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**Official Report
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(Hansard)**

Wednesday 16 February 2005

**Journal
des débats
(Hansard)**

Mercredi 16 février 2005

**Standing committee on
government agencies**

Intended appointments

**Comité permanent des
organismes gouvernementaux**

Nominations prévues

Chair: Tim Hudak
Clerk: Susan Sourial

Président : Tim Hudak
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ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON GOVERNMENT AGENCIES

COMITÉ PERMANENT DES ORGANISMES GOUVERNEMENTAUX

Wednesday 16 February 2005

Mercredi 16 février 2005

The committee met at 1007 in room 151.

SUBCOMMITTEE REPORTS

The Chair (Mr. Tim Hudak): Good morning, folks. Welcome back. I'm going to call the standing committee on government agencies to order. We have four intended appointees to discuss this morning following our regular procedure.

Before we begin, we have a couple of routine business items. Our first order of business is the report of the subcommittee on committee business dated Thursday, January 20, 2005. I need a member to move its adoption.

Mr. Ernie Parsons (Prince Edward–Hastings): I move adoption.

The Chair: Mr. Parsons moves its adoption.

Any discussion on those minutes for January 20? Seeing none, all in favour? Any opposed? Carried.

Thank you, Mr. Parsons.

Our next order of business is the report of the subcommittee on committee business dated Thursday, February 10, 2005.

Mr. Parsons: I move adoption.

The Chair: Mr. Parsons moves its adoption.

Any discussion on these minutes? Seeing none, all in favour? Any opposed. It is carried. Thank you very much, folks.

I understand my Vice-Chair has received a letter from the Minister of Training, Colleges and Universities, which she has given to the clerk, who is distributing the letter to all members of the committee. This is a response to a letter that had been written some time ago. Members will have a chance to see the letter. If you want to discuss it later in the meeting, we can do so, but we thought we'd distribute copies as an information item.

Is there any other business before we proceed with the intended appointees?

Ms. Laurie Scott (Haliburton–Victoria–Brock): Yes. Mr. Tascona is coming a little later, and I wondered if we could move other business toward the end of the meeting, if that is OK with everyone.

The Chair: Any comments?

Ms. Scott: Is that OK, that we move other—

Mr. Parsons: I'm sorry; I was reading.

Ms. Scott: That's OK. Could we move other business to the end of the meeting? Mr. Tascona is going to be here a little later and wanted to bring up something.

Mr. Parsons: Yes, absolutely.

The Chair: I thank the committee members. We'll do that. We'll get to other business after we have done with the intended appointees. Now we'll move on to that.

INTENDED APPOINTMENTS

SHERENE SHAW

Review of intended appointment, selected by third party: Sherene Shaw, intended appointee as member, Social Benefits Tribunal.

The Chair: Our first interview is with Sherene Shaw. Sherene is an intended appointee as a member of the Social Benefits Tribunal.

Ms. Shaw, please come forward. Welcome to the standing committee on government agencies. You have an opportunity, if you want, to make a presentation about your background, your interest in the committee. You may have seen the committee before. We'll leave time, then, for members of all three parties to ask any questions about your qualifications and your interest, and we do so on a rotational basis. Any time from your presentation is taken from the government members' time. With our rotation from the last time, today the questioning will begin with Ms. Horwath from the third party. So, Ms. Shaw, the floor is yours, and welcome.

Ms. Sherene Shaw: Good morning, Mr. Chairman and members of the committee. First, I really would like to thank you for inviting me here today and for giving me the opportunity to make a presentation to you in committee about some of my skills and qualifications that I'd like to outline as you consider my intended appointment as a member of the Social Benefits Tribunal.

The experiences that I've gained over the last 20 years, whether as a city councillor, a teacher of adults, a professional speaker, a trainer and facilitator, a business entrepreneur or a community volunteer, have provided me with skills that I believe are uniquely matched to the requirements of this tribunal and skills that I'm confident I'll be able to utilize to the benefit of the taxpayers of our province.

I would like to just take a few moments to quickly highlight some of my skills and experiences that I think are compatible. As I read the information on the Web and other documentation, I read that the primary requirement of an appointed member is to have the capacity to demonstrate analytical, problem-solving and communications skills as you render a fair and objective decision.

I can tell you, as a city councillor for 15 years, I have gained in-depth knowledge and extensive experience as an analytical thinker, as a problem-solver, and during that time I have developed the ability to look at all sides of the issue, the ability to be a good listener and the ability to ask tough, probing questions when resolving disputes between either neighbours, community groups or any other stakeholders coming before city council.

As a city councillor, I've also worked in an environment of fairness and impartiality, where it was essential to be objective and unbiased when making decisions that affect constituents' lives and their well-being. Examples of these range from rendering decisions on planning applications based on the Planning Act or hearing deputations, whether to build a community centre or a local park, or whether to expand a community initiative. In addition, I have also worked in an environment and a framework of government bylaws and government regulations, specifically in the municipal arena under the Municipal Act, the Planning Act and, of course, council policies. So I understand the structures of government, I understand the jurisdictions and responsibilities within government and the role of policy-makers like yourselves versus those who interpret, apply and implement legislation, such as adjudicators and civil servants.

Having served on many committees and boards and as a former chair of the city's race relations and community advisory committee, as the former vice-chair of the TTC and as the city of Toronto's diversity advocate, I've also conducted a number of meetings, local community consultations and information sessions, all of which have enhanced my skills in running efficient and productive meetings, and I think it's taught me how to look for consensus, how to find compromise and how to find compassion in resolving very difficult and contentious issues. I've conducted meetings, I've facilitated workshops and delivered seminar sessions in a variety of settings and environments, whether here in the city, nationally as an executive member of the Federation of Canadian Municipalities, or internationally as the former vice-president of IULA, which is the International Union of Local Authorities.

Moving on, other skills that I have gained come from my business experience as a community college teacher and from being a professional trainer, facilitator, consultant and writer. In my capacity as a community college teacher, I primarily teach success strategies and life improvement skills to students who are on academic probation, as well as being a motivational coach and preparing students who are graduating with job-readiness skills. In the community college system, I've also taught in the police foundations program, teaching ethics, critical thinking and diversity in public administration.

As a trainer, facilitator and diversity consultant, I've worked with a variety of groups organizing and developing customer service strategies and corporate communication initiatives, as well as their strategic planning and diversity and inclusive agendas.

From my business experience, I've also had the privilege of working with many ESL students and groups and

a variety of diversity stakeholders, which has helped me to learn how to establish a non-threatening and fair environment, providing others with a safe, comfortable level where they can excel and reach their fullest potential. I do believe these skills will help me in being a good adjudicator for the Social Benefits Tribunal.

Lastly, Mr. Chair and members of the committee, as a community member I have volunteered with many organizations over the last 20 years. Currently, I'm a member of the Trefoil Guild of the Girl Guides of Canada, I serve on the board of the Speech Foundation of Ontario and on the executive of my local parent advisory council, as well as helping a newly created interfaith council group. Currently, I'm more involved in the activities within my birth community. Right now I'm part of the Guyana flood relief initiatives; in fact, we're raising awareness and resources to counter some of the devastation and destruction that's happened over the last two months in that country. So my community participation has really provided me with a keen understanding of local community needs and respectful appreciation of the cohesive strength and the bond that exists between our communities—the community pride that exists, deserving of our respect, deserving of our dignity and deserving of our compassion.

As an appointee, I'd like to be able to apply the current legislation within the Social Benefits Tribunal and do that utilizing sensitivity and respect while assessing the cases that might come before me.

In conclusion, Mr. Chair and members of committee, in essence, after reviewing the requirements for the Social Benefits Tribunal and after comparing my skill sets, I am confident that this is an opportunity for me to continue to make a positive contribution to the taxpayers of our communities and within this province. My reputation for being fair, objective, analytical and open-minded, as well as my excellent communicating skills and strong interpersonal skills, teamed with my long-standing experience as a city councillor, a community college teacher, a professional trainer, speaker and facilitator, as well as my community volunteer experiences and activities, I think have provided me with the foundation and the skills to become a productive, objective adjudicator for the province. So I look forward to your approval today and I welcome any questions you might have. Again, thank you very much for inviting me.

