why, but whatever it is, it is working.

But in the province we have 330,000 drug abusers -- these are Ministry of Health numbers. That's 3% of the population. In your humble opinion, if you were the government or in government, would you have any ideas on how to bring those types of numbers down?

**Ms Barr:** Wow.

**Mr Mazzilli:** You are an opinion person.

**Ms Barr:** Now, Mr Mazzilli, where did you hear that?

**Mr Mazzilli:** You do write opinion columns.

**Ms Barr:** That's an answer I wish I had. I have a 16-year-old son -- by the way, are we televised today?

**Mr Mazzilli:** We are.

**Ms Barr:** Well, I have a 16-year-old son; he's celebrating his 16th birthday today. Happy birthday, Jason.

I worry about the question you just asked me all the time. I would give anything if I could answer how to bring them down. I do truly believe that the parole process is one way to do that, but unfortunately you have to go to jail first, and that would not be an option I would want for my 16-year-old son, if he's watching.

Treatment does no good if people don't really, sincerely believe they want it and need it. I have had inmates before me who have partaken of every substance abuse treatment program within the facility and have plans to do so when they leave, and one of the first questions I ask them is, "Do you have a substance abuse problem?" If they say to me, "Well, I don't really think I do. I have five impaired driving charges, but, you know, I just got unlucky," then that's not good enough.

First, you have to somehow make people understand that it's an issue and that driving impaired or taking drugs is a problem. Maybe that's just a question of communication and getting the message out there, and frankly, Mr Mazzilli, I see the messages all the time. I don't know how to deal with it. If I had the answer to that, I would be one happy mother and one happy Ontarian and Canadian.

**Mr Mazzilli:** I think we have to look at that seriously

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**Ms Barr:** Yes, we do.

**Mr Mazzilli:** -- because when you look at alcohol, it has some great consequences, but if you look at 10% of the population as being alcohol abusers, the number of deaths when it comes to overdoses of alcohol is pretty small compared to hard drugs.

**Ms Barr:** Yes.

**Mr Mazzilli:** We talk about programs, but with some drugs it's arguable that there are no programs that will help you. They will help you to a certain point. I think medical science has a lot to do with it at that stage.

But before that, do you think there have been enough programs as far as prevention at a young age is concerned? I know we hear a lot about impaired driving and alcohol; do we hear a lot of education on drugs?

**Ms Barr:** May I speak as a mother now and not as a parole board member?

**Mr Mazzilli:** Absolutely.

**Ms Barr:** I absolutely do not believe we have enough programs for young people. I know that in school, and hopefully at home, it's drummed into them constantly, but I believe we cannot get the message across enough. Whether it's programs that may have to do with licensing that they have to pass, even a test -- and this is off the top of my head; I'm thinking about this because today is my son's 16th birthday and he wants a driver's licence. Even if part of the driving test is a test of drug awareness and alcohol awareness -- anything.

I'm certainly not a substance abuse counsellor, but I can tell you it is so much the primary reason for all the crime we have that I see among the inmates who come before us, and it is an absolute concern. I would love to see this government -- any government -- put more programs, no matter what they are, before the young people of our province and of our country, and certainly I would love that this government consult better minds than mine that would know the proper way to go about it and try to put something on board for that.

**The Chair:** I hate to tell Mr Mazzilli this, but I was very, very flexible. If Mr Gravelle hears that I allowed the Conservative Party to go five minutes over, he will be very annoyed.

**Mr Gravelle:** It's very interesting stuff.

**The Chair:** We get absorbed in this, and I think it's very good to have this. I like to see this kind of questioning. It wasn't hostile or anything. Interestingly enough in this committee, one of the things members of the committee like about it is that we learn a lot about the agencies and the problems confronting agencies, as well as about the people coming before the committee.

Thank you very much for being with us. We appreciate it very much, Ms Barr. You may step down.

**Ms Barr:** Thank you. It was a privilege.

#### FATIMA KAPASI

Review of intended appointment, selected by official opposition party: Fatima Kapasi, intended appointee as member, council of the College of Midwives of Ontario.

**The Chair:** Our next intended appointee is Fatima Kapasi, who is intended appointee as member, council of the College of Midwives of Ontario. You may come forward. I know you are aware that you have an opportunity to make an initial statement. We want you to feel very welcome and at ease before the committee. Members of the committee will direct questions to you subsequent to your initial statement. Welcome.

**Ms Fatima Kapasi:** Thank you, Mr Chair and members of the standing committee. It is indeed a pleasure and an honour to appear before you in regard to this appointment to the College of Midwives. As an ordinary citizen, I believe it is the experience of a lifetime to face members of the standing committee. In all the work I have done in the past, I have been in the position where I have been asking questions. Today I have the opportunity to face some questions, and that is something I really look forward to. I thank you sincerely for your time and consideration today.

