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**Official Report  
of Debates  
(Hansard)**

**Wednesday 29 September 2004**

**Journal  
des débats  
(Hansard)**

**Mercredi 29 septembre 2004**

**Standing committee on  
government agencies**

Intended appointments

**Comité permanent des  
organismes gouvernementaux**

Nominations prévues

Chair: Elizabeth Witmer  
Clerk: Susan Sourial

Présidente : Elizabeth Witmer  
Greffière : Susan Sourial

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## LEGISLATIVE ASSEMBLY OF ONTARIO

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON  
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES  
ORGANISMES GOUVERNEMENTAUX

Wednesday 29 September 2004

Mercredi 29 septembre 2004

*The committee met at 0903 in room 151.*

## ELECTION OF ACTING CHAIR

**The Clerk Pro Tem (Ms Anne Stokes):** Good morning, everybody. Due to the absence of the Chair and the Vice-Chair at the moment, I would like to open nominations for an Acting Chair.

**Mr Ernie Parsons (Prince Edward-Hastings):** I would nominate Mr Arnott.

**The Clerk Pro Tem:** Thank you. Are there any other nominations? There being no further nominations, Mr Arnott, would you like to come forward as Acting Chair?

**The Acting Chair (Mr Ted Arnott):** Thank you very much.

**Interjection:** No one in your party actually voted for you.

**The Acting Chair:** Not so far. Thank you very much, committee members. It's an honour to serve in this capacity for a short time this morning in the absence of the regular Chair.

## SUBCOMMITTEE REPORTS

**The Acting Chair:** Our first order of business is the report of the subcommittee on committee business, dated Thursday, September 2, 2004. I believe all committee members have a copy of that report before them. But in order to adopt it, we need a motion.

**Mr Parsons:** I would move adoption of the report.

**The Acting Chair:** Mr Parsons has moved adoption of the report of the subcommittee. Is there any discussion on the motion? If not, all in favour? Opposed? The motion is carried.

The next order of business is the other subcommittee report that you have before you, which is dated Thursday, September 9, 2004. Again, we require a motion to adopt it.

**Mr Parsons:** I would move adoption, Chair.

**The Acting Chair:** Any discussion on this motion? Seeing none, all in favour of the motion? Opposed? The motion is carried.

## COMMITTEE BUSINESS

**The Acting Chair:** I'm required to put this item of business before the committee for your consideration,

and it concerns the extension of deadlines. Pursuant to standing order 106(e)(11), unanimous consent is required by the committee to extend the 30-day deadline for consideration for the following intended appointees:

Patricia J. Reid, intended appointee to the Town of Fort Frances Police Services Board. Do we have unanimous consent to extend this deadline to November 13, 2004? Agreed.

Jan Donio, intended appointee to the council of the Ontario College of Teachers. Do we have unanimous consent to extend this deadline to November 3, 2004? Agreed.

## INTENDED APPOINTMENTS

## SEID TAHERI

Review of intended appointment, selected by official opposition party: Seid Taheri, intended appointee as member, council of the College of Audiologists and Speech-Language Pathologists of Ontario.

**The Acting Chair:** Now we will move to the appointments review. Our first interview is with Seid Taheri, intended appointee as member of the council of the College of Audiologists and Speech-Language Pathologists of Ontario. You may come forward and, as you may be aware, you have an opportunity, should you choose to do so, to make an initial statement. Subsequent to that, there may be questions from members of the committee.

Welcome to the standing committee on government agencies. Please sit down. You may begin your opening statement.

**Mr Seid Taheri:** Distinguished members, I want to thank you for being given the opportunity of speaking before you today.

I was born in 1955 in the northwestern city of Urmieh, in Iran. I received my elementary and secondary schooling in the same hometown. I followed up my higher studies at the University of Tabriz, formerly known as Azerbaijan. There I was awarded a bachelor of arts degree, majoring in philosophy. Later on, I went to Turkey and enrolled my name at the Middle East Technical University of Ankara. I obtained a BA degree in sociology from the said university.

In 1987, I decided to emigrate to Canada. A short time after my landing, I founded Taheri Finance and Exchange. Since 1990, Taheri Finance and Exchange has

had a close business relationship with the well-known American Express company.

I have also been actively involved in social, charitable and sporting events. In 1992, I founded the Arya Sports Association, which played a successful role in promoting and disseminating education and sportsmanship, which have been undoubtedly established.

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My involvement in such events has come to the attention of governmental and non-governmental authorities in Canada. For instance, in November 2002, the Ontario government awarded me a letter of appreciation to acknowledge my 10 years of ongoing social and community services. In August 2003, the Secretary of State for Multiculturalism awarded me a certificate of recognition, congratulating me for my community services.

Thank you.

**The Acting Chair:** Thank you very much. We have time for some questions, as is the routine of this committee. From what I understand, the last time we started with the government party, and we are prepared to commence questioning with the New Democrats.

*Interjection.*

**The Acting Chair:** Mr Marchese, do you have a question?

**Mr Rosario Marchese (Trinity-Spadina):** Yes, I do. I was just asking that we go the other way.

**The Acting Chair:** You'd prefer to yield your rotation?

**Mr Marchese:** No, not yield. If they don't mind going first, that would be great.

**The Acting Chair:** OK. Mr Parsons.

**Mr Parsons:** We'll go first. We have no questions.

**Mr Marchese:** Amazing.

**The Acting Chair:** No questions. Mr Marchese, do you have any questions?

**Mr Marchese:** Yes. Sure, I have some questions.

Welcome, Mr Taheri. They have no questions. They must know you well, or they don't know you at all. I don't know; it's hard to say.

I was looking at your resumé and I wondered how your resumé might fit into this particular field. Is there a connection between the volunteer work that you've done and your interest in audiology or speech-language pathology?

**Mr Taheri:** I didn't apply especially for that kind of position. I was just interested in spending some time serving people. It has been decided by the government that maybe I could be suitable for this kind of position. It was not my idea, but generally I think I can be the person for it.

**Mr Marchese:** I suspect that you can manage it. What did you apply for? What was your interest, generally or specifically?

**Mr Taheri:** I have nothing specifically; just generally. First, I received a call from the Minister of Health's office. They asked if I can be of help in this field. I said that I have no problem. As long as I can do my duty for the public I would do it; my pleasure.

**Mr Marchese:** We're happy that you're interested in serving in whatever capacity somewhere. It just did occur to me that perhaps, in terms of your interests, this might not have been one of your preferred places to go. But did you originally apply to the government or to any particular minister to say, "I'm interested in serving," or did they call you?

**Mr Taheri:** They called me.

**Mr Marchese:** Because they know you somehow?

**Mr Taheri:** Not that much; through a friend of mine. He asked me if I could spend some time and I accepted.

**Mr Marchese:** OK. Are you familiar at all with some of the concerns that speech-language pathologists and audiologists might have?

**Mr Taheri:** Yes. I received some papers.

**Mr Marchese:** The ministry didn't brief you at all in terms of some of the questions that could come up?

**Mr Taheri:** Yes, of course. I got some papers, some samples that I studied a little bit to be prepared.

**Mr Marchese:** But they didn't give you a sense of what this group would be dealing with or the concerns—

**Mr Taheri:** Yes, they did.

**Mr Marchese:** They did? One of the papers we're given—we're always given fact sheets around the particular issues that we're about to debate. One of the issues that has been raised in the past is that while audiologists and speech pathologists "are not permitted to formally communicate a diagnosis to a patient, it is their professional responsibility to draw conclusions and recommend appropriate intervention. Because of the act's stricture, they are compelled to convey their assessment without using the word 'diagnosis' though effectively they are providing one, and recommend that the client see a physician, who is authorized to communicate a diagnosis." So they feel that they are diagnosing but they're not allowed to. Do you have any opinions in these matters?

**Mr Taheri:** That's the problem. I think we have to work out some solution to let them directly take care of their patients. That would be much easier. But my knowledge is very limited. First, I have to study and to understand what is the case and what we can do. But personally I think there shouldn't be that much limitation for audiologists and—

**Mr Marchese:** They should be able to diagnose without having to necessarily refer the matter to the doctor, where the doctor then has to make the recommendation.

**Mr Taheri:** Right.

**Mr Marchese:** Thank you.

**The Acting Chair:** Mr Tascona, do you have any questions?

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** Thank you, Mr Chairman. It's nice to see you here today. Thanks for coming. Can you tell me how you heard about this position?

**Mr Taheri:** A friend of mine.

**Mr Tascona:** Who's that?

**Mr Taheri:** Mr Bahram Fouladi. He's Iranian. Bahram Fouladi emigrated to Canada 23 years ago, I

believe. We work together in our community as a group for social works. He asked me if I can be any help, if I can spend some time for the public, related to the government. I said, "My pleasure, if I can."

**Mr Tascona:** So who contacted you from the government?

**Mr Taheri:** I received a call from the Minister of Health's office and they—

**Mr Tascona:** Who? Sorry?

**Mr Taheri:** The Minister of Health.

**Mr Tascona:** The Minister of Health's office. Who in that office?

**Mr Taheri:** I don't remember that person's name but maybe his secretary or someone else in his office.

**Mr Tascona:** When was that contact made?

**Mr Taheri:** About a month ago, I believe.

**Mr Tascona:** About a month ago, OK. And I know that you've had some interest in politics, I take it, from your community. Do you have an interest in politics?

**Mr Taheri:** I don't have an interest in politics, myself, at all.

**Mr Tascona:** Have you made any donations to a political party?

**Mr Taheri:** Yes, I did.

**Mr Tascona:** Which party?

**Mr Taheri:** For NDP, for Tory and for Liberal.

**Mr Marchese:** Any other party? What about the Communist Party?

**Mr Tascona:** Rosario, you're finished. It's my turn, OK? If you're trying to get a donation, ask him later. I'm not after a donation; I'm just trying to find out his background.

So what do you know about this position? What do you understand about it?

**Mr Taheri:** I don't know very much, but I know that there is a governing council, I know that eight or nine members are elected by college members, six or seven are appointed by the Lieutenant Governor in Council, and two are—

**Mr Tascona:** What do you know about the position, as to what you're going to do?

**Mr Taheri:** I am there to deal with the public concerns regarding this matter.

**Mr Tascona:** And why do you think you're qualified to do that?

**Mr Taheri:** For public work, I think I am a qualified person generally, but specifically I have to develop my knowledge in this particular field. I don't have any experience, but I can develop it.

**Mr Tascona:** In your background, you have a BA degree in sociology; is that correct?

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**Mr Taheri:** Yes, that's correct.

**Mr Tascona:** Do you have any experience in the health care field?

**Mr Taheri:** Not at all.

**Mr Tascona:** Not at all. And you have no education in the health care field; is that correct?

**Mr Taheri:** Yes, sir. I don't have any education for it.

**Mr Tascona:** So how do you think you're qualified to be on the council of the College of Audiologists and Speech-Language Pathologists, without any background education-wise or any background experience-wise?

**Mr Taheri:** As I said, if you make it very specific, maybe I would not be qualified, but if the public has to be represented there, I think I am a member of the public with some knowledge, and I can develop my knowledge.

**Mr Tascona:** Let me ask you this: What do think needs to be done in this area? How do you think you can contribute?

**Mr Taheri:** One thing I discussed with Rosario Marchese is that I think the professions in this field have to be able to deal with their patients directly, not necessarily under some physician's observation or their licence.

**Mr Tascona:** This is dealing with audiology and speech-language pathology. What do you think you can contribute to that particular profession? What do you hope to contribute?

**Mr Taheri:** As I said, sir, my information and knowledge are not very much. I have to understand the whole thing first, then I will be able to give a better idea about what is good, what we can do to deal with the problems and take care of the patients.

**Mr Tascona:** How did you prepare for today's meeting?

**Mr Taheri:** I just studied some information that I received from the minister's office, and that's it.

**Mr Tascona:** Did you receive any information before this meeting from the ministry?

**Mr Taheri:** No. By "before this meeting," you mean today?

**Mr Tascona:** Yes.

**Mr Taheri:** No.

**Mr Tascona:** OK. What made you want to apply for this college in the health care field? Why this one?

**Mr Taheri:** I didn't apply for this college directly. I just told my friend that, yes, I would be more than happy to spend some time in public work. Then I gave him my resumé. After maybe a few weeks, I received a call from the Minister of Health's office. They asked me if I could be in health, particularly in this field. I didn't refuse it. I said, "Yes, I can try it."

**Mr Tascona:** Who's your MPP; do you know?

**Mr Taheri:** My MPP is Mr David Zimmer.

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

**The Acting Chair:** That concludes our time. Thank you very much for coming forward to make your presentation to our committee. We appreciate your contribution very much, and you can now step down.

**Mr Taheri:** Thank you, sir.

**Mr Tascona:** I apologize for being late. I got caught in traffic, which is very bad.

I know you went through some preliminary matters, and I want to at least reserve some time today. I've got some points I want to make with respect to what this committee needs to be doing in terms of issues that have

arisen since the last time we met. So if you could keep that in mind.

**The Acting Chair:** When would you propose to do that; right before lunch, Mr Tascona?

**Mr Tascona:** At the call of the Chair.

**The Acting Chair:** I appreciate the request. I'm not going to be chairing all day long but I'm sure the Chairman would be prepared to entertain your comments.

**Mr Tascona:** Who's that? Is there going to be another Chairman?

**The Acting Chair:** The Chairman is Elizabeth Witmer.

**Mr Tascona:** I know. When is she going to be here?

**The Acting Chair:** I think she's here later on this morning.

**Mr Tascona:** Is that right?

**The Acting Chair:** Yes.

**Mr Tascona:** OK.

**The Acting Chair:** Thank you very much—

**Mr Tascona:** Maybe I'll make the points right now.

**The Acting Chair:** No. We're going to deal with Mr MacKnight.

#### ROBIN MacKNIGHT

Review of intended appointment, selected by official opposition: Robin MacKnight, intended appointee as member, Justices of the Peace Review Council.

**The Acting Chair:** Our second interview is with Robin J. MacKnight, intended appointee as member, Justices of the Peace Review Council.

Mr MacKnight, welcome to our committee. As you may be aware, you have an opportunity, should you choose to do so, to make an initial statement. Subsequent to that, there may be questions from members of the committee. Each party will have 10 minutes allocated for their questions, and we will go in rotation. Any time you take in your statement will be deducted from the time allocated to the government party. You may make your presentation now.

**Mr Robin MacKnight:** Thank you, Mr Chair. Good morning, ladies and gentlemen. I've been given a copy of the material that I believe you have in front of you. When you look at it and see that I am an experienced tax lawyer, you'll probably ask yourselves, "What do tax lawyers have to do with justices of the peace?" What I'd like to do is point out a news release that came out yesterday, where a justice of the peace in Whitby convicted a businessman for tax evasion under the provincial Retail Sales Tax Act. So tax lawyers do encounter justices of the peace. I don't have a lot of experience dealing with them. Unfortunately, I occasionally encounter them dealing with parking tickets or, more realistically, representing clients who have been subject to a search-and-seizure order where a subpoena has been issued by a justice of the peace. But I do not generally interact professionally with justices of the peace.

For the purposes of this committee, I consider that a good thing, because I am unencumbered by any

preconceptions about their role in the system, although I do appreciate what they do. They are the thin edge of the wedge. In many cases, they are the first part of the judicial system that most citizens encounter, and so they do play a critical role.

I feel I offer two strengths that can serve this committee. As a tax lawyer, you have to develop two key strengths in order to succeed. First of all, you have to be able to think outside the box. You have to constantly revisit established practices and procedures to determine if they remain effective and appropriate. Second, you have to constantly update your skills, and you have to re-evaluate government policy, economic policy, legal policy, social policy.

In the context of the JP review committee, I understand from the material I was sent that there are some proposals coming about how to revamp and revise the system. I think I offer the opportunity to provide a fresh look. As an outsider, I can challenge some of the preconceived notions that may exist in the system, and I think I'm a fast learner.

I look forward to working with this committee and hope I can make a contribution to its operations in improving the legal system.

Thanks for considering me.

**The Acting Chair:** Thank you very much, Mr MacKnight. I'm going to turn to the official opposition first for questions.

**Mr Tascona:** Thank you for sharing with us that court case in Whitby. I imagine any person of any background could appear in front of a JP, wouldn't you agree?

**Mr MacKnight:** That's true.

**Mr Tascona:** I don't think tax evasion is one of their major specialties.

**Mr MacKnight:** I hope not.

**Mr Tascona:** I wouldn't think so.

I want to thank you for coming here today, and would just ask up front, are you a financial supporter of the Liberal Party?

**Mr MacKnight:** Over the years, I have supported all the major political parties, including the Rhinoceros Party.

**Mr Tascona:** Is that right? Most recently, whom have you supported?

**Mr MacKnight:** Most recently it has been the Liberal Party, because of the candidates in my riding.

**Mr Tascona:** What's your riding, sir?

**Mr MacKnight:** Carolyn Bennett is our federal MP, and the Attorney General is our provincial MP.

**Mr Tascona:** How did you hear about this appointment?

**Mr MacKnight:** I asked the staff of the Attorney General's office if there were any areas where they needed assistance, and I was directed to the Web site.

**Mr Tascona:** Which staff in the Attorney General's office?

**Mr MacKnight:** There were several I talked to.

**Mr Tascona:** Do you recall their names?

**Mr MacKnight:** I think it might have been Miss Holland.

**Mr Tascona:** This position, which deals with JPs—as you know, there are two types, presiding and non-presiding, and I understand that the Attorney General is undertaking a review of this type of appointment. Are you aware of that?

**Mr MacKnight:** I understand there is a review ongoing. I don't know any of the details of it.

**Mr Tascona:** The type of work that the JPs have been doing, as you know, is obviously front-line, a very important position in the judicial process. Do you have any thoughts about the kind of qualifications a JP should have before they become one?

**Mr MacKnight:** I'm open on that. I assume they would have some kind of legal training. Given the nature of the offences they consider, they probably need training in other areas as well, probably psychology, the determination of mental capacity, things like that. But I would suspect they need some legal training.

0930

**Mr Tascona:** Do you think the current process of review for justices of the peace—do you know what the complaint system is?

**Mr MacKnight:** Just what I've read in the legislation and the material that was sent to me.

**Mr Tascona:** Do you have any thoughts on whether that is adequate, or should it be strengthened?

**Mr MacKnight:** Looking at it abstractly, it seems like it's not an inadequate system, but I'd like to hear some views of people who have actually gone through it to see if it really works. The way it appears on paper and the way it actually works are likely to be two quite different concepts.

**Mr Tascona:** OK, because part of your role is to investigate complaints against JPs.

Being a tax lawyer, what experience do you think you have that could benefit you in your role of investigating JPs in terms of complaints? What do you think you bring to the table?

**Mr MacKnight:** A fresh perspective. For a tax lawyer, people think the answers are always in the Income Tax Act, and that's generally not the case. You have to have an understanding of the law as a whole. I suspect that when you're looking at the actions of a justice of the peace, where a complaint has been filed, you have to have a broad perspective on what was done, what the alleged complaint is about and the context in which it arose. I think you just have to have an open mind.

**Mr Tascona:** But in your training as a tax lawyer, what do you think you can bring to the table? I know you have an open mind, but you don't need to be a tax lawyer to have that.

**Mr MacKnight:** No, you don't. In fact I don't think you need to be any kind of lawyer to have an open mind. But as a tax lawyer, I'm used to dealing with complicated issues—complicated fact situations—and distilling the

essential elements. I suspect that is largely what is involved in the review process as well.

**Mr Tascona:** You said you have some knowledge of what the Attorney General is doing in terms of the appointment process?

**Mr MacKnight:** No. I'm aware, based on the material that was sent to me, that there is a review underway of how the appointment process works, but I don't know any of the details of that.

**Mr Tascona:** Was getting on this Justices of the Peace Review Council something you were specifically interested in?

**Mr MacKnight:** I asked if there were any areas in the legal system where assistance from outsiders, from people outside the political process, was required. I was referred to the Web site and told there are a number of areas, and so I applied to the public accounts—sorry, I'm used to dealing with finance committees—the Public Appointments Secretariat and saw this one and thought it would be interesting.

**Mr Tascona:** The Criminal Code says that arrested people must see a justice within 24 hours, or as soon as possible if one isn't available. Recently it seems JPs have decided that the setting of trial dates is a clerical function and have not made it a priority. The average wait for a bail hearing in Ontario increased to 12 days in December of last year. Do you think it's important that JPs conduct bail hearings and, if so, how would you work to ensure that new JPs take this responsibility seriously?

**Mr MacKnight:** Well, I'm concerned about any delays in the justice system. I read that excerpt as well, and given what's happened with Askov and the number of cases that have been thrown out because of delays, I think it's important that we address that issue. I think that is a critical role the JPs have to play. Something has to be done. If the committee determines that that issue should be reviewed, I'd be interested in participating in that process.