The Chair: Ms. Shaw, thank you very much for the presentation. As I said, questions will begin with the third party.

Ms. Andrea Horwath (Hamilton East): Good morning, Ms. Shaw. I'm looking at your resumé, indicating your current positions with a couple of different community colleges. Are you full-time at Sheridan or Centennial?

Ms. Shaw: No, I'm a part-time teacher.

Ms. Horwath: So after your municipal loss in 2003, you're doing part-time work since then?

Ms. Shaw: I've been doing a variety of part-time work, yes. I was a part-time teacher while on council, at

Centennial, and since then I have included Sheridan within that.

Ms. Horwath: When did you first apply to the—

Ms. Shaw: Oh, gosh. I guess I first applied in March 2004. So it's just about a year.

Ms. Horwath: I have your application in front of me and noted that you applied for many different agencies and boards. Why did you put so many down?

Ms. Shaw: At the time, I applied for those I was more familiar with. I really felt it was important to give committee and the public appointments office some flexibility and some range of what my skill sets would be compatible with, so that they could then have a look at how and where I might be able to best serve in a worthwhile contribution.

Ms. Horwath: I note that the Social Benefits Tribunal wasn't one of the ones you had specifically indicated you might be interested in.

Ms. Shaw: As I said, at the time I was really focusing in on those that I was more familiar with, and I have been more familiar with the Human Rights Commission, being the city's diversity advocate in the past, and more familiar with the Ontario Municipal Board, being involved in planning on council. So I really listed at that time, a year ago, those that I was more familiar with and more comfortable with. Since then, I wanted to make sure I gave committee and the public appointments office some flexibility to see where my skill sets were compatible. I didn't want to be restrictive and rigid in my approach.

Ms. Horwath: But at the time, when you were filling this out, the Social Benefits Tribunal wouldn't have come to mind as something that you had a particular interest in or a particular niche for in terms of your previous experiences and work?

Ms. Shaw: I do have some interest and experience in the Social Benefits Tribunal. In fact, as the city of Toronto's diversity advocate—diversity related to not just race relations but in fact related to the disability community, the gay/lesbian community, the women's community—there was a variety of initiatives that I was undertaking as the city's diversity advocate in disability and just community stakeholders. Getting more involved and being inclusive with them has really been my focus.

Ms. Horwath: Are you aware of the term of this particular appointment?

Ms. Shaw: I believe it's three years.

Ms. Horwath: I believe it's a job for life. I don't think there's actually a limit on the appointment.

Ms. Shaw: I wasn't aware of that.

Ms. Horwath: Can I ask you if there's any connection between yourself and any political party?

Ms. Shaw: Yes.

Ms. Horwath: Can you describe that to me, please?

Ms. Shaw: I have served at the political riding association and have a family membership within a political riding association.

Ms. Horwath: Can you tell me which party that is, please?

Ms. Shaw: The Liberals.

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Ms. Horwath: Was it through your connections with the Liberal Party that you were aware of the opportunities that would be coming forward when they took government?

Ms. Shaw: In fact, no. As a city councillor for the last 15 years, and prior to that being a civil servant, I was aware of the appointments process of all three levels of government: provincial, federal and municipal.

Ms. Horwath: I'm just kind of curious, and it might not really have much to do with this particular intended appointment, but I know, having been a municipal councillor myself, that the timing around the last municipal election and the last provincial election was very close. Is there a reason why you didn't consider, considering all your attachments to the Liberal Party, perhaps running as a candidate in the last provincial election?

Ms. Shaw: At the time, I was serving the taxpayers of the city of Toronto as a city councillor. I had been a councillor for 15 years and was interested in continuing that.

Ms. Horwath: But now you're more interested in provincial issues?

Ms. Shaw: I think I can serve the communities and the province in a different capacity at this point in my life. As a private citizen I'm prepared to expand my skill sets and learn how to do other things, and this would be one of them.

Ms. Horwath: Sure. Just back to the application and the process: Did you have the opportunity to or did you request any letters of support from any of your Liberal connections or friends?

Ms. Shaw: No, not that I can recall. In fact, I have not spoken to many MPs, MPPs, political people, in the last nine, 10 months to a year.

Ms. Horwath: You talked a lot about your broad skill sets in terms of how they might benefit this particular position. But what kind of experience and knowledge do you have specifically with social services and welfare?

Ms. Shaw: As a Toronto city councillor for 15 years, I have been involved with the neighbourhood services committee at city hall, which was basically, as a member of that committee, making decisions and policy recommendations to council about the programs, the social service initiatives, the community programs that came forward at that time, and really being compassionate, being understanding, making objective decisions on initiatives in our community that related to the variety of community stakeholders that we serve in this city.

Ms. Horwath: OK. Just kind of following on that whole policy issue, one of the things that has become very clear, and people would say it's quite obvious, is that the biggest problem in terms of poverty in Ontario is that people, particularly those relying on social assistance, are not even able to obtain basic shelter, and the cost of living is too high compared to what they receive in terms of their benefits. I'm wondering if you are aware of the amount of loss of income that occurred when the

Harris government made the cuts compared to where we are today?

Ms. Shaw: At this point, I don't think I can give you an informed decision. I really need to get more information as a member of a tribunal, to get the training, to get the information I need.

Ms. Horwath: Some would say at this point, in real dollars, it's about a 42% reduction in people's income. So I'm just wondering, would you see that as a problem? Would you see it as something that should be perhaps revisited, the rate of social assistance people are receiving?

Ms. Shaw: Ms Horwath, one of the things I've learned in the last year as a private citizen—yes, I have been on record as a city councillor with many opinions on many issues. As a private citizen in the last year, I've learned how to make sure that the policy-makers make decisions and those like myself in private life at this point—

Ms. Horwath: So you suddenly have no opinion on issues of this importance?

Ms. Shaw: No. I think it's important to have opinions.

Ms. Horwath: But you're not prepared to share them at the committee?

Ms. Shaw: I don't have enough information on the specifics of the legislation. I think you're talking about five years ago or so.

Ms. Horwath: No. I'm talking about right now. Do you think people are receiving an adequate amount of income in social assistance to be able to meet their needs?

Ms. Shaw: I think I'd need to really have a closer look at all of the information before me. I'd like to be able to make an informed decision, as I have done on council. I think it's important to have the documentation and all the information before me before I can make that decision.

Ms. Horwath: No further questions, Mr. Chairman.

The Chair: I'm just going to ask leg. counsel to clarify with respect to the length of tenure on—

Mr. Larry Johnston: Research.

The Chair: Sorry; leg. research. You can do both jobs, Larry; I feel confidence in you.

Mr. Johnston: I'd just draw to the committee's attention that the Management Board directive on government appointees states that the term of appointment must not exceed three years, with a reappointment allowable up to a further three years unless the enabling legislation dictates otherwise. There is no limitation in the legislation for this board—a limitation on the term.

The Chair: So we're all right.

Ms. Horwath: So I was right.

Mr. Lorenzo Berardinetti (Scarborough Southwest): Welcome, Ms. Shaw, to our committee. I just wanted to clarify a few points that were raised earlier by Ms. Horwath. In dealing with people who perhaps were in need of welfare, is it fair to say that you would, as a city councillor, receive phone calls periodically from constituents or residents regarding welfare?

Ms. Shaw: We did receive some phone calls, yes.

Mr. Berardinetti: So you're aware of the process of how to deal with some of these welfare complaints and where to funnel them and where to refer them?

Ms. Shaw: Yes, I am.

Mr. Berardinetti: You're aware of the fact that the city of Toronto had a role in contributing to the welfare process or the contributions that were made, as well as by the federal and provincial governments?

Ms. Shaw: Yes.

Mr. Berardinetti: So then, this appointment is a logical appointment for you to fit into, given the fact that you've had this kind of experience in the past.