My name is Fatima Kapasi. I came to Canada in 1972 as a Ugandan refugee with my husband and my two sons, who were babies. We settled in Kitchener-Waterloo, after living for a year in Scarborough, Toronto. I was born in Tanzania, East Africa. I have four other siblings spread all over the world. I completed my O level -- grade 12 -- in Dar es Salaam, the capital city of Tanzania. For further education, I went to England, where I obtained a degree in science. In East Africa, I was a teacher by profession, and taught biology, chemistry and physics.

After being uprooted, my husband and I, with our children, came to Canada, virtually penniless. Canada became our new home, and today I am proud to be a Canadian citizen. I re-educated myself and became a social worker. My resumé speaks to this. As a social worker, the focus of my work was to help immigrants and refugees to Canada resettle and become contributing citizens. In this capacity, I ended up working with multi-cultural centres, the United and Mennonite churches, the Mennonite Central Committee, the YWCA, the YMCA, the Waterloo County Board of Education and very many health-related agencies; to mention a few: local regional health centres, local hospitals, St Monica House for unwed pregnant women, Anselma House for battered women, and the K-W habilitation centre for the mentally impaired.

I wrote on many health-related and women's issues in the local paper. I continue to contribute to the K-W region by working today also as a fundraiser for the Heart and Stroke Foundation, the Juvenile Diabetes Foundation, the regional cancer centre and Partnership Walk, which raises funds for Third World countries. I

also sit on various South Asian committees dealing with a wide range of issues.

When the Immigration and Refugee Board was created in 1988, out of four citizens in the K-W area, I was selected and appointed by the federal government at the time in recognition of my community contributions. I served on this board for approximately nine years.

Prior to this appointment, I had worked for the Toronto Board of Education as a school community adviser. In this capacity, I worked closely with the parent community and the students, addressing many social, educational and health-related issues. Since the appointment to the Immigration and Refugee Board, I have also served as a public appointee on the Consent and Capacity Board, which deals with involuntarily committed psychiatric patients, and on the council of the College of Dental Technologists.

Having served as a public member on different boards and colleges, I come equipped with the knowledge and understanding of how they function within the scope of their respective legislations, procedural codes and regulations, policies and guidelines. Being involved in the community with the various health-related agencies, I bring the public perspective to ensure that health professionals like midwives have the required qualifications to guarantee public safety within the scope of their practice.

I believe that having gone through motherhood myself and being a proud young grandmother of two adorable grandchildren, I bring sensitivity and understanding, as well as an appreciation of the concerns, fears, aspirations and hopes of the expecting mother. In addition, I also bring cultural sensitivity by virtue of being of another culture. This is an added asset, as Canada is a multi-cultural mosaic. Midwifery is common in many Third World countries. Members of the committee, I myself was delivered by a midwife and, as you can see, I turned out to be OK.

In closing, I want to add that I come from a family of health-related professionals who are my continuous source of inspiration and support with issues related to health matters. Without meaning to brag, let me tell you that my beloved father, who is deceased, was a family physician; my older brother is a renowned radiologist involved in radio X-ray research in Australia; my older son is a dentist who is practising in the Kitchener-Waterloo area; my younger son and his wife are rural family physicians; my daughter-in-law is a clinical social worker; my niece is a nurse; my nephew, the son of my brother who is the radiologist, is a Rhodes scholar and is conducting research in nuclear cardiology at Oxford in England.

For all these reasons, members of the committee, I assure you I will make an excellent candidate for appointment to the College of Midwives. Again, I thank you for your consideration, and I am eager to answer all your questions.

**The Chair:** Thank you very much. We commence the questioning with the government.

**Mr Mazzilli:** Thank you very much for appearing. I certainly don't have any questions. I will be very much supporting your appointment. I was happy to hear about your appointment in 1988 from the government of the day. What we would do to go back to that government of the day at the federal level. But that's another story. With that, I just wish you luck on this board.

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

**The Chair:** The balance of time is waived. We'll have Mr Gravelle now.

**Mr Gravelle:** Welcome, Ms Kapasi. It's great to see you here. It's a very, very impressive resumé and a very impressive life story. I appreciate your being willing to come down because, as the Chairman made reference to with our earlier appointee, sometimes it gives us a wonderful opportunity to talk about the board or agency you'll be sitting on, and certainly midwifery is a very important one in this province. I must admit, I'm also going to make a pitch to you at some point before I wrap things up, because I've got a particular concern related to midwifery that I'm not sure all the members who were appointed would be familiar with, so I'm going to try that.