**Mr Tascona:** OK. Thanks very much.

**The Chair:** Mr Marchese, do you have any questions?

**Mr Marchese:** Yes. Welcome, Mr MacKnight. It's always amusing to go through this process, because when the Tories were in power the Liberals would be the attack dogs for this kind of issue, and the first question they would ask is the kind of question he asked: "Do you belong to a political party; who asked you?" and that kind of stuff. It's a pretty sad process, I've got to admit.

When we were in power, Bob Rae was very much concerned about not making appointments simply on the basis of party affiliation. Our own members, who had been shut out for so long, said, "Why are you doing that?" In fact, it was an incredible thing, because we appointed many people who had no party affiliation, to the anger of our own friends, who said, "We're not getting any appointments." To be attacked by the Tories and the Liberals for just making NDP appointments was a pitiful thing to see, actually. I just thought I'd share that—

**Mr Parsons:** Is there a question?

**Mr Marchese:** It's coming. The question is coming, Ernie.

I just thought I'd let you into that kind of history, because you weren't here at the time. Mario was here; Monique was here in different ways. But I thought I'd share that history with you, because it's very amusing to see it played out.

On January 5, 2004, Michael Bryant said he wanted to review the appointment process "with a view to ensuring that only the best candidates are appointed" and "that they're appointed in the fairest and most transparent way possible." What do you think he means by both of those comments, because they speak to some problem?

**Mr MacKnight:** I suspect he's trying to move to a merit-based approach, which I wholeheartedly support, and I suspect he's looking for a new process that would make it clear to people that qualified people are being appointed, to remove the cloud of something other than just a merit-based system. It would be similar to the process we just went through in new appointments to the Supreme Court of Canada.

**Mr Marchese:** So two questions obviously arise: Candidates are probably not appointed on the basis of qualification but rather on the basis of who they know; it's a problem—

**Mr MacKnight:** I can't comment on that, not having been through that process.

**Mr Marchese:** —and they're appointed in the fairest and most transparent way. That's what we're doing here today, for example; it's quite transparent. So I'm not sure how much more transparent we could make it. Do you think there's a way we could make this process much more transparent than this?

**Mr MacKnight:** I know that in the Ontario Reports, which is the publication that comes out weekly for lawyers, there are notices so that people can apply when justices of the peace are required, when there are vacancies. I think that's part of the transparency in the process: letting people know there is the opportunity to serve in this role. Having let people know that the opportunity to serve exists, one then has to go through to determine that one has got the right people filling those holes.

**Mr Marchese:** Right. So in other words, in the past we may not have publicized the fact that these openings were available, and therefore fewer people would know about it, possibly.

**Mr MacKnight:** Possibly. I've noticed there have been more notices in the ORs of late, within the last year or year and a half, than previously.

**Mr Marchese:** That's a good thing in and of itself. I think it makes it possible for more and more people to be aware of those positions and able to apply. In that way, I think it's useful. I'm not sure it makes it more transparent, but I think it's a very useful thing.

Part of the work of the council is to talk about responsibility for planning and continuing education of JPs, and you talked about two of your own qualifications or strengths; that is, that you constantly have to update your

own skills, and you do that. Do you think that JPs are not getting the kind of continuing education they should be, or not enough, or maybe inadequate? Do you have some thoughts about what you would do?

**Mr MacKnight:** I suspect that JPs are like other members of the judiciary. I have friends on other courts, and they occasionally lament the fact that they rarely encounter certain types of issues and therefore feel unqualified when these issues come up; for instance, in tax court the goods and services tax is a difficult statute. I suspect the JPs are forced to administer a number of very complicated statutes, provincial sales tax being one, but also the Criminal Code, where there have been a number of conflicting decisions and directions from superior courts. So I think they probably need to have available to them some kind of education system to help them ensure that they are always at the leading edge, so that they're always aware of what's going on.

**0940**

**Mr Marchese:** Absolutely. Given what you said right now and given what you said earlier, that you think a lot of the JPs have some kind of legal training—I'm not certain about that. They don't have to be lawyers, is my understanding, and many of them are not. I think part of the complaint by the legal profession generally is that they should be, given the kinds of issues they have to deal with. My sense is that if they don't have legal training to bring them up to speed on particular issues, it isn't impossible but it could be difficult. Would it be your view that these JPs should in fact be lawyers, or are you OK with the current system the way it is?

**Mr MacKnight:** I'm not fixated on the fact that they're all lawyers. I suspect that there are some JPs, particularly in remote areas, who may not be lawyers but because they have been making the system work, they probably know more about the legal process, the criminal justice process, than any lawyers. It's like in a lot of law firms, where you may find that the real estate is actually being done by clerks because they know how the system works, rather than the lawyers who sign the letters. So the fact that there are JPs out there who do not have legal training, I'm sure they have learned a lot more on the job than they ever would have learned in law school.

**Mr Marchese:** So you're OK with the current system in terms of appointments.

**Mr MacKnight:** I would be reluctant to have a purge of people, saying that anyone who's not a lawyer could no longer serve as a JP, because I think they've probably served very well.

**Mr Marchese:** Sure. I suspect that's true.

**Mr MacKnight:** But on a go-forward, it may make sense to have a higher threshold. I'm open on that.

**Mr Marchese:** Right. I don't suspect people would be saying, "Let's purge," or "Let's immediately fire all those who are not lawyers." My suspicion is they wouldn't do that.

**Mr MacKnight:** Right. I would not support that purge.

**Mr Marchese:** No, but in the future, if there were a policy, as people retire, for example, one could say that,

as they retire, we will demand or require that people have a legal background or are lawyers. But you're saying that a lot of these people bring different skills and, as long as they have the intellectual mindset, they don't have to be lawyers.

**Mr MacKnight:** I don't think so. I think you have to have a willingness to make the system work first. A reliance on purely legal skills is probably not necessary.

**Mr Marchese:** Did you have any thoughts about this particular job before you applied for it, about what they did, what they should be doing, any beefs, any complaints, any ideas? Or are you just coming to it—

**Mr MacKnight:** As I mentioned before, I rarely deal with justices of the peace. In my practice, the only time I come across them is when I'm trying to defend a client against a search and seizure. I don't have a lot of history with them so I don't have any opinions on how they work in the system. I'm open to see how the proposed reforms go.

**Mr Marchese:** Thank you.

**The Acting Chair:** There's still time for questions from the government side. Are there any questions?

**Mr Parsons:** It appears, Chair, that the other parties have asked exactly the questions we intended to, so we will pass.

**The Acting Chair:** So that concludes the time allocated for you, Mr MacKnight. Thank you very much for attending this committee today. You may step down at this time.

**Mr MacKnight:** Thank you, Mr Chair.

#### GILLES MORIN

Review of intended appointment, selected by official opposition party: Gilles Morin, intended appointee as member, Assessment Review Board.

**The Acting Chair:** Our next interview is someone who doesn't really require an introduction around here: Mr Gilles Morin, who is the intended appointee as member for the Assessment Review Board. Welcome, Gilles.

**Mr Gilles Morin:** Good morning.

**The Acting Chair:** It's good to see you. I'm sure you know the drill here. You have a chance to make a statement—

**Mr Morin:** I find that life is full of surprises, because I used to be on this committee. I'm very proud to say that I participated in choosing our excellent Clerk, Claude DesRosiers, and also our Sergeant at Arms. Those are two candidates about which I feel that all of us made an extremely good decision.

Thank you, Mr Chair and members of the committee, for providing me with an opportunity to appear before you today and outline some of my career and life experiences.

After graduating from l'École supérieure Montcalm in Quebec City in 1951, I joined the Canadian army and did my officer training at Camp Borden. In 1953, as a second lieutenant of the third battalion of the of the Royal 22nd

Regiment, the Van Doos, I was sent to Korea to lead a machine-gun and flame-thrower platoon.

Returning to Canada in 1954, I was promoted to lieutenant and became a recruiting officer for the Canadian Forces. In 1957, I was promoted to the rank of captain and appointed as aide-de-camp to Governor General Vincent Massey, and later served for a brief period under Governor General Vanier.

In 1959, I left the regular forces to join an investment firm. As a bond dealer, I specialized in municipal and school financing. I travelled extensively across the province of Ontario and established an excellent clientele in the financial and investment field.

In 1976, I was invited by Arthur Maloney, first Ombudsman of Ontario, to join his staff as director of rural, agricultural and municipal services. I was responsible for the establishment and management of all Ombudsman offices that operated outside of Toronto. I was also responsible for complaints emanating from the First Nations reserves located in northern Ontario.

In May 1985, I was elected to the Ontario Legislature in the riding of Carleton East, now known as Ottawa-Orléans. If I could make a little statement here, I understand that your former Minister of Tourism, Mr Coburn, is applying for the same job, and I cannot do anything else than highly recommend him. He was an excellent member and is also an excellent citizen of our area, of my sector.

I was subsequently re-elected in 1987, 1990 and 1995. In my political career, I served as parliamentary assistant to the Minister of Community and Social Services, John Sweeney, in 1987, and to the Minister of Colleges and Universities, Lyn McLeod, in 1988. In 1989, I was appointed minister for senior citizens. I also fulfilled the role of Deputy Speaker for many years.

In 1999, I was nominated by the then-Conservative government as a member of the Ontario Highway Transportation Board. The board is a quasi-judicial agency responsible for controlling market entry for the public vehicle or intercity bus industry. It is responsible for all economic regulatory matters pertaining to the intercity bus industry, ranging from consideration of applications for public vehicle services on the basis of public need to issuing licences to settling disputes between carriers and imposing penalties. I am still, today, an active member of this board.

I am very much involved in my community, serving as vice-president of the Perley and Rideau Veterans' Health Centre foundation and secretary to the board of l'hôpital Montfort, vice-chair of the Ontario Association of Former Parliamentarians, life member of the Royal 22nd Regiment, member of the Governor General's Foot Guards association and member of the Canadian Amateur Radio League. If any of you are ham radio operators, I operate under the call sign VE3VGW, so if you hear that sign, that's me.

I have acquired through the years extremely valuable experience which makes me well prepared for this new challenge presented by the Assessment Review Board. I

have learned that there is a dire need for francophones on the board; hence the reason I offered my services to the board and applied through the Public Appointments Secretariat. I admit from the start that, as a taxpayer, I am very familiar with the ARB, but I do not possess an intimate knowledge of their operation. However, I have been assured by the chairman of the board and others that they have an excellent training program. I feel confident that with proper supervision and exposure to different cases, I will meet all of the board's expectations.

I will be pleased to answer any questions you may have concerning my background and qualifications.

**0950**

**The Acting Chair:** Thank you very much, Monsieur Morin. It's wonderful to see you here, as I said earlier. I'd like to start with the government. Do you have any questions?

**Mr Parsons:** Just a clarification. You're currently on a commission—

**Mr Morin:** On the Ontario Highway Transport Board.

**Mr Parsons:** So this is in fact a transfer?

**Mr Morin:** That's correct. May I repeat, the reason I asked for the transfer is because I was told and I've learned—one of my colleagues, Bernard Grandmaitre, sits on the board; some of you may remember. He was telling me that the demand for francophones on the board is extremely serious, especially in northern Ontario, areas like Cornwall, Hawkesbury and Ottawa, of course. This is the reason I offered my services. It's a part-time job.

**Mr Parsons:** I appreciate that. Thank you for being here.

**The Acting Chair:** Any more questions from the government side?

**Mr Mario Sergio (York West):** I have no questions, but I would welcome Mr Morin and congratulate him on the many years he spent in the House, serving the people of Carleton, and on his latest appointment. I wish him well on his new appointment. The only regret I have is that it's a part-time job. He's still so young and so dedicated that I think we should offer him a full-time job back here at Queen's Park. I don't know if he's interested in doing that, considering that life is perhaps better on the other side.

**Mr Morin:** I do miss politics.

**Mr Sergio:** And we miss you.

**Mr Morin:** It's like a heart that beats constantly. There's always something happening. That's what I miss, and I miss the collegiality.

**Mr Sergio:** It was nice to have you.

**The Chair:** I'll now turn to the official opposition.

**Mr Tascona:** Maybe you want to put that on the record and you can get that to the Premier.

Gilles, it's good to see you again. You were elected four terms as a Liberal MPP.

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

**Mr Tascona:** When you retired in 1999, I had the pleasure of taking over your office on the main floor, so I appreciate that.

**Mr Morin:** It's a nice office.

**Mr Tascona:** Though my stay there wasn't that long.

When I looked at your application form, I noticed under the section indicating the board you wish to serve on—you signed this document December 19, 2003—you mentioned a meeting with Debra Roberts.

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

**Mr Tascona:** Is it the same Debra Roberts who is the director of appointments in the Premier's office?

**Mr Morin:** She is in charge of the public appointments; that's correct.

**Mr Tascona:** In that application, you said, "Please refer to meeting with Ms Debra Roberts." I'm looking at the application here—and I'll just bring it to the clerk's and the Chairman's attention that there is nothing with respect to documentation about that meeting with Ms Debra Roberts at all.

**Mr Morin:** I can clarify that, if you want.

**Mr Tascona:** No, I'm just referring it to the clerk in terms of the format here. This is an application for appointment to agencies, boards and commissions, which is filled out by Mr Morin, like any other candidate. It says, "Name the agency, board or commission to which you are applying," and then it says, "Please refer to meeting with Ms Debra Roberts." I would have thought that would have been part of the documentation we would have received in addition to Mr Morin's curriculum vitae. Maybe you can look into that, as to why we were not given a copy of that, because it obviously formed part of the application, which is to come to this committee and which in fact never did reach it.

I want to ask you, Gilles, how did that meeting come about with Debra Roberts of the Premier's office?

**Mr Morin:** I called her and asked for an appointment and indicated to her my desire to join the Assessment Review Board.

**Mr Tascona:** Did you discuss any other—

**Mr Morin:** I think if the notes aren't indicative, it's possibly my fault. I should have referred to that meeting on that note and what the meeting was all about. I expressed, at that time, my interest in joining the board. That's what I should have said.

**Mr Tascona:** Did you discuss any other appointments?

**Mr Morin:** She certainly asked me what I would like to do, and one of them was the Assessment Review Board. So there were no other appointments that I really fancied except that one.

**Mr Tascona:** Were you looking for a full-time appointment?

**Mr Morin:** The difficulty with a full-time appointment is that I live in Ottawa and I would have to travel back and forth to Toronto, which I have done with this present board. I prefer part-time because it gives you more freedom. It also gives you certain privileges that a full-time member doesn't have; for instance, to participate and to be present at political meetings. The legislation is very clear. If you're part-time you can do that, although I have been extremely careful because it's so easy to be criticized and it's so easy to show partisanship.

I had occasion, when I was Deputy Speaker in this House, to be very careful not to be partisan and I think I did achieve that. It's the same thing that I try to achieve in working for a board.

**Mr Tascona:** I understand that. You're still an active member of the Highway Transport Board?

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

**Mr Tascona:** When does that appointment expire?

**Mr Morin:** In October of next year.

**Mr Tascona:** And you're going to continue to serve in that capacity?

**Mr Morin:** No. The understanding is that as soon as the order in council is signed, I will then join the ARB. But at the moment there are certain cases that I have started and, as you know, you cannot leave a case when it's in place. That's why I have to stay until at least the end of October. If a candidate has not been chosen yet to replace me, then I will stay on to make sure that the chairman of the board is not left alone. Then I will join the ARB. So it's very flexible. In other words, your question is, will I fulfill two jobs? No.

**Mr Tascona:** Most of the people in this room have heard from constituents who are having problems with MPAC, as it's called.

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

**Mr Tascona:** What do you think about MPAC and the work they've been doing in assessing properties?

**Mr Morin:** As I mentioned at the beginning in my presentation, I am not very knowledgeable about the system itself, although I know the procedure. But is MPAC a good set-up for municipalities? I think it would be totally improper for me—out of place—to even criticize it or discuss it.

**Mr Tascona:** What do you think your role is going to be then?

**Mr Morin:** First of all, I expect to have excellent training, and I was assured of that by the chairman of the board, to have training within the organization. I understand that you have a mentor as you gradually learn the trade. Then you're left alone to make the decisions. It's somewhat similar to any other organization. When I was with the Ombudsman's office—and as you know, as a lawyer, administrative law is not a court.

You have to be very compassionate. You have to listen attentively. You have to make your witnesses very at ease and make them understand what legislation is all about, to make sure that they are being treated fairly, to make sure that they're dealing in front of a friendly group. It's the same with the Ombudsman's office. I have dealt with different complaints, with people who are frustrated, and I expect to deal with people who will be frustrated. But I've been well trained in the past to be able to face that and to help them to the best of my knowledge.

**Mr Tascona:** Have you been following any of the government's initiatives with respect to the assessment area?

**Mr Morin:** No.

**Mr Tascona:** One that they're proposing—and I stand to be corrected; Monique or other members may know

better. I think they were looking at a freeze on the assessment this coming fiscal year. Ernie?

**Mr Parsons:** Yes, that's correct.

**Mr Tascona:** With that in mind, what do you think the role of a member is with respect to having knowledge of government initiatives and how they should interpret them to fulfill their function on a board?

**Mr Morin:** Could you rephrase that?

**Mr Tascona:** What role should a member have, because it's an administrative tribunal—

**Mr Morin:** A member of the board?

**Mr Tascona:** Yes—in terms of being aware of government legislative initiatives in how you perform your job?

**1000**

**Mr Morin:** If I were to face a situation where I know there are problems for a certain legislation, I certainly would not hesitate to address it to my chairman, who in turn would have the responsibility to deal with any representative of the government and bring it to their attention. That is the normal procedure. It would not be my position to make any public statement to that effect, because I report to the chairman. Then, I think it would be appropriate for a member to keep vigilant, to look at different issues and to make his chairman aware, because a member is more or less the extension of the chairman. He's on the road, he meets with constituents, he meets with different witnesses, and it's his responsibility to bring to his attention all the difficulties he may encounter.

**Mr Tascona:** Thanks very much for your time. I appreciate it.

**The Acting Chair:** Now, in rotation we turn to the New Democrats for questions.

**M. Marchese:** Bienvenue.

**M. Morin:** Merci.

**Mr Marchese:** I just want to say publicly that it was great to work with you while you were an MPP. You always conducted yourself very fairly, as an upright person and with a great deal of civility. I appreciated that.

Gilles, I know you may not want to comment on some of these things, but they are a problem for me and they're a problem for many people. It was touched upon in the other questions. You remember, and I get this all the time, that people do complain about property tax reassessments. Many feel that property tax reassessments are going up and up, and it doesn't correspond to any level of service. Many feel that it's just not right and it's not fair. I agree with them.

**Mr Morin:** Being the proprietor of a house, I know only too well; I understand.

**Mr Marchese:** And it's worse on seniors because their income is limited, and if they happen to live in an area where property taxes are going up, they have no way of dealing with that.

**Mr Morin:** Property-rich and money-poor.

**Mr Marchese:** That's the problem. It's a real problem.

There's another problem: When people fix their homes, their property tax assessment increases. MPAC may not be able to pick up each individual case. When you build, you obviously have a permit and they have a way of knowing that you're constructing and they might come to your house the next year and assess your property. Eventually your property taxes are going to go up. So people, quite rightly, are saying, "I fix my home and I end up paying more. I pay taxes, GST on the materials, and I don't see any corresponding value between the investment I make and what I have to pay. I'm improving my home, and I'm helping the economy because I'm buying the building materials and so on."

In that regard I too find that there's some injustice in the way we assess property and the way we hurt people when they try to improve their homes. I don't know whether you have an opinion on that or whether you want to share your thoughts on that. It's a problem.

**Mr Morin:** I feel as you do. Members have a great responsibility to face that problem and bring it to the attention—bring it in-House and debate it and listen to the complaints of your constituents. I hear it all the time. I complain each time I receive my tax return also, like anybody else. But I think it is your responsibility to bring it—for those in government—to the attention of your Premier. We're all affected by it. Make people understand that the more services they require, the more money we need.

I've had the chance, like you, Mr Marchese, to travel extensively around the world and I've seen poverty like I've never seen before. I think of Haiti today. Yet we have people complaining of having to wait half an hour in a hospital, complaining about potholes, complaining about poor services from municipalities. How many of you have seen children getting up in the morning without any food, without any clothing? Just look at TV today, what's happening in Haiti. So this is why I think we have an excellent system. It's not perfect, but it's up to you to debate it, to bring it to the attention of your party. I don't want to make a political speech.

**Mr Marchese:** No, I appreciate that. I'm glad Mario Sergio raised that as a good point. Hopefully, he'll bring it up for debate in the Legislature so that we can review these matters.