Ms. Shaw: Thank you. I think that this particular appointment does provide me an opportunity to really expand on my skill sets. I have been involved as a city councillor within the welfare system, within community initiatives, making sure that our communities had the information and the support they needed. So I think my skill sets will certainly be compatible and will be an asset to this particular tribunal.

Mr. Berardinetti: Is it fair to say that when you're adjudicating, just as you would as a city councillor, whether on the planning committee or the budget committee or any other committee, you will base your decisions on what is best for the taxpayers of Ontario, just as you did for the taxpayers of Toronto and Scarborough?

Ms. Shaw: That basically has been my reputation for the last 15 years as a city councillor with the cities of Toronto and Scarborough. It's really to be objective, to be fair, to be open-minded, to look at all sides of the issues; not to make a rash decision but to make sure I'm reviewing all the information that's before me to provide a decision that I think is fair and open-minded for the taxpayers of our city and our province.

Mr. Berardinetti: Thank you very much. Chair, those are my questions.

Ms. Scott: Thank you for appearing here before us today. You were an executive assistant to a minister, were you?

Ms. Shaw: Way back when, yes.

Ms. Scott: Who was the minister at that time?

Ms. Shaw: Back then? My gosh, we're going back 20 years or so.

Ms. Scott: I believe it was 1987-88.

Ms. Shaw: Back then I was the executive assistant to MPP Ruprecht, who was the parliamentary assistant to Lily Munro at that time.

Ms. Scott: Was he minister?

Ms. Shaw: He was Minister without Portfolio for disabled persons. In fact, he was the first minister appointed at the time to the Office for Disabled Persons to safeguard and look out for the needs of the disabled community. Yes, he was minister.

Ms. Scott: And you haven't had any contact or spoken with him prior to this appointment or to any other—just to clarify.

Ms. Shaw: No, I haven't spoken with MPP Ruprecht probably since last February or March.

Ms. Scott: And you started the process last March, in 2004?

Ms. Shaw: I actually started looking in around February or so and I filled out the application on March 1. So it's been almost a year.

Ms. Scott: Because that's what became available, even though that wasn't one of your first choices on your application?

Ms. Shaw: The Social Benefits Tribunal?

Ms. Scott: Yes.

Ms. Shaw: I was really looking at which tribunal or which way I can make a worthwhile contribution. I didn't want to be rigid, I didn't want to be restrictive in my approach, so I listed those that I was more familiar with.

Ms. Scott: So that became available, and then whom did you speak to after that?

Ms. Shaw: I have spoken with the public appointments office. In fact, I have had interviews. I've had a panel interview with the chair of the Social Benefits Tribunal, and that panel interview included the chair of the Ontario Rental Housing Tribunal, and I believe the third person on that panel was legal staff from the tribunal. So I've had the panel interview. As well, I've had the written interview that went along with that. Then the chair phoned me in December, as a matter of fact. So the process has been quite long and frustrating.

Ms. Scott: But you were just interviewed by the appointments review panel; you had no contact with any cabinet ministers or MPPs?

Ms. Shaw: No, not in the last eight months.

Ms. Scott: Do you know how much the position pays?

Ms. Shaw: I believe it's in the neighbourhood of \$67,000 or \$68,000. I don't have the exact number.

1030

Ms. Scott: Maybe I could ask legislative research, do you know what the average term is? They're usually appointed for three years; they can be appointed for one year—or what is the average stay? Do we have any—

Interjection.

Ms. Scott: Not really. OK. I just wondered.

Are you familiar with the Deb Matthews report?

Ms. Shaw: No.

Ms. Scott: OK. Deb had done a report and presented it in December. She's the parliamentary assistant to Minister Papatello. Anyway, she made some recommendations, and I just wondered if you had been apprised or had seen the report about some philosophical changes that might need to occur.

Ms. Shaw: No, I haven't actually seen the report.

Ms. Scott: Do you have any suggestions of how you'd like to see the system change, the Ontario Works system in particular? Ms. Horwath brought up about money: Is it enough? Is there a whole philosophical change that may need to occur? I realize you haven't got the appointment yet, but you've had a lot of experience in the community.

Ms. Shaw: As a city councillor, I am on record as saying that it's important to have community involvement with the stakeholders when decisions are to be made. I'm really not in the position to make suggestions

on something that I haven't read. Really, I'm not aware of all of the information that's there.

Ms. Scott: No, and I realize that with Deb. Just in general, some people say, "I'm out in the community quite a bit and speaking with people." You know, there are philosophies that maybe the money should follow the client, especially with housing needs. Maybe the administration of the system should be different so that we can get people more independent quickly.

Ms. Shaw: As I said, I think it's important to have community involvement in decisions. I really would need to have a more in-depth look as to what the report does suggest.

Ms. Scott: So you haven't seen any people—like, in the community, is there enough adequate housing? It's Scarborough that you live in—is that where you live, Scarborough?

Ms. Shaw: Yes.

Ms. Scott: Being involved in municipal politics, you have responsibility for housing. Are there enough needs in the Scarborough area? Are there large waiting lists?

Ms. Shaw: As I said, as a city councillor my record has reflected that I've always believed we needed to include more community involvement, but we also needed to improve the adequate supply of housing, the infrastructure in communities, public transit, to make sure that there was enough infrastructure to support the communities that were there. So I have had that position in the past, yes.

Ms. Scott: OK. It will be an interesting challenge. I encourage you to look at Deb Matthews's report on it.

Ms. Shaw: I certainly shall. I understand there is a training period, so I look forward to getting more involved in understanding all the in-depth aspects of the Matthews report and also of the tribunal.

Ms. Scott: Thank you for appearing here today.

The Chair: Ms. Shaw, thank you very much for your presentation. I think you probably know we move to our concurrence vote after the intended appointees are all interviewed, so in about 60 minutes' to 90 minutes' time. You're welcome to stay. Make yourself comfortable and enjoy the show.

Ms. Shaw: Thank you, Mr. Chairman. I apologize if my voice is a little up and down. I do have a cold today, but I will try not to be the one sneezing in the back.

The Chair: Didn't even notice. Thank you very much.

SU MURDOCH

Review of intended appointment, selected by the official opposition: Su Murdoch, intended appointee as member, Conservation Review Board.

The Chair: Our next intended appointee is Su Murdoch. Su is an intended appointee as a member of the Conservation Review Board.

Ms. Murdoch, welcome to the government agencies committee. Judging by your neat appearance, you have no relation to Wild Bill Murdoch, a member of the Legislature, I assume.

Ms. Su Murdoch: No, I don't believe so.
Interjections.

Ms. Murdoch: Well, that's good to know.

The Chair: There's a reaction.

Ms. Murdoch, you've been in the audience, so you've seen the process at work. You're welcome to make a presentation about your interest and your background, and we'll begin any questions from the government members at the outset. The floor is yours.

Ms. Murdoch: Thank you, Mr. Chair and members of committee. I'll try to make this brief.

This month is actually the 30th anniversary of the Ontario Heritage Act and it's also my 30th anniversary as a professional practitioner and volunteer in the heritage field. I guess in some ways we're growing old together now.

My first 15 years were spent as an archivist at Simcoe County Archives, which is near Barrie. This is a regional institution that assists quite a range of people—municipal officials, planners, educators, property owners, historical groups and others—but at the core they're advising on matters relating to the history of the county and then on matters that are happening outside of the county and provincially, so that the county can be kept informed.

In 1990, I left the archives to spend more time with my young children, and I also started a heritage consulting business at that time. The cumulative of the next 15 years, as I hope you'll see in my CV, is really a diverse career of architectural and historical research and evaluation, building revitalization projects, education, teaching, advocacy, heritage planning and local history publishing. This has been both for private and public sector clients and also projects that are self-initiated, which is particularly with publishing.

My interest in being appointed to the Conservation Review Board at this time is because the approach to heritage in Ontario is, I believe, very much in transition. As I'm sure you are aware, there are amendments proposed for the Ontario Heritage Act, which is almost at third reading. The proclamation of the provincial policy statement on heritage as it appears in the Planning Act is pending any week now.