But tell me, if I may -- and certainly you will have my support on behalf of our party as well for this position -- were you drawn specifically to this particular position, Ms Kapasi? Did you ask to go in terms of this appointment or did it come about by a different process?

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**Ms Kapasi:** I was actually interested in public service, so what I did was handed in my resumé to the member of provincial Parliament in my constituency. As well, I forwarded my resumé to the Ministry of Health and, actually, to all the boards, commissions and colleges across the province, including the Attorney General's office, indicating that I have extensive experience, particularly having sat on the Immigration and Refugee Board, the Consent and Capacity Board, adjudicative experiences, as well as dealing with so many different legislations. So I would be interested in an appointment. I was waiting, and ultimately I got a call from the Honourable Mr Clement's office, and would I consider this position? I said I would very much consider any appointment, and I am before you today.

**Mr Gravelle:** I presume you've done some research in terms of the council of the College of Midwives. Are there any issues that you're going to bring to the table where you want to change things? Certainly, one of the issues that continues to come forward -- and I feel we need to continue to encourage the government to fund midwifery all across the province. We need to encourage that, and certainly all three parties have done that in the past. Do you have any issues that you will be bringing to the table related to how you want to improve the system?

**Ms Kapasi:** Definitely. I think the College of Midwives provides an important health service. I think what needs to be done is that the public needs to be really, really informed about this important service. Why would an expectant mother choose the services of an

obstetrician versus the services of the midwife? I think that needs to be communicated to the public. I know that most colleges have a publication committee and the function of this committee is to ensure that the public really understands the function of the colleges and who these people are, the registered members. Who are midwives, what is it that they can provide, and why should somebody choose the services of a midwife versus an obstetrician? For me, that is very important. As a public appointee, I can be a tool to do that, to make sure that the college works toward producing brochures or pamphlets or publishes articles in local papers so the public really understands the function of the college and the function of the registered professionals.

**Mr Gravelle:** One of the reasons why midwives are being used more often -- I've got some very close friends who have had all four of their children delivered by midwives. That's going back some 23 years, and they think it was a wonderful way to actually give birth. It was a fabulous process in every way, and of course they had access to a doctor in case there was an emergency.

But one of the problems out there, I guess, is that there are fewer and fewer doctors delivering babies. In many parts of the province -- and I guess I'm getting close to the point I'm going to be making to you -- it's difficult if not impossible to get a family doctor, and midwives are going to be the place where a woman who is pregnant is going to go. Are you aware that that is obviously a huge problem?

**Ms Kapasi:** Yes, I am aware that's a problem.

**Mr Gravelle:** I don't know what it's like in Kitchener-Waterloo, but --

**Ms Kapasi:** No, I'm aware that's a problem and, particularly, it's not only a problem within the urban cities in Ontario but it's a problem also in rural areas where there is a lack of resources -- obstetricians, gynaecologists and a shortage of family physicians. So when that is what's happening within our province, then I think the midwives can be an important health practitioner who can help out and help to somehow alleviate this problem of shortage of resources when it comes to safe deliveries. Definitely, if there are complications, I'm sure that within the scope of their practice the midwives are aware that they have to then get the assistance of a professional who is going to be there to assist with difficult deliveries. But if it's a normal birth, then they are there.

**Mr Gravelle:** There are, I think, some artificial barriers. It was pointed out by Dr Peter George when he did his report a couple of years ago in terms of some of the artificial barriers, including some hospitals restricting privileges for midwives. Are you aware of that? Do you feel that would be something we should be addressing more aggressively?

**Ms Kapasi:** Yes, definitely. I am aware of that and I think that could be addressed very clearly and it can be addressed by opening up lines of communication between various health professionals who are involved in this: number one, the hospital administrative staff, the nurses, the physicians and obstetricians and the College

of Midwives. I think there should be more dialogue, more consultation, more workshops. That makes everybody aware of what the function of each one is and how they can work as a team and how they can support each other. The problem of the shortage of resources could be alleviated. The funding can be helped in that regard. It's expensive to have an obstetrician versus having a midwife.

Also, the midwife provides very personal care. She is present before the pregnancy, throughout the pregnancy and after the pregnancy, looking after the mother and baby, and that's an asset. An expecting mother could have a gynecologist but there is no guarantee that the same obstetrician would be present at the time of the delivery, so it becomes a little impersonal. But the midwife is there throughout.

**Mr Gravelle:** You're showing a remarkable sensitivity toward the reality, which is not surprising, again, based on your history. But still, it's great to hear that because I think those are the things that need to be done in terms of fostering some of these positive communication tools which I'm glad you will be focusing on.

You made reference earlier to the availability of family doctors and obstetricians in rural areas. I come from northwestern Ontario. What is happening is that we have fewer and fewer family doctors available to deliver babies.