I understand the point you're making, in terms of the larger picture. But for a lot of people these local issues are very, very critical. They tend not to look at the global picture; they tend to look at their own local matters. I appreciate that both are important, depending on where you are.

One of the other problems you have in this field is that property tax reassessments are done in such a way as to encourage a great deal of anger, because there is no sense about how this is done. A lot of people complain that there is no systematic way of doing this fairly. People appeal, and just on the basis that you're appealing, if you call them on the phone, they might be able to say, "OK, how about a 10% reduction? Is that OK with you?" The guy says, "Oh, this is great, a 10% reduction. I'll take it

right away. I don't have to go to the hearing, and it's done." Depending on who you are, you might get a 20% reduction, because they know you, you go there often and you win your cases. So, therefore, if you call them on the phone and you get a 20% reduction or a 30% reduction, it's solved; it's done. They have such a backlog in that office that they don't know how to deal with it. So there's an uneven way of treating people differently: If you have expertise, you get better treatment and if you don't, you don't, and most people end up having to pay.

Then you go the experts—these experts who send mailings out to people saying, "I can reduce your taxes"—you pay your fee, and then they take care of things. Some of these people know when you're going to get a tax reduction, so they already know how to feed off those poor people who automatically would get a reduction if they knew how to do it on their own.

The system is unfair. The system is clogged. The system is uneven in terms of how it does its work. The system is incredibly poor at being able to assess—I forget just how many millions of properties we have, residential and commercial. So it's bigger than you and I. It's bigger than the government. I'm not sure the government will ever review this, because it's a difficult issue. That's why when you say, "I hope you discuss it," I don't think the Liberals—sorry, with all due respect—are ever going to bring it up for discussion.

I raise these issues as a way of saying to you I know you're going to be trained. Someone's going to be there saying, "Gilles, this is what we do." But I'm raising issues that the training simply won't help you to deal with. They won't tell you, "Gilles, this is how you deal with this," because they'll tell you that this is not part of your job. So I raise these points as a way of saying, "That's the real politics." I know you will be able to deal fairly with whatever comes before you; that's not the point. But the politics of how we solve these other matters is what really matters to me. I'm not worried about you not being fair, in terms of whatever you're going to do, but how we deal with these other matters that I find profoundly unfair.

That was my final comment. If you don't have a comment, that's great. It was nice to see you, and I wish you well.

**The Acting Chair:** Do you wish to reply?

**Mr Morin:** What else can I say?

*Interjections.*

**The Acting Chair:** Order. I would ask the committee members to please come to order. If you have a conversation, you can go out in the corridor.

Mr Morin, thank you very much for joining us today. It's great to see you again. That concludes the time that has been allocated for your presentation.

CHRIS FRIEL

Review of intended appointment, selected by official opposition: Chris Friel, intended appointee as member, Ontario Rental Housing Tribunal.

**The Acting Chair:** Our fourth interview is with Christopher Michael Friel, intended appointee as member for the Ontario Rental Housing Tribunal. Mr Friel, you may come forward. As you may be aware, you have an opportunity, should you choose to do so, to make an initial statement. Subsequent to that, there may be questions from members of the committee. Each party will have 10 minutes allocated for questions, and we will go in rotation. Any time you take in your statement will be deducted from the time allocated to the government party. Welcome to the standing committee on government agencies.

**Mr Chris Friel:** Thank you, Mr Chairman. I do have a statement that I'd like to make.

Mr Chairman, ladies and gentlemen, thank you for the opportunity to make a few comments to you this morning. I would like to begin by stating that I believe I am very qualified for this position, and I will work in a professional and ethical manner at all times to uphold the integrity necessary to be an effective rent tribunal adjudicator.

I believe I am a qualified candidate for the following reasons.

First, I believe in public service and I have dedicated my life to public service. Each of the employment positions I've held since leaving university has in some way been involved in community building and strengthening or building and strengthening the individual. I am committed to public service and I have been successful at public service. I would point only to the remarkable revitalization of the city of Brantford, a community of which I was mayor for nine years. In all facets of the community there has been improvement, and most importantly, the lives of thousands of individuals and families have been improved. Public service is what I am all about.

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Second, my experience as mayor has included chairing literally hundreds of council meetings with delegations, as well as public hearings, and I have also participated in numerous hearings for local and provincial bodies. I'm experienced in chairing meetings and using the rules allowed to make the process work for the betterment of all involved. This wealth of experience has shown me the wisdom of remaining objective and listening to the interests of all concerned parties. Objectivity is the basis of sound and fair decisions, and I am not only comfortable but much practised in making sound and fair decisions.

Third, my experience while in office has offered unique insight into the nature of the housing industry and its issues. As president of the municipality's non-profit housing corporation, a thorough knowledge and respect for the need for safe, affordable housing was prevalent each and every day. Outside of the non-profit housing sector, my office was repeatedly petitioned by either landlords or tenants to deal with particularly contentious issues. As an administration, we could have passed the buck and said it's not our area, but in each situation we

gathered the facts and offered the most appropriate solution for the person involved, including providing information packages prepared by the Ontario Rental Housing Tribunal. These activities again offered greater knowledge and experience in the workings of the rental housing market in our province.

I believe that the combination of my work experience in community development and my personal experience and skills in dealing with the public make me uniquely qualified to be a rent tribunal adjudicator.

I thank you again for the opportunity to be here today and I welcome any questions that the members might have.

**The Acting Chair:** Thank you very much for your initial presentation. I'll turn to the official opposition to start off this round.

**Mr Tascona:** Thank you for coming here today. I just want to ask you whether you're a member of the Liberal Party.

**Mr Friel:** I hold a membership in the federal Liberal Party.

**Mr Tascona:** You're not a member of the provincial Liberal Party?

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

**Mr Tascona:** Have you ever contributed to the provincial Liberal Party?

**Mr Friel:** No. In fact, when I was mayor I was very vocal about the fact that I considered it inappropriate for municipal politicians to hold or espouse party affiliation and was very conscious of not allowing that to come into my council chambers.

**Mr Tascona:** When you ran for the Liberal nomination federally, were you the mayor?

**Mr Friel:** No, I was not.

**Mr Tascona:** I understand that you lost the mayor's race in November 2003—I'm quoting from the Expositor in Brantford—and then you lost the Brant Liberal nomination to a lawyer by the name of Lloyd St Amand in 2004. Is that correct?

**Mr Friel:** Yes.

**Mr Tascona:** And I take it you know the MPP there, David Levac.

**Mr Friel:** Yes.

**Mr Tascona:** How do you know him?

**Mr Friel:** Actually, we've known each other for a number of years. When I was mayor he was principal of grade schools in the area, and a very positive principal, trying to draw students in. I made a number of appearances at his grade schools. Because of his organizational skills, I also asked him to be involved in organizing events within the community when he was still principal at the time, including the visit of the Queen to the Bell homestead; he was the organizer for that.

**Mr Tascona:** Did you ever work in his campaign for him?

**Mr Friel:** No, never.

**Mr Tascona:** How did you find out about this position? Because it's a full-time, fairly prestigious position.

**Mr Friel:** After going through the election process, I didn't want to lose the skills or the knowledge I'd built up over the period of nine years, and I made application to the Public Appointments Secretariat for positions related to municipal government and Hydro, where my experience was the greatest. At that time, after I had made the appointments, I commented to Dave, our MPP, that I had made these so that he was aware that I was in that process. Some time after that, he informed me that there was a vacancy that would be coming forward in this position, and if I were interested I could consider that. I went back, reviewed the position itself, had a good understanding of what was happening. Also, the rent tribunal processes used to operate out of our council chambers, and on a regular basis I would see—in fact, I sat in on a couple just to see what it was like and what they were doing. I did do further research, and at that time I determined that it was very much in line with the skills I had developed over the nine years.

I put an application in to the appointments secretariat and was interviewed a month and a half after that with the chair and two vice-chairs of the tribunal. I did a written part of this as well. I actually didn't hear anything again until this time, when I got notice that I was going to come before the committee today.

**Mr Tascona:** That may have been because, when you made the application, you called it the Rent Review Hearings Board. Now you know better.

**Mr Friel:** It's one of those things; titles change from time to time. I think I actually pulled that off the Web site when it first came up.

**Mr Tascona:** I want to ask you a couple of other questions. According to the Brantford Expositor, I understand that you recently started consulting primarily for development corporations. Is that correct?

**Mr Friel:** Yes. I've done three contracts.

**Mr Tascona:** How is that going to impact your becoming a full-time member of the Ontario Rental Housing Tribunal?

**Mr Friel:** The natures of the contracts—I'm not speaking for my clients or speaking out of turn for my clients—were such that, first of all, it was identifying land that could be purchased for single-family units. The second one was establishing a relationship with the Six Nations Indian reserve, which is adjacent to Brantford, and the review of development of a brownfield property in the city of Brantford. A third contract was for writing a proposal for the development of a civic square in the centre of the city of Brantford, which was finished by public ballot just two weeks ago.

My contracts ended in February and March of this past year. The last one for the civic square was completed last month.

**Mr Tascona:** If you get this position, you're not going to continue consulting for development corporations, I take it.

**Mr Friel:** No. My business would go into a hiatus. There would be no situation where I would ever consider

doing that. I'm very aware of issues related to conflict of interest, having dealt with them.

**Mr Tascona:** So you're a sole business person? It wasn't a corporation?

**Mr Friel:** It was an incorporated business, but I was on my own in writing proposals and establishing relationships.

**Mr Tascona:** You're not in the process of selling your business?

**Mr Friel:** No. I wouldn't do that. I'm keeping the name and the Web site. That would probably be the extent of what happens.

**Mr Tascona:** Have you ever been a landlord?

**Mr Friel:** No.

**Mr Tascona:** Have you ever been a tenant?

**Mr Friel:** Yes.

**Mr Tascona:** So that may give you a perspective. I take it that you're a homeowner now.

**Mr Friel:** Yes.

**Mr Tascona:** Do you have an opinion on whether the tribunal has been even-handed in its treatment of tenants and landlords?

**Mr Friel:** I know there's a consultation process which is being undertaken by the government currently. The tribunal is really six years old in the work it has been doing. I think it's always a good idea for government to review the processes that are available after a number of years to determine whether everybody is satisfied with the work that's being done and whether the mandate has been met.

Reviewing the work of the tribunal as to the mandate that it first set: I think they have accomplished that mandate. What comes from the consultation process in describing the mandate I couldn't actually say. Obviously, it's a public process.

**Mr Tascona:** Is this a three-year appointment?

**Mr Friel:** I believe so. Yes.

**Mr Tascona:** Do you know how much it pays?

**Mr Friel:** The scale—I'm thinking only from the notes that I've received—I think is \$59,000 to \$71,000.

**Mr Tascona:** From what I see, your background doesn't indicate any real adjudicative experience. You've indicated the reason you are interested in this position, in terms of your skills. Obviously, as a mayor you'd have good skills in that and I respect that; also your public service and your commitment to that. Apart from that, do you think you'll be able to perform? Because this is an adjudicative responsibility. Do you think you're going to be able to perform that type of position, and why?

**Mr Friel:** We have some property standards processes, public hearings based on issues related to tax. I was interested in the discussion that was going on for the assessment before this, having spent too much time dealing with assessment. But they're very similar in nature to what we do.

Chairing council, particularly with delegations, is also very much in the same framework. It's not exactly the same, obviously, because there's a legal end. There's a decision that comes forward generally by the adjudicator

himself as opposed to either a committee or a council making the decision. But I'm not unfamiliar with the process or the elements that lead up to the decision-making, and I'm quite comfortable in working through that.

1020

**Mr Tascona:** OK. Those are all the questions I have.

**The Acting Chair:** I'll now turn to the government side to see if there are any questions.

**Mr Parsons:** No questions.

**The Acting Chair:** Thank you very much for coming to our committee today and making your presentation. We appreciate your contribution.

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

**The Acting Chair:** Our next interview is with Beryl Ford, intended appointee as member of the Alcohol and Gaming Commission of Ontario board of directors. Is Ms Ford in the room with us?

Given that Ms Ford is not yet in the room, we have an opportunity to entertain Mr Tascona's issues. Are you prepared at this time to put on the record the issues you wanted to bring to the attention of the committee?

**Mr Tascona:** I have two of them. The first involves the press release issued by the Premier's office on September 23. The title is "Ontario Government Proposes New President and Board Member for WSIB." It states: "Premier Dalton McGuinty has proposed Jill Hutcheon as president." It goes on to provide some information about the board and other people who have been nominated, including Jim O'Neil, from the CAW; Loretta Henderson, former vice-chair of the WSIAT; Marlene McGrath from 3M Canada; and Mark Smith, of Kensington Capital Corp.

On September 24 I received, through the clerk's office, the orders in council for appointments. Once again, I'm putting this forth in terms of the viability of this committee. I don't know why the Premier's office would pre-emptively announce their intended appointees when we haven't even received the orders in council for the people we can review or choose not to review. This, to me, is not right. I think it takes away from the functioning of this committee. Everybody knows the government has a majority on this committee and everybody here has a job to do. But if they're going to announce appointments, whether intended or not, of whom they propose, I think they should be doing that after the committee gets the intended appointees, rather than reading about it in the paper, as we have before on a number of individuals who have been put forth. That's my first observation, and I would like the clerk to bring that to the attention of the appointments, in terms of this, and also to the House leaders, in terms of trying to deal with this committee and making it more effective.

The other point comes through the other appointment processes that go through. We have orders in council, and that's essentially what this committee can deal with. There are also ministerial letter appointments; for example, with the municipal assessment board, the appointment is by ministerial letter. I think a case in the point is

Debbie Zimmerman, who was appointed. These letters don't go through this committee.

I want to put to the clerk that I'd like to know if she could do research on the types of appointments that can be made by the government, whether by ministerial letter, order in council etc, in terms of the type of procedure by which the person can be appointed and to what particular agencies, boards or commissions that procedure would end up with that person going to. In that regard, which of these procedures would actually involve a review by agencies, boards and commissions? My understanding—and I stand to be corrected—is that it's only the orders in council that would be reviewed by this committee. I know the House leader is looking at rule changes. That's certainly something I want to add to the list. The purpose and intent of this committee are to review appointments, and if there are types of appointments that go to agencies, boards and commissions that don't go to this committee, I think that's something the House leaders, the people involved in the rule changes, should look at.

As I've said before, the mandate of this committee is to review appointments, and yet it's precluded by the rules from reviewing temporary appointments and reappointments. All this committee deals with is new appointments, and it appears we're limited to just dealing with order-in-council appointments. So there's a gaping hole in terms of what this committee can do. It is a standing committee of the Legislature. It does have an important function, and yet it's being, I would say, truncated by the process that's in place. I'm not saying it's just the government that's doing this, as other governments have dealt with this type of process. I'm just trying to say that we should make this committee meaningful in terms of all the appointments that can go through.

Mr Chairman, I really appreciate your giving me the opportunity to say this. If the clerk could report back to the committee on this, perhaps through a document or a report, I can deal with it more effectively in front of this committee later. I would also request that this go to the House leaders.

**The Acting Chair:** Thank you very much. Are there any comments from any of the other members of the committee in response?

**Mr Parsons:** Yes, Chair, if I could. On the first item, about it being indicated publicly that an individual is going to be considered for an appointment, I don't believe that's inappropriate. I believe it is followed practice. It has taken place in previous governments. It is not an announcement that the government has appointed the member. Quite naturally, it is an indication that that individual is going to be considered by this committee for an appointment. I struggle to understand the inappropriateness of that. I know individuals who are seeking nomination make that announcement before they're nominated for an elected office.

Secondly, with regard to individuals who have been appointed without going through the committee because they are temporary or less-near appointments, that in fact

is consistent with the practice that was established by the previous government. I don't think there's any record of a concern being expressed by the previous government about that practice. Certainly, we support the House leaders looking at it, but I believe that credit should be given to the political party that originated this process regarding appointments, and it was not this government.

**The Acting Chair:** Thank you very much.

I would ask again if Beryl Ford is in the room. I don't believe she is.

Ms Smith, do you have something you want to say?

**Ms Monique M. Smith (Nipissing):** She was asked to be here for 10:30, and it's just 10:30 now. She's scheduled at 11, so she should be here any minute. Perhaps we could take a five- or 10-minute recess.

**The Acting Chair:** Is it the will of the committee to recess for approximately five minutes? Agreed.

*The committee recessed from 1028 to 1035.*

#### BERYL FORD

Review of intended appointment, selected by government party: Beryl Ford, intended appointee as member, Alcohol and Gaming Commission of Ontario board of directors.

**The Acting Chair:** I'm going to call this committee to order once again. I understand that Ms Beryl Ford is in the room. Ms Ford, would you please come forward? Welcome to the standing committee on government agencies. I understand you're an intended appointee as a member of the Alcohol and Gaming Commission of Ontario board of directors. As you may be aware, you have an opportunity, should you chose to do so, to make an initial statement. Subsequent to that, there may be questions from members of this committee. Each party would have 10 minutes allocated for questions and we tend to go in rotation. Any time that you take in your statement would be deducted from the time allocated to the government party.

Welcome to this committee. We look forward to your presentation.

**Ms Beryl Ford:** Good morning, ladies, gentlemen, Madam Chair—Mr Chair; I thought there was going to be a Madam Chair today—and members of the committee. I appreciate the opportunity to appear before you today to discuss my proposed appointment to the Alcohol and Gaming Commission of Ontario. I believe you have my resumé before you. I hope you've had an opportunity to go through it, and I certainly would be happy to answer any questions pertaining to my resumé.

I've been in public service as a public school trustee for the past 19 years. I was first elected in 1985. During that time I have served as vice-chair and chair of the largest school board in Canada until the amalgamation of school boards in 1998. I continue to chair the Centre for Education and Training, a not-for-profit organization comprised of both educators and business members of the community. As my resumé shows, I've also been actively involved in my community for more than 25

years. I've served as vice-chair of the public library board, a director of a hospital board and chair of human resources and the executive committee of Peel Memorial Hospital.

For the past four years, I've served on the board of the Peel Children's Aid Society. I was honoured to be invited to chair a steering committee for the formation of a foundation for the children's aid of Peel. I'm proud to say this was a very successful endeavour. My responsibility involved recruiting board members, setting policy and developing bylaws, while complying with the not-for-profit legislation. We hired staff, set start-up budgets, applied for grants, and all the roles that go along with starting up a new foundation. All of these roles have provided me with the experience and knowledge that I believe would be of benefit in the position of a member of the Alcohol and Gaming Commission of Ontario.

I have been called upon to make tough decisions that involved the custody of children through to the Peel Children's Aid Society hearings. I've been a member of a quasi-judicial board that has made decisions on student expulsions from the school system. I continue to be directly involved in contract negotiations and collective agreements with nine employee groups. As a member of the school board grievance committee, I am part of the decisions on union and federation grievances that cover a wide spectrum of issues.

My role as a trustee has allowed me to work closely with a large cross-section of my community constituents, students, business partners, politicians and the public at large. I've dealt with literally thousands of different issues and I believe that public relations is one of my strengths. I believe my record demonstrates that I've earned the respect of my community and colleagues through seven successful elections. I know that my community and my colleagues view me as a fair, honest, hard-working person with high integrity.

If I'm successful in becoming a member of the Alcohol and Gaming Commission of Ontario, I will work with the same dedication and commitment I've demonstrated in my past roles. I thank you for your time.

**1040**

**The Acting Chair:** Thank you, Ms Ford. I'll turn first to the government side for any questions.

**Mr Parsons:** Welcome. Just for the record, are you a member or a financial supporter of any political party?

**Ms Ford:** I have been a member of political parties. At the present time I'm not a card-carrying member, but I have been a member of parties; yes.

**Mr Parsons:** You're not too shy to name the party?

**Ms Ford:** Absolutely not, nor the reasons. I've been probably the longest as a member of the Conservative Party, both provincially and federally. I actually ran in a federal election a couple of times. I've been a member of the Liberal Party in the past, also.

**Mr Parsons:** How did you find out about this appointment or opportunity?

**Ms Ford:** For the longest time, I've been interested in seeking a public appointment. I've put applications in

through the public secretariat for probably the last 10 years. Until this point in time, I haven't been very successful. But I applied again when there was a change of government this time, and here I am.

**Mr Parsons:** I'm just curious about how you found the process.

**Ms Ford:** I found the process very intense, lots and lots of information, but I found it a very good process. The people I've come into contact with have been excellent. I really feel I've been supported to this point.

**Mr Parsons:** Good. Thank you.

**The Acting Chair:** Any more questions from the government side?

**Mr Sergio:** Just a quick one, Mr Chair. How do you feel with respect to further expansion of gaming—casinos and stuff like that—in Ontario?

