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Jeudi 18 septembre 2008

Standing Committee on Government Agencies

Agency review:

Ontario Trillium Foundation

Intended Appointments

Chair: Julia Munro
Clerk: Douglas Arnott

Comité permanent des organismes gouvernementaux

Examen des organismes gouvernementaux :

Fondation Trillium de l'Ontario

Nominations prévues

Présidente : Julia Munro
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Hansard Reporting and Interpretation Services
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ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON GOVERNMENT AGENCIES

COMITÉ PERMANENT DES ORGANISMES GOUVERNEMENTAUX

Thursday 18 September 2008

Jeudi 18 septembre 2008

The committee met at 0931 in room 151, following a closed session.

AGENCY REVIEW

ONTARIO TRILLIUM FOUNDATION

The Chair (Mrs. Julia Munro): Good morning, and welcome to the Standing Committee on Government Agencies. This morning we are pleased to have the Ontario Trillium Foundation here. I would just explain that you have five minutes in which to give us a bit of overview and then we will have questions from the members in rotation. We will begin this morning with the government. I'll do my best to make sure that everybody has equal time and that we move along. We'll do it in three rounds of questions. For the purposes of Hansard, I'd ask you to introduce yourselves. As soon as you are ready, you may begin.

Ms. Helen Burstyn: Good morning, everyone. I am Helen Burstyn, the chair of the Ontario Trillium Foundation. I'm joined this morning by our CEO, Robin Cardozo, and our vice-president of finance and administration, Anne Pashley.

We have been given the five minutes for our opening comments and I thought that I would begin by telling you about some of our grantee organizations, because they and their work describe what we do better than anything.

Since I was appointed chair of the board in December 2004, I have had the opportunity to visit a number of our grantees. Their stories have been inspiring, and the results of their Trillium grants have been truly impressive. Talking to these not-for-profit organizations, both their staff and their clients, reminds me of why this work is so important. It's why I sometimes say, as a volunteer chair, that the pay is lousy but the benefits are great.

One of the first grantee organizations I visited is Community Environment Alliance of Peel. Their innovative Share-IT program, funded by Trillium, recycles used computers and other electronics such as printers, monitors and scanners. This small storefront operation has a significant environmental impact because they work to divert electronic equipment from garbage dumps and landfill sites, preventing contaminants from leaching into the ground. The social impact of their program is even more impressive, because IT-savvy volunteers do the refurbishing of old equipment and the recycled computers go to disadvantaged children and families, many of whom are recent refugees or immigrants who couldn't otherwise have access to any such advanced technology.

Staying with the theme of newcomers, I'd like to tell you about the Peace Bridge Newcomer Centre, an OTF grantee located right at the Peace Bridge in Fort Erie, adjacent to Canada customs and immigration. The Peace Bridge is one of the busiest arrival points for refugees to this country, and the centre immediately links them to local social service agencies. What makes this program really unique is it encourages them to consider making the Niagara region their new permanent home. It was because of a Trillium grant, together with support from other community partners, that this modern and welcoming newcomer centre was built, replacing the rather inhospitable trailer that once was used to process immigrant and refugee claimants when they first came to Canada.

Last year our board of directors visited the Wabano Centre for Aboriginal Health in Ottawa. This thriving health clinic serves Ottawa's urban aboriginal community, and OTF grants have supported this centre's programs, including parental training circles for young parents and the healthy living education program for children and youth.

Last year, as part of our 25th anniversary celebrations, we also celebrated our York region Great Grants in the Sharon Temple Museum. Madam Chair, we were fortunate to have you join us on that occasion. The Sharon Temple has been designated a national historic site, and Trillium grants have helped the museum build its infrastructure, administration and fundraising capacity.

In Toronto, I have been fortunate to spend some time at Community MicroSkills in north Etobicoke. This innovative organization provides training and other support to low-income and immigrant women, helping them to create small business enterprises that offer a range of services, everything from technology support to beauty salons to micro-marketing agencies. This organization does really remarkable work and is a true success story.

Next week, when our board meets in Thunder Bay—I should add that we try to meet outside the GTA at least once each year—we will visit the Anishinabek of the Gitchi Gami Reserve, the Finlandia Club of Port Arthur and the Thunder Bay Art Gallery—all successful foundation grantees. These are just a few examples of organizations that have benefited from an Ontario Trillium

Foundation grant. They powerfully illustrate our mission: building healthy and vibrant communities in Ontario.

Now I'd like to give you a snapshot of who we are and how we're organized. Our regional structure is central to our mission. Each of our 16 regions has its own granting budget, a volunteer grant review team and a small office. This allows us to be very locally focused. Volunteerism is at the core of how we work; my board colleagues and I are all volunteers, and our 300 grant review team members are all volunteers too. We work closely with our professional staff to ensure that our granting dollars are wisely invested in communities across the province. Our head office is in Toronto, and we have professional staff located in every part of the province.

Here are a few words about our granting programs. We make grants to registered charities and not-for-profit organizations in four sectors: arts and culture, the environment, human and social services, and sports and recreation. Eighty per cent of our funds flow through our community grants program into every region of the province, and 20% go to our province-wide program, which supports broader regional or provincial initiatives.

This past year we introduced the Future Fund, a fund that focuses on grants that will help build the capacity of the not-for-profit organizations that are vital to Ontario's future. The first $4 million of the fund were invested in building Ontario's environmental sector, a decision that reflects the importance of the environmental sector and also recognizes the need to offer more support to the many fledgling non-profit organizations in this area, which is still an emerging area.

Before I wrap up, let me just highlight a few of the things we are particularly proud of at the foundation. We are the largest funder of the not-for-profit environment sector in the province. We put a great deal of emphasis on our outreach and granting to northern and rural communities and to disadvantaged communities such as First Nations and newcomers. Monitoring and grant follow-up is very important and critical to our accountability. Our significant and comprehensive media coverage in local newspapers across the province reflects the fact that we have a very strong presence in every community. I should add that MPPs of all parties play a very valuable role in attending our events, announcing local grants and congratulating our grantees.

The foundation has been the recipient of a number of awards. Last year, for example, the Maytree Foundation gave us the annual Diversity in Governance Award in the public sector. The Conference Board of Canada recognized us for effective governance. The Washington-based Council on Foundations gave us an award for our website; I believe it might even have been two awards in a row. But we're not resting on our laurels. We continue to look for ways of improving and providing better customer service, achieving greater impact and enhancing the value-added services we provide to stakeholders and communities.

We celebrated our 25th anniversary last year, and in looking back, we also looked forward with a conviction to build an even stronger foundation and healthier and even more vibrant communities over the next 25 years.

Thank you, Madam Chair and committee members, for the opportunity to address you today.

0940

The Chair (Mrs. Julia Munro): Thank you very much. We'll move to Mr. Ramsay.

Mr. David Ramsay: Thank you very much for coming. It's good to see everybody again.

You had just mentioned—I'd like to develop this a little more—emphasis on northern and rural ridings. Actually, most of us around the table represent rural areas. I'm wondering if you've sort of looked into this, as my understanding is, and correct me if I'm wrong, that we grant on a riding basis, on a per capita basis. Would that be right? Okay.

As you know, especially in the north and in some rural areas in southern Ontario, we see a steady depopulating of those areas as we become more and more an urban jurisdiction. Have you thought about that? For instance, while mine isn't the largest—it's the fifth-largest riding—I have 34 municipalities, and in many of those municipalities there are very active—thank goodness—volunteer groups that help to build our communities. Have you thought about how you would redistribute the money when you have that sort of competition in those areas versus maybe some more densely populated areas?

Ms. Helen Burstyn: Thank you for that question. We have thought a lot about that, and our granting formula does reflect the need to redistribute, to some extent, in more sparsely populated and large northern rural ridings. But I'm going to ask Robin Cardozo to address that specifically.

Mr. Robin Cardozo: Thank you, Helen. Yes indeed, Mr. Ramsay, this is an issue that the board and our grant review teams and the staff spent quite a bit of time thinking about. You're quite right that both are issues to do with depopulation. There are also the obvious issues that I know many of you around the table are aware of, the fact that quite often in urban communities it's easier to access other forms of income from corporate donations and so on. Under the board's guidance, the foundation has done a couple of things: Number one is that, within our community grants program, as Ms. Burstyn mentioned, 80% of the funds flow through our community grants program. Initially, we do a per capita calculation into our 16 catchment areas, so each of the 16 catchment areas gets a per capita amount. After that initial calculation, we then do what we call an "urban-rural adjustment," where 10% comes off all the urban areas—so Toronto, Ottawa, and all the other larger urban areas have 10% taken off—to be transferred to the rural and northern areas. That's part one.

Part two, as Ms. Burstyn mentioned, is that we also have a province-wide granting program, and the province-wide granting program, as the name suggests, is for grants that will have impact in broader parts of the province. It would be very easy in a program like that to allow the large provincial organizations based in Toronto

or Ottawa to apply for grants and make a case, but we're not satisfied with that and the board is not satisfied with that. We're very proactive, in terms of insisting that programs province-wide think about the north in a proactive way, not just wanting to include them but actually having partners in the north that will participate in the programs. I believe that close to 40% of our province-wide programs, for example, are having impact in the north. That's just one example of how, as a foundation, we're very proactive in those areas.