Are you familiar with the northern health travel grant? This is my pitch, Mr Chair. Do I have time?

**The Chair:** Yes.

**Mr Gravelle:** Good. Are you familiar with the northern health travel grant?

**Ms Kapasi:** Yes, I am. I think that --

**Mr Gravelle:** Midwives are not -- sorry, you go ahead.

**Ms Kapasi:** Sorry. Go ahead.

**Mr Gravelle:** In many parts of my riding, let alone northern Ontario in general, women who are pregnant are referred to midwives because they have no access to anybody else and they have to travel great distances to access that care. Under the northern health travel grant, if you are accessing medical services outside your own community, the government provides a subsidy to help defray the costs. But the Ministry of Health -- I've been making a bit of a plea for this for some time -- will not allow the northern health travel grant to be qualified if you go to a midwife, which seems wrong to me. Here is the government very much supporting the funding of midwifery and these are people who are -- I shouldn't say "left with no choice" because many want to choose them, but for some, this is literally the care they're going to be receiving, yet they are not able to access that northern health travel grant.

I guess my pitch is to try to have you, as a future board member -- I'm not sure whether you want to lobby the college to lobby the government. But I recently received a letter from the minister saying they are still not prepared to deem the profession of midwifery or midwives in general as specialists, and I think they are.

Could I have your thoughts on it or whether or not you feel this is something you would --

**Ms Kapasi:** I know this was debated on December 12, 2002, I believe. I don't know the reasons and the circumstances as to why the travel plan has become an issue. I don't know the details of it, but as a citizen and as somebody from the public, I would support it. I think it should be supported.

**Mr Gravelle:** I'm glad to hear that. Maybe I'll get some more material to you. It just seems unfair to me. As I say, the government supports it. Obviously this is an extraordinarily important role, and people in certain parts of the province -- not just the north perhaps but certainly in the north -- are not able to access a family doctor or an obstetrician. So I would like to think that, if they do support the travel grant for all the reasons that we do, they should be able to refer people to a midwife. I hope we can win that battle yet and I just wanted to talk to you a bit about that. I appreciate having the opportunity and I wish you all the best. I'm sure you're going to be a fabulous appointee.

**Ms Kapasi:** Thank you very much.

**The Chair:** Thank you very much for being with us. You may step down at this time.

**Ms Kapasi:** That's it?

**The Chair:** That's it.

**Ms Kapasi:** I thought I would be grilled.

**The Chair:** We will now deal with the intended appointments, and I'll entertain motions.

The first one we deal with is Gary Arthur Harron, intended appointee as member, Environmental Review Tribunal.

**Mr Wood:** I move concurrence.

**The Chair:** Mr Wood has moved concurrence in the appointment. Is there any discussion? If not, I will call the vote. All in favour? Opposed? The motion is carried.

The second intended appointee is Stanley C. Spencer, intended appointee as member, council of the Royal College of Dental Surgeons of Ontario.

**Mr Wood:** I move concurrence.

**The Chair:** Mr Wood has moved concurrence. Any discussion? If not, I'll call the vote. All in favour? Opposed? The motion is carried.

The third intended appointee is Margaret Barr, intended appointee as member, Ontario Parole and Earned Release Board.

**Mr Wood:** I move concurrence.

**The Chair:** Mr Wood has moved concurrence. Any discussion? All in favour? Opposed? The motion is carried.

The fourth intended appointee we dealt with was Fatima Kapasi, intended appointee as member, council of the College of Midwives of Ontario.

**Mr Wood:** I move concurrence.

**The Chair:** Concurrence has been moved by Mr Wood. Any discussion? If not, I'll call the vote. All in favour? Opposed, if any? The motion is carried.

We have completed the appointments review.

I should mention that we do have a communication from Gina Thorn, general manager, Public Appointments Secretariat, in the following wording:

"This is to inform you that one item included in the February 7, 2003 memorandum has been withdrawn, and, therefore, should not be considered.

"The item is as follows:

"Cabinet: February 3, 2003

"Ministry of Health and Long-Term Care

"Board of Health for the Renfrew County and District Health Unit

"Glenda O'Brien."

That has been withdrawn. That memorandum was sent to Claude DesRosiers, Clerk of the Legislative Assembly.

Is there any other business that anyone wishes to discuss?

**Mr Wood:** I move adjournment.

**The Chair:** If not, adjournment has been moved by Mr Wood. All in favour? Opposed? The motion is carried.

Thank you, to members of the committee, for being with us today. I look forward to future meetings with you, however many there might be left between now and that famous day. Thank you very much, members of the committee. The meeting is adjourned.

*The committee adjourned at 1134.*

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