**Ms Ford:** Having not been a member of this board at this point in time, I would find it difficult to know where they're at and what the plans of the government would be for future expansion. I think I'd want to know a lot about the background and make decisions based on that.

**Mr Sergio:** Thank you, Ms Ford. No more questions, Mr Chair.

**The Acting Chair:** I'll turn now to the opposition.

**Mr Tascona:** Thank you for coming here today. I take it you're a trustee with a school board?

**Ms Ford:** Yes, I am.

**Mr Tascona:** Which one is that?

**Ms Ford:** The Peel District School Board.

**Mr Tascona:** I just want to clarify. How did you hear about this appointment, which is as a part-time member of the Alcohol and Gaming Commission of Ontario?

**Ms Ford:** As I said earlier, I have made a few applications. I'm particularly interested in boards where you—

**Mr Tascona:** I want to know who specifically you talked to.

**Ms Ford:** Who have I talked to about this position? When I applied for the position, I found it on the Web page of the secretariat. I informed my local MPP that I'd put in an application.

**Mr Tascona:** Who is your local MPP?

**Ms Ford:** My local MPP is Linda Jeffrey.

**Mr Tascona:** And you spoke to her about this?

**Ms Ford:** I just informed her that I intended to; I put in an application and it was in, as I'd put in many times before. I thought it was a courtesy to inform my local MPP, who I also know through the community, of course.

**Mr Tascona:** What did she say?

**Ms Ford:** "Fine. Good luck. You'll make an excellent member."

**Mr Tascona:** You were called to appear here today by the government members of the committee. Does it concern you that the committee members seem to be questioning the decision of cabinet by bringing you before our committee for review?

**Ms Ford:** Absolutely not at all. I would hope that if I was appointed to this board, it would be based purely on

my record and my personal integrity. When I've run in elections, I've done it because people have elected me because they feel that I'm the person to do the job.

**Mr Tascona:** The process is that the Premier and the cabinet make the decisions for appointments. Yours was put forth and, as part of the standing committee, it was the government members who asked to review you here today. I just want to state that for the record.

How did you prepare for today's meeting?

**Ms Ford:** How did I prepare? I've met with the members—with Mr Barber, who is the chair, initially. I did have a meeting last week with a lady called Megan, from the secretariat, who had called me to tell me that I was going to be here today and what I would require. I've read the legislation—well, not the legislation; sorry. I've read the background on the Alcohol and Gaming Commission because, quite honestly, I wasn't aware of the amount of involvement they had until I started reading through their mandate and some of the bylaws and issues.

**Mr Tascona:** Were you particularly interested in this appointment? You said you got it off the Web site, this appointment?

**Ms Ford:** No. I was particularly interested in somewhere that I would have an opportunity to make some decisions, the hearing process. You might find, if you have the application, that I also applied to the Ontario housing tribunal. That was another one. I've sat on many hearings and I find that I feel comfortable in that setting. I believe the hearings that you have an opportunity to participate in in this particular agency or commission would be something where my background experience would be an advantage to me.

**Mr Tascona:** Just for the record, for the clerk, I've got Mrs Ford's application but I don't see—there's usually a date and a signature, and I don't have that. I don't know when this application was made. Do you recall?

**Ms Ford:** This particular one was probably made close to a year ago. I've periodically put in applications, as I said, for the last—

**Mr Tascona:** That's fine. It's just for the clerks to be aware of, because normally we get a date and a signed copy of your application. We didn't get one here.

**Ms Ford:** Well, it's in through the appointments secretariat.

**Mr Tascona:** That's fine.

The government has introduced legislation that would allow people to bring their own wine to restaurants. Should people be able to take home partially finished bottles?

**Ms Ford:** Once again, sir, I have personal opinions, but I wouldn't be in the role of influencing my personal opinions on this committee. I would have to—

**Mr Tascona:** I'm asking for your personal opinion, because that's why we're reviewing you.

**Ms Ford:** Having not been much of a drinker, it's never occurred to me. So I would have to be part of the

committee to make a decision based on the information that I have.

**Mr Tascona:** Groups like the Ontario Restaurant, Hotel and Motel Association and Mothers Against Drunk Driving have described the government bill as “irresponsible legislation that will lead to more impaired driving.” So do you have an opinion on this?

**Ms Ford:** Until I was totally involved, I would not want to give an opinion, because I don’t believe I am knowledgeable enough at this time on the implications, the impacts of such legislation.

**Mr Tascona:** OK. A lot of charities depend on revenue from bingos. There’s growing evidence that the bingo industry is experiencing a significant decline. The minister believes that this decline is a result of new lotteries, charity casinos and other gambling opportunities, but other observers think it may be connected to anti-smoking bylaws. What do you think the root causes are, and how might the government address this decline in bingo?

**Ms Ford:** I have no idea. I would have to have more information to make those decisions. People are not allowed to smoke any longer in casinos. Whether that would prevent them going to casinos, I don’t know.

**Mr Tascona:** Do you have any views on smoking?

**Ms Ford:** I’m a non-smoker. I believe if people want to smoke, that’s their prerogative. I’m a non-smoker myself.

**Mr Tascona:** OK. I don’t have any more questions. Thanks very much.

**The Acting Chair:** Thank you very much, Ms Ford. We appreciate your presentation this morning. You may step down now.

**Ms Ford:** I thank you once again for taking the time to hear me.

**The Acting Chair:** Our next interview, the sixth one, is with John Hinds. Is Mr Hinds in the room? I don’t believe he is.

**Ms Smith:** I’m advised that all the potential candidates were given notice that they should be here a half-hour in advance, so again, we’re running too far ahead of schedule.

**The Acting Chair:** We are certainly running ahead of our schedule today.

**Ms Smith:** You’re running too good a meeting. That’s right, Mr Chair.

**The Acting Chair:** Is it the will of the committee, then, to recess again for a few minutes?

**Mr Mario G. Racco (Thornhill):** The next person should be here at 11:30. Why are we wasting five or 10 minutes each time? Maybe we should recess until 11:30 and start on time. Otherwise, we may have the same problem with the next one.

**The Acting Chair:** I’m in the committee’s hands. I’m just trying to chair the meeting and move this forward as expeditiously as possible.

**Mr Racco:** I would recommend that we reconvene at 11:30.

**The Acting Chair:** Is it the consensus of the committee that we would recess until 11:30?

**Mr Parsons:** Given that the candidates were asked to be here half an hour before, and we’re still 10 minutes early to that, I would suggest we recess for 15 minutes.

**The Acting Chair:** Is that agreed by the members of the committee? OK. By my watch, we will resume back here at approximately five minutes past 11. The committee is in recess.

*The committee recessed from 1050 to 1109.*

## JOHN HINDS

Review of intended appointment, selected by official opposition party: John Hinds, intended appointee as member, Ontario Trillium Foundation board of directors.

**The Chair (Mrs Elizabeth Witmer):** Our sixth interview this morning is with John Hinds, intended appointee as member of the Ontario Trillium Foundation board of directors. Welcome, John. I would invite you to come forward. As you may be aware, you do have an opportunity, if you wish, to make an initial statement. Subsequent to that, we’ll have questions from at least two of the parties. Each party will have 10 minutes, so whatever time you might choose for your initial statement will be deducted from the government party. Please proceed.

**Mr John Hinds:** I would like to begin by thanking you for the opportunity to appear today. I strongly believe that legislative scrutiny of executive appointments is important to our political process, particularly in this time of increased attention to good corporate governance. I welcome the opportunity to explain to you my qualifications to serve as a member of the board of directors of the Ontario Trillium Foundation and to answer your questions.

As you will see from my resumé, I’m not a stranger to this place and had the privilege of working for the former member for St George-St David, Ian Scott. Ian taught me a great deal about the importance of the volunteer sector in communities.

As you will also note, I have moved on from politics, but certainly feel that many of the skills I learned have benefited me in my career and in my work in the voluntary sector. I think I’m proof that perhaps there is life after politics.

I applied to be a member of the board of the Trillium Foundation because I believe in the importance of the work that it does. As you will see from my resumé, I have a lot of community experience in the particular areas in which Trillium is involved. I have also seen, in my own community involvement, the importance of the work that Trillium does.

Professionally, I am trained as a lawyer and have strong financial and management skills, with extensive board experience in both the private and voluntary sector. Currently, I’m the chief executive officer of the Canadian Community Newspapers Association, which is an industry association and, perhaps more importantly, a common service provider to over 700 small and not-so-

small newspapers across Canada. As part of that job, I represent almost 300 papers in Ontario, one of which I know is in each of your communities. These papers not only serve small and large geographic communities but also ethnocultural communities and aboriginal communities in every part of the province. I think my understanding of Ontario's communities and its diversity is one of the things I can bring to the Trillium Foundation.

I also have a strong background in the voluntary sector in the areas in which Trillium is involved: human and social services, sport and recreation, arts and culture, and environment. I'd like to say a bit about my involvement in each of these areas.

For six years, I was a member of the board of Casey House Hospice and spent two years as chair of the board, during which time we moved from providing care in a hospice-based setting to providing care to over 100 patients in the community. Casey House is a truly remarkable institution, and its success would not be possible without the ongoing support of the province of Ontario and governments of all three parties. I would particularly like to acknowledge the great support provided to Casey House by the Chair of this committee when she was the Minister of Health and I was chair of the board.

Perhaps my voluntary experience that is most relevant to the work of the Trillium Foundation is my involvement with the United Way of Greater Toronto, of which I am a member of the board of directors and chair of the board's research, policy and priorities committee. As well, for over six years, I have chaired the United Way's winter relief allocation committee, which is responsible for the allocation of funds to associations and United Way agencies to allow them to assist those who face particular hardship in the winter months. For the past four years, I've also been a member of the allocations committee of the United Way. This committee performs a very similar function to that of the Trillium Foundation board: in essence, overseeing a panel review process. One of the areas I have been particularly involved in is the area of capacity building within the sector, and I'm very pleased to see that this is now a priority of Trillium.

This spring, I also served as a member of the Heart and Stroke Foundation of Ontario's expert advisory committee on the allocation of research dollars across the province.

Arts and culture is another area that Trillium funds and an area that I have a particular interest and a lot of experience in. I am currently on the board of directors of Canada's National Ballet School and chair of the board's government relations committee, as well as one of three board members on the building steering committee of the \$100-million redevelopment of the school. For those of you who have not seen it, you should take a drive down Jarvis Street. Again, this project would not be possible without the support of the government of Ontario.

I am also vice-chair of the board of the Harbourfront Centre, with which I am sure you are all familiar. The Harbourfront Centre is Canada's foremost centre for

contemporary culture. It is also the most visited attraction in this city, with over 12 million visits a year and a vast range of cultural and recreational programming.

I also have a great interest in sport, the third of Trillium's funding areas. As a former member of the University of Toronto's swim team, I was recently involved in part of a project that raised over \$750,000 in endowment money so the University of Toronto could keep good swimmers in Canada and not lose them to US schools.

In the area of environment, the final area of Trillium's involvement, I've worked extensively in the area of recycling and in 2002 was chair of the working committee that set up Waste Diversion Ontario, which was established by the province to divert waste from landfill.

In closing, I would like to say that I believe that I have the qualifications, experience and interest to be a valuable member of board of the Trillium Foundation.

**The Chair:** Thank you very much. I'm going to ask the Conservative Party to begin with the questions.

**Mr Tascona:** Thank you for coming here today. I just wanted to look at your background, Mr Hinds. I was going through your resumé, and you really do have some involvement in the political process.

If I can just review it, September 1990 to September 1992, you were at Queen's Park as the executive assistant to the provincial opposition critic for intergovernmental affairs, the Honourable Ian Scott, MPP; from March 1993 to November 1993, the Liberal Party of Canada 1993 national campaign legal adviser; November 1993 to January 1996, Minister of Health senior policy adviser; August 1996 to July 1997, Minister of Public Works and Government Services crown corporation mandate review, one-year contract, special adviser; Minister responsible for the greater Toronto area and Minister of Transport, the Honourable David Collenette, MP, senior special assistant from July 1997 to March 2000. I take it that's when you left to go into the private sector. Is that correct?

**Mr Hinds:** It is.

**Mr Tascona:** I looked at your resumé also in terms of volunteer community involvement. It says, "Harbourfront Centre: Federal government nominee to board of directors, 2003." I take it that you were successful as a nominee?

**Mr Hinds:** I was.

**Mr Tascona:** You serve currently on that Harbourfront Centre?

**Mr Hinds:** I do.

**Mr Tascona:** How did you get that appointment?

**Mr Hinds:** I was asked by the federal government.

**Mr Tascona:** The federal Liberal government?

**Mr Hinds:** Yes, the federal Liberal government.

**Mr Tascona:** Specifically, who?

**Mr Hinds:** The government. I don't know who I was asked by. I was contacted by the Public Appointments Secretariat.

**Mr Tascona:** You don't know who asked you for that appointment?

**Mr Hinds:** Who asked for me to be appointed?

**Mr Tascona:** Yes. Who contacted you about the appointment?

**Mr Hinds:** The Public Appointments Secretariat.

**Mr Tascona:** Do you know who, the name?

**Mr Hinds:** I don't recall.

**Mr Tascona:** You don't recall.

**Mr Hinds:** No.

**Mr Tascona:** Do you get paid for this position at Harbourfront Centre?

**Mr Hinds:** Not at all.

**Mr Tascona:** What's the process for being approved for that position?

**Mr Hinds:** You are nominated by the federal government and accepted by the board of directors of Harbourfront.

**Mr Tascona:** I see. Is there a committee review of that appointment?

**Mr Hinds:** Not that I'm aware of.

**Mr Tascona:** Unlike here.

**Mr Hinds:** Unlike here.

**Mr Tascona:** This position here, is it a part-time position or a full-time position?

**Mr Hinds:** It's a part-time position, I certainly hope.

**Mr Tascona:** And how did you hear about this position? Was it through the Web site, or were you contacted directly by a government official?

**Mr Hinds:** I contacted the government because I would like to be a member of the board.

**Mr Tascona:** Who did you contact?

**Mr Hinds:** I originally contacted the office of the Minister of Culture and they referred me to the Public Appointments Secretariat.

**Mr Tascona:** Who did you deal with at the latter?

**Mr Hinds:** I don't recall. It was literally a telephone conversation. They sent me an application.

**Mr Tascona:** Yes, because your application is August 3, 2004. So this happened fairly rapidly, I take it.

**Mr Hinds:** It happened early this summer or mid-summer.

**Mr Tascona:** Do you have any involvement with the provincial Liberal government at all? Are you a supporter or a donor?

**Mr Hinds:** Am I a supporter? I'm not sure whether I'm a card-carrying Liberal at this point or not. I support my local riding association and I think I was a donor in the election year, but I don't think I've donated this year.

**Mr Tascona:** Who's your MPP?

**Mr Hinds:** George Smitherman.

**Mr Tascona:** Do you know George well?

**Mr Hinds:** I wouldn't say I know him well. I know George. He actually held the job at the GTA before I did, so I followed him in that job.

**Mr Tascona:** A lot of your volunteer and work experience is focused on the GTA. You worked for the federal minister responsible for the GTA and you've been involved in the GTA United Way organization, and I commend you for that. You bring a great familiarity with GTA issues to the table. This is a province-wide

board, as you're aware. How will you prepare yourself so that you can also have an awareness of the needs of other parts of the province?

**Mr Hinds:** I think I raised that in my statement. I represent 300 community newspapers from across the province. I speak to community newspaper publishers and editors and people every day. I think you probably know that community newspaper publishers are people who are involved in their communities and are not reticent about raising issues in their communities and concerns they have in their communities. So I think that professionally I spend a lot of time with both geographic and ethnocultural and First Nations communities across the province. I have a fairly good understanding of communities both large and small.

**Mr Tascona:** And why do you want to do this job?

**Mr Hinds:** Because I think I can bring something to the table. I have an interest in the area. I also think it fits in with my focus, which is on a broader—I have done a lot in the GTA and I'm doing a lot now across the province and across the country. A lot of it's with smaller communities.

**Mr Tascona:** The McGuinty government recently decreased funding to the Ontario Trillium Foundation by \$5.5 million. This decrease was hidden in a single line in the middle of their 411-page estimates document. Do you agree with this decision to reduce funding?

**Mr Hinds:** I actually have no comment on that decision. My understanding, however, is that the amount of money that will be allocated to groups will not be affected, because they are using the reserves to top that up this year.

**Mr Tascona:** And where do you get that understanding?

**Mr Hinds:** From the CEO of the Trillium Foundation.

**Mr Tascona:** In terms of the way the government handled this reduction, do you agree with the way it was done? Do you think there's a better way to treat such a fundamental board as the Trillium Foundation than in that way?

**Mr Hinds:** I think that's really a discussion for probably the other people around this table rather than for me. I'm not sure I can comment on that. I don't know the background; I don't know what happened.

**Mr Tascona:** I think those are all the questions I have.

**The Chair:** Thank you very much, Mr Tascona. The governing party, are there any questions?

**Mr Parsons:** Thank you for being here today. One question: You are aware of the compensation for a board member of Trillium?

**Mr Hinds:** Yes.

**Mr Parsons:** It is?

**Mr Hinds:** Nothing.

**Mr Parsons:** Exactly. Thank you for offering to put your time forward.

**The Chair:** Yes, Ms Smith?

**Ms Smith:** I'd just like to go on the record as saying, as a member from the north, I am fully confident that Mr

Hinds will bring our views to the table as well, and I have no concerns about his previous GTA focus.

**The Chair:** Thank you very much. That concludes the time allocated.

**Mr Tascona:** Madam Chair, I didn't have any concerns about his experience and work in the GTA. I'm quite confident he'll be able to look at all the province. I just want to put that on the record.

**The Chair:** Thank you very much.

Again, we appreciate your being here, Mr Hinds. Thank you very much, and all the best.

That concludes the interviews that we had scheduled for this morning. We will reconvene after lunch at 1 o'clock.

*The committee recessed from 1122 to 1307.*

#### CATHERINE MACDONALD

Review of intended appointment, selected by third party: Catherine MacDonald, intended appointee as member, Community Care Access Centre Simcoe County.

**The Acting Chair (Mr David Oraziotti):** Welcome to this afternoon's session. Our seventh interview is with Catherine MacDonald, intended appointee as member, Community Care Access Centre Simcoe County. Please come forward. Welcome. You have an opportunity, should you wish to do so, to make an initial statement. Subsequent to that, there are questions from the members of the committee. Each party will have 10 minutes allocated for questions, and we'll go in rotation. Any time you take in your statement will be deducted from the time allotted to the government party. Go ahead, any time you're ready.

**Ms Catherine MacDonald:** Good afternoon, Mr Chair and members of the standing committee on government agencies. Thank you for this opportunity to elaborate on my background. I hope to reassure you that my skills and personality would be of benefit to the Community Care Access Centre Simcoe County.

One of my first comments to you would be to compliment the standing committee on government agencies on their thoroughness in their attempt to prepare me, the prospective appointee, for this review—phone calls, faxes, memoranda, even videotapes. If one isn't prepared for this interview, it's not for the lack of effort from the Public Appointments Secretariat. I thank them.

I'm sure you've had the opportunity to peruse my brief resumé, and you may have noted that over the years I've held a variety of people-related employment positions. I would be happy to elaborate on any of these if you wish. However, at this time, I think it's important to share with you a few other particulars that I believe qualify me to be appointed to the board of Community Care Access Centre Simcoe County.

First of all, I'm a life-long resident of Simcoe county, born and raised in Penetanguishene. I hold a membership in the Metis Nation of Ontario.

I debated within myself whether to include the fact—it's something you may or may not know, I'm not sure—that I am a member of the Simcoe North Provincial Liberal Association and serve on the executive at this time. I don't think that's an asset at this point. I think that's probably a liability to achieving this appointment, but I thought I'd mention it.

Over the years, I've developed a knowledge of the county, not only geographically but also in a humanistic nature. I'm familiar with a good number of communities and have had the opportunity to listen to people, their backgrounds, their appreciation of services and their needs.

Presently, I'm employed at a chartered accounting firm in Midland. The partners of this firm are supportive of staff volunteering in the community and would be willing to allow me the time to attend day meetings, as they have in the past when I served on the school board. Also, I'm presently enrolled in an accounting course at Georgian College one evening a week. My need to fulfill life-long learning is being met at this time in this 10-week course.

This brings me to one of the reasons why I would like to serve as a board member of CCAC of Simcoe county. The opportunity to be enlightened on the actual facts, become further aware of the needs of the people of Simcoe county, debate those needs and contribute to the planning process would also add to the continuous learning aspect of my life.