Mr. David Ramsay: Thank you very much.

The Chair (Mrs. Julia Munro): Any other questions?

Mrs. Maria Van Bommel: Thank you very much. I also want to say thank you for the work that you do. Certainly you have very active grant review teams in my riding. I happen to catch two of the grant review teams, and what I find especially important is the fact that the Ontario Trillium Foundation has an opportunity to address the needs in communities that tend to fall through the cracks or are not eligible for other programs, and certainly right across the board deals with all age groups. I've attended festivities at local Legions, of which I have a number in my riding. There were some funds that were used to assist the local square dance club in a conference that they organized, in a national conference that they put together, which was very interesting as well. We've also had grants for service clubs that have worked with youth, and a skateboard club. All those events are always interesting to attend, and the diversity of the grants, bequests and the applications that come in is quite gratifying for me as an MPP, and I certainly appreciate the opportunity to attend those. I find, in a lot of cases, that the community, even in small dollars—it makes such a difference, and I think you garner out of the community many more dollars and leverage volunteer work from people to make these things happen, so it's really important.

But one of the things that I noticed in your responses to the committee was that we talked about your staffing and your resources as an organization, and that you felt that there was particular risk in understaffing, especially as it came to the program area. I was wondering if you could give us some specific instances or examples of how limited resources might prevent you from achieving the goals that you have set for yourselves.

Ms. Helen Burstyn: Again, I'm going to ask Robin to address this specifically, but I'll just say, from an overview perspective that, as a board, whenever there's a new program that's introduced like the Future Fund or whenever we are fortunate enough to receive more funding from government, we always look at what pressures that may create. We don't look specifically at staffing requirements for that. Staffing is one area that certainly does experience pressure, but I'm going to let Robin talk to you about some of the instances where resource issues have come up and how we've dealt with them.

Mr. Robin Cardozo: Thank you. The section that you're referring to, Mrs. Van Bommel, is the risk management portion of our business plan. As with any organization, we think about the risks involved in running our business. I think that in any corporate, business or government agency, or a not-for-profit, one always has a balance between providing the kind of service that our stakeholders expect, but also, on the other hand, keeping our costs at a moderate level. That always is a struggle and it's at the senior staff level—and I have my senior staff colleagues with us here, of course—and with the board. This is a discussion that we often have, about how to get that balance right. I believe that we put a lot of attention into that. I think you've probably seen elsewhere in the materials the fact that we want to be a leader in cost-efficient grant distribution. Being a leader in cost-efficient grant distribution has a cost with it as well, which means that we have to be able to distribute the funds as cost-efficiently as possible. I'm sorry if that's an obvious statement.

To directly answer your question, we're continually trying to look at ways to keep our costs low, which sometimes means that there are staffing pressures at certain times of the year in certain parts of the province. We address that through a variety of ways, including having a flexible staff structure where staff can help one another out; where there's a pressure in one area, staff in other areas can help out.

We also are continually looking for innovation. My colleague, Anne Pashley, has finance and IT under her area, and we're continually looking for ways in which computer systems, for example, can help to make our work more efficient so that we don't spend more and more money on operating costs and we are able to keep the granting budgets as high as possible.

You're quite right in drawing to an area of risk for our organization. We believe that this is a risk that every government agency faces, in one way or another—getting that balance right. As Helen mentioned, I have to say that the board has been very supportive of us, in terms of working on getting that balance right. I hope that answers your question.

Mrs. Maria Van Bommel: Just one other question particular to our First Nations. I have five First Nations bands in my riding, and I've noticed that they have only just recently started to really avail themselves of the Trillium foundation. At Walpole First Nation, they have done some work, and actually, my most recent Trillium grant went to Kettle Point First Nation for a radio station that allows them to do their own radio broadcasts not only into the local community and around Kettle Point but into the Sarnia region as well, so they have outreach to the Aamjiwnaang nation there and to First Nations people who live off-reserve.

In terms of dollars, what percentage of your grants would go to our First Nations people?

0950

Mr. Robin Cardozo: I'm going to ask my colleague Anne to help me. I believe around 6% or 7% of our total grants in the last year went to First Nations-related programming. I think the First Nations population in Ontario is around 2%, so we have made a really concerted effort

in that area and continue to do so. You're quite right, I think, in pointing out that it has been more recent. This is another area where I think I'd have to look to our board chair and our board as being very instrumental in encouraging us to move in this direction. It does take a lot of outreach, it does take a lot of work, but we've been very gratified to see the impact of some of the work we've done in that area.

The Chair (Mrs. Julia Munro): Mr. Leal.

Mr. Jeff Leal: Just to follow up, because I'm Minister Bryant's parliamentary assistant for aboriginal affairs, in terms of your corporate recruiting, do you have any Metis or First Nations people in your organization to help in this particular area, because there are some unique challenges, as outlined in the Ipperwash inquiry's 100 recommendations? One of the things that Justice Linden identified is the ability to enhance capacity within those nations. It seems to me that Trillium could have a very significant role in achieving some of the intended results of those recommendations.

Mr. Robin Cardozo: Yes, absolutely. We have aboriginal human resources in various parts of the organization. Just to give you a couple of examples, on our staff we have an aboriginal outreach officer in northern Ontario who assists both our Thunder Bay office and our Sault Ste. Marie office now in terms of reaching out into those communities. We've also just brought on board in our Toronto office an individual of aboriginal background, a very highly experienced person who's working as a grants associate. On our board, we have—Helen, two?

Ms. Helen Burstyn: Yes, two members of our board are of aboriginal background, and they bring a lot of texture to the discussions. Our discussions at the board are, of course, of a policy nature. In terms of operations, though, and really knowing how to get into the aboriginal communities and help with the grant-making process, that's more on the professional staff side.

Mr. Jeff Leal: Do you have ongoing conversations with the Ministry of Aboriginal Affairs?

Mr. Robin Cardozo: Yes.

Ms. Helen Burstyn: Actually, we met not long ago with the minister's office—I believe, Robin, you've also met with the deputy's office—and on the public service side, on a more frequent basis. We've talked about doing more connecting of the dots and being able to—

Mr. Jeff Leal: Because I think we have some mutual objectives here.

Ms. Helen Burstyn: Absolutely. We are a substantial grant maker to the aboriginal community, but of course, so is the ministry. Not only in the grant-making area but in policy areas there may be areas of overlap, and we want to make sure that we are consistent. We're not there to be identical to what government is doing in both funding and policy-making, but in terms of convening there's a lot that we can do together, and we're trying very hard to make that a closer connection with the ministry.

Mr. Jeff Leal: While I have the opportunity, I just want to say that you have a phenomenal employee in Peterborough, Jackie Powell. I know that Ms. Powell has taken on a number of specific tasks for Trillium across the province of Ontario. We're very lucky to have her and, of course, the former vice-chairman Hugh O'Neil from Trenton, who made numerous visits to the Peterborough area for grant announcements. I know what great expertise and leadership Mr. O'Neil brought to your board.

The Chair (Mrs. Julia Munro): Any further comments at this time? With the indulgence of the committee, I'm going to stand down Mr. Barrett's time because Ms. Gélinas has to leave us.

If you have a couple of minutes in order to question, that would be great.

M^me^ France Gélinas: Thank you for accommodating me. I'm France Gélinas, and I represent the riding of Nickel Belt, which is in northeastern Ontario. We often hear that the board of Trillium is very much big centre-centric, Toronto-centric. For the record, I understand that you have 22 board members right now out of a possible 25. If you could go through them, whom do you consider coming from the north? How many come from the north? How many represent youth? How many represent francophones? How many represent First Nations? You've already said two represent First Nations. How many represent northern members? Do you set goals for yourself as to the percentage or how many you want represented on your board? If you could elaborate on that issue.

Ms. Helen Burstyn: Thank you for that question. We work very hard at trying to ensure that we've got the right mix—demographic, regional and cultural—all kinds of the right mix on the board. I'm going off recollection. I'm going to turn to my colleagues at some point to refresh my memory on exact numbers or percentages, but at the moment I believe we have several, four board members, from the north; I may be off on that. We have all parts of the province represented. I know we have the east represented; we have the southwestern part of the province represented. We have a lot in the GTA and Golden Horseshoe represented. Frankly, we always need to be on top of the need to have representation from those parts of the province that are maybe more sparsely populated. It's easier to get board members from urban centres. But we work very hard at ensuring that we have the right mix from rural and other centres. One of our board members comes from a tiny hamlet near Stratford—Bright, Ontario. I don't even know precisely where it is. She is a farmer.

Ms. Anne Pashley: She's our treasurer.

Ms. Helen Burstyn: And she's also our treasurer. She also used to be with the Mutual group, which became Clarica, and so she has a background in financial services. It's hard to find the right mix of things, so I'd say that we also try to find the right mix of people in different career and professional backgrounds because so much of this has bearing on the kinds of grants.

M^me^ France Gélinas: So you would say four members from the north and two from First Nations. How many francophones?

Ms. Helen Burstyn: One of our francophone members has just left our board and is being replaced.

Mr. Robin Cardozo: There are currently two francophone members.

M^me^ France Gélinas: Two out of 22. And how many youth?