The Historic Places Initiative, which is the federal-provincial-territorial partnership on identifying, evaluating and listing heritage properties, is unfolding in Ontario. The building code, other legislative tools—lots of things are being looked at for their effect on heritage resources in Ontario. So there is a lot happening.

I am aware that decisions of the Conservation Review Board are advisory only and that its mandate under the Ontario Heritage Act is restricted to objections under part IV, which is individual property designation, and part VI, which is archaeology. Also, under the amendments to the Ontario Heritage Act, Bill 60, there's a proposal that there will be cross-representation between the Conservation Review Board and the Ontario Municipal Board when it comes to decisions of demolition appeals.

I've watched the Conservation Review Board for a long time in my career, and I really believe the strength

of that board lies in the reasoning and the objectivity of its decisions, and then when they present these decisions to the municipal level, it's how these decisions provide broader direction to councils, municipal heritage committees and the public on heritage principles and practice. I think this is particularly critical in this period of transition when a lot of legislation is changing and a lot of approaches are being re-evaluated.

That's why I'm here. I sincerely appreciate the opportunity to discuss my potential for this board.

The Chair: Thank you very much, Ms. Murdoch, for the presentation. We'll begin with any questions from the government members.

Mr. Parsons: We have no questions about Ms. Murdoch's qualifications. They're most impressive.

The Chair: I asked the most important question at the beginning then, I guess, eh, about her relation to the member?

Mr. Parsons: Some of us on this side like Bill. Not many, but—I take that back. Bill is a great member.

The Chair: Great.

To the official opposition, Ms. Scott.

Ms. Scott: I won't ask any questions about Bill Murdoch.

Ms. Murdoch: No relation.

Ms. Scott: Welcome. You certainly have great qualifications. It's great to see you. Hopefully, Mr. Tascona will be present soon, because I believe that you did some work for him in the past.

Ms. Murdoch: When you live in a small city like Barrie for a long time, everyone who's interested in the community gets to know each other. That's how I know Mr. Tascona, and he was a municipal councillor as well. His constituency office is a designated heritage building. I was on a volunteer committee with him on that project.

Ms. Scott: That's great. You mentioned Bill 60 in your presentation. Are you quite familiar with the changes that are proposed in the act?

Ms. Murdoch: I'm familiar with the back and forth of the changes. I've read Hansard, the review of the justice committee. I'm not aware precisely of what they're taking forward for the next reading, but I've been following the amendments up to that point.

Ms. Scott: OK. You had mentioned about the cross-appointment or cross-representation that may be coming down in Bill 60. Would you like to see that? Were you positive toward that?

Ms. Murdoch: The issue of demolition is probably the most contentious in the amendment package. I think it's been a wise decision to choose the Ontario Municipal Board as the adjudicator when those issues are appealed, primarily because everyone knows what it is. The OMB is a familiar process to levels of developers, owners and councillors. I think it's a better choice than the Conservation Review Board, but at the same time I know it's not their expertise to know about heritage legislation and to be able to evaluate a site and the merits of demolition versus retention. So I think it's a good strategy to have cross-appointment.

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Ms. Scott: And that the OMB is the appropriate venue for the appeals?

Ms. Murdoch: I think it is, as opposed to the Conservation Review Board, because of its identity, its higher profile. They will be more contentious cases in demolition, is my expectation.

Ms. Scott: Several church organizations have expressed their concern with the plan to make individual property owners responsible for the cost of maintaining the heritage buildings. I think they're proposing that they'd rather see an arrangement where the community at large would bear some of the responsibility for the maintenance costs or that the government create a fund to compensate property owners. How do you feel about that? Do you think that's a valid concern? I've heard a lot in my area, which has a lot of rural churches.

Ms. Murdoch: If I'm speaking, it's from 30 years' experience and not what I would necessarily say on the review board. The issue of church designation has always been difficult. It actually starts with the congregation. There is a lot of emotion in a congregation over the tradition of keeping a building that has housed, married and baptized generations of families, with Girl Guides in the basement—that tradition. So the whole sensitivity of designation starts in the congregation itself, even before it's a heritage issue or a protection issue for the building.

But churches aren't unique in the sense that they're special to a community. A lot of heritage buildings are very special to a community. I think the problem for churches is the economics of what they do with that edifice when they no longer need it for their own purpose. It's hard to recycle an existing church.

So I'm not sure that there's a need to compensate anyone, necessarily, for maintaining a building, because the legislation doesn't require that they maintain a building beyond what property standards bylaws would require them to do. Designation doesn't make you restore the building; you just continue as a good owner, which you would do whether you lived in a modern building or an old building.

Having said that, the economics are difficult for a church if they need to sell the property. If it's designated, and now we're proposing that we may intercede with issues of demolition—sometimes they need to demolish to build new on the same site or they need to maximize the economics of that property so that they can build another church somewhere else. I think it's a far more complex issue than compensation for maintaining their structure. I really don't believe that's the core of the issue. I think the potential resale and the future of the church building are more difficult to handle than, say, a house or a corporate office. That's what I think.

I'm not sure that in that long, roundabout way I really answered your question. It's not a case of giving them money to maintain their building. It's greater than that.

Ms. Scott: So if a church were to sell right now—

Ms. Murdoch: You need to maximize the sale of that property. It's difficult to recycle a church, as opposed to

it being easy to recycle a house or a corporate office. I think that if they really looked deeply at that—the emotion starts right from deciding whether or not to keep the church in the first place, at the congregation level.

Ms. Scott: There actually have been a lot of churches for sale in the last few years. If they weren't designated as heritage sites, then there aren't as many implications. They are selling because of low attendance, water regulations etc.

Ms. Murdoch: Yes. That's true. Some of them are having to demolish their buildings because they need the real estate to build. Having said that, the 1878 Baptist church in Barrie is now a financial institution. I won't say the name of the company, but you go there to learn about RRSPs and all those other things.

Ms. Scott: Thank you for that.

Do you have any comment on historical designations for cemeteries? Is there anything out there right now?

Ms. Murdoch: Again, cemeteries are a sensitive issue. They are governed by the Heritage Act because they're real property. We don't protect buildings; we protect property under the Heritage Act. Really, I don't think that the Cemeteries Act has passed, but there really has been no legislation ever to prevent us from paving over cemeteries. In most cemeteries from the 19th century, if the families didn't move the remains, they stayed, and you find them later. It's really not well handled.

There's huge informational value in a cemetery: names of settlers, where the graves are, the artistic sculpture, the whole connection the community has to that area. I believe they should be designated. I think the sensitivity is that the word "cemetery" does not appear in the act. "Burial grounds" does not appear as words, and the people concerned with their protection would like to see that in the act so they know that's what that means and that they're not just governed by being real property.

Ms. Scott: That's all the questions I have. Thank you for your answers.

Ms. Horwath: I think Ms. Scott did a really good job of outlining and getting some of your perspectives on many of the current issues around heritage preservation. The one thing that I was wondering was if you could describe your personal philosophy on heritage preservation and what philosophy you would bring.

Having been a municipal councillor in a city, Hamilton, where heritage issues were major, I saw a big difference between some of the preservationists—and even some of the people on staff—and how they dealt with the whole issue. Could you describe that?

Ms. Murdoch: In my career I've always approached heritage as being a resource. If that resource has value to the communities, to the people of Ontario, then, like all other resources, you need to have a way to manage that. That's what the Ontario Heritage Act should be doing. So my approach to heritage conservation is as I would approach a resource, and you need the tools of evaluation, of preservation, of mitigation, all those words, right up to the ability to control demolition if something

has extreme significance. Then, on the counter side, you need to have the appeal process so that it's fair. In short, I see them as heritage resources, and you need to manage them.

Ms. Horwath: Can I ask what your opinion is of the trend toward saving façades and tearing out everything else?

Ms. Murdoch: It's not new. For example, if you remove the interior of this building, what have you really got but an outside façade? There are interior designations throughout the province, buildings that are probably more attractive inside than out. The legislation allows that. But I think the first reaction of most people is that we only protect the exterior, and maybe that's because we look to other countries—England, particularly, and the façades program that has gone on there. I think if there's merit, artistic beauty and informational value, it should be more than just a façade at first count.