One of my greatest assets is sound judgment and the ability to query each issue as it arises. I believe in setting goals and having a mechanism to measure whether those goals are being reached. I believe in accountability, and in order to be accountable, it must be known who is managing what. I understand that some challenges will be frustrating. I've had that experience on the school board. But I've also had the experience of the rewards when you do reach a goal.

As well as having an aging parent who is presently—this week, as a matter of fact—in respite care at Georgian Manor, I have a brother-in-law battling cancer, and he's a recipient of CCAC services. These two examples of my personal encounters with the available services have been positive experiences.

Of course, the demands always outweigh the supply, and thus the challenges. Investment in home care, independence at home, independence for the elderly, for the needy, is as simple and as complicated as that. I'm up for the challenge.

Again, thank you for your time and I welcome your questions, I think.

**The Acting Chair:** Thank you very much. We'll start with the government caucus.

**Mr Parsons:** Thank you, Chair. I think we've got a clear picture of it.

**The Acting Chair:** Mr Tascona, do you have any questions?

**Mr Tascona:** Yes, I do. The NDP is not here, so I have to cover for them now. I want to thank you for

coming, Catherine, to the standing committee. Certainly, based on your work with the Simcoe Muskoka Catholic District School Board and as a board member with the North Simcoe Catholic Family Life Centre, you are eminently qualified to deal with and understand the issues that we're facing in Simcoe county, especially with respect to its growth and aging.

I just want to ask you a few questions. I think you indicated off the top that you are a member of the Simcoe North Provincial Liberal Association.

**Ms MacDonald:** That's correct.

**Mr Tascona:** I know your husband, George MacDonald. For the record, he's the warden of Simcoe county and he's also the mayor of Midland.

**Ms MacDonald:** That's correct.

**Mr Tascona:** I think George has also been a former Liberal candidate provincially on two occasions.

**Ms MacDonald:** That's correct.

**Mr Tascona:** How did you hear about this appointment?

**Ms MacDonald:** I was made aware through a friend who served on the board. She resigned from the board, along with everyone else, and that kind of triggered an interest. It came to my attention in other conversations at social functions or on the street, and I did express interest to one of the past board members. Then I received a call from the ministry, and I submitted my resumé.

**Mr Tascona:** The Ministry of Health and Long-Term Care?

**Ms MacDonald:** Yes. An individual—I don't know if I'm at liberty to say the individual's name—contacted me and I faxed my resumé and said yes, I was definitely interested. I guess I was slow off the mark, because I just talked about it. I said I was going to go on the Web site. I understand you can fill out an application there, but I did it by fax.

**Mr Tascona:** I know there's another chap. I think you know Don Bell. He's been before us as a prospective member.

**Ms MacDonald:** A prospective member?

**Mr Tascona:** Yes, just last week.

**Ms MacDonald:** He served in municipal politics as well.

**Mr Tascona:** He was warden of the county.

**Ms MacDonald:** Yes.

**Mr Tascona:** I think he's the mayor of Springwater.

**Ms MacDonald:** I'm sorry?

**Mr Tascona:** He's the mayor of Springwater, I believe.

The position itself—I have elderly parents. I have an elderly mother, who's receiving some care from the community care access centre. I've been involved with it from day one when it was brought in, I believe in 1996. I think it's of fundamental health care importance for our seniors that community care access centres are properly funded and have active and knowledgeable boards. To me, it's critical. As you know, they have a referral role with respect to seniors who need health care treatment in nursing homes—I'm thinking of your mother.

**Ms MacDonald:** Yes.

**Mr Tascona:** That's one of the roles they play.

**Ms MacDonald:** Yes.

**Mr Tascona:** What are your thoughts on that, in terms of that process? What was your experience?

**Ms MacDonald:** It is positive. I did the initial call to inquire about respite care. My mother presently lives alone. She doesn't know how much longer she can do this. She's an intelligent person and wants to prepare herself mentally that perhaps this is the way it's going to be. So this is her third visit. They were very helpful with the initial interview to see whether she qualified. There was no discomfort there.

The other aspect of the community care access centre programs that interests me, of course, are the services they provide to the school board. I know there's never enough, but I would be interested in learning more about those services. It's an intriguing challenge to try to meet everybody's needs.

**Mr Tascona:** Are you aware in the city of Barrie—you said your mother was in Georgian Manor.

**Ms MacDonald:** That's in Penetanguishene.

**Mr Tascona:** Yes. Is that a retirement home or a nursing home?

**Ms MacDonald:** It's a nursing home.

**Mr Tascona:** OK. I think there's a great need—and I bring it to your attention—for day programs at the nursing homes. I know the IOOF has a day program for seniors with dementia, and Grove Park Home, where your husband was with me a couple of weeks ago to open up the facility, has a day program also. That's something that is lacking in the area. We tried to get a day program for Victoria Village, which I think you're aware of, and we weren't successful in getting funding from the ministry to provide that. Because of the role you're going to be taking, I think it's important that seniors have those day programs. I don't know whether other parts of the county have those or not. Are you aware of whether they do?

**Ms MacDonald:** I'm aware that there is one at Georgian Manor, and I believe there's one at the private facility, the Villa Care nursing home, in Midland. I don't know if there's one at Hillcrest in Midland. But those are statistics I could be brought up to speed on. We're an aging population, so the need is only going to increase. It would be nice to get the programs in place, and I hope I never need it.

**Mr Tascona:** Well, you're ideally suited for that to happen. You have the right political linkage to make that happen. But it's important, because community care access does have a role with those day programs. As you know, if you're in your home and they're providing the service during the day—sometimes up to an hour a day every day during the week, and yet also to get the senior out and into these day programs. I know that at Victoria Village they actually built a facility for that and it wasn't successful at this point in time for that day program. But I think it's something that, since you're in Simcoe county, it's important for Simcoe county to recognize that need.

What do you think the major challenges are facing the corporation to which you're going to be appointed?

**Ms MacDonald:** Perhaps fulfilling all the day program needs would be one. That's one you just brought to my attention. As I mentioned briefly, the needs within the school for the disabled: personal hygiene, hearing and vision. I'm not familiar enough with the programs they supply. I know there are not enough. The biggest challenge would be to meet all the needs of the people.

1320

**Mr Tascona:** There is talk about multi-year funding also. You'd be aware of the need for that, being a former trustee of a school board.

**Ms MacDonald:** I think that would make the board's work a little more rewarding in that they could plan better, instead of going from year to year. With multi-year planning, you can do a strategic plan and set some goals, as I mentioned in my opening comments, and then you have something to measure up to. But if you're going from year to year, it gives me the picture that perhaps you're constantly putting out fires.

**Mr Tascona:** Yes. One other question: Do you think the relatively small size of the CCAC board in Simcoe county could pose any challenges for you to be able to perform your position, even though you are experienced as a school board chair?

**Ms MacDonald:** I don't know what quantity is "small."

**Mr Tascona:** The current number there: Have you talked to anyone there about the number of people?

**Ms MacDonald:** The board is not functioning at this time. That's pretty small, so I don't think it's very effective.

**Mr Tascona:** Don't they have a couple of board members?

**Ms MacDonald:** Not that I'm aware of.

**Mr Tascona:** I thought Jack Garner was a board member.

**Ms MacDonald:** That's one.

**Mr Tascona:** And you're being appointed.

**Ms MacDonald:** That would be two. That would be not very functional.

**Mr Tascona:** Don Bell is going to be appointed.

**Ms MacDonald:** That would be three.

**Mr Tascona:** Those would be the number who are on that. Do you think that poses any challenges to you?

**Ms MacDonald:** It definitely would be a challenge, I think. For some diversity and considering the large area, you would need more than three. I'm not saying it's impossible; I'm just saying I don't know how effective you would be with just three board members.

**Mr Tascona:** But you think you're up to the task, though?

**Ms MacDonald:** I've never said I was going to do something and then didn't do it. I would do the best possible job I am capable of doing.

**Mr Tascona:** I know you will. Those are all the questions I have.

**The Chair:** Thank you very much, Ms MacDonald. That concludes the time allocated. We do appreciate your making the time to join us today, and we wish you all the best in this endeavour.

#### ANNE MARIE LEVESQUE

Review of intended appointment, selected by third party: Anne Marie Levesque, intended appointee as member, Council of the Ontario College of Teachers.

**The Chair:** Our eighth interview today is with Anne Marie Levesque, the intended appointee as a member of the Council of the Ontario College of Teachers.

Welcome. As you probably are aware, you do have the opportunity to make an opening statement if you wish. Then, of course, there are going to be questions from the two parties here today. Each party will have 10 minutes for questions. Whatever time you use will be deducted from the time allotted to the government party. Do you have an introductory statement?

**Ms Anne Marie Levesque:** Yes, I do.

Good afternoon. I am pleased to be before you to tell you a little bit about myself and why I believe my appointment to the Council of the Ontario College of Teachers will be of benefit to both the teaching profession and the public at large.

I am sure that you have all had a chance to review my CV and that you have an idea of what my qualifications as well as my experiences are. In the next few minutes, I'd like to try to personalize my CV by expanding on the experiences I have had since graduating from nursing in 1970.

Recently, I celebrated another birthday, and my sister gave me a framed copy of an article that was written way back in April 1989, entitled, "The Many Hats of Anne Marie Levesque." The local daily newspaper had decided to feature an article on my past experiences and my current career; namely, my career in law. In this article, I am quoted as saying that "Life is a process of continual growth" and that I enjoyed growing. The same applies today.

I started my working career as a registered nurse, and to this date I am still a registered nurse. I am a member of the Ontario College of Nurses, which is also a self-regulatory body, in much the same way that the Ontario College of Teachers is. Probably one of the biggest differences, however, is that the Ontario College of Teachers is a regulatory body only since 1996, whereas the nurses have been regulated for much longer.

I worked as a nurse in a variety of capacities from 1970 up to and including 1990. I was a nursing staff member in a hospital. I was a nursing teacher, teaching in a community college. I was a public health nurse. I was an administrator in a variety of capacities, including director of nursing.

After obtaining a masters in nursing, it became very evident to me that at that time my level of education was well beyond what was required to nurse. In 1981, it became even more evident to me that I needed to learn

about labour laws to effectively perform my duties as an administrator of a hospital. I registered at the university in the labour law course and became quite enthused and enthralled with the new challenges before me. I applied to Queen's University in Kingston and was accepted in the law school. I graduated from law in 1984, and since that time I have been concentrating most of my energies on the practice of law.

I have a very busy general practice in a small town. However, I have had the opportunity to represent applicants before the College of Nurses on a variety of issues, and as such I became more familiar with the intricate details of the operation of the college than I was when I was simply a member of the college. I fully support the need for the various professions to be self-regulated through a body that protects not only the professional but also the member at large; in other words, the consumer of the service.

Throughout my life, even as a high school student, I was always very involved in a variety of organizations, both as a volunteer and as a member. In high school, I was president of the student council. In post-secondary education, I was a student representative on numerous committees. During my post-graduate studies, I was a teaching assistant at the university. In the last few years, I have taught at the local community college to the police foundation. I'm a hard worker with an endless amount of energy. I enjoy challenges and new experiences. I truly believe I could be an asset both to the members of the college as well as to the members at large.

J'aimerais aussi souligner que je suis francophone. Donc, si jamais il y avait quelqu'un qui voulait parler la langue française devant un comité, je pourrais être d'assistance au comité.

Thank you for the opportunity to meet with you. I invite any questions you may have concerning my presentation or the curriculum vitae that was provided to you earlier.

**The Chair:** Thank you very much, Ms Levesque. I believe we're starting with the Conservative Party. Mr Tascona?

**Mr Tascona:** Thank you for coming here today. I don't know whether we crossed paths at Queen's University or not. I graduated in 1983.

**Ms Levesque:** I graduated in 1984 from the law program. You don't look familiar, but we all age, so I don't know.

**Mr Tascona:** That's right, and I'm aging.

**Ms Levesque:** I'm probably about 20 or 30 pounds greater than I was then.

**Mr Tascona:** In this job, I'm just losing weight every day.

**Ms Levesque:** You're losing weight? Well, maybe I need to work harder.

**Mr Tascona:** We never crossed swords; we'll put it that way.

**Ms Levesque:** I don't think so.

**Mr Tascona:** So you practise in Cornwall and you say you're a GP. What area do you focus on?

**Ms Levesque:** My concentration seems to be, not necessarily by choice, even though I do enjoy it, family law. I think there's a great, great demand for family law lawyers across the country, but in Cornwall there's a great demand. So I would probably say that 50% of my practice deals with matrimonial disputes.

**Mr Tascona:** Does your practice ever involve school boards or the College of Teachers?

**Ms Levesque:** No, except that, as I said in my presentation, I have represented members before the College of Nurses of Ontario in discipline, in registration. I also had a case before the Divisional Court with respect to a nurse and her certification and qualifications that had been questioned by the College of Nurses. But not the school board.

**1330**

**Mr Tascona:** Have you ever donated to the Liberal Party?

**Ms Levesque:** Yes, I have.

**Mr Tascona:** The provincial Liberal Party?

**Ms Levesque:** Yes.

**Mr Tascona:** Are you a member of the provincial Liberal Party?

**Ms Levesque:** Yes, I am. I can tell you that, even when I was in Alberta, I was a member of the Liberal Party and I cheered for the Montreal Alouettes and I cheered for the Montreal Canadiens. That didn't go very well, but I still kept my alliances.

**Mr Tascona:** You stand by your principles.

**Ms Levesque:** Yes.

**Mr Tascona:** Are you a delegate for the upcoming Liberal convention?

**Ms Levesque:** No.

**Mr Tascona:** How did you find out about this appointment?

**Ms Levesque:** The assistant to our local member of Parliament contacted my office three or four months ago, or maybe a little longer. There was a vacancy on the custody review panel. They wanted to know if I was interested, knowing that I did a lot of family law. I said, "Well, I'd be interested in anything that would expand my horizons." So I applied for that committee and the committee chair called me and I guess they had chosen me to be on the committee. But when I discussed with him the time commitment, I just couldn't guarantee that I would be effective, because I wouldn't be able to commit the amount of time that was required.

At that time the chair of that committee said, "Can I give your application, because you may be able to be useful on other committees?" I said, "By all means, do so."

**Mr Tascona:** What committee was that that you were interested in at first?

**Ms Levesque:** The custody review committee.

**Mr Tascona:** OK. Sorry, go ahead.

**Ms Levesque:** So then my application went to the standing committee and then they called me and said, "We have an opening on the Ontario teachers' college board. Would you be interested?" I said, "Yes, I would

be.” Again, I questioned right there and then the commitment, and the commitment met my schedule. I felt I could commit the time it required.

**Mr Tascona:** Who’s your MPP again?

**Ms Levesque:** Mr Jim Brownell. He’s new to our constituency.

**Mr Tascona:** Have you applied for any other provincial or federal appointments?

**Ms Levesque:** I presently have and have had for a few years an application with the judicial appointment committee. That application is reviewed and it sits there until they either find a spot for you or—you really don’t know what happens to it. There are no interviews. I was never interviewed. I simply submitted my application and it’s on file.

**Mr Tascona:** So you’re committed to fulfilling the term of this appointment?

**Ms Levesque:** Yes.

**Mr Tascona:** What’s the term, do you know?

**Ms Levesque:** It’s three years, I understand, renewable for a further three years.

**Mr Tascona:** I just want to talk to you about your knowledge of the college. Do you have some knowledge?

**Ms Levesque:** I don’t have very much knowledge. I do know that they are self-regulated. I do know there are about nine objectives the college tries to meet. It’s fairly similar to my experience with the College of Nurses, like registration, dealing with the public, continuing education, the criteria. But I have never worked with the College of Teachers. I do know that it’s a fairly new body—1996. I have many friends who are teachers and I do know that it went through some rough times, but I don’t know where it’s at now with its members.

**Mr Tascona:** My understanding is there are only 8,233 members or 4.39% of the total membership from the elections in 2003. That’s how little the membership is. Do you have any thoughts on how you could improve that relationship?

**Ms Levesque:** I think that in anything that is fairly new you have to prove yourself to the members, you have to make the members feel that it’s worth belonging to the college, that the college can do something for them, can help maintain a certain level, can help the public maintain respect for them. I think all those are growing pains of any college at the start. Looking back at the other five colleges, the surgeons and the optometrists and the nurses, I think we can learn from them, because I’m sure they would have had the same growing pains when they started. It’s a selling job to the members, and I think it can be done, because I really think the college regulating their own members is very important.

**Mr Tascona:** Being a lawyer—the law society has lay people who sit as benchers—you support the principle of lay people sitting on the college?

**Ms Levesque:** Absolutely.

**Mr Tascona:** I thank you for your time. I appreciate it.

**Ms Levesque:** You’re welcome.

**The Chair:** No further questions? Well, Ms MacDonald, that concludes—

**Mr Tascona:** Anne Marie Levesque.

**The Chair:** I’m sorry; I’m still back at the last one. We appreciate your being here, Ms Levesque, and we wish you all the best.

**Ms Levesque:** Thank you very much for having me.

#### DAVID BECKETT

Review of intended appointment, selected by official opposition party: David Beckett, intended appointee as member, Durham, Haliburton, Kawartha and Pine Ridge Grant Review Team.

**The Chair:** Our ninth interview today is with David Beckett, intended appointee as a member of the Durham, Haliburton, Kawartha and Pine Ridge Grant Review Team.

Mr Beckett, you probably have heard that each of the two parties has 10 minutes. They will ask questions, and if you choose to make a statement, then your time would be deducted from the government party’s time. Welcome. Do you wish to make a statement?

**Mr David Beckett:** I do, a brief one.

Good afternoon. My name is David Beckett, and I appear before you today for consideration of my nomination to sit as a member of the Durham, Haliburton, Kawartha and Pine Ridge Grant Review Team, which is my geographic district in the province, as part of the Ontario Trillium Foundation. I believe that all of you have been provided with a copy of my resumé, which I submitted to the Public Appointments Secretariat for consideration for this position.

I was born and raised in Dundas, just west of Hamilton. Dundas, in those days, was its own town, and is now actually a part of the city of Hamilton. I attended McMaster University, where I completed a four-year combined honours degree in political science and history. Subsequent to that, I completed a masters degree, on scholarship, in political science at McMaster as well. I took a couple of years off to work and then attended the University of Windsor law school, where I graduated in, I think, 1994.

I articulated at a Toronto firm, Osler, Hoskin and Harcourt, and subsequent to that, my wife and I moved to Peterborough, where Dora’s family resided. As a young child, through my teens and even into my university years, my father often talked about having a second opportunity to set up shop, and had he done so, he would have considered eastern Ontario. So it was natural for me to go there.

I consider myself fortunate to have found employment there with the law firm Gowland, Boriss. They’ve been practising law in the Peterborough area since 1975. I practise exclusively in the area of personal injury and insurance-related litigation. Most of my clients are innocent accident victims, many of whom require assistance at various stages of their rehabilitation from various provincial and, subsequently, community-based organizations. I try to advocate on their behalf to the extent that I can, trying to assist them in restoring some measure

of normalcy to their lives. That's obviously more applicable in the more severe cases than it would be in minor ones.

I was recently approved to sit on the board of directors of the Four Counties Brain Injury Association, which is also centred in Peterborough. This organization advocates for persons who have sustained traumatic brain injury or who are born with emotional or cognitive difficulties related to the brain. I'm new to that board, so my contributions at this stage have admittedly been nominal to this point.

My wife Dora is a primary-school teacher in Peterborough, where she teaches at St Teresa's School, and we are blessed to have two remarkable children: Lauren, who is seven years old and in grade 2 at St Teresa's; and my son John, who just turned two.

In my field of work, I am, by definition, involved in an adversarial environment, but I recognize that the lion's share of all cases resolve themselves through a mediated, conciliatory resolution. In my view, that is always the best way to avoid a claim, though one can never be intimidated about taking something to the end where there is a matter of principle involved. But it is a conciliatory approach that I would hope to be able to bring to the Durham, Haliburton, Kawartha and Pine Ridge Grant Review Team.

I anticipate, as with most government agencies, that there will be more applications requiring more funds than might be allocated to a particular district, and so it seems to me that the best approach to that type of problem, as I think most governments generally attempt to do, is ensure that scarce resources are put to their widest possible use.

#### 1340

As you may know, the clerk of the standing committee on government agencies provided to me an information package related to this committee's work, as well as some Hansard transcripts of recent similar interviews. I was also provided with a lengthy videotape from this committee dealing with certain proposed appointments to the Ontario Energy Board in March of this year.