Ms. Helen Burstyn: One of our aboriginal members does double duty because she's also—I think everybody who is younger than I am is young, so I'm not sure where the youth cut-off is. But we have two who are under 35 and a number who are in their earlier 40s. To me that seems younger.

M^me^ France Gélinas: I'm not sure they would understand all of the wishes and wants of the youth population.

Ms. Helen Burstyn: But the other thing that's important to recognize is our ground review team members; we also try to get the same distribution and mix on the GRTs, because they're very close to the actual grant making. That's where the really heavy lifting occurs. They are close to the local applicant process.

M^me^ France Gélinas: But I understand that it's a recommendation that you get from your 16 geographic areas, and the actual decision to grant is made by the board. So it becomes important for people who feel that they are having difficulty accessing your grants to be represented at the level of the board. Have you considered setting targets, or working hard towards but not really fixing targets? Would you keep a position open for an aboriginal although you have a very qualified candidate who is a white male from Toronto?

Ms. Helen Burstyn: We don't set targets precisely. I'm going to ask Robin to respond to this as well, because a lot of the goals of representation on the board, at the staff levels, are really set with the staff. Robin, could you comment on this?

Mr. Robin Cardozo: Certainly. It's a very valid question and one that we spend a fair amount of time at the foundation thinking about. For us, representation means representation at the board, representation at the grant review teams and representation at staff, so at each of those levels we try to make sure we are reflective and representative of the province.

1000

One of our key points of pride at the foundation, and in some ways it might come back to Mrs. Van Bommel's earlier question about the pressures that we might face, is the fact that we have our 16 grant review teams—that is our main way of staying close to community—and in each of those areas we also have a staff representative. Mr. Leal mentioned one of our staff representatives in Peterborough; thank you. I'd like to think that there would be similar comments about our staff representatives in other parts of the province as well, because our staff do try very hard to keep plugged into the local community.

I'm answering your question by perhaps answering it in a bigger way, by saying that as important as the board representation is—and I do believe the reason we won the Maytree award for diversity in governance last year was because we were recognized as being a leader in this whole area—part of it is because we are representative at all those levels.

The Chair (Mrs. Julia Munro): Thank you. We'll move back. Mr. Barrett?

Mr. Toby Barrett: Thank you for coming before the committee. I know that before the hearings you identified a number of issues of concern, and some of these were discussed by the committee's research officer this morning.

I have a number of points related to some of the issues that you've identified. One challenge to help organizations has been discussed—build their long-term capacity. With many of the grants in my area—and I should mention that I represented Haldimand–Norfolk–Brant previously—locally, you've had an excellent track record over the years. I know oftentimes we think of so-called government money as stupid money and money that gets wasted when somebody gets a grant or does a study and it sits on the shelf, but over the last several years I have seen no evidence of that at all through the Trillium Foundation. Oftentimes, the grants seem to be $12,000 or something in that order. They're much appreciated by the organizations. I see that partly as seed money; there's no expectation, theoretically, of follow-up money. I'm just wondering what the failure rate is of the many grants that you send out, large and small.

Ms. Helen Burstyn: Well, let's start with the success rate. There are 1,500 grants a year.

Mr. Toby Barrett: Big and small?

Ms. Helen Burstyn: All sizes and shapes. We've decided quite deliberately to make sure that we stay very broad and that being able to handle that volume of granting is important, and that's where resources and staffing to properly demonstrate accountability for all that comes into play.

In terms of the overall scheme of things, the go-bad rate, if you can call it that, is really tiny. I'm going to leave it to my colleagues on either side of me to give you the exact percentages, but I'll just say that I'm always amazed by how much success there is at that rate.

Mr. Toby Barrett: That's good to hear. I don't need the percentages—

Ms. Helen Burstyn: I think it's something like less than 1%.

Mr. Robin Cardozo: It's less than 1%.

Mr. Toby Barrett: Let's hope that trend continues.

I know the direction to assist marginalized communities or organizations that are not into grantsmanship—I hear this a lot from those groups—a number of very small groups have not applied just because they can't figure out how to fill out the forms. I can't help them fill out the forms. I understand there have been some changes on that to make it a little easier.

Ms. Helen Burstyn: Robin?

Mr. Robin Cardozo: Number one, we recently introduced a simplified application form for smaller capital grants. Our capital grants are very popular, I think. I've often heard our chair refer with pride to the fact that

we're often the only source of capital grants. We find that smaller capital grants go a long way.

The second thing that is a major part of what we do is to provide workshops for grant applicants. We don't apologize for the fact that we do have a comprehensive application form, and this is something that the board and senior staff have always felt strongly about. In terms of accountability for government dollars, it's a fulsome and comprehensive application process, so we don't apologize for that. That said, where we have worked hard is to provide guidance and assistance to those inexperienced groups to be able to apply. For example, in every region, every year—Pat Else, our director of grant operations, is here, and the staff in her area. As part of their objectives every year, they have to hold workshops for applicants, where groups get walked through the application process.

The other thing that we did—to pick up on your question of some recent changes—is that we've also put some tools on the website; for example, standard budget forms. Where a budget might sound complicated to a small group, they can go to our website and follow a standard process to be able to fill out the budget. It is an ongoing process. I wouldn't pretend that there are not still groups who find that, but I do believe that we continue to make efforts in that area and we're continuing to try to service those groups.

Mr. Toby Barrett: Okay. Another issue, and this may be partly a new direction—I'm not sure—addressing changes in demographics. Many of our rural areas are stable or losing population. High schools are closing. We lose elementary schools on a regular basis, it seems. Small hospitals occasionally are threatened. I don't know whether you have the capacity to wade into much of that. I guess my question is: Shouldn't government be dealing with this? I'm just concerned. If you wade into some of these big issues—the same with demographics the other way. The growth in this city is out of control, in my view, and I'm not sure what Trillium can do about that. Are you just looking at helping certain groups with organizational effectiveness? That's a big chunk to bite off, if you're going to start dealing with the massive demographic changes in this province and the related problems, let alone some of the opportunities.

Mr. Robin Cardozo: On the one hand, it's not appropriate for us to wade into changing demographics; they are what they are. However, there is a very appropriate role for us, and that is sharing best practices so that communities can learn from one another. This is another area that our board and the staff have really—and it is a new direction. We believe that we will be taking a more active role in terms of sharing best practices. So for example, if you go to our website today, you will find—specifically to your point—that we recently posted a research paper, Small Towns: Big Impact, where we went into six small towns across the province to study the issues in these small towns, many of which are exactly the kinds of issues that you refer to, Mr. Barrett: the primary employer closing down, young people moving out of the community. How are some of those communities dealing with it? More specifically, in terms of our mandate, how are some of the not-for-profit groups helping communities deal with it? For example, many not-for-profit groups have been working with communities in terms of developing new tourism initiatives, refurbishing heritage buildings that become draws for tourism, bringing together farmers, in terms of groups of farmers, and developing policies and best practices around local food. Those are the kinds of things that we can be doing, and we've started to do them. This is an area that, I think, maybe Helen, you should speak to, because this has been really a vision of our chair and our board, for us to do a more proactive role in the future.

Ms. Helen Burstyn: I will speak to that just a bit, just to point out that we're very aware of the demographic changes and we track them through our staff. We also track them through our community profiles, which, actually, we're about to release in a new format with more information. Community profiles are based on Stats Canada data that is overlaid onto our 16 catchment areas. It gives us, along with a lot of other research, anecdotal and the hard research that we do, a clear picture of what's happening in our communities.

We also started, a few years ago, to do something called Community Conversations, where we actually went into communities and had a dialogue with them, not about making applications or the best way to get a grant, but really about what they're seeing in their communities that's different, that may be worrisome, that may be something that jointly or with other community partners we can do something about. It does affect our grant making.

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At the board level, we have a granting policy committee, and really the board is all about policy and setting the right framework for making grants that really speak to the needs of Ontario communities, and those are changing. We've seen some pretty strong changes in the last few years, and we do reflect that on an ongoing basis by updating our grant review teams on things that we're seeing at the macro level and also things that they can contribute from their own, much closer, vantage points as members of their communities.

It does affect how they make grant-making recommendations to us. We are always adjusting, and there will be further adjustments made because right now I think we're at a critical time in terms of seeing, as Robin mentioned, smaller communities suffering from particular issues. Also the loss of volunteers in many communities is a really important issue for us.

Mr. Toby Barrett: I had some more time.

The Chair (Mrs. Julia Munro): Certainly.

Mr. Toby Barrett: The money the Trillium Foundation receives is no longer tied to gambling. I don't know whether a lot of people are aware of that. When did this happen?

The reason I ask, and maybe this goes back to the Wintario days, is that I thought much of this was maybe a sales job for people to accept slots in their community or

at their horse racing track. So that's no longer the case? There's no link to gambling money?

Ms. Helen Burstyn: It used to be that the charity casinos, when they existed, had a more direct tie to the monies received by the Trillium Foundation. Robin, you probably have to weigh in on this just to make sure we're accurate. The charity casinos, as such, don't exist anymore. All gambling or gaming revenue comes in to the government, and we receive our funding from the government. There was never actually a decision made by the gaming corporation, for instance, about what Trillium would receive. There was a tie in terms of the paper transfer of money, but they did not determine how much we would receive or whether we received funding of a certain kind. In a sense, the tie has always been more directly with the government itself.