The Chair: Ms. Murdoch, thank you very much for the presentation. We've concluded your interview. As you probably know, in about an hour's time we'll move to our concurrence vote. You're welcome to stay, but members will vote on the intended appointees.

CAROL S. PERRY

Review of intended appointment, selected by third party: Carol S. Perry, intended appointee as member, Ontario Securities Commission.

The Chair: Our third interview this morning is with Carol S. Perry. Ms. Perry is an intended appointee as a member of the Ontario Securities Commission, a very important agency.

Ms. Perry, welcome to the government agencies committee. You've been with us a while, so you probably know the procedure. You're welcome to make an opening statement about your interest in the position and your qualifications, and then each of the three parties will have an opportunity to ask any questions or offer their comments, beginning with the official opposition, in rotation. The floor is yours.

Ms. Carol S. Perry: Thank you very much. I will take this opportunity to highlight some of my experience and qualifications for this appointment.

You have my resumé in front of you, but I'll give you some of what I consider to be the main highlights. My areas of expertise are in corporate finance and capital markets, which I've developed through a career in investment banking and corporate financial management. For over 12 years, I was a senior investment banker with three different Canadian investment dealers: CIBC Wood Gundy, Richardson Greenshields and, most recently, RBC Dominion Securities. In that role as a senior investment banker, I was responsible for structuring and executing a wide range of financing and advisory transactions. These included public equity and debt financings, private placements, IPOs, fairness opinions, acquisitions and divestitures. My clients were primarily

medium and large corporations in the industrial products, consumer products and natural resources sectors.

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Before becoming an investment banker, I worked in the oil and gas and the electrical energy industries, where I held senior management positions in financial planning and control, treasury and strategic operational planning. I actually began my career as a project engineer in the telecommunications industry. I subsequently joined a management consulting firm where I specialized in project management.

During the past five years, I've provided financial advisory services to small private companies. I've also served as a corporate director for both publicly traded and not-for-profit entities, and in terms of the public sector I am a recent past director of the independent electricity system operator.

I currently serve as board chair of St. Joseph's Health Centre here in Toronto and I also volunteer as a member of the education certification committee of the Institute of Corporate Directors.

With my experience and knowledge of finance and corporate governance, I believe I can make a contribution to the work of the OSC.

That completes my remarks.

The Chair: Thank you very much for your presentation, Ms. Perry, and thank you for the extensive CV as well.

As I mentioned, questions begin with the official opposition.

Ms. Scott: Thank you for appearing here before us today. How did you hear about the appointment?

Ms. Perry: I was approached early last fall. I was actually called by a member of the commission, one of the part-time commissioners. She asked me if I had any interest in serving on the OSC and we talked about that. When I indicated some level of interest, I met with the members of the nominating committee of the OSC and then subsequently with the chair and one of the vice-chairs just to talk about the responsibilities, issues and so on. Then I indicated that I was prepared to let my name go forward and I completed my application for the Public Appointments Secretariat, and next I heard that it had gone through cabinet, I believe, and that I would be coming before the standing committee.

Ms. Scott: So someone approached you who was already on the committee who knew you—

Ms. Perry: On the commission.

Ms. Scott: On the commission, I'm sorry, who knew you from before.

Ms. Perry: Yes.

Ms. Scott: Who knew there was a vacancy coming, so it was a personal—

Ms. Perry: Yes. The individual, whom I've indicated as one of my references—in fact her term is ending this year, and so very much in terms of I believe what the commission is looking for is someone with a similar background.

Ms. Scott: Could you share the name of the individual with us?

Ms. Perry: Yes, Terry McLeod, who's currently a part-time commissioner.

Ms. Scott: OK. I have a technical question. You submitted electronically; correct?

Ms. Perry: Yes.

Ms. Scott: Just as a point, I guess there's no date for when you submit electronically. When the forms are filled out, there's an actual date that the application is sent in. That's not for you, just for—I don't know how—maybe we could find out if we could get that changed. Apparently, when they submit the applications electronically, there is actually no date on them. Anyway, that's fine. You said you submitted in the fall last year?

Ms. Perry: I was approached early in the fall.

Ms. Scott: OK, and you submitted then?

Ms. Perry: It was probably somewhere in November-December by the time in terms of agreeing to my name going forward.

Ms. Scott: OK. There's a report of a five-year review committee that contains 95 recommendations. You're familiar with that? One of the most important recommendations is to establish a single securities regulator across Canada. How do you feel about that recommendation and what sort of structure would you like to see or which you think would work best?

Ms. Perry: I read the standing committee's report on the five-year review and I saw some of the commentary and the conclusion. Certainly this has been a topic that has been around for as long as I've been in the industry. I'm personally very much in support of a single securities regulator and a single set of securities laws and a single fee structure, there's absolutely no question.

In terms of the actual structure, I certainly support the idea if we could structure it in terms of some kind of a provincial and Canadian. I've never been convinced, though, that that is going to succeed without some involvement of the federal government to make it happen. So I don't have any fixed views in terms of what the actual structure will be, except a single securities regulator is what we need in this country.

Ms. Scott: It's certainly a complex issue. You're right, I also believe there has to be federal involvement, and probably leadership from there.

Ms. Perry: I believe so.

Ms. Scott: The standing committee on finance and economic affairs has looked at the five-year review and the recommendation coming forward from them was that the adjudicative function of the Ontario Securities Commission should be separated from its other functions. Board Chair Mr. Brown, in the past, argued that the commission's dual role does not create a bias. Do you have any opinions on that?

Ms. Perry: Yes, I do, and certainly this is something I've talked about with the current chair. My interest in terms of joining the OSC is my interest in the policy-making and enforcement area. I really don't have a strong desire to sit in terms of the adjudication panels.

That being said, I do realize that until there is a separation, I'm going to have to carry my share of the workload and take certain training and so on. In terms of my view about it, and again reading the comments that came forward to the standing committee, I think ultimately it is the right call. There definitely appears to be some perception of bias. That being said, I think they should be separated in terms of a stand-alone adjudication function—separate in terms of the OSC. I think it will help focus in terms of the commissioners' involvement in the enforcement area where they currently have some limitations because of this dual role.

Ms. Scott: You've said these remarks in Hansard here today, so do you think you'll be able to have influence on the board to get the two separated?

Ms. Perry: My understanding from reading the standing committee report is that that was a recommendation. If my recollection is correct, it was on the basis that if there wasn't, within 12 months, a single securities regulator, or movement in some meaningful way, the recommendation was to move to separating the function. So as a prospective commissioner, I would take that as the starting point as a basis for going forward. I can't comment, obviously, based on the knowledge I have, whether that's a reasonable time frame. I think that's still something I would need more information and briefing on.

Ms. Scott: Thank you for that. Given your past resumé, is there any situation you see where you might be in a conflict of interest?

Ms. Perry: No. I've given that a fair amount of thought. I don't foresee that there are going to be any areas of conflict of interest. In the last five years, as I stressed, really my focus has been in terms of advising small private companies. You should be aware that if I am appointed, one of the things I will have to do is to surrender my registration. My firm is a limited market dealer.

Ms. Scott: OK.

Ms. Perry: So that's one of the requirements to which I've agreed. Obviously I understand why and I certainly would agree to do that. If there were any conflicts that came up going back over five years now when I was an investment banker with one of the major investment dealers, it's certainly something I'd discuss with the chair of the OSC and go from there.

Ms. Scott: Also, you're paid a per diem for this board, but the per diem cost is not listed on the Public Appointments Secretariat Web site. It said, "Paid by the commission." Do you know how much per diem you would be getting?

Ms. Perry: I wonder about this, but my understanding is that there is a modest retainer. I think it's between \$10,000 and \$15,000; in that range is what I was told. Then the per diems I believe are in the range of about \$1,000 a day.

Ms. Scott: The per diem is \$1,000 a day?

Ms. Perry: I believe so.