My review of that information suggests that I might be asked if I'm partisan. I am. I've been a card-carrying member of the federal and provincial Liberal parties for as long as I can recall. Most recently, I ran Mr Jeff Leal's election campaign in Peterborough in 2003. But I feel it's important to add that he's been a loyal friend of mine for 15 years. I knocked on doors for him during municipal elections prior to his ever entering into provincial affairs. I've always found him, to me and to those who know him, to be honourable and a man of his word. It is for those reasons that I've always devoted my time to assisting him whenever he has called and ostensibly asked to give up time from my practice or my family, and I've always done it without hesitation because of who he is.

I also anticipate that you may ask me how I came to know of the appointment process. As accurately as I can recall, in the very late winter of 2003 or perhaps the very early spring of this year, Mr Leal advised me that there

might be vacancies opening on the local grant review team and that if I had any interest, I should consider applying. He described to me in very general terms the nature of the organization as one that considered worthy applications for government grants to charitable and not-for-profit organizations that are to the benefit of ground-level organizations in communities across the province.

I've always supported and wholeheartedly understand and appreciate public office and the entire notion of public service. Frankly, I think my efforts on behalf of a number of different individuals in the past, but most recently Mr Leal, indicate that I still believe in the system and I still believe in the role that government and its agencies can perform on a ground level.

After Mr Leal notified me of this opportunity, I was immediately interested in this opportunity to work with such a group. Mr Leal at the same time advised me that if I was interested, I should send my resumé off to the Public Appointments Secretariat, which I did in March 2004. I never spoke about the issue again with Mr Leal, the Public Appointments Secretariat or anyone from this committee until I received correspondence from the Ontario Trillium Foundation early this month to advise me that I had been nominated. Subsequent to that, I was advised by the committee clerk that my appearance would be required here. So at no time was there any additional involvement of Mr Leal or myself.

Mr Leal knows me very well. He knows my academic background. He knows my commitment to my work and to my clients. He is aware of my commitment to my family. I believe he recommended that I consider this appointment not because of any suggestion of reward but rather because he understands that I would attempt to contribute in as viable and productive a way as I can to the grant review team's work and represent our community's interests there in a fair and objective manner.

I know you are all aware that this position does not bring with it any remuneration. I understand that I'm reimbursed for kilometres driven and for some expenses related to meals. This is not any opportunity for reward in a remunerative sense, but from my perspective the reward comes from some public service.

I believe that I bring a good work ethic, candour and a conciliatory approach to the grant review team. The local grant review team has informed me that if I am successful here today, I will have the opportunity to attend at a full-day orientation tomorrow in Toronto at the Ontario Trillium Foundation, where I expect to be educated to a much larger degree as to the nature of the work they do and the process. So I don't profess today to have all of the answers relating to that. I've downloaded from the Web site numerous pieces that are available to the public that describe in a very general sense what its work is.

I'd like to thank you for the opportunity to be here today, and I'm happy to answer any questions you might have.

**The Chair:** Thank you very much, Mr Beckett. Any questions, Mr Parsons?

**Mr Parsons:** No questions.

**The Chair:** I would then turn to the Conservative Party.

**Mr Tascona:** Thank you for coming here today.

**Mr Beckett:** Thank you for having me.

**Mr Tascona:** You obviously learned a lot at McMaster about politics. I went there too.

**Mr Beckett:** Oh, good.

**Mr Tascona:** The same subject area.

Just to clarify for the record, Jeff Leal is the MPP for Peterborough?

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

**Mr Tascona:** And he's also a Liberal in the government.

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

**Mr Tascona:** You were his campaign manager.

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

**Mr Tascona:** In 1999 also?

**Mr Beckett:** No, 2003 only.

**Mr Tascona:** OK, just 2003.

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

**Mr Tascona:** Have you ever contributed to the Liberal Party?

**Mr Beckett:** Yes, many times.

**Mr Tascona:** The provincial Liberal Party?

**Mr Beckett:** Both.

**Mr Tascona:** You're a current member of the Liberal Party?

**Mr Beckett:** Yes. I'm no longer on the board of directors, as we speak, but not having anything to do with this. I was, quite frankly, tired when the election came around and finished and decided it was time for me to take some time to get back to my family. I still carry a membership and anticipate, at some stage, returning to the board. I'm not currently on the board—provincially only, incidentally. I do hold a membership to the federal party as well, but I'm not on their board of directors.

**Mr Tascona:** Thank you. Now, I take it you had significant involvement as a campaign manager. I just want to raise this point, because on September 24, we received a certificate that lists Greg Cowie as a prospective appointee to the Ontario Geographic Names Board. Mr Cowie also worked on Mr Leal's campaign, so much so that, from the newspaper reports, Mr Leal thanked him in his speech on election night. I take it you know Mr Cowie, who's the Hiawatha First Nations chief.

**Mr Beckett:** I understand that he is the chief there. I met him myself on one occasion.

**Mr Tascona:** Have you had any conversations with Mr Leal about anybody else who was active on the campaign who should be considered for an appointment?

**Mr Beckett:** No, sir.

**Mr Tascona:** I notice in your CV that you don't have anything under community involvement. Perhaps that's why you're looking to add to your CV, in terms of getting involved with the Trillium Foundation. Is that correct?

**Mr Beckett:** No. I think, quite frankly, it is the reverse. I don't view participation in election campaigns as non-community involvement.

**Mr Tascona:** I'm just looking at your CV. There's nothing for community involvement.

**Mr Beckett:** I understand. I view this as an opportunity to continue in that avenue, but certainly not something that I'm trying to add to a CV, by any means. My employment occupies a lot of my time. I enjoy it very much. I love the work that I do and I love the people I'm with, and I aspire to stay where I am. So I have no need to try to pad a resumé, if that's what you're suggesting, sir.

**Mr Tascona:** I'm not suggesting anything. I just read your CV. There's employment history, there's education history and then there are memberships.

**Mr Beckett:** Yes.

**Mr Tascona:** There's nothing on community involvement.

**Mr Beckett:** Well, I've done an awful lot of things, primarily prior to going up to Peterborough. When I landed in Peterborough, within about three years of that we had our first child. I'm starting a new practice.

**Mr Tascona:** That's fine. I'm not pointing anything out there.

**Mr Beckett:** My time to be involved in community organizations at that stage was quite limited.

**Mr Tascona:** So you have more time now?

**Mr Beckett:** I have some more time.

**Mr Tascona:** Tell me why you're so interested in the Trillium Foundation.

**Mr Beckett:** Perhaps I can give the best example to you, which is a real-world example. One of the people I work with, Mr Gowland, whose name appears on the letterhead of our firm, was involved—I don't know whether he still is—with Camp Kawartha in Peterborough. When I talked to him after applying to this, he talked about what a phenomenal organization it was, that Camp Kawartha had received a sizable grant in order for it to substantially expand the services it offers to young kids, and that it was—I don't want to say life-saving, but tremendously beneficial to them. To have somebody describe that to you with a smile on their face, to know what an effect it had on a grassroots, community-based level, is one of the more specific examples I can give to you as to why I want to be party to that type of organization.

**Mr Tascona:** What's your understanding of what you're going to be doing?

**Mr Beckett:** My understanding, sir, is that the Ontario Trillium Foundation is provided annually out of charity casino revenues approximately \$100 million. The province is divided into 16 geographic catchment areas.

**Mr Tascona:** Well, what are you going to be doing?

**Mr Beckett:** We would be considering applications from organizations of charitable status or, alternatively, not-for-profit organizations that are going to attempt to advance various causes at a grassroots level under four basic headings. I'm sure you're aware of those headings,

in terms of social affairs, arts and culture, the environment etc.

**Mr Tascona:** Yes.

**Mr Beckett:** I would be one of 22 members that would consider those applications.

**Mr Tascona:** Yes, I understand that. Do you have any thoughts about the criteria the foundation uses when reviewing grant applications?

1350

**Mr Beckett:** I couldn't speak intelligently to that today, sir. I have not yet had the benefit of any sort of education from them. Depending on events today, I anticipate hopefully being able to be educated more on that tomorrow.

**Mr Tascona:** Are there any particular charities or not-for-profit organizations you feel should receive special consideration when the teams review funding applications?

**Mr Beckett:** I don't have any specific. I can tell you that in Peterborough there are two significant issues, as I see it, and I speak to Peterborough alone because I don't profess to be an expert on the other three catchment areas that are included. Peterborough is a rapidly aging community. It seems to be one of the growth industries in Peterborough, that seniors' facilities etc are developed. I don't believe, from the work I've done in my own practice with seniors, that there is enough to keep healthy seniors as active as they wish, and those who are less active. So I do believe that organizations that are representing interests of that nature, at least in my area, are really important for consideration.

Secondly, 40% of the people, at least in the Peterborough region, live in much more rural parts of the riding than those in the city itself, obviously. Though I don't profess to be expert on this, I never sense that the rural areas are as fortunate, if you will, in terms of the provision of grants to them. I think their interests have to also be brought to the table.

**Mr Tascona:** So you think the rural area is where the focus should be, or more focus should be, in terms of the Trillium Foundation?

**Mr Beckett:** More focus; exactly. I can't speak to the issue as to how much or how little, other than from my own experience in living there.

**Mr Tascona:** OK. I want to thank you for your interest in that. Certainly with a young family and a busy law practice, you're going to be up to the challenge.

**Mr Beckett:** Thank you.

**The Chair:** Did you have any questions, Ms Horwath?

**Ms Andrea Horwath (Hamilton East):** No, Madam Chair, I'll sit this one out. I apologize for my delay this afternoon.

**The Chair:** We welcome you.

Thank you very much, Mr Beckett, for coming today. That concludes the interview. We do appreciate your taking the time and we wish you all the best.

BRIAN COBURN

Review of intended appointment, selected by government party: Brian Coburn, intended appointee as member, Assessment Review Board.

**The Chair:** Our next interview is with Brian Coburn, the intended appointee as a member of the Assessment Review Board. I would invite Mr Coburn forward. Good afternoon, Mr Coburn. It's great to see Mr Morin and now you here today. We don't need to ask either one of you about your political affiliation. That's pretty public.

**Mr Parsons:** Is it an organized political party?

**The Chair:** I think they both were.

I think you probably know the routine, where each of the three parties has 10 minutes and we go in rotation. If you want to make an opening statement, we certainly would welcome that, and your time would be deducted from the government party. Welcome, and you can make a statement if you wish.

**Mr Brian Coburn:** Thank you, Madam Chair. I just have a few brief comments.

I thank you and the committee for this opportunity to speak to you. I believe you've got my CV in front of you. I just want to go over some of the things that have happened to me.

I was born and raised on a dairy farm in the township of Cumberland, which is the eastern part of the city of Ottawa today. Over the years I've gained considerable experience in a variety of areas in our society. From my youth on the farm, I went on to work in the heating business. I managed a local heating oil company and subsequently started my own heating and air conditioning business. I then expanded that into a construction and excavating business. I also had an opportunity to teach a couple of semesters at Algonquin College in the burner mechanics licence program. I also forayed into the restaurant business for a number of years, owning the Ballycastle Restaurant in the village of Navan. Along with that, of course, living in a rural community, I participated in many of the community organizations.

For 22 years, I had the pleasure of serving the residents of Cumberland and Ottawa-Orléans, first as a councillor for nine years and then nine years as mayor of the township of Cumberland, and most recently I had the great pleasure of being the MPP for the Ottawa-Orléans area for four years, from 1999 to 2003.

During my term as mayor, Cumberland was recognized as the fastest-growing community in all of Canada at that time, percentage-wise. Our population grew from 12,500 to over 51,000 during my time on local council. I was also a councillor and a member of the executive committee at the region of Ottawa-Carleton when market value assessment came into being. I was one of the principal proponents of that, along with some other mayoralty colleagues. At that time, the region was made up of 11 municipalities. For any of you who know the Ottawa area, a number of them were largely rural and then we had the large urban centre core.

Throughout my working life, day in and day out, I've been working with the public. The requirements for

success during that time were very similar or a mirror image of the requirements to sit as a member of the Assessment Review Board. Analytical ability, judgment, tact and being capable of interpreting legislation fairly and objectively are indeed the qualities that were beneficial to me in my time in business and in government. I believe those experiences I've gained over the years will serve me well and that I would be a responsible and capable member of the Assessment Review Board.

Thank you very much for this opportunity.

**The Chair:** We will begin with the Conservative Party.

**Mr Tascona:** It's good to see you, Brian. You look in very good health. I'm very pleased to see that you're up for this appointment. I think you're very capable to handle this.

I just have a couple of questions. You were called to appear today by the government members of this committee. Does it concern you that the committee members seem to be questioning the decision of cabinet by bringing you before our committee for review?

**Mr Coburn:** No.

**Mr Tascona:** What do you view as the major challenge you're going to have with respect to this particular agency? I think it's fairly high profile and certainly receiving a lot of attention by the Minister of Finance.

**Mr Coburn:** I think for all of us, and particularly you folks who sit on committee, you've experienced the calls you have from residents with respect to assessment and taxation etc, which goes to the very heart of the economic well-being of our communities. The role, as I understand it, on the ARB is not to set government policy but rather to sit there and listen to the pros and cons of the appeal that's in front of you and to be objective and fair-minded and work within the boundaries and the spirit of the legislation. That's one of the challenges I think we always have in public life, and sitting on boards, to make sure that you remain fair-minded and objective and that you get all the information.

**Mr Tascona:** Thanks very much. I appreciate your time.

**Ms Horwath:** Good afternoon. I know you have already mentioned that you didn't believe it was the role to make government policy but rather just to fulfil the role of looking at the appeals within the existing framework that's in place. I'm wondering, with your experience and your understanding of the system, do you have any opinion personally on the issue of tax caps and tax ratios? It's a fairly controversial issue and there has been some pressure from many different places to change the way those are implemented. Do you have any opinions on that particularly?

**Mr Coburn:** No. Certainly we as humans always have opinions and comments on a variety of issues. However, my role, if I become a member of the ARB, is to sit there and work within government policy.

I also believe, though, in response to that, as you sit as a member—and I was fortunate to have a meeting with Mr Stephenson, who is the chair, where we had quite a wide-ranging discussion on a number of things. There is

an opportunity when you sit as a board that you can use some of your experiences. When you sit and hear some of these cases, in consultation with the chair, you bring forward your experiences and possibly some suggestions, and then follow the proper sequence where possibly you have discussions with the ministry and the minister, and that may lead to some changes or at least provide some constructive input into the process.

1400

**Ms Horwath:** There's been some criticisms of the board, in terms of the processes that are necessary to have an appeal go through and get to the final determination, and there have been some concerns about red tape and the length of the process and all of these kinds of things. Do you have any first-hand knowledge of what some of those criticisms are and any idea of how to make the board function in a more streamlined fashion?

**Mr Coburn:** I think, once again, all of us, whether you're waiting in line at a bank or waiting in line for anything, get some frustration if you're not dealt with in a professional and prompt way.

One of the things that's always troubled me over my years in municipal government and provincially is we spend lots of money on computerized systems etc to improve and make things simpler and more efficient, and yet we wind up hiring more people to do the job and it never works the way we had intended it to work. That becomes very frustrating to you, the individual that is appealing or looking for a decision or some guidance on a situation.

I guess the comments I've received, not only in my political life, but as a regular Joe in the street these days, is people get very frustrated when they're not responded to in a timely manner. That's uppermost: to understand where it's going. Has it been heard: "Did anybody hear my appeal? I've sent the request in to deal with that." Those are some of the real challenges: to make things operate efficiently and respond in a timely manner.

**Ms Horwath:** You may recall that one of the big problems—I come from the municipal sector and was a city councillor in the city of Hamilton, and one of the complaints I regularly heard was there was "no opportunity for real people to come and see my house" to determine whether or not it was in fact being assessed properly, that the access to human beings, in terms of getting some service from the board, some real human eyes looking at the situation, was a frustration for people. I don't know whether you have any concerns or opinions as to whether or not the reduction in the number of staff doing that kind of work has had an effect on the public's perspective of how the system functions.

**Mr Coburn:** I think the government presently and governments before that—nobody's been able to find the magic solution on how you should deal with this one on one. The government of the day is taking a look to see if there isn't some better way of being able to deal with those kinds of situations. Certainly the challenge to go out and visit every household is something that's not really possible, but to do it in more of a way that puts that

human touch on it that you talked about, that's the challenge. Isn't that the challenge to all of you who are in government as well: to put that human touch on it?

**Ms Horwath:** Thank you. No further questions, Madam Chair.

**The Chair:** Thank you, Ms Horwath. Mr Parsons?

**Mr Parsons:** No. It's good to see you again, Brian, but there are no questions.

**The Chair:** That's great. That was easy, Mr Coburn. We appreciate your being here and we wish you all the best in this possible new endeavour.

**Mr Coburn:** Thank you very much, madam.

**The Chair:** I think what we'll do at this point in time, since we're almost one hour ahead, is adjourn until 3 o'clock when our 3 o'clock appointment appears, and then we'll complete the next four. So we'll reconvene at 3 o'clock.

*The committee recessed from 1405 to 1500.*

#### BILL MARRA

Review of intended appointment, selected by third party: Bill Marra, member, Ontario Civilian Commission on Police Services.

**The Chair:** I think we will come together one more time and begin our next interview with Mr Marra, the intended appointee as a member of the Ontario Civilian Commission on Police Services. Welcome, Mr Marra. As you probably know, each party is going to have 10 minutes for questions and we'll go in rotation. You are certainly able to make an introductory statement if you wish, and whatever time you use will be deducted from the governing party. Did you wish to make an introductory statement?

**Mr Bill Marra:** Yes, I do. It will be brief.

**The Chair:** Please proceed.

**Mr Marra:** Thank you, Madam Chair. Good afternoon to you and the members. I truly appreciate the opportunity to be here today. I'm here to discuss my qualifications for the intended appointment to the Ontario Civilian Commission on Police Services. I believe you have a copy of my resumé and some background information. I'll just take a few minutes to provide a brief overview.

For well over 16 years, I have worked in the criminal justice field in a variety of different capacities. I have worked, beginning as a front-line counsellor back in the day, in young offender facilities. I also spent six years with the Ontario public service as a probation and parole officer out of the Windsor-Essex office. Since 1997, I've been the executive director of New Beginnings, an organization in Windsor-Essex that operates residential facilities primarily for young people in conflict with the law and at-risk youth as well. I even spent a couple of years with the Windsor police auxiliary force back when I thought I wanted to be a police officer. That was obviously a good experience.

Rounding out my background, I also spent three years at St Clair College in Windsor. I taught there in the program for young offenders. Most recently, I served

nine years—three terms—on city council. During my tenure on city council, I served on over two dozen different boards, committees or commissions, including the crime prevention committee for the city, to which I was appointed prior to being elected to council. I also co-chaired a Windsor-Essex crime prevention initiative for a number of years. I served on the police services board in Windsor, and in my final year, I was the chairperson.

I believe my education and experiences make me a very good and well-rounded candidate for OCCPS. In addition to earning relevant degrees in my field, I was also trained in mediation and dispute resolution through a program offered through York and the University of Windsor about three years ago.

The past two decades have exposed me to policing issues for a variety of reasons. I also have a very strong public service background. I have continued to work in my community in a volunteer capacity. I am currently the pending first vice-chair of the hospital board in Windsor. During my term on council, I developed a very good reputation for being a hard-working person, very honest, very ethical. Even though I am no longer involved in municipal politics, I still continue my involvement in the community.

I've also had valuable experiences at the provincial and federal levels. Let me explain me that. In my field we have an association that represents all the facilities, and for a couple of years I acted as the president. That was very important because it offered an opportunity to see what other communities do, get a sense of what communities do from a provincial and a local perspective. It also offered me an opportunity to work with the government of the day. At the time, there was a lot of dialogue that went back and forth about our industry, funding issues and policy changes.

When I was on council, I also served five years on the Federation of Canadian Municipalities. That provided an equally good perspective, but on a national level. Again, you get a sense of what happens in other communities. I think that's good perspective and good experience as a public servant, because it gives you a perspective that's important when you're back home dealing with your local issues.

When I was on FCM, the federation, I did chair a national standing committee on crime prevention and community safety. We did a great deal of work with the organization of the chiefs of police. In fact, in my final year there we had begun an initiative that was going to translate, hopefully, into some local projects. I left that when my term on council ended. I also worked on a task force. I co-chaired a task force in fact, with Correctional Service Canada and the National Parole Board.

I believe that with provincial bodies such as OCCPS it is important to reflect different perspectives, different backgrounds and different training with the appointed members. I believe that having a representative from Windsor will also offer a very unique and important perspective. As a border community, our views and challenges with policing, for example, are different than other communities, and, as with any provincial body, having

representatives from across the province is always important.

I look forward to serving, if appointed, as your representative, and I will immediately proceed with any orientation or training, as required.

That concludes my opening statement, Madam Chair.