Robin, would you maybe like to give a little more of the history of that transition?

Mr. Robin Cardozo: I think you've covered it well, actually, unless there are any other questions.

Ms. Helen Burstyn: Okay.

Mr. Toby Barrett: Maybe this could be the last question. According to your business plan, "OTF is one of the most cost-effective organizations of its kind in North America." Can I quote you on that? Where did this come from? What is the reference to be able to say that?

Mr. Robin Cardozo: Yes, I'm happy to take that, and I'm going to ask my colleague Ms. Anne Pashley to add to it. As I mentioned in response to an earlier question, it has always been, going back over the last 25 years, long before my time with the foundation, a point of pride for us to be a leader in cost-effective grant distribution. As part of that process, we do monitor what other typical grant makers spend on their operations compared to us. We look at other foundations that are in the grant-making business. We look for ones that are as similar to us as possible. One of the challenges is that we have both the pride and sometimes the challenge of being somewhat rare in Canada, so thanks to the Ontario governments over the last 25 years for supporting that. That said, in terms of our comparisons, I'm going to ask Anne to refer us to our current cost structure compared to some of the examples we look at.

Ms. Anne Pashley: We regularly monitor what we call our operating cost ratio. I think it was in some of the materials that we submitted. Our current ratio is 11.3%. As Robin said, we compare ourselves to like organizations, like funders both in Canada and in the United States. It is hard to find like organizations because most other funders do not have some of the cost pressures that we have: 16 offices, many volunteers, and 1,500 grants a year. Large US foundations with two, three or four times our budget often have a quarter or a half of the grants that we have, so we have some unique pressures. That said, the comparators that we found are large US foundations. In Canada, the McConnell foundation, which is one of the largest in Canada—compared to our 11%, their ratio is about 17%. The Canada Council is 14% and the Ontario Arts Council is 13%. The US foundations on average are around 18%. In the studies that we track, the benchmarking group that we use and some of the large foundations that you would be familiar with, such as Ford, Rockefeller and Kellogg, theirs are much higher than that average of 18%.

Mr. Toby Barrett: Thank you very much.

The Chair (Mrs. Julia Munro): Ms. Sandals?

Mrs. Liz Sandals: I actually don't represent a rural community anymore, but I used to have some rural municipalities as part of my municipality. One of the things that seemed to me was that often in small communities, volunteer groups may be doing good work but they haven't gone through the formal registration of becoming a not-for-profit or a registered charity, so they didn't qualify to apply. I noticed that you recently changed the eligibility rules so that in small communities, municipalities in partnership with volunteer groups can apply for grants. I'm assuming it's to get around that problem that often in small communities there just wasn't anybody who was eligible to apply for good work that needed to be done.

I'm wondering if you could tell us a little bit about your experience with having changed the mandate to address that and whether it seems to be working, because that did seem to me to be a weakness and I'm just wondering what your experience is.

Ms. Helen Burstyn: Robin?

Mr. Robin Cardozo: Certainly. I'm happy to. We made that change about five years ago for exactly the reasons that you mentioned. We did learn—I'll just step back for one moment to just remind everyone, but you probably know that we went to what we call our $100-million model—it's now $110 million—in 1999. At that point, the grant review teams were introduced and we also went into the four different sectors as opposed to only funding in social services. What we came to realize fairly quickly after 1999 was that in a number of small communities there just was not a depth of incorporated, not-for-profit organizations to be able to apply for grants. If we wanted to have impact in those communities, we had to figure out a way to do it. So we spent a lot of time thinking about that and felt that to make grants to unincorporated groups would in some ways be a slippery slope and the accountability would be different. So after a lot of analysis, we landed on the policy that municipalities of 20,000 or fewer people are now eligible to apply for grants in the sports and recreation and the arts and culture sectors.

Since introducing that policy, it has been very successful and there has been a terrific take-up. One of the concerns initially was whether in fact that would take away from not-for-profit groups, so we've been very vigilant about that. There's no evidence at all to show that that eligibility of small municipalities has in any way taken away from not-for-profit groups, because when a small municipality comes to us, that's one of our first questions to them: "Have you talked to the local not-for-profits? Are you working with them?" Sometimes, if they say no, we'll say, "Why don't you go back, think about

this some more and figure out how to work with those not-for-profits and then come back to us in the next round?" So we believe that there has been terrific take-up, and we'd like to think that we helped to build the community through the grant but also helped to build the local not-for-profit sector by making the municipality, who may not have thought about it, now think about working with the local not-for-profit groups.

So there definitely were concerns about this when we first went down this route: Was it going to in any way weaken the not-for-profit sector? There is no evidence to suggest that to date.

Mrs. Liz Sandals: Thank you. That's good news.

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The Chair (Mrs. Julia Munro): Mrs. Van Bommel.

Mrs. Maria Van Bommel: I just wanted to follow up on something that Mr. Barrett brought up when he asked about the success of projects, and that is to the financial accountability of the grants. Is there follow-up with grantees? Do you do any kind of report back from them, even audit, or some such way of accounting for the dollars and having a sense of value for money?

Ms. Helen Burstyn: Again, I'll let Robin answer; thank you.

Mr. Robin Cardozo: Absolutely. This is an area that is also, obviously, of great importance. We're dealing with government dollars and it's of paramount importance that there be that kind of accountability.

Number one, I think the process of accountability starts long before we make the grant. So if you don't mind, I'll step back for a moment. In terms of doing the research before we make the grant, both our staff and our local grant review team ask a lot of questions about the group: Are they ready for a grant? Have they had grants before? And if they're a new organization, because many of our grantees are new organizations, who else do they work with in the community who might give us some assurance that this group has some backing, some experience, some knowledge behind it? So there's a lot of due diligence that gets done up front. That's step one.

Once a grant is made, the group has to sign a letter of agreement with us, which is a contract. So there's a contractual agreement between us and the group. They have to meet the terms of the contract. So that's step two.

The third step is the monitoring process, which you referred to. Every grantee has to provide us with a detailed report of how they spent the funds. If it's a one-year grant, they would give us their report at the end of the project. If it's a three-year or four-year grant, because we can make grants for up to five years, if it's a multi-year grant, they have to give us an annual progress report. Again, our being locally based in the community, between our volunteers and our staff they get to find out pretty quickly if something is going off the rails. This is an area where our grant review team volunteers are enormously helpful, because they keep, with us, an eye on the grants that we've made and they'll find out if something is not happening. So that's the next one.

Finally, we do have an audit step. Not every grant gets audited, obviously; we have 1,500 grants a year. Anne, it's about 1% of the grants?

Ms. Anne Pashley: It's 1% of grants under management.

Mr. Robin Cardozo: So 1% of grants under management get audited every year, and we actually worked out that that number, in consultation with the ministry's auditors and given everything else that we do along the way in terms of due diligence, is a reasonable number. So it's a spot audit. Everyone knows that they may be audited. Everyone is on notice to keep their records on hand in case they get audited. So that's the final step. There are several steps along the way.

Mrs. Maria Van Bommel: Thank you. You mentioned staff and their involvement and certainly—I have to concur with Mr. Leal—the staff in both my grant review areas are wonderful people and do assist those who apply a great deal. But one of the things that they also are quick to say to me is that there's a lot more asked than there are dollars for grants. There are very many good projects and they do a lot of good work in the community. So I guess the question I'm coming to is in terms of, what is your ratio of dollars asked as to what you have available, and that whole issue of funding and the need for funding for Trillium?

Ms. Helen Burstyn: Again, in a general sense the demand rate, which is how we refer to that, is very high, and I think it is creeping upward. So we fund on average one in every three to four grants where an application has come in. Is that correct, Robin?

Mr. Robin Cardozo: It's $1 for every $3 to $4—

Ms. Helen Burstyn: Okay, that's right. That's what determines it. That seems to be actually quite high. When you look at 1,500 grants on average every year, that's a lot of grants that are actually given. So it's more the glass-full view of things than it is the glass empty. That said, we're also seeing, I think, more demand from new areas. There are always emerging areas in the not-for-profit world. We're starting to see more, for instance, in the environmental sector. Among environmental not-for-profits, there's a lot of desire, but not a lot of capacity quite yet. Something that the foundation did, I believe it was in the early 1990s when the sports and recreation sector was just getting going, was to notice that there were a very few established organizations that could be matched up with or partnered on a collaborative basis with less-skilled not-for-profits that were emerging in the sector. It raised the quality of the applicants for the whole sector and really created a stronger sector in sports and recreation. We're hoping that that same approach actually holds true for our environmental not-for-profits. There's not a lot of capacity for most of them, but there are a few larger players who are very solid, and with our Future Fund what we did to address that was to insist on collaborations. They're all collaborative projects. The first five projects that were funded actually represent about 100 different organizations because of all the collaboration, so it's a matter of pulling them all along.

I'll let Robin address more specifically what you were asking about.

Mr. Robin Cardozo: I think the other part of your question was about what happens to all the groups that are not successful. As Helen mentioned, we get about $3 to $4 in requests for every $1 that we do grant.