Ms. Scott: So a \$10,000 to \$15,000 retainer and \$1,000 per day?

Ms. Perry: Right.

Ms. Scott: OK. Maybe we'll work on getting more public disclosure of these annual amounts from the government. It's not just the per diem to the individual sitting on the agencies, boards and commissions, that's a political—they're not listening, but anyway it's a political hit for a little bit more disclosure and transparency.

Anyway, thank you very much for appearing here. You're very well qualified and I'll certainly be supportive.

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Ms. Horwath: Welcome. Excuse my cold. I wanted to just follow up on some of the recommendations on the five-year review. Ms. Scott started going down that road. One of the other issues that came up is the self-regulating organizations that provide oversight to certain participants: the Investment Dealers Association, mutual fund dealers, RS Inc. The idea is that by having a membership in these bodies, you then will have better compliance, more of a moral suasion of the other members to make sure rules are respected and things are done appropriately.

There has been some concern about a possible conflict of interest that may occur in these situations, and there has been some suggestion that small investor dissatisfaction exists: lots of complaints about stockbroker performance to the IDA, and smaller investors feeling that the association simply looks after its own and that their complaints are ignored.

The committee recommended that, "The government should establish a task force to review the role of SROs"—self-regulatory organizations—"including whether the trade association and regulatory functions of SROs should be separated." Do you have any opinion on that particular issue? Do you support their separation?

Ms. Perry: I don't have any particular opinion that's different. The issue, in terms of separating the regulatory from the trade, is one that is certainly worth taking a look at and reviewing. I don't have an issue in terms of that. It's not an area I am well briefed on, I have to say. I can understand the fundamental issue and the need for doing it, and if the conclusion from the review done by the standing committee is that it warrants taking a look at, I would certainly support that. I think it's timely.

Ms. Horwath: One of the other issues that was raised was the issue of restitution and compensation, and powers to order restitution and compensation. I guess the OSC has no powers to directly order full restitution or compensation to an investor who has been hurt by activities of a market participant. Regulators in Manitoba and the United Kingdom have those powers, and the all-party legislative committee recommended that, "the government work with the Ontario Securities Commission to establish a workable mechanism that would allow investors to pursue restitution in a timely and affordable manner." Do you support that particular recommendation?

Ms. Perry: I have to say that this is an area I am not well briefed or informed on.

Ms. Horwath: That's fine. You have lots of other experience and skill sets, so there's no problem there. I'll skip over that one, then.

The last one I wanted to explore with you is mutual fund governance. We'll see what we can come up with on that one. Currently mutual funds do not have governing bodies the way corporations have boards. This means that unit holders have no direct mechanism to hold mutual fund managers accountable for fund performance. Most investors, whether through their RSPs or directly, invest in mutual funds, not directly in companies. Therefore, for the small investor, again, this is a big issue. The all-party legislative committee recommended that, "The Ontario Securities Commission and the CSA should require publicly offered mutual funds to establish and maintain an independent governance body that provides for substantial investor protection." Do you support that recommendation?

Ms. Perry: I'll just make a comment, because I think it is very topical. In reviewing the standing committee and the comments that were made in presentations, to me the issue in terms of the concept of having some kind of independent governing body, on the face of it, I would certainly support. I think the issue people are struggling with is, what does that actually mean? When we talk about "substantial investor protection," what do we actually mean by that? The rights of termination are clearly where a lot of discussion is focused right now. Does that mean extending beyond things like self-dealing and so on? Does it extend to poor performance? I think the rights of termination and the basis for it, and defining what we mean by an independent governing body—I think that's where the discussion really has to reside. I don't, at this point, have a view on that, other than that I certainly would support the principle.

Ms. Horwath: I didn't have any other particular questions. Those were the ones. Thank you for the opportunity.

The Chair: To the government members? None. Thank you very much, Ms. Perry, for the presentation. Please stick around; we have one more interview before we move to the concurrence votes.

MAXINE COOPERSMITH

Review of intended appointment, selected by official opposition party: Maxine Coopersmith, intended appointee as member, Cancer Care Ontario.

The Chair: Our fourth interview today is Maxine Coopersmith, an intended appointee as member of Cancer Care Ontario. You've been in the audience, so you've seen the procedure here. You're welcome to make a presentation about your interest in Cancer Care Ontario and your qualifications. We will begin any questions we have with the third party. Ms. Coopersmith, the floor is yours.

Ms. Maxine Coopersmith: Thank you, Mr. Chair and members of the standing committee. I am pleased to appear before you today to provide you with a brief

overview of why I am seeking this opportunity to serve as a member of Cancer Care Ontario. My life has been interesting, so it will be difficult to give you a short synopsis, but I will try to demonstrate through it why I believe I'm qualified for this appointment.

I'm sure each one of us here has in some way had cancer touch our lives. For me, cancer first touched my life when I was 10 years old and my mother was diagnosed with breast cancer. She died three years later.

Several years later, while I was completing my bachelor of science degree, I was given the opportunity to study for two years in the field of cytology. For those of you not familiar with this area of study, cytology involves the microscopic examination of cellular material to detect benign and malignant lesions. I enjoyed a very successful 12-year career as a cytotechnologist working in pathology departments of hospitals, progressively taking on higher levels of responsibility. This certainly has provided me with an understanding of cancer and the disease process.

As a cytotechnologist, I reached out into my professional community. I was founder and president of the Toronto Society of Cytology, and I served on the executive of the Ottawa Academy of the Ontario Society of Medical Technology.

In 1984, I enrolled in the master's in health administration program. After one term of study, from which I gained an appreciation of Canada's health care system, I transferred to and obtained my master's in business administration. I then entered the world of workplace injuries and diseases, including managing occupational diseases for the Workers' Compensation Board in Nova Scotia.

While I was working there, I was given the opportunity to attend law school part-time at Dalhousie University. When my husband's employment moved us to Toronto, I completed my law studies at the University of Toronto, following which I clerked in Ottawa at the Superior Court of Justice.

In the summer of 2000, we moved to the Hamilton-Burlington area, and within months my husband's and my life changed dramatically as he was diagnosed with cancer. He underwent his first course of treatment, and within months of his recovery his cancer returned. He underwent another harsh course of treatment; once again, within months, his cancer returned. He then entered a very lengthy and severe clinical trial that included high-dose chemotherapy and stem cell transplants. Finally, for over a year now, he has been cancer-free.

My husband is my inspiration. Without his positive attitude and determination, coupled with the care and support of the wonderful individuals in Ontario who provide cancer treatment, I don't know how we would have gotten through those rough years. Cancer Care Ontario guides the system of cancer care in Ontario that saved his life. My husband and I look forward to many more long years together.

During my husband's illness, I reached out to somehow help in the cancer community in the Hamilton-

Burlington area, and in 2002 began my involvement in the Wellwood Resource Centre, first as a member of its program committee and later on its board of directors. Wellwood Resource Centre is a wonderful organization of dedicated individuals who provide supportive care and programs for people and their families who have been touched by cancer. In 2003, I was asked to join the board of directors of what was then the Hamilton Regional Cancer Centre Foundation, now renamed the Juravinski Cancer Centre Foundation.

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Professionally, I'm a lawyer in the Hamilton office of the law firm Gowling Lafleur Henderson, where I practise mainly in corporate commercial law, wills and estates, and a small amount of municipal and employment law. As a lawyer, I have again chosen to reach into my professional community, and I serve on the board of trustees of the Hamilton Law Association.

Now, there's a plethora of reasons why I wish to serve as a member of Cancer Care Ontario, and I think my life experience speaks to that. More recently, I was alongside my husband as a consumer of cancer care and treatment in Ontario, and I saw the system's strengths, and I saw some of its weaknesses.

The principles governing the appointment process also take into account that the person selected must reflect the true faith of Ontario in terms of diversity and regional representation. I did not notice many women on the board, and I don't mean to turn this into a gender issue. However, I do believe that diversity in gender representation contributes to enhancement of the board's perspective on many issues.