**The Chair:** Thank you very much, Mr Marra. I would now ask Ms Horwath from the NDP to begin the questioning.

**Ms Horwath:** Good afternoon. I notice from your resumé your participation in municipal politics in Windsor. Can you tell me if you're a member of a political party?

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

**Ms Horwath:** Are you a donor to any political parties?

**Mr Marra:** I have in the past, yes.

**Ms Horwath:** Can you tell me what party you were donating to in the past?

**Marra:** The Liberal Party.

**Ms Horwath:** Can you tell me how it is that you found out about the appointment to this particular commission?

**Mr Marra:** I was familiar with OCCPS, obviously, from my work on the police services board. To be frank with you, I lost a mayoral race in November, and after that was done, after a couple of months, I really thought there was a need for me to stay connected and stay busy with the community. I did contact the local MPP's office to find out about the appointment process. I was very interested in this body only. The other ones that I looked at really didn't have an interest for me. This seemed to be really strongly correlated to my personal background and my personal interests as well. So I submitted an application in January, and from there the process began.

**Ms Horwath:** So your MPP let you know that this was a position—can I ask which MPP you were talking to?

**Mr Marra:** I contacted Mr Duncan's office.

**Ms Horwath:** And Mr Duncan let you know the various positions that were available, and this is the one that took your interest?

**Mr Marra:** Actually, I was referred to a Web site. I remember doing some research on the provincial Web site to see which committees and commissions existed. This is the one that I expressed an interest in.

**Ms Horwath:** Excellent. I noticed you have some background that you've raised in your CV on the police services issues and of the justice system generally. I'm wondering if you are aware that there have been some particular criticisms about the organization, the commission, particularly in regard to whether or not it's arm's-length enough, whether or not it's civilian-oriented enough, whether it in fact is a proper oversight body. Can you tell me if you know about these controversies and what your opinion might be on that?

**Mr Marra:** No, I'm not aware of the specific criticisms. I am aware that there is a review underway currently. I'm not clear on the mandate of the review. It's probably consistent with some of the comments you just

made. I don't know enough to offer an opinion, but like anybody else, I'll be anxious to see the results of the review and whatever recommendations may come forward from that.

**Ms Horwath:** Along the same vein but from a little different perspective, previous to the system we have now in place there was a much more civilian-oriented oversight role that dealt with the kinds of issues the commission currently deals with. Noticing your background—I think you said in your interview that you wanted to be a police officer at one point—are you at all concerned that you might have some biases that would prevent you from being perhaps as thorough as is necessary to investigate the complaints that may come forward before you?

**Mr Marra:** I don't believe it would affect me. I really highlighted purposely, even in my opening statements, my exposure to policing and the criminal justice field because I think it'll be an asset in adjudicating issues, researching, understanding the facts. I think it offers a valuable perspective. But certainly not. I can reference my three years on the police services board, where, at times, we had to make some difficult decisions, decisions that were popular with some and not popular with others. I took an oath to that board, I took an oath to my seat on council, and I executed my duties. I don't believe any biases ever entered into any decision-making or ever affected me in making the right decision in the interests of the public.

**The Chair:** The government.

**Mr Parsons:** No, we have no questions, thank you.

**The Chair:** Thank you. Mr Tascona.

1510

**Mr Tascona:** Thanks for coming here today, Mr Marra. Certainly this position, OCCPS, is a very prestigious appointment. You say you heard about this—you contacted Mr Duncan about this position?

**Mr Marra:** I contacted him about process, more than anything. I was aware of OCCPS through my work, primarily through the police services board.

**Mr Tascona:** You went to the Web site, and then you—I think you expressed an interest in OCCPS. Then where did you go?

**Mr Marra:** Then I was told of the process. This is back in January, Mr Tascona, so my memory's going to be a little foggy.

**Mr Tascona:** Do your best.

**Mr Marra:** I do recall applying. I do recall submitting a written application with my name and an interest in that. From there it's been a pretty long process, because apparently there's a substantive amount of work in processing applications. I know there was quite a bit of police background check that they had to do.

**Mr Tascona:** Did you speak to Mr Duncan about this in the interim?

**Mr Marra:** I spoke with one person from his office. I never spoke with him directly about it. I spoke with somebody from his office, yes, probably on two, maybe three, occasions, more as follow-up. To be frank with you, I was a little surprised at how long it was taking, but

again, I wasn't aware of the volume of work involved with processing applications and doing the background.

**Mr Tascona:** You indicated you have financially supported the provincial and federal Liberals?

**Mr Marra:** Yes. I've been to a number of fundraisers over the last many years. So the answer to that is yes.

**Mr Tascona:** Currently, you're not a member of either party?

**Mr Marra:** No, I'm not a member of any political party. I've pulled memberships from the past, primarily when I got involved in nomination processes.

**Mr Tascona:** So you've been involved in nomination processes, I take it, for the Liberal Party.

**Mr Marra:** Yes, at the federal level.

**Mr Tascona:** You're a friend of Rick Limoges?

**Mr Marra:** Yes. We served on city council together.

**Mr Tascona:** I think he ran against Mr Comartin in the last federal election.

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

**Mr Tascona:** The job that you're involved in—I take it that you have some knowledge of the police. What kind of relationship did you have with the police in the city of Windsor?

**Mr Marra:** What kind of relationship do I have with them?

**Mr Tascona:** Yes. What kind of relationship did you have with them? You were on the police services board for three years. Were you supportive? Were you adversarial? What kind of relationship did you have with the police?

**Mr Marra:** I don't know if I would describe it by either of those two characterizations. I had a good relationship with people whom I worked with. Again, as I indicated earlier, there are times, especially with the police services and police in general, with the kind of attention that's been getting in the last few years, where decisions are difficult. We've had our challenges down there as a border community, but I can't really describe that I had a great relationship or didn't have a great relationship with these folks. It was a professional relationship. I was an elected member of council, appointed to the police board, and I did my job. I think I did it very well: open, transparent dialogue all the time with administration or members of the association. It's the way I prefer to operate. I even went through a collective bargaining process with them, which was interesting in itself, and that went fairly well.

**Mr Tascona:** Did you have any involvement with OCCPS while you were on the board?

**Mr Marra:** No, I didn't.

**Mr Tascona:** Now, I just want to take you into the actual task of what's going on with OCCPS. I think you're familiar with Chief Fantino of the Toronto Police Services Board?

**Mr Marra:** I'm familiar with who he is, yes. I've never met him.

**Mr Tascona:** Apparently, the commission was asked to conduct a section 25 investigation into the Toronto Police Services Board's decision not to extend Chief

Julian Fantino's contract. You're familiar with what's been going on here in Toronto with that issue?

**Mr Marra:** I've been following it through the media, yes.

**Mr Tascona:** Any views on it?

**Mr Marra:** No. I'm quite anxious and interested to see what will happen, but I don't have any views on it. It's really difficult to have a real good opinion on this. There are people who serve on the board who have been appointed there either by the provincial government or municipal government, and they're making some decisions based on whatever information they have. But I'm watching and I'm obviously anxious, like most people who follow it.

**Mr Tascona:** Well, you're a former municipal councillor and you served on the police services board. Do you think there should be anything done with respect to the appointment process for the police services board? Some of the appointments are made by the provincial government. The majority, I believe, are made by the municipal. When you get into a situation where you're dealing with, I guess, the governance of those police services boards, in your experience, do you think the process is working or is, I should say, free from political interference? Is it significantly enough arm's length, or is there something else that should be done?

**Mr Marra:** Mr Tascona, if I reference my experience in Windsor, it worked really well. We had two appointees from the provincial government—from your government, I believe. From our perspective, the people we appointed—we had two members of council who had served on it, and then we went through a very exhaustive public process to appoint our municipal appointee. We sent out an advertisement and had a very strong response. We set up a small committee and interviewed people we thought met at least the initial criteria. That process was thorough and really quite effective. I thought each member of the board that was in place during the time I served was very capable and competent and did a very good job.

**Mr Tascona:** So I think you'd share with me that the process should be arm's length and politicians shouldn't get involved in the appointments process to put forth their own agenda.

**Mr Marra:** Well, again, politicians appointed the municipal appointee, and that worked well. Maybe it's a question of process; I don't know. But for us, the process in place worked very well.

**Mr Tascona:** So there isn't a political agenda, would you agree?

**Mr Marra:** People should be appointed based on their skills, abilities, perhaps their experiences, and competency.

**Mr Tascona:** And they should be let go on the same basis, correct?

**Mr Marra:** If people are doing a job, they should stay in their position. If they're violating their oath or not doing what they've been asked to do and what they have promised to do, then I'm sure there are repercussions available. I think the police act provides for that.

**Mr Tascona:** I'm going to touch one other area with you, which is civilian oversight. The Attorney General has farmed out a project, as he usually does, and this one deals with civilian oversight. It's his latest third-party project. He's given it to Patrick LeSage, the former Chief Justice of the Superior Court of Ontario, who's a very able justice. I think Mr Bryant is quoted as saying, "Civilian oversight, to be effective, has got to be independent and transparent."

What are your thoughts on that? Do you think the present system is balanced with respect to civilian oversight, or does it need more work? What do you think?

**Mr Marra:** I don't know that well enough to offer a really educated opinion. I'm anxious to see what this review is going to offer, as far as recommendations go, but I really don't know it well enough to give you a good opinion.

**Mr Tascona:** Well, you'd know it well enough in terms of the current system. Do you have any comments on the current system?

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

**Mr Tascona:** Would you think the current system is working well or not? You were there for three years. You'd know.

**Mr Marra:** On the police services board, as far as the civilian complaints?

**Mr Tascona:** Yes.

**Mr Marra:** In our community, the process worked well. It was a big undertaking. We dealt with many complaints on a monthly basis, because it was reported, of course, to the board. I think one of the stellar things our chief did back home was work his butt off, if I could use that expression, to be connected to the community. He worked with many organizations, particularly the multicultural groups in town, and fostered relationships with them and open dialogue. It's a little-known fact, I believe, that we're the fourth most diverse city in the entire country. We have 104 different cultural groups. I reference the cultural aspect because it certainly was something you would see in complaints.

**Mr Tascona:** It's definitely a challenge.

**Mr Marra:** Sure it is, and kudos to the organization for fostering a relationship with the community. I think it played a role in satisfying people. You don't satisfy everyone, but in my experience, generally speaking, complaints were handled properly in our community.

**Mr Tascona:** Thanks very much.

**The Chair:** That completes the interview, Mr Marra. We appreciate your coming.

1520

#### JIT TAKHAR

Review of intended appointee, selected by official opposition party: Jit Takhar, intended appointee as member, Council of the College of Opticians of Ontario.

**The Chair:** Our next interview this afternoon is with Mr Takhar, the intended appointee as a member of the Council of the College of Opticians of Ontario. I would invite you forward. Again, just to review with you, each

party will have 10 minutes for questions. Also, you have an opportunity to make an opening statement. The time you take would be deducted from the governing party. Welcome, Mr Takhar. Did you want to make a statement?

**Mr Jit Takhar:** Yes, I do.

**The Chair:** Please proceed.

**Mr Takhar:** Thank you, Madam Chair and members of the committee. I feel privileged to come in front of the standing committee, meet the members and share my views with them.

My name is Jit Takhar. I am a Canadian citizen and a resident of Brampton, Ontario, for the past 17 years. Previous to living in Brampton, I moved to Birmingham, England, from India in 1970 and then moved from Birmingham to Long Island, New York, in 1984.

As stated in my resumé, I am a chemical engineer. I received my engineering degree from Teesside University in England.

I have been married to my wife, Darsh, for the past 24 years, and I have three children. My daughter Kieran is 19 and is studying kinesiology, health science and psychology at York University. My son, Jaskamal, is 17 and is in his last year of high school. My youngest, Sharan, is 14 and started high school in September.

I have been interested in the health care profession for some time now. When this opportunity came up, I thought I would send in my resumé and see if I could be considered for any opportunity in the health care field.

I have learned a lot about the health care profession from my wife, who is a critical care nurse, and my daughter, who has worked in the critical care setting since she was 16 years of age and who is planning to pursue a career in the health professions too.

I have worked in the management field for many years, and I have dealt with many people at different levels. I have attended many workshops related to my field and have a lot of responsibilities. I enforce health and safety in my workplace and work very hard to ensure that all the policies are met by each employee.

By combining these qualities, I think I will bring solid management to the council, particularly in the various committees such as complaints and patient relations.

To summarize, I am educated and have the management skills required, and above all, I am willing to learn and take on new challenges.

**The Chair:** Thank you very much, Mr Takhar.

I would invite the governing party—

**Mr Parsons:** No questions.

**The Chair:** Mr Tascona?

**Mr Tascona:** Do you know the current Minister of Transportation, Harinder Takhar?

**Mr Takhar:** Yes, I know him. He's a friend.

**Mr Tascona:** Pardon me?

**Mr Takhar:** Yes, I know him.

**Mr Tascona:** Are you related to him?

**Mr Takhar:** No.

**Mr Tascona:** How do you know him? Is he a personal friend?

**Mr Takhar:** Just a personal friend. I've known him since he was at the Peel District School Board.

**Mr Tascona:** You knew him when he was at the Peel District School Board?

**Mr Takhar:** Yes, when he was the associate director there.

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

**Mr Takhar:** MPP or MP?

**Mr Tascona:** MPP.

**Mr Takhar:** Linda Jeffrey, from Brampton Centre.

**Mr Tascona:** Are you a member of the provincial Liberal Party?

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

**Mr Tascona:** Are you a financial supporter of the provincial Liberal Party?

**Mr Takhar:** No.

**Mr Tascona:** Your appointment here deals with the Council of the College of Opticians of Ontario. You've got a chemical engineering background. Your resumé goes up to 2001. What are you currently involved in?

**Mr Takhar:** Actually, I sent in that resumé in a rush. Presently, I'm working at the CSI Gear Corp.

**Mr Tascona:** What's that?

**Mr Takhar:** It's a company called CSI Gear Corp. That's where I work now.

**Mr Tascona:** What do they do?

**Mr Takhar:** They make transmission gears for gearboxes.

**Mr Tascona:** Do you have any experience or involvement in the optician field?

**Mr Takhar:** Not at the moment, no. Nothing at all.

**Mr Tascona:** Had your eyes tested recently?

**Mr Takhar:** No.

**Mr Tascona:** You may want to. They're changing the rules on that.

**Mr Takhar:** Actually, my eyes are pretty good so far.

**Mr Tascona:** Good for you.

I guess you're aware that the government is delisting opticians' services for people who are, I believe, 20—

**Mr Takhar:** Twenty to 60, I believe.

**Mr Tascona:** That's right. You're aware of that.

**Mr Takhar:** Yes. Actually, I went through the act itself and it does say that—I have some notes here. But I can't really comment on that at the moment. I still have to learn about it.

**Mr Tascona:** Do you have any thoughts on that? Are you for or against that?

**Mr Takhar:** I really can't comment on that yet. I know it's between 20 and 60. It does say that in the act.

**Mr Tascona:** Do you support that?

**Mr Takhar:** Actually, I didn't get a chance to read that in detail, so I can't comment.

**Mr Tascona:** I'll just give you a little briefer on that. It says the government has made a decision to delist optometry services. As you correctly stated, it's between the ages of 20 and 65, unless you have a serious problem. Are you in favour of that?

**Mr Takhar:** Actually, in a way, it's good as well because people can abuse the system too.

**Mr Tascona:** How's that? How do you think they can abuse the system with respect to testing your eyes?

**Mr Takhar:** I don't know if it's covered by OHIP or not, but I have to read that to comment on that in more detail. I don't know much about it.

**Mr Tascona:** Would you want to pay for your optician service?

**Mr Takhar:** It depends.

**Mr Tascona:** Do you think it should be covered by OHIP or do you think you should pay for it?

**Mr Takhar:** It depends.

**Mr Tascona:** It depends?

**Mr Takhar:** Yes.

**Mr Tascona:** On what?

**Mr Takhar:** I really don't know the answer yet.

**Mr Tascona:** I'm not trying to give you a hard time; I just want to get your feelings. You have no opinion on that?

**Mr Takhar:** No, not at the moment.

**Mr Tascona:** Not at the moment; OK.

**Mr Takhar:** I have to learn about it.

**Mr Tascona:** How do you think the delisting will impact opticians, because you're going to be going on the Council of the College of Opticians.

**Mr Takhar:** The delisting?

**Mr Tascona:** Yes.

**Mr Takhar:** Maybe it's going to impact them financially, for sure. Initially they probably aren't going to like that.

**Mr Tascona:** Do you think it might impact the quality of service they can provide?

**Mr Takhar:** It can affect the quality, for sure—the quality and the service.

**Mr Tascona:** In the past, the college has had problems because public members have not been able to attend meetings regularly. How much time are you prepared to commit to this appointment?

**Mr Takhar:** Whatever is required, for sure I will do that.

**Mr Tascona:** OK. Do you believe that opticians should be able to perform some of the duties currently performed by doctors and optometrists, such as simple refractometry eye examinations? Are you familiar with that?

**Mr Takhar:** Whatever is said in the act, they should be able to follow the act.

**Mr Tascona:** Do you think they should be able to expand the services they can provide?

**Mr Takhar:** If you look at the act itself, it's a controlled act, and controlled acts are very clear. If you look at section 9, they should be only dispensing, and examining the eyes.

**Mr Tascona:** So you think they should be restricted just to dispensing?

**Mr Takhar:** Yes, they should be restricted.

**Mr Tascona:** OK. Thanks very much. I appreciate it.

**Ms Horwath:** Good afternoon. I just want to follow up a little bit on your resumé that you've provided. You don't indicate in your resumé any particular knowledge

or understanding of this field, nor of the health care field generally. I know you mentioned some of your immediate family are involved. Can you tell me of any of your personal experience or why this particular appointment was of interest to you?

**Mr Takhar:** Yes. I've been looking for anything in the health field, not just in particular this one. My wife is a nurse and my daughter is doing kinesiology at the university, so just a general interest. That's what expanded into this.

**Ms Horwath:** Did you apply for others, as well?

**Mr Takhar:** Actually, I just sent in my resumé and said I'll be looking for anything in the health field. It doesn't matter if it's this or some other field, as long as it's in the health field, public health.

**Ms Horwath:** You don't indicate in your paperwork any particular work that you've done in the community or any volunteer work or any other organizations that you might have volunteered with or been a member of. Can you tell me if you have any experience working either in the voluntary sector or in any other capacity with other organizations or groups?

**Mr Takhar:** Yes, I have done a tremendous amount of work, particularly for our own community. We do a function every year. So we get the community together and look for different things, people having any problems, how we can solve those things, particularly when the newcomers come in, if they have a problem with English or if they don't know where to go, particularly for a driving licence, all these kinds of things. I'm deeply involved in this, particularly in my own community.

**Ms Horwath:** Is there a formal organization or is it a matter of just informally through your community networks?

**Mr Takhar:** Yes, informally through the community. There's no such organization, nothing like that.

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**Ms Horwath:** In regard to the formal kind of processes and procedures and structure that take place in this kind of setting, do you have any experience at all in that way?

**Mr Takhar:** Actually, if you look at my resumé, I'm deeply involved in health and safety at my workplace. That involves a lot of policies and procedures. I've been doing that for a number of years now.

**Ms Horwath:** Are you in a unionized workplace?

**Mr Takhar:** Yes, it's a unionized place.

**Ms Horwath:** So this is a labour-management health and safety committee?

**Mr Takhar:** It's a health and safety committee.

**Ms Horwath:** A joint health and safety committee?

**Mr Takhar:** Joint health and safety, yes.

**Ms Horwath:** Are you a union rep on the joint health and safety committee?

**Mr Takhar:** No, I'm on the management side.

**Ms Horwath:** You're a management rep?

**Mr Takhar:** Yes. I'm also a certified member from the management side.

**Ms Horwath:** Have you ever taken the opportunity to volunteer with any social organizations other than your specific community organization?

**Mr Takhar:** Actually, I always thought of doing it, but because my kids were pretty young, I've been busy with their soccer games and ice skating, all of those kinds of things. I had to do that area.

**Ms Horwath:** So that's prevented you from participating?

**Mr Takhar:** Yes. Now they're grown up, so I have more time to do other things.

**Ms Horwath:** I think those are all the questions. Thanks, Madam Chair.

**The Chair:** Thank you very much, Mr Takhar. That completes the interview. We appreciate your coming forward this afternoon and we wish you all the very best.

**Mr Takhar:** Thanks very much.

#### BARRY FOWLER

Review of intended appointment, selected by official opposition party: Barry Fowler, intended appointee as member, Ontario Trillium Foundation board of directors.

**The Chair:** Our next interview is with Mr Barry Fowler, intended appointee as a member to the Ontario Trillium Foundation board of directors. Welcome, Mr Fowler.