In terms of the other groups, they certainly don't get a cold "Thank you for applying. Don't call us; we'll call you" kind of thing. It's very much "We're sorry you weren't successful this time, but let's talk about whether there is any potential for next time." Most applications that are not successful are simply because of that 1-to-4 ratio. In the selection process, we obviously select the ones that are closest to our priorities. That said, groups that were not successful get counselled on what they might change in terms of coming back. For example, a group might be advised to work with others in the community and establish some new partnerships. They might have a great idea, but they may not have fully researched who else is doing related work in the community, who they could work with and leverage off. So we would advise them, "Why don't you talk to so-and-so? Come back to us six months from now, once you've talked to them, with a new idea."

Sometimes groups are simply overly ambitious. A small group that hasn't had a lot of experience might apply to us for $200,000 out of the blue, and we'll say, "We don't think you're quite ready for a $200,000 grant yet. Why don't you think about a feasibility study for this piece you want to do? We'll give you $20,000 for the feasibility study. Once that's done and you've got the data that your idea is going to work, then come back to us with some new partners, with some new research, and then we'll talk about the $200,000 idea."

So we are cognizant of those groups that get turned away and do try as much as possible to provide opportunities for them to come back.

Mrs. Maria Van Bommel: Do you ever have a group appeal your decision? Is there a mechanism for that?

Mr. Robin Cardozo: We don't have an appeal mechanism, simply because the grant cycles are so quick that by the time you appeal, you'd actually miss the next application deadline. What we did, though, is we advanced the notification so that people get to find out sooner now that they're not going to make it through the process, so they have time to regroup and rethink for the next application process. So, while there's not an official appeal, they get invited to apply again in the next round or any round in the future.

The Chair (Mrs. Julia Munro): Any further questions or comments? Mr. Barrett?

Mr. Toby Barrett: No, thank you, Chair.

The Chair (Mrs. Julia Munro): Well, then, seeing none, I want to thank you very much for coming and making yourselves available to the committee for questions and comments. We certainly appreciate the work you do on behalf of all of us. Thank you very much.

The committee will stand recessed until 1 p.m.

The committee recessed from 1028 to 1301.

UNITED WAY OF CANADA–CENTRAIDE CANADA

The Chair (Mrs. Julia Munro): Good afternoon, and welcome back to the Standing Committee on Government Agencies. This afternoon, we are going to conduct, further to our meeting this morning, by hearing from two stakeholders for the Ontario Trillium Foundation. We're going to begin with Mr. Al Hatton, president and chief executive officer of the United Way of Canada–Centraide Canada. Would you please come forward? Oh, and I'm sorry—Judy Baril, executive director, United Way of Leeds and Grenville. Pardon me.

Welcome to the committee. As you may know, you have 30 minutes for our discussion. You may choose to take part of that and then we will have questions from the members. Our rotation this afternoon will begin with the official opposition. Please begin when you're ready.

Mr. Al Hatton: Thank you, Madam Chair. We won't take half an hour; we'll take, let's say, 10 minutes, and then we'll open it up to proceed as you will.

Thank you, Madam Chair and members, for inviting us. It's a great pleasure for Judy and I to be here, because we've actually had a long relationship, right from the beginning, with Trillium Foundation.

Let me start by talking a bit about United Way–Centraide and our movement across the country, and the change we're going through, because pretty much everybody's had some experience with United Way, either by being asked to contribute or by getting involved and using those resources to invest in the community. So we're well known as an umbrella fundraiser, funding a number of agencies in local communities across the country and across Ontario.

Some years ago, though, we took a hard look at what was happening in the community, what was happening in our society and what was going on in our organization, and we felt it was really time for us to revisit our mission and rearticulate our purpose, in terms of fundraising and investing in the community. We went through quite a switch, focusing more on the investment side of where our resources are going and what impact they're having on people—less on the fundraising side. Of course, the fundraising side is critical; if we don't raise resources, then we can't do very much in the community, but rather really focusing on what long-term cumulative change we were making. So we revisited our mission and we've reoriented our organization in that direction. For a number of you who work in local communities, you might have seen the manifestation of that over the last four or five years.

My sense and our sense is that that's very much aligned with the purpose of Trillium: to really look at longer-term solutions, help individuals in community, draw partners together to use the dollars at Trillium to be able to impact on individuals and create longer-term change.

For us, one of the core features of that is collaboration and partnership. We have valued Trillium as a co-funder

and in a sense a co-planner in terms of drawing organizations together in the community, government, partners, the private sector and saying, "What are the priorities in this community and how do we co-invest, how do we work together, for larger, long-term impact?" I think the other feature of this different way of working is that we've got to be much more innovative. This is about, how do we use the resources we have more creatively? I think that's another area where the resources of Trillium based on feedback from citizens can be used for innovative solutions, and we're very much excited by that and have several examples of working with Trillium in that regard.

In a sense, both of our organizations are credible. When we're in the community, people know that we both have good management systems where we husband the resources well, and so I think when we come to the table together, either trying to solve a problem or draw partners together, people come. Sometimes they think, "Uh-oh, they're coming here because maybe they're going to cut off our funding." But after they're there and they see that we're actually trying to involve them in a solution and we're trying to encourage them to come together, that's very powerful. The combination, I think, of two credible organizations coming together actually starts to attract other resources from the private sector, from labour, it involves the academic community, it certainly involves local government; we can often draw provincial and federal departments and representatives together in a non-partisan way to say, "How are we going to actually tackle this?"

For us, I think the relationship with Trillium has allowed us to advance our agenda. One of the challenges in this new kind of work is that it's a lot more expensive. It's one thing to set up a food bank; to start to reduce poverty is quite a significantly different venture. It means we need a new staff complement; we need new skills in our staff; we have to draw a different kind of volunteer in. It's not just about raising the money; it's about, how do you actually work differently in the community? For those reasons and others I think the relationship for us and the importance of Trillium, especially as we enter the next phase of what's going on in the market and the impact that's going to have, I think, on organizations and individuals—it's only going to get tougher. So in a sense partnering with organizations like Trillium is, for us, critical for our success down the road.

I'm going to turn it over to Judy now for a couple of concrete examples and then we'll open it up for a general discussion.

Ms. Judith Baril: Thank you very much. My United Way is Leeds and Grenville, just outside of the city of Ottawa. In 2004, we applied for a grant from the Ontario Trillium Foundation on behalf of 17 small United Ways across the province. Those United Ways had never conducted community consultations, they all raised less than a million dollars, and we all served rural communities. So it was a really important request to the OTF, and we were granted those dollars. The $600,000 that we received was used over a 30-month period, and it was a four-phase project. The first phase was community consultations, which still surprises me when I say this. We had not really done that before. Each of us had served our communities for many, many years and had not really gone into communities and asked people what their problems were.

It was a really important information-sharing effort that we embarked upon. The importance of the collaboration, and we were a collaborative in the true sense of the word, the importance of coming together, was that we knew that a single United Way would not have the ability to do the work we wanted to do over 30 months. We had to work together. The Ontario Trillium Foundation was interested in seeing what our findings and our lessons would be at the end of our process, and so the two of us working together, the OTF funding that initiative and the United Ways, with my United Way in the lead, embarked on that journey.

The first phase that we went out with into the community was our community consultations, and it gave people an opportunity to talk about the dreams they had for their community, and they also told us about their problems. They told us that they felt that the United Way should be a leader in facilitating the change, which is a perfect fit for the transformation, the journey that we're on as a movement. United Ways were encouraged by the things that we heard in our community, and we moved forward. The conversations that we initially had have left long-lasting relationships for our United Ways all across the province. The United Ways that participated in the Community Matters project were north, south, east and west, all across the province, huge geographical territories in which that we conducted our surveys.

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We held 260 community consultations in our first phase and interviewed over 6,000 people, and we used an open-space concept which allowed every person in the room to share their opinions and their concerns and their worries with us.

The second phase was a survey phase that we conducted all across the province: 535 surveys were released in rural communities, and we achieved a 21% response rate, so we were very, very pleased with the rate of responses that we got back. The surveys actually were an important component of the work we did, because they helped us to actually flesh out the problems that not only affected families, but what they felt were affecting their communities as well, and they also helped us reaffirm what we had heard in our community consultation phase.

Phase 3, which happened 20 months into the process, was an opportunity to go out, an open invitation to people in all communities who were participating in town hall meetings. We had over 6,400 people who attended those meetings, and it once again helped us reaffirm what we had heard in phase 1 and phase 2. The people told us that they were hungry to have an opportunity to discuss their dreams and their fears. They talked about the real sense of isolation in rural communities, and we had a better

understanding that the big-city issues that we traditionally felt were happening in the urban environments were really affecting us in our rural communities as well.

What we did find as well was a real willingness for people to roll up their sleeves and make a difference and help us solve some of the problems that we were uncovering.

Across the province our findings were very similar: 13 out of 17 United Ways identified children and youth as their number one issue, and it made the top five in all other United Ways; 14 out of 17 identified transportation as either the number two issue in their community or the number three issue; and poverty-related issues, particularly access to affordable housing and access to services, hit 11 out of the 17.

Our seniors were very active in our process, and they told us about feelings of isolation, being trapped and forgotten in the rural communities.

Our rural youth told us about their feelings about being unsafe in some of their small communities. They shared concerns about drug and alcohol use. They talked about no affordable, nutritious food choices in their rural high schools. The youth were very articulate in the things that they were telling us and were very consumed by issues surrounding poverty.