I also see no board representation from the central west region—Hamilton, Burlington, Brantford, St. Catharines, Niagara area—and I hope your endorsement of my appointment to Cancer Care Ontario will serve to fill that void.

These are especially challenging and critical times for health care in Ontario and, in particular, for cancer care. In order to facilitate the provincial government's health care agenda, Cancer Care Ontario needs to make the best decisions possible, in the best interests of the people of Ontario—decisions, as we all know, that must address many vital and competing interests.

I believe I can contribute a range of expertise to Cancer Care Ontario policy development and analysis, strategic thinking, research, and informed decision-making. I believe I'm dedicated and well qualified to face the many challenges facing Cancer Care Ontario. I ask for your concurrence on my appointment as a member of Cancer Care Ontario.

I welcome your questions. Thank you.

The Chair: Thank you very much, and thank you also for sharing your personal story—very moving.

Members of the committee, beginning with the third party.

Ms. Horwath: Good morning, Maxine. Nice to see you.

Ms. Coopersmith: Good morning.

Ms. Horwath: I'm certainly supportive of your appointment, but I'm going to ask you a couple of questions. I think you'll make an excellent addition, actually.

I just wanted to talk to you a little bit about the Cancer Quality Council of Ontario's report on waiting times. I don't know if you're aware of that report.

Ms. Coopersmith: I have not studied it extensively, but I am aware of some of the issues of waiting times, in particular in the Hamilton area.

Ms. Horwath: Do you have any particular suggestions that you would be able to put out there that would address some of the waiting time problems that we have right now?

Ms. Coopersmith: I think I would like to study that issue a little bit more. As we know, there are certain initiatives that are being put in place. Dr. Alan Hudson is addressing a waiting time strategy in more than cancer care. What we're looking at here from a cancer care perspective is to try and lessen the burden on the system by such things as early detection screening programs, addition of resources and innovative ways of approaching cancer care in order to try to bring down those waiting times.

Ms. Horwath: Great. Maybe, then, what I'll do is ask some more detail around the screening programs. There's some controversy around particularly whether or not OHIP should be covering the PSA test for male prostate cancer. Any opinion or perspective on that?

Ms. Coopersmith: I'm not well enough versed on the scientific side of the evidence for or against the costs and benefits of that PSA screening program. So, no, I don't think I could comment on it in an informed way.

Ms. Horwath: OK. Well, similarly, there's been a lobby, the Cancer Quality Council recommending more widespread and accessible screening for colorectal cancer. Any opinion on that one?

Ms. Coopersmith: Yes. As a matter of fact I do, on that one. As we know, Cancer Care Ontario does advocate early detection, and colorectal cancer is the most common cause of cancer-related deaths in non-smokers in Ontario. Ontario has the highest instance of colorectal cancer. Currently, there is no comprehensive colorectal screening program in Ontario. There are various ad hoc screening programs, but they fall far short of constituting a comprehensive province-wide screening program.

There are a couple of ways to screen for colorectal cancer detection: for example, occult fecal blood detection and colonoscopy. While the occult fecal blood testing may be less expensive, thereby making it more available to more people, it's unfortunate that occult fecal blood detection finds cancers. That's when these people then have to feed into the cancer care system. If we move the detection of colorectal cancer upstream, through colonoscopy, for example, we can detect polyps, which are precancerous lesions, and hopefully prevent people from having to go into the already overburdened cancer care system. Unfortunately, they're more expensive, and

we don't have those resources—the infrastructure, the human resources—in place right now.

Furthermore, funding for colonoscopy currently exists, it's my understanding, in the global budgets of hospitals. We know that when hospital budgets are in a crunch, the cuts are not going to be to treatment but to preventive measures.

So we really need to find innovative ways to take on initiatives such as this, and I'm sure there are other worthy ones. I only have questions; I don't have the answers at this time. Can we establish a screening program for colorectal cancer using colonoscopy outside of the global hospital budgets? Can we, for example, put technical fees in place and instead allow independent facilities to undertake these initiatives, of course, bound by independent health facility protocols and standards?

Those are some of my thoughts.

Ms. Horwath: Excellent. Very good. I have one last question. It's kind of even more upstream than the colorectal cancer issue, and that's the issue of exposure to carcinogens. Some would say that it's not even a matter of detecting the cancer, it's a matter of preventing the cancer.

Ms. Coopersmith: Yes.

Ms. Horwath: Can you give me any opinions you might have on that?

Ms. Coopersmith: We obviously know that, despite many decades of the tobacco industry denying that cancer was caused by smoking, there is an exposure. There is some prevention that we can take there. I do know, from my work in cytology, as well as subsequently managing occupational diseases at the Workers' Compensation Board, that there are workplace exposures. We need to put in place, and we do have in place, preventive measures, protective equipment etc., and we really need to make sure that those are enforced and monitored and updated as more and more scientific information discloses issues.

Ms. Horwath: But at this point I don't believe that the WSIB actually tracks the incidence of workplace-related cancer, or at least doesn't track the number of workers that are getting cancer, whether or not they're, at this point, considered to be workplace-related. Wouldn't you see that as one of the ways to start to get the body of evidence required to start making those connections a little bit more clear?

Ms. Coopersmith: I believe that there are many sources where we can gather statistics, data, research and put together the big picture of exposure, whether it's in the workplace, whether it's in the sun exposed to UV etc. I recall, for example, when I worked for WSIB in Ontario—I did work at the board here as well as in Nova Scotia—an obvious workplace exposure caused mesothelioma, and of course, that was asbestos workers, and we learned our lesson, sadly, from that type of exposure. As a result, measures have been put in place in the workplace whenever there's any disturbing of asbestos and asbestos exposure. We learn as we go. Whatever source we can use to gather that information to help us

learn and improve and ease the burden on the cancer system, I'm for it.

Ms. Horwath: Thanks, Maxine. Say hello to Barry for me.

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Ms. Coopersmith: Will do. Thank you.

Mr. Parsons: We have no questions, but I'd like to explain why. We continue to be overwhelmed with the quality of people who come forward to let their names stand to serve the province. The four of you this morning are no exception. So thank you for volunteering.

Ms. Coopersmith: Thank you.

Mr. Joseph N. Tascona (Barrie–Simcoe–Bradford): Thank you for coming today. I appreciate it.

We had a visit in my riding a week or two ago from the executive team chair for Cancer Care Ontario, Terrence Sullivan. He had some very interesting comments when he went through the Royal Victoria Hospital, which is trying to get a cancer care centre and was referred to in the Cancer Care Ontario report, which I imagine you've read; have you?

Ms. Coopersmith: I have read some of the executive summaries of several reports and I've read some—

Mr. Tascona: The most recent one.

Ms. Coopersmith: —which was the cancer plan, for example.

Mr. Tascona: I'm not asking a question on that, but the most recent one commented about the need for cancer care facilities, in particular at Royal Victoria Hospital in Barrie and also Southlake Regional Health Centre, which is in Newmarket. Mr. Sullivan was very candid in his views about the need for closer-to-home cancer care service and the need for it now, as opposed to waiting. I would hope, if you take anything away from today—I believe that you sincerely are motivated in terms of serving on Cancer Care Ontario. But I think there is also an issue in terms of making sure that the services that are needed happen quicker and that the government is made aware in the strongest possible terms, recognizing your mandate, that there is need not only in your area, of course, but also in other parts of the province in terms of the growing number of cancer cases.

At Royal Victoria Hospital we provide chemotherapy services. Unfortunately, the new facility has grown by almost 10,000 square feet because it serves people up to the Muskoka area, though Sudbury does have radiation services. But between Sudbury and Princess Margaret Hospital and Sunnybrook, there are no cancer care facilities in terms of radiation treatment. Cancer Care Ontario points out the need for that service to be provided north of Highway 7. If I leave anything with you here today, during Terrence Sullivan's visit he was very clear about the need for it now. Obviously, there are priorities within the government. I think one of the great priorities, as opposed to casino expansions, which we heard about yesterday, is the expansion of the money that's needed for our cancer care facilities throughout the areas that have been identified. I think there were five

areas that were identified. The timing of it wasn't really acceptable.