**Mr Barry Fowler:** Thank you.

**The Chair:** I'm sure by now you've heard that we have 10 minutes per party. If you wish to make an introductory statement you would certainly be welcome to do so. That time would be deducted from the government party. Did you wish to make a statement?

**Mr Fowler:** Very briefly. I just wanted to apologize in advance; I have a bit of a head cold. I'm here to answer whatever questions you have.

**The Chair:** Thank you very much, Mr Fowler. We're going to begin at this time with Mr Tascona.

**Mr Tascona:** You're from Windsor, I take it?

**Mr Fowler:** I am.

**Mr Tascona:** Who's your MPP down there?

**Mr Fowler:** Dwight Duncan.

**Mr Tascona:** How did you hear about this appointment?

**Mr Fowler:** I've been very involved in the community. I'm chair of the Windsor-Essex NonProfit Support Network. We've been the successful recipients of three Trillium grants, and Trillium representatives have come out to our events. I checked in with an assistant to Mr Duncan as to what the appointment process was. I was referred to a Web site. I went to the Web site, downloaded an application and submitted that with my resumé.

**Mr Tascona:** Since you put in the resumé and your application, have you had any contact with Mr Duncan's office?

**Mr Fowler:** Yes, I've had lots of contact with Dwight's office.

**Mr Tascona:** About your appointment, though?

**Mr Fowler:** No, none at all.

**Mr Tascona:** It went through pretty quickly. When did you apply for this? July 7, 2004.

Are you a supporter of the provincial Liberal Party?

**Mr Fowler:** I am.

**Mr Tascona:** And you're a card-carrying member?

**Mr Fowler:** I am.

**Mr Tascona:** And you financially support the provincial Liberal Party?

**Mr Fowler:** I do.

**Mr Tascona:** You're very active in the community and you should be congratulated on that. You have a tremendous record of community service.

**Mr Fowler:** Thank you.

**Mr Tascona:** But I want to ask you, you say you had involvement with three projects that you got funding for?

**Mr Fowler:** The Windsor-Essex NonProfit Support Network received three grants from the Trillium Foundation. Our first one was for a facility on Drouillard Road, which was to provide a handicap-accessible entrance. Our second one was to turn the basement of our centre on Ouellette Avenue, which is the main street in Windsor, into a storage facility for non-profit organizations. Our most recent one was to hire a staff person to develop a non-profit best-practices manual.

**Mr Tascona:** Are there any particular charities or not-for-profit organizations that you feel should receive special consideration when the teams review funding applications?

**Mr Fowler:** No. I think each application has to be judged on its individual merits.

**Mr Tascona:** Do you think there are any specific or special needs in—I think it's the Windsor and Essex area you're dealing with?

**Mr Fowler:** Yes. There are many needs in our community and in communities across the province. As I understand it, for every dollar of grants that the Ontario Trillium Foundation makes, they have to say no to \$3 in requests. So the need is very great and therefore requires that there be a high level of scrutiny given to each application, to make sure the limited funding that is available can be spread around equitably.

**Mr Tascona:** What is your connection with the Windsor-Essex NonProfit Support Network?

**Mr Fowler:** I'm the chairman of the board.

**Mr Tascona:** What does that mean? How is it structured?

**Mr Fowler:** There's a board of directors, five members. I'm the chairman. The executive director is ex officio.

**Mr Tascona:** And what do they do?

**Mr Fowler:** The organization is about capacity development. Our highest-profile projects are the subleasing of space within our community centre. We lease it and then sublease it to other charities. We purchased a building on Ouellette Avenue and we sublease it to other charities at subsidized rental rates.

**Mr Tascona:** Those are all the questions I have.

**Ms Horwath:** Following on the same lines, would it put you in any position of conflict if you were appointed,

in regard to the charities you have worked with or have been involved with directly in your community?

**Mr Fowler:** I spoke with Stuart Kidd, who is the acting chair of the Ontario Trillium Foundation, and I inquired with him about that very subject, because I did have a concern about it. Mr Kidd assured me that that subject matter would be covered in the orientation which will take place tomorrow, if I am successful before the committee today. Generally speaking, he related a story to me about another member of the board who did not declare a conflict of interest on a matter and was questioned by a member of the media. It was an ugly situation. As I understand it, if there's any direct or indirect relationship, even if there is no pecuniary interest, it's always best to declare a conflict of interest. But I'm waiting to see what the direction is in the orientation session.

**Ms Horwath:** And you feel comfortable with that and feel you could still more or less serve your community as an appointee even though you would have to be declaring a conflict of interest quite regularly, by the sound of it, because you do have quite an extensive connection to the very types of organizations that would be applying for funding.

**Mr Fowler:** That is true. In preparation for this meeting, I did download a list of every grant the Trillium Foundation has made since 1999. I believe there were 14 that were affected by either our organization directly or tenants within our organization. It would be appropriate to declare a conflict of interest on those, but to put that into some context, I believe there are close to 700 applications that are coming to this board, and Windsor is but one of 16 catchment areas. So for the limited number that I would have to declare conflicts locally, I think I can more than aptly serve the wider, province-wide community with this appointment.

**Ms Horwath:** Do you have any opinions on the criteria that the foundation has when reviewing grant applications? Do you think they're adequate? Do you think they're appropriate? Do you think there need to be any changes to them?

**Mr Fowler:** I haven't looked in any great detail at what the actual criteria are as of yet. Again, that's something that's supposed to be covered in the orientation session. Since I haven't been appointed, I haven't received a policy manual. I haven't had a chance to review that, so I really can't comment at this time.

**Ms Horwath:** Just one final question: Fitting together your own personal experience and the kinds of things you'll be asked to look at when the applications come forward, is there any particular area of work in the community that you see as being a priority, that would tend to rise to the top in terms of a place where you think funding should be directed by the Ontario Trillium Foundation?

**Mr Fowler:** I think the Ontario Trillium Foundation does an admirable job with the limited resources they receive. Again, as I stated earlier, as I understand it, the need is far greater than the amount of funding that is

available. Within that area, though, you have to balance the 16 catchment areas and the four major headways under which grants are given out. So I think the approach of the Trillium Foundation should be one of balance and equity rather than favouring anything specific.

**Ms Horwath:** I have no further questions.

**The Chair:** Mr Parsons?

**Mr Parsons:** No questions.

**The Chair:** Then we are able to say thank you to you, Mr Fowler. We appreciate your coming here this afternoon, and we certainly wish you well.

1540

#### CHRISTOPHER MORAN

Review of intended appointment, selected by official opposition party: Christopher Moran, intended appointee as member, Ontario Police Arbitration Commission.

**The Chair:** Our final interview this afternoon is with Christopher Moran. I would invite him to step forward. He is the intended appointee as a member of the Ontario Police Arbitration Commission.

I know you've sat patiently through the last three or four interviews, so, as you know, you do have an opportunity for an opening statement. Did you wish to make a comment?

**Mr Christopher Moran:** Yes. Thank you, Madam Chair and members of the committee. I do appreciate the opportunity to appear before your committee here today. If you'll bear with me, I'll just briefly read these notes I have so that the comments I make actually resemble the notes I've given you copies of. It's fairly short.

As you know, my name is Chris Moran. I live in Bradford, Ontario. My wife and I have run a successful insurance agency in Bradford for the last 18 years. My first appointment to the local police services board was in September 1996. Very shortly thereafter, my twin daughters were born. They just recently celebrated their eighth birthday, on Monday.

I was a member of the local police services board until May 2003. During that time, I was chair of the board for five years and vice-chair of the board for one year. I was involved in the negotiation of three of the collective agreements, which I believe to have been very fair and reasonable contracts with our local association. We did that without the benefit of any outside help, I might add. I also spent a fair amount of time with the front-line officers doing numerous day shifts and night shifts. I observed tactical training and use-of-force training, and went on ride-alongs for RIDE programs etc. I even spent an evening in the York Regional Police Air 2 unit so I could get a better understanding of how that asset might be used by our service in an emergency.

Basically, my goal was to gain a better understanding of the issues facing our officers and our community. I found that experience to be very useful not only in resolving local issues but also when I became a member of the Ontario Association of Police Services Boards. I found it much easier to understand the issues that were being brought to the table by other board members. At

that point, I quickly realized that there were many very similar things happening throughout the province and that we had much common ground, as board members, with members of the police chiefs' association, the Police Association of Ontario and the OPP.

I was a member of the Ontario Association of Police Services Boards for five years. For four of those years I was on the executive, finishing up as past president in May 2004. I have had the opportunity to carry the OAPSB members' message to the last four ministers.

During my time as president, I travelled extensively throughout the province meeting with stakeholder groups. The OAPSB was involved in many issues of provincial significance, including extensive discussions on OMERS autonomy, to name one. We went through a major renewal of our association, including the development of an extensive training package for new board members and the introduction of a labour conference.

As you may know from the background prepared by Carrie Hull, the board of the arbitration commission is made up of a chair and four members, with two members to be recommended by the Police Association of Ontario and the other two members to be recommended by the Ontario Association of Police Services Boards.

When my term as president of the OAPSB came to an end in May 2003, the board at that point asked me if I would accept their recommendation to replace a member who was shortly to be leaving the board of OPAC. So it is at the behest of the board of directors of the OAPSB that I sit here before you seeking the appointment to the OPAC board.

**The Chair:** Thank you very much, Mr Moran. We would begin with Ms Horwath.

**Ms Horwath:** I see that your resumé is quite filled, not only with your police services experience, but other interests as well. That's nice to see.

My only question would be around your political involvement with partisan politics. Are you currently a member of any political party?

**Mr Moran:** Yes. And yes, I have made contributions.

**Ms Horwath:** Could you tell me which party that would be?

**Mr Moran:** Conservative.

**Ms Horwath:** The only other question I have is whether or not you would have the time necessary, considering your busy schedule and your intense involvement, to participate.

**Mr Moran:** Yes. There's no question that I have the time available, or I would make the time available. When I was president of the Ontario Association of Police Services Boards, at the end of that year term I calculated, somewhat to my chagrin, that I had spent somewhere between two and two and a half days a week away from my work doing OAPSB business. That scared me a little bit. But I am prepared to make the commitment.

**The Chair:** The government, Mr Tascona.

**Ms Smith:** What could he possibly have to ask?

**Mr Tascona:** There are many things I'm going to inquire about, thank you very much.

Thanks for coming here today, Mr Moran.

**Mr Moran:** My pleasure.

**Mr Tascona:** I noticed the letter that was sent to the Honourable Monte Kwinter, the Minister of Community Safety and Correctional Services, dated May 15, 2004, from Mary Smiley, the president of the Ontario Association of Police Services Boards, recommending you for this appointment.

My questions centre around two specific areas, because you have some good knowledge in this area. The first deals with civilian oversight. As you may or may not be aware, that's a matter that has currently been farmed out by Mr Bryant, the Attorney General, to Patrick LeSage, the former Chief Justice of the Superior Court of Ontario, a very able justice, to lead a formal review of the police complaints system. Mr Bryant is quoted as saying, "Civilian oversight, to be effective, has got to be independent and transparent."

I just want to ask you, because you've been involved with this since 1996, does the witness think that the present system fairly balances the interests of police officers, boards and citizens?

**Mr Moran:** Actually, at this particular point in time, I think it does. A complaint, by necessity, has to be investigated by a professional investigator in order to determine its veracity. Some people say, "Who's investigating whom?" My experience with the police officers I know and the ones who are involved in that is that they are extremely competent, extremely fair people. Quite frankly, if there is some veracity in a complaint, I have never known one not to bring it forward.

**Mr Tascona:** With respect to the Ontario Police Arbitration Commission, for which you're subject to review this afternoon, a couple of questions on that. What are your thoughts on the arbitration process?

**Mr Moran:** As far as what I know of it—and fortunately we never actually had to use that in any way—boards and people I've spoken to have found it to be a very fair and equitable process. They don't always like the results, but the process itself has been fair.

**Mr Tascona:** Do you think it's effective?

**Mr Moran:** From what I've seen of it, it appears to be effective, yes. While the arbitration process, by the very nature of it, does tend to inflate wages and so on because of people wanting to get what the other folks got, it certainly has been effective.

**Mr Tascona:** Are there any reforms to the existing system of arbitration you'd like to see introduced?

**Mr Moran:** There is nothing specific that I know of at this point. I would tend to be cautious about that until I've had a chance to see a bit more about how it's working. But the actual arbitrator sitting there doing an arbitration, I don't know of anything at this stage that would need to be changed. Basically, in the seven years that I was involved in boards, the only complaint I ever heard from anybody was the fact they didn't like the judgment that was given. But there were no complaints on the process or anything like that. Somebody's always not going to like the result.

**Mr Tascona:** Yes, but from a point of view of resolving a labour dispute—because, as you know, the police

are not allowed to strike in this province or be locked out, because they're viewed as an essential service, like nurses, like firefighters, and unlike teachers. So in terms of this particular process, the arbitration process, have you heard from the police union side whether they feel the arbitration process doesn't serve the interests of the public and their members?

**Mr Moran:** No, I haven't heard anything like that from them. One of the reports that I saw was that somebody had done a study of the arbitrations over a period of time on how many ended up for one side and how many ended up for the other, and it turned out that they were divided almost equally 50-50. Mr Miller, who is the PAO representative on the committee, said, "I would like to have seen it more on our side, but at least it looks fair."

**1550**

**Mr Tascona:** Thanks very much. I appreciate that.

**The Chair:** Thank you very much, Mr Moran, for being here today.

That concludes the interviews for today and we're now going to consider the appointments. We'll begin with the intended appointment of Seid Taheri, the intended appointee as a member of the Council of the College of Audiologists and Speech-Language Pathologists of Ontario. The concurrence in the appointment has been moved by—

**Mr Parsons:** Chair, there are a couple of items of committee process I would like to raise following these, but at this time I'm pleased to move concurrence in this appointment.

**The Chair:** Any discussion on his appointment? If not, all in favour? Opposed? The motion is carried.

We will now consider the intended appointment of Robin J. MacKnight, intended appointee as member, Justices of the Peace Review Council.

**Mr Parsons:** I move concurrence.

**The Chair:** Concurrence in the appointment has been moved by Mr Parsons. Any discussion? All in favour? Opposed? The motion is carried.

We will now consider the intended appointment of Gilles Morin, intended appointee as member, Assessment Review Board.

**Mr Parsons:** I move concurrence.

**The Chair:** Concurrence in the appointment has been moved by Mr Parsons. Any discussion? All in favour? Opposed? The motion is carried.

We will now consider the intended appointment of Christopher Michael Friel, intended appointee as member, Ontario Rental Housing Tribunal.

**Mr Parsons:** There would be advantages for you and me if we could move them all together, but I move concurrence.

**The Chair:** You're right.

**Mr Parsons:** There are quite a number today.

**The Chair:** I know. There are 14. Concurrence in the appointment has been moved by Mr Parsons. Any discussion? All in favour? Opposed? The motion is carried.

We'll now consider the intended appointment of Beryl Ford, intended appointee as member, Alcohol and Gaming Commission of Ontario board of directors.

**Mr Parsons:** I move concurrence.

**The Chair:** Concurrence in the appointment has been moved by Mr Parsons. Any discussion? All in favour? Opposed? The motion is carried.

We will now consider the intended appointment of John Hinds, intended appointee as member, Ontario Trillium Foundation board of directors.

**Mr Parsons:** I move concurrence.

**The Chair:** Concurrence in the appointment has been moved by Mr Parsons. Any discussion? All in favour? Opposed? The motion is carried.

We'll now consider the intended appointment of Catherine MacDonald, intended appointee as member, Community Care Access Centre Simcoe County.

**Mr Parsons:** I move concurrence.

**The Chair:** Concurrence in the appointment has been moved by Mr Parsons. Any discussion? All in favour? Opposed? The motion is carried.

We will now consider the intended appointment of Anne Marie Levesque, intended appointee as member, Council of the Ontario College of Teachers.

**Mr Parsons:** I move concurrence.

**The Chair:** Concurrence in the appointment has been moved by Mr Parsons. Any discussion? All those in favour? Opposed? The motion is carried.

We'll now consider the intended appointment of David Beckett, intended appointee as member, Durham, Haliburton, Kawartha and Pine Ridge Grant Review Team.

**Mr Parsons:** I move concurrence.

**The Chair:** Concurrence in the appointment has been moved by Mr Parsons. Any discussion? All in favour? Opposed? The motion is carried.

We'll now consider the intended appointment of Brian Coburn, intended appointee as member, Assessment Review Board.

**Mr Parsons:** I move concurrence.

**The Chair:** Concurrence in the appointment has been moved by Mr Parsons. Any discussion? All in favour? Opposed? The motion is carried.

We will now consider the intended appointment of Bill Marra, intended appointee as member, Ontario Civilian Commission on Police Services.

**Mr Parsons:** I move concurrence.

**The Chair:** Concurrence in the appointment has been moved by Mr Parsons. Any discussion? All in favour? Opposed? The motion is carried.

We'll now consider the intended appointment of Jit Takhar, intended appointee as member, Council of the College of Opticians of Ontario.

**Mr Parsons:** I move concurrence.

**The Chair:** Concurrence in the appointment has been moved by Mr Parsons. Any discussion? All in favour? Opposed? The motion is carried.

We'll now consider the intended appointment of Barry Fowler, intended appointee as member, Ontario Trillium Foundation board of directors.

**Mr Parsons:** I move concurrence.

**The Chair:** Concurrence in the appointment has been moved by Mr Parsons. Any discussion? If not, all in favour? Opposed? The motion is carried.

The final appointee for consideration: We will now consider the intended appointment of Christopher Moran, intended appointee as member, Ontario Police Arbitration Commission.

**Mr Parsons:** I move concurrence.

**The Chair:** Concurrence in the appointment has once again been moved by Mr Parsons. Any discussion? If not, all in favour? Opposed? That motion is carried.

I would now ask Mr Parsons to bring forward any other issues for consideration.

**Mr Parsons:** Yes, I have two concerns about committee business. For two of the individuals interviewed today, there was a question from the official opposition that inferred that the government member calling for an interview inferred lack of confidence in the cabinet decision. I want to clarify it for those who are watching on TV or reading Hansard that we believe very much as a government in an open public process. We believe it is important that it happen in public and that all members are equal, so we somewhat resent the inference that government members should not be entitled to call an applicant.

Secondly, for an individual coming for an interview, it requires a considerable amount of time on their part. We would ask that if a party selects a candidate to come for an interview, at least a representative from that party be present during that candidate's interview.

**The Chair:** Thank you very much, Mr Parsons. Did you wish to speak to that, Ms Horwath?

**Ms Horwath:** I do, Madam Chair. You will know, as the Chair of the committee, that I had indicated quite clearly that I would not be able to attend this morning. Members of this committee will know that, unfortunately, the NDP has eight members. There were a number of committee meetings today and some of our members are away out of town. Quite frankly, it was very clear that we had called people. I was unable to get here in time and I apologize for that publicly, but nonetheless I did make it clear to the clerk of the committee that I would not be able to get here before the afternoon meeting and I would do my best to get here as soon as possible. Unfortunately, the members are just going to have to either commit to holding off the meetings until all members can be here or deal with the fact that we do have busy schedules and, with a small caucus, can't necessarily get people here if the committee is not prepared to meet at my schedule's availability. Thank you, Madam Chair.

**The Chair:** Thank you very much, Ms Horwath. One way we could address that issue—and I do recognize that caucus size does sometimes preclude members from being here, and I would agree that there seem to be a lot of committees that are active this week. But maybe in future, if there is a party who, for whatever reason, can't be here, we could try to time their selections at a time that they could be here. We need to be aware of that concern, but it's a good point.

Mr Tascona?

**Mr Tascona:** I'll be brief, Madam Chair, with respect to the first point by Mr Parsons with respect to the government committee members selecting an individual for an interview. There is nothing I was suggesting that was calling into question their ability to interview a member. All I was pointing out was the obvious fact that the orders in council, which emanate from the cabinet and are selected through the Premier, all of these appointments come through that process. These are orders in council, and all I was suggesting was the obvious fact that the government was interviewing someone who had already been screened by their own cabinet. I just wanted to point that out to the witness in terms of whether that concerned them. It didn't concern any of them, so I think it stands on the record. Thank you.

**The Chair:** Thank you very much, Mr Tascona. Mr Parsons, did you wish to make any additional points?

**Mr Parsons:** No. Mr Tascona has the right to be wrong, and I respect that.

**The Chair:** Do you know what? I'm glad that we had an opportunity to discuss these issues, which were all important to the individuals involved.

I want to thank everyone today for being here. There were 14 people who appeared before us. I think it is important that we do the due diligence that is required, so I thank you for your participation today. We will adjourn and notify you of the next meeting date. Thank you very much.

*The committee adjourned at 1600.*







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