The lesson we learned province-wide was that people living in rural communities were living in deeper poverty than their urban partners. The cost of competitive housing was trapping some rural dwellers in poverty and keeping them in those small communities. Some families were living in houses that didn't have running water. Access to transportation contributed to their high level of poverty; they just simply could not get out of the communities that they were living in. Even if they chose to stay and work in their own communities, there were no jobs and no affordable daycare for their children.

So, across the province, at the conclusion of our 30-month process, we're now in the process of seeking solutions in our communities. We've learned a lot of lessons. The people have told us what their concerns are. Our next phase of Community Matters will be going deeper rather than wider so that we can try to start developing some solutions for root causes of issues.

The rural poor told us that there was a lack of assets such as affordable or satisfactory housing that they were living with, lack of access to service, non-existent or sporadically available technologies and markets for them, and lack of skills and organizations in their community.

All United Ways are now working on a three- to five-year long-range plan, which we think dovetails perfectly with the standards of excellence that United Way of Canada has introduced to us, and working on issue-based funding solutions to problems across the province.

Immediate action has taken place in many of our United Ways.

Many United Ways are directly working now with transportation authorities to see if we can solve some of those transportation issues that we know are really devastating to rural residents. We are facilitating opportunities for groups to come together, and we're determining targeted action strategies across the province. We're providing education and knowledge-sharing opportunities so that we can share the information that each of us have in our communities and try to build capacity in that sector. There are standing resource teams being developed all across the province within each United Way to help continue the work.

Town hall meetings, particularly for youth, are considered to be a priority.

United Ways have been asked to launch social planning councils in areas where they don't exist.

One United Way has opened up a homeless shelter in a small rural community, which was a very important initiative.

Youth symposia and summits are being held all across the province in rural communities, and United Ways have been able to use the information that we have to leverage resources to help us solve our problems.

I can't stress how important the OTF funding was to us. We simply could not have done the work that we did without it, and I think it made a profound difference in every community that partnered. I think the lessons that we've learned have also affected the larger United Ways that weren't part of the Community Matters project, and we've started having an open dialogue all across the province with small United Ways and large United Ways.

Thank you very much.

The Chair (Mrs. Julia Munro): Thank you. I think that gives us about six minutes per caucus. We'll begin with Ms. MacLeod.

Ms. Lisa MacLeod: Thanks, both of you, for coming from eastern Ontario today to the big city of Toronto. I made the trip myself just yesterday.

I have a question that maybe you can answer. Does the United Way both receive Ontario Trillium Foundation grants and also work with community partners in obtaining Ontario Trillium grants? If I could use an Ottawa example, would our new youth treatment centre qualify as something that you would raise money for, as a United Way, and then not directly receive the OTF grant, but the community organization would? So, you've been both a recipient, then, and you've been—

Mr. Al Hatton: Yes, absolutely, depending on the issue. Sometimes we'll start a process with an organization, with a number of organizations, and we'll identify a number of funders, one of which could be United Way, or maybe, in some cases, not. Maybe it's a question of getting two or three government departments to work differently together. We're doing a whole myriad of things, because the issue is less about the funding and more about what's actually possible to make a longer-term change in the community. In the past, we wouldn't have done that, but that is more and more what we're doing in partnership with any number of organizations. But there aren't that many that actually have resources that can be brought to bear quickly. Usually, when a problem is identified, it's often those first couple of grants that get people moving, and then you can attract

more resources because you have some progress. People get involved and they start seeing a solution coming and they say, "Okay, now I don't mind funding this. I can actually see this solving a problem."

Ms. Lisa MacLeod: With respect to the funding received for the 17 United Ways, and that was $660,000—and it was a consultative process that gave you feedback, I guess, to set up your own strategic plans throughout the province—would any of those, or even the Leeds-Grenville United Way, have received additional Trillium grants or Trillium funds?

Ms. Judith Baril: The collaborative grant that we received was a province-wide grant, so it was a different source of funding than the local community grants. Some of the United Ways that were part of the 17 of our collaborative had received Trillium dollars before. They weren't currently receiving Trillium dollars when they were part of the collaborative that we were working on, but it's a different source of money. The community dollars, the region dollars, that are coming out with the grant review teams are different dollars than the pot that we were funded with from the province-wide grant.

Ms. Lisa MacLeod: In terms of both pots, what would the impact be—and maybe I'll direct this to you, Al—throughout Ontario, on all of the United Way's operations? How much would you consider has been taken in through Trillium grants, regardless of the pot which it comes from?

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Mr. Al Hatton: There are two different parts to your question: One is an amount, and the other is, what does it go for?

Ms. Lisa MacLeod: Essentially just in terms of the amount and what it has helped you accomplish.

Mr. Al Hatton: Well, it's probably in the millions. I don't know; probably the staff could tell you—maybe $5 to $10 million over many years, I think in four or five areas.

One is actual programming solutions working, like I say, in partnership with other organizations; that would be one. In some cases strengthening our capacity: sometimes strengthening our capacity through new software, through helping a number of agencies work together on evaluation and outcome measures. You could fund each one of them individually; it makes more sense to either fund us or fund us with one or two and create a training program for a whole bunch of others, depending on the community.

In other cases, it's actually helping the United Way be more effective in terms of how it does consultation in the community, how it works on social research. We know there's a problem here, but we don't know the extent of it; it's anecdotal. We have to validate this, and we don't have those resources. With Trillium support, we can actually validate this, and then it becomes a lot easier to attract other dollars, because you can actually prove it. So there are several ways in which I think Trillium has helped local United Ways.

As far as all the United Ways in Ontario, I think of primarily Community Matters, from an overall point of view, and probably 211, the idea of having a service that people could call in to and get information on any service in a community across Ontario. We're doing that across the country, but the funding from Trillium was instrumental in having us think for all of Ontario about how to execute that program. We would not have been able to do that without those resources. It would have been a question of either those well off doing it first, or some doing it and some saying "We can't even begin." When we got that money from Trillium, we were able to get everybody involved. It has a significant impact both individually on United Ways and collectively.

Lastly, we use Community Matters now without costing anybody anything to help other rural and remote communities, especially in the west, to really see what they can do by working together and using dollars they hadn't conceived of before in a more creative way. Judy gets called all the time, and two or three other of the real leaders of Community Matters, about "How do you do that?" from other parts of the country. There's another kind of result as a result of that that doesn't cost the taxpayers of Ontario anything.

Ms. Lisa MacLeod: My final question, Madam Chair, was, we had spoken at lunchtime about how this Trillium Foundation money actually creates quite an impact nationally.

Mr. Al Hatton: Absolutely.

Ms. Lisa MacLeod: Even though it's used locally here in Ontario, the funding in your organization of the United Way is actually making a national impact. That's why I'm glad you touched on that, so thank you very much, and safe trip home tomorrow.

Mr. Al Hatton: Thank you.

The Chair (Mrs. Julia Munro): Thank you. We'll move on to Ms. Gélinas.

M^me^ France Gélinas: Good afternoon, and thank you for coming. I'm delighted that you could make it to Queen's Park today.

Certainly United Way–Centraide is an agency that I've always very much admired. You do beautiful work and you have helped a lot of people in need, so kudos to you. My riding is Nickel Belt, which takes in the surrounding areas of Sudbury, so we're served by Sudbury United Way–Centraide. Our executive director is Glenn Thibeault; he's excellent and has been able to increase the amount of donations coming in to our United Way that it could distribute. Up to a year ago, I was the executive of our local community health centre and a recipient—one of the United Way member agencies. Our homeless program was supported in large part by the United Way. Here again, thank you from many different hats.

I'm interested in the Community Matters story. When was this project completed?

Ms. Judith Baril: It was completed in 2007. It was a 30-month project, and our final report was sent in at the completion of that on behalf of all 17 United Ways.

M^me^ France Gélinas: Okay. I realize not everybody—but basically three of the top priorities were children and youth, transportation and poverty. Certainly in my riding, that resonates as the top three for us, too. Since 2007, would you say that things have changed, improved, differed, or would you still keep them the way they are?

Ms. Judith Baril: I would still say that in my community, children and youth is the number 1 issue. I think we have made major inroads in helping some of the young people with some of the concerns that they identified. One of the biggest concerns was that they felt they didn't have a voice, so our youth summits have played a critical role in giving them that voice. We have established a youth-to-youth board with representation from all of the high schools serving as a junior board of the United Way, and we've also made links back to the mayors and the reeves in each of the communities so that young people in each of the rural communities feel they can go and talk to their reeve or their mayor and share some of their rural concerns.

Giving them a voice was huge for them. It was something that they identified—they didn't think anyone wanted to hear from them and they didn't think anyone cared, so we've made major inroads in making sure that that is happening.

M^me^ France Gélinas: Very good. If we go to priority number 3, which is poverty—which was the objective that our funding used to fall under because Sudbury also had poverty as one of their priority funding allocations—in your community or through the Community Matters story, have things changed in that priority area?