I want to bring that forth as a member who represents both of those areas. We do have an urgent need. That's one reason why I felt that you should be called, because you have to be made aware of what members are thinking and what's happening and the need that is prevalent now. People who are suffering from cancer are taken away from their parents, their family. It's not easy, let alone dealing with the disease.

So I want to leave that with you. If you want to comment on that, feel free.

Ms. Coopersmith: Just a very short personal comment. Ms. Horwath is quite aware of my husband's and my ordeal with his cancer in the past few years. Ms. Horwath was a member of municipal council when my husband worked for the city of Hamilton, so that is our connection here.

On his third try at getting rid of his cancer, there was a clinical trial that was available. It was not available in Hamilton. Our commute was to Toronto. For those of you who have tried to commute back and forth in traffic across the highway between Hamilton and Toronto, you may as well have been way up north trying to get to Toronto for services. At one point in his treatment, he was admitted as an in-patient at Sunnybrook Regional Cancer Centre for a month. At that time, the impact on me, as his family member, was that I took an entire month's leave of absence from my law practice. So I certainly can understand the need for health care, for cancer treatment close to home. Thank you for your comments.

Mr. Tascona: I just wanted to thank Terrence Sullivan too, the executive team chair, for visiting our area.

Ms. Coopersmith: Yes, he's very dedicated.

Mr. Tascona: I certainly extend that invitation to any of the members who are going to be on Cancer Care Ontario.

Ms. Scott: Thank you for appearing here today and for wanting to sit on Cancer Care Ontario. I hear you come with a lot of passion to try and solve some of the problems that are out there.

I was going to touch upon some of the drug availabilities. You mentioned you had to travel to Toronto, but there was a drug in the United States, Rituxan, that Canadians had to go over and purchase there. I don't know if you know it, but it's used to treat lymphoma cancer. Cam Jackson, a colleague of ours, raised it in the Legislature, and then it became available in Ontario to our cancer care patients. Do you have any comment about how we could speed up the process of drugs being made available?

Ms. Coopersmith: I know there is a limited pool of money. These cancer drugs, as they're developed, are quite expensive. As far as Rituxan is concerned, I know you have to qualify. There are criteria to qualify in order to obtain it as a treatment for lymphoma. I've been through a personal experience with my husband with that

drug, so I speak again from experience. He did qualify, and part of the clinical trial, which was the third attempt, was a course of Rituxan prior to the transplant and then post-transplant. Had he not qualified—in the United States, for example, that drug would have been the drug of choice, but maybe in Ontario it wasn't because of limited resources and having to qualify. I don't know. It's an overburdened system. I don't have the answers.

Ms. Scott: Thank you. You pronounced it much more correctly than I did.

The recommendation from the Cancer Care Ontario report, I believe, was an extra \$600 million in the next three years to address some problems. Do you have any comment? Do you think that's enough money? Do you have anything? Is that an appropriate request?

Ms. Coopersmith: I don't have enough information to make an informed comment on that, but certainly money is one of the resources we need.

Ms. Scott: We were talking about locations for cancer care treatment facilities. Do you know enough of what's available in the province to say where the areas of highest need are?

Ms. Coopersmith: No, I don't, not at this point. I know there's going to be a very steep learning curve, should you concur with my appointment to Cancer Care Ontario, on a lot of the issues. I've gone part way up the curve. There's a long way to go and to continue along.

Ms. Scott: Just to reinforce what my colleague has said, coming from a rural riding there are certainly challenges. Thank you for appearing before us today.

The Chair: Ms. Coopersmith, thank you very much for the presentation. Please stick around for a little bit.

We will now move to the concurrences vote. The interviews are complete. We will now, in order, consider the intended appointment of Sherene Shaw, intended appointee as member of the Social Benefits Tribunal.

Mr. Parsons: I would move concurrence.

The Chair: Mr. Parsons has moved concurrence. Any discussion?

Ms. Horwath: Mr. Chair, at the beginning of Ms. Coopersmith's comments, Mr. Parsons from the Liberal Party indicated there was a roster of extremely well-qualified candidates today. I would agree, except for the first one, unfortunately. I think it took Mr. Berardinetti to intervene to let the intended appointee understand how her role might have actually helped with her appointment, and I was not comfortable with her ability to answer the questions. Even within the context of her municipal experience, it was quite awkward, from my perspective. So I'm not going to be able support that appointment.

The Chair: Thank you for the points. Any further discussion or debate? Seeing none—

Ms. Scott: Recorded vote.

Ayes

Berardinetti, Gravelle, Oraziotti, Parsons, Smith.

Nays

Horwath, Scott, Tascona.

The Chair: The motion is carried. Congratulations to Ms. Shaw, who did stick around with us for that, those 90 minutes.

1130

We will now consider the intended appointment of Su Murdoch, intended appointee as member of the Conservation Review Board.

Mr. Parsons: I move concurrence.

The Chair: Mr. Parsons moves concurrence. Is there any discussion on Ms. Murdoch's intended appointment? Seeing none, I'll call the question.

All those in favour? Any opposed? It is carried. Congratulations to Ms. Murdoch on her appointment.

We will now consider the intended appointment of Carol S. Perry, intended appointee as a member of the Ontario Securities Commission.

Mr. Parsons: I move concurrence.

The Chair: Mr. Parsons moves concurrence. Is there any discussion? Seeing none, I'll put the question.

All those in favour? Any opposed? It is carried. Congratulations.

We will now consider the intended appointment of Maxine Coopersmith.

Mr. Parsons: I move concurrence.

The Chair: Mr. Parsons moves concurrence on her intended appointment as a member of Cancer Care Ontario. Is there any discussion? Seeing none, I'll put the question.

All those in favour? Any opposed? It is carried. Ms. Coopersmith, congratulations, and thank you for sticking around.

COMMITTEE BUSINESS

The Chair: We now will move to other business. Ms. Scott did indicate that there was an item for other business.

Mr. Tascona: Two items, Mr. Chair. The Public Appointments Secretariat Web site has a form called the personal and conflict of interest disclosure statement that needs to be filled out. I'd like to know which potential appointees are asked to fill this out. Is it only from adjudicated boards or does it also include operating agencies? Could I get an answer to that?

The Chair: Would legislative research know off the top of his head?

Mr. Johnson: I'm sorry, I can't hear.

The Chair: There's a form on the Web site of the Public Appointments Secretariat.

Mr. Tascona: It's a personal and conflict of interest disclosure statement. Can they respond in writing to that request?

The Chair: We'll make that inquiry.

Mr. Tascona: The other one also asks the Public Appointments Secretariat, when applications are submitted electronically, to make sure there is some way to

track the date the application was submitted. That information is provided on forms if they're filled out by hand. I would think it should be available for electronic applications as well.

The Chair: Comments or questions on Mr. Tascona's points? I think you caught us a bit off guard. We will inquire on the committee's behalf and get back to the committee on both of those items with respect to the form on the Web site and the time field on the electronic application.

Mr. Tascona: Thank you, Mr. Chair.

The Chair: No problem. Any other business from the committee members?

Ms. Horwath is in receipt of a letter that the clerk has passed out to all members. This is a response to a discussion the committee had I believe back in December. I'm not sure of the exact date. Ms. Horwath, any comments that you want to make on the letter?

Ms. Horwath: No, just that I think it's important to acknowledge that the minister apologized for any con-

cern her comments may have caused the committee in regard to the process, indicating that she does understand the process but was in a situation where she was excited about being able to get up in question period and respond in a positive way to an intended appointee.

The Chair: Any comments? Great. The Chair does note and thank Minister Chambers for her prompt response to our inquiry.

Mr. Tascona: When's the next meeting, Mr. Chair?

The Chair: Mr. Tascona inquires with his usual enthusiasm as to the next meeting, which I believe is next Wednesday, February 23, same time, same channel. We are in session under the orders of the assembly. So we will look forward to gathering together once more at 10 a.m., Wednesday, February 23. We look forward to seeing you soon.

Folks, the committee is now adjourned.

The committee adjourned at 1135.

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