Ms. Judith Baril: In my community, we're fairly stable with our economy right now. There are other communities where I think it could be worse. Mine is about the same; the level of poverty has remained the same. There is still certainly a lack of jobs in our community, there is a lack of transportation to get people to jobs and a lack of affordable daycare for people who want to get a job. Unfortunately, when you live in small, rural communities, you really do sometimes get trapped. That was something that we heard over and over again, that they lived in a small community where the rents were cheaper, but they couldn't get out of them.

So we're trying to network with local community colleges to do some outreach training rather than have people come into a college. A drive from one area in my geographical region to a community college is about an hour and 15 minutes. That's a long way to go just for an evening course or some kind of a course to better yourself. But if the community college reaches back out to that community and offers something in that community, it's going to benefit tremendously.

We're working on strategies around that. I think we're having some success. Give me another six months and I'll be able to tell you whether it's working.

M^me^ France Gélinas: That's very good news. I have no doubt that once United Way sinks its teeth into or focuses on an objective, they usually move it forward.

Do you know if this has been the case for the other 16 or 17 that were part of Community Matters?

Ms. Judith Baril: I think that there are strategies happening within each of the United Ways that were partners with us in the collaborative. I think some of the issues that have come up in those communities have led United Ways down different paths. Our focus in Leeds and Grenville has remained children and youth and poverty-related issues. Probably 50% to 60% of the United Ways are still focusing on those issues. Others are trying to deal with other issues that have presented themselves in their community. Poverty-related issues are still one of the top five priorities within all 17 United Ways.

M^me^ France Gélinas: It is in my riding also. When the back-to-school allowance and the winter clothing allowance got clawed back from people on Ontario Works and the Ontario disability support program, our United Way actually stepped in and leveraged donations from big corporations, like Wal-Mart and Business Depot etc. They were able to put together 500 backpacks to help those families who didn't get the back-to-school allowance any more, to help those kids go back to school with new backpacks and new shoes. It was certainly very appreciated from the kids and the poor families in my riding.

Again, thank you very much for the good work that your agencies do. Just for my own knowledge—

The Chair (Mrs. Julia Munro): You're running out of time.

M^me^ France Gélinas: Am I?

The Chair (Mrs. Julia Munro): Yes, you are. Do you have a quick question?

M^me^ France Gélinas: Yes—

Mr. Al Hatton: And a long answer. That's a great—sorry.

M^me^ France Gélinas: United Way Canada: Are your members each local United Ways or are they just the 10 provinces?

Mr. Al Hatton: No. Each local United Way is independent. They all have a vote and they're all—size doesn't matter; they're all equal. Well, size does matter, but from another point of view, not in terms of voting.

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M^me^ France Gélinas: How many are in Ontario?

Mr. Al Hatton: There are 46, I think—45 or 46.

M^me^ France Gélinas: Out of, Canada-wide—

Mr. Al Hatton: Out of 120, so a little less than half.

M^me^ France Gélinas: Very good. See? That wasn't that long.

The Chair (Mrs. Julia Munro): No. That was good. Thank you very much, and we'll turn now to Mr. Leal.

Mr. Jeff Leal: Welcome, Mr. Hatton and Ms. Baril. I know you both work with Len Lifchus, who is the executive director in my riding—

Mr. Al Hatton: A very, very quiet unassuming character, right?

Mr. Jeff Leal: Absolutely correct—and does a wonderful job.

Two quick questions, Ms. Baril. When you were doing the collaborative across Ontario, I heard you mention a daycare. Through that process, was the need for physical daycare spaces identified, as opposed to—there is the libertarian philosophy out there that says you provide somebody with a tax credit or something for $1,500 or $2,000 to go find a space, but is it the physical space that was identified as a real need in the community?

Ms. Judith Baril: Yes. A lot of our small, rural communities that are in Leeds and Grenville did not have what we consider to be enough daycare spaces, so we worked with our local Y, which services all of Leeds and Grenville, and we convinced them to go out and start some daycare facilities in those smaller communities. We identified the community where the need had been identified to us and those daycare spaces within private homes. I think there are five daycare spaces in each of the daycare providers now being provided in those communities.

Mr. Jeff Leal: My next question is—I know transportation is always a challenge in rural Ontario—has the United Way collectively talked to the Minister of Transportation and the Ministry of Transportation to look at an amendment to the Ontario motor vehicle act? There is a real interest, I know. Right now, we have large fleets of school buses in the province. They're used in the morning and then they're utilized again in the afternoon. So there is some thought that that is a resource out there that could potentially be used to provide those transportation alternatives, particularly in rural Ontario, but there would be a need to amend the motor vehicle act in Ontario. Are you maybe going to talk to Mr. Bradley about that in MTO?

Mr. Al Hatton: What a great idea; it's a great idea. I'm not sure—I don't think we have actually, Jeff, but I think it's a really interesting idea. In Kelowna, BC, one of the things they did as a result, in the city, of transportation challenges, was—they actually allow people who are seniors and disabled to travel on the buses at off hours for free, because nobody is on them anyway. It's fantastic. It cuts down the amount of traffic during rush hour and solves a problem for them, and they're usually more flexible anyway. So it's a situation where, by the United Way meeting with the poverty and homelessness group and then the transportation authority and the city, they came to this solution. It really doesn't cost anybody anything.

Mr. Jeff Leal: I know there are a lot of small operators out there in the school bus business who would relish the opportunity to provide those additional services to a part of the community that really needs that transportation.

Mr. Al Hutton: It's a great idea.

Mr. Jeff Leal: So it's up to you to get after my friend Bradley.

The Chair (Mrs. Julia Munro): Further questions? Comments?

Mrs. Maria Van Bommel: Thank you very much. That's fine.

The Chair (Mrs. Julia Munro): All right. Thank you very much. That concludes the opportunity that we have, and we appreciate your coming.

Mr. Al Hutton: Thank you.

ANISHINAABEK MUSHKEGOWUK ONKWEHONWE LANGUAGE COMMISSION OF ONIATARI':IO

The Chair (Mrs. Julia Munro): Our next presenter is Mr. Amos Key Jr., the commissioner and treasurer, First Nations languages director and former executive director of the Woodland Cultural Centre. Good afternoon, Mr. Key, and welcome to the committee.

Mr. Amos Key Jr.: Good afternoon, Madam Chair.

The Chair (Mrs. Julia Munro): As you may appreciate from being here, you have 30 minutes. You can make comments, and then we'll divide the remaining time amongst the members here. So whenever you're ready.

Mr. Amos Key Jr.: Thank you for this opportunity to present before the standing committee this afternoon our relationship and our partnership with the Ontario Trillium Foundation.

Remarks in Cayuga.

In my language, I just wanted to thank my Creator for bringing us here together as one and for bringing me safely here, and hopefully he'll see my way home carefully as well. I wanted to greet you in my language to give you an understanding of my passion for my language and what value it has for my people in Ontario.

Again, I'd like to thank you for this wonderful opportunity to present to you this afternoon. I bring with me 30 years of experience working for my people in this province. I'm the new 25-year-old age group—I've been at it for a while.

I'm going to speak to you about a couple of initiatives. One is about the Woodland Cultural Centre, where I'm employed as the First Nations director. Also, I want to speak to you about a new institution that we've developed called the Anishinaabek Mushkegowuk Onkwehonwe Language Commission of Oniatar':io. We have two folios there for you to look at.

In Ontario, there are 134 First Nations communities, as you know, and all the urban centres as well. We have our Friendship Centres and other groups functioning to service our community.

Using my own quiet diplomacy, I have found like-minded people to help create a language commission for the first time in this province.

My experience comes from working in community radio and also working and communicating using my language. I'm proud to tell you today that I helped found a going concern: a private school board that speaks in two languages, Cayuga and Mohawk, and English as well, as a second language there. So it's a bilingual education system. The outcomes for us have just been tremendous. When I look at the dropout rate of our students, which generally in this province is more than 50%, I

really value our bilingual education system because of our track record right now with our graduates and our retention rate. Our dropout rate is less than 2%, so it speaks loudly for the kind of efforts that we're trying to do.

The commissioners who helped to look at the commission had to look at what it was that we needed in our community and our society and how we were going to manage and organize ourselves. So we decided to incorporate our group into a language commission. We looked at the number of languages that we wanted to represent in this province, and then we also looked at terminology that's used in an English context of who we are. So when we looked at ourselves using our own languages—we don't just live in a culture; we live in civilizations. That's a real paradigm shift for lots of people to understand, not only in this province, but in the country. There were civilizations here that had all the hallmarks of other civilizations in the world, including our own intelligence, our own logic, our own concepts and our own theories. Those come from our multi-dimensional languages. I know, speaking English as well as my own languages, for me, and those of you who have done any reading in English, it's so one-dimensional and linear, whereas my languages are multi-dimensional. They also have a spiritual context as well as a practical context, and we're missing a lot of that in just studying English. That's why we tried to set up this commission: to look at what it is that we need to do to encourage our partners in this province and nationally to look at a bilingual education policy for us as well, as opposed to having just one for our francophone brothers and sisters in this country and in this province. We want to mirror some of those efforts. We've been talking many times to a lot of our partners in the country and with our francophone brothers and sisters about the outcomes of bilingual education, and some of those are the same as we're getting from our tiny school board in southern Ontario, as well. Those are the kinds of things that we want to raise capacity with.

In setting up the commission, we represent three civilizations, which you might know as Ojibwa, Cree and Mohawk. Those are anglicized terms for us, but when we go to our own language, we look at Anishnaabe, Mushkego and Onkwehonwe peoples. So there's going to be a change of lexicon, hopefully, in the government and for ourselves, because we've been relegated to using those terms as well. For instance, my people are Cayuga people in English, but in my language it's Gayogohono, the people of the pipe. Those changes really need to be understood to understand our social fabric and our civilization.

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With setting up our mandate and looking at our future, we've been very thankful that we've crossed a bridge with a partnership with the Ontario Trillium Foundation. What they've done is given us a commitment for a multi-year agreement to build our capacity as a commission. On August 28, we opened up our directory offices at Ohsweken, Ontario. I was just telling some folks as well last evening that it was profound for us to open it on that day because it was the anniversary of the "I have a dream" speech from Dr. Martin Luther King. I echoed those words at the opening as well. Of course, that evening, Obama accepted the—so it was kind of a profound road for me that day. It was a great day of celebration for us. We never would have gotten there had we not had the partnership with the Ontario Trillium Foundation, who are really encouraging us to create this capacity and to have longevity.

With that, we've also just recently, as of two weeks ago, received our charitable designation, so now we have a foundation arm as well, so we're going to be working towards that end as well.

Those are the kinds of things that we want to do with the Trillium Foundation. Hopefully, as it matures, it will perhaps inform and influence social policy in this province as coming from the languages perspective of who we are as First Peoples in this province. So with that kind of quiet diplomacy, we're organizing ourselves and moving forward.

The diplomatic side: We've been endorsed by the Chiefs of Ontario in assembly. They've endorsed the establishment of this commission at arm's-length, similar to what a crown corporation would be to the government of any province, or the crown in Canada. We're really glad that they've seen that and looked at us as moving that forward.

We received a three-year commitment of just over $400,000 to move that forward, and we'll be speaking with our partners in education in this province and with the department of Indian affairs as well. So we're going to create this momentum.

This excitement is really going forward. It's really interesting talking to our own people about the notion of having more than just a culture and that we do have a civilization. Our youth are really looking at that as something that they want to explore more.

My other movement that I'm trying to champion with York University is to have Ontario's first master's and Ph.D. in indigenous thought, rather than just indigenous studies, in which we would study our logic, concepts and theory. I grew up in a time in the 1960s and 1970s when I was told that my logic, concepts and theory were nothing but myth, folklore and legend. We want to spin that around now and share the value of that, that it isn't just myth, folklore and legend. Those are concepts and theory that we believe in, how we evolved as First Peoples, or as a people in this part of the continent.

Those are the kinds of things I'm really excited about. I'm sure the language commission will be able to inform that as well.

The other group I work with is the Woodland Cultural Centre. You have another portfolio that I passed out. They have received over the years—the last decade, I think—some $140,000 or $145,000 in grants from the Ontario Trillium Foundation also for capacity building, infrastructure, to create a ramp and those kinds of things, and programming for youth, because we have a tour program there as well from the First Nations perspective

and the residential school perspective as well. The Woodland Cultural Centre closed in 1969 and became a cultural centre in 1972 on those grounds in Brantford, Ontario. That's my host employer. They're very thankful, too, for the Ontario Trillium Foundation.

In First Nations communities, we've always grown up thinking, and we've been told by several regimes, that we're the responsibility of the federal government, and we don't have a partnership with the province. But that's changing now with groups like the language commission and the outreach of Ontario Trillium Foundation. Those kinds of things are marrying really well for us in the community, and we're just now starting that. That's why we appreciate it. We're a stakeholder of the Ontario Trillium Foundation, and we hope that will continue.

So that's a little bit about what I do and the work that we're doing with the Ontario Trillium Foundation.

I know as well from meeting with them and developing our proposal for a multi-year agreement about the list of other groups that they've helped in the province. I know some of the organizations and agencies that they've assisted as well in First Nations communities, both urban and on-reserve. It's pretty impressive, some of the things that they are doing with some of the funding from the Ontario Trillium Foundation. Again, it's with the backdrop that we are always told that we are a "federal responsibility"—whatever that means. There are so many definitions of that. But now, I think, with the outreach of Ontario Trillium Foundation, that's changing, and I think you're going to see a lot of people come to the table trying to create a partnership, just like we did with the Woodland Cultural Centre and the Ontario Trillium Foundation.

Those are my words today. Thank you very much.

The Chair (Mrs. Julia Munro): Thank you very much, and we'll begin our questioning with the NDP. Ms. Gélinas.

M^me^ France Gélinas: Thank you. Aaniin. My name is France Gélinas, and I'm from Nickel Belt, which is in and around Sudbury in northern Ontario. I raised my family in and around Whitefish, next to the Atikameksheng Anishnawbek. The kids from the First Nation came to school, and we had an Ojibway teacher at the school. First they thought they would take all of the kids from the First Nation aside for one hour a day to teach Ojibway. Then the parents got together and said, "This would be good teaching for all of the kids in there," and we started doing that. At Christmas, it was really cool. We always had a play in Ojibway by the kids, and some were kids from First Nation and some were not.

I live in rural Ontario; the school is closed, and some of the good programs that were specific to that school also closed. I'm certainly interested in knowing, because I lived through that experience and I saw the positive effect it had, is this the type of programming that could come from the new language commission?

Mr. Amos Key Jr.: Yes, that's what we're trying to do. We're trying to organize and inform the policy makers about that. Right now we are working with the Ministry of Education in creating that partnership. We want to be able to inform them. We want to be able to commission reports and academic and scholarly study, longitudinal as well, about the outcomes of acquiring or mastering a second language.

In our communities, we all went to English immersion, if you will. I knew my language when I went to school and I was into English immersion. So it didn't take anything away from me; it added to my life. But the government thought the other way; they thought that we shouldn't have languages. So you have a couple of generations now that have no language at all. Those are the ones that are hungry to try to hear and use the language. That's why we're trying to look at whether there is a willingness in this province and this country for all the stakeholders and partners and policy-makers to look at a bilingual education policy for us, because our early research is saying that the outlook and the outcome are positive.

I don't know whether that answered your question, but that's the kind of thing we want to do as a language commission.

1350

M^me^ France Gélinas: Very good. I can tell you that I'm from the francophone community, and when we got our own school board and when we got our own school, it made such a difference in the health of the francophone population. It belongs to us; it is run by us; it is for our children. It makes a world of difference. It has changed the francophone community in Ontario, and I have no doubt that it would do the same thing for the First Nations communities. I can tell you that you will have the support of this party to go along with those ideas.

I know you've mentioned a few times that you are the responsibility of the federal government, whatever that means. You did get a grant from the Trillium Foundation, and I'm very thankful for this. This is a very good program, and I'm glad it is there and it exists. But this is a one-time grant; it will end in another three to four years. How come the aboriginal affairs ministry didn't fund this on a continuing basis? How come you had to go through a grant?

Mr. Amos Key Jr.: I'll tell you: Because it's all about pro-English; it's pro-crown. They assist us with as few dollars as they possibly can. The department of Indian affairs is about English education; it's not about bilingual education for our people. So their policy right now states that it's an English education system.

In order for us to be funded for our bilingual immersion school board, our parents had to pull their children out of school. It took some physical demonstration, and then they reacted, of course. It's always a bad thing to do, I consider. I think if you can be informed, if you have conversations and then use the models that are already existing, like the francophone community, then I always ask, "What's wrong with this picture? Why can't we have the same?" That's my pet-peeve question. If you see my writings, I always ask that question: "What's wrong with this picture?"

I just love the passion of the francophone community in this country because they're able to retain their language. I just say, "Well, what happened to us?" I'm fortunate that I speak my language, and in my age group I'm one of maybe 10% who speak my language in my civilization, which is Onkwehonwe, or the Six Nations. It's like that in the north as well; it's getting like that in the north. The only ones who are holding their language at this point are the Cree and the Oji-Cree, which is a marriage of two languages. But you can talk to their technicians, and they're losing their language quickly as well. They're losing all of the nuances of their environment up there that's contained in their language.

The Chair (Mrs. Julia Munro): Sorry, we must move on. Mrs. Van Bommel.

Mrs. Maria Van Bommel: Thank you for coming. Meegwetch. I just want to go a little further with what Madam Gélinas started on, and that is the retention of the language. I know from my own experience in my riding, if I go to the school at Walpole, they're trying to teach the language again. You see little signs on everything. They're trying to teach the young people. But one thing that they noticed there as well, and I think that's what started all of this, was that their language rested with the elders. There's a whole generation in the middle that didn't have the languages, as France talked about, and they talk about trying to keep that. I also have Kettle and Stony Point First Nation in my riding, and they have a radio station that they are now using to try to broadcast to their people and to the outside community so that everybody understands what's happening there. Part of that is also language and preservation of the language.

But because the language resides with so few people, that so few are left who understand and speak the language, are you doing anything with the commission in terms of preservation, of recording the language, the stories that are part of your civilization?

Mr. Amos Key Jr.: Yes. In Ontario there's a network of cultural centres as well. Woodland is one of them. Since the beginning of my tenure there, I've made it a point to record verbatim all the ceremonies and as many stories as I can. We have digitized on computer, audiotape, all the music that goes along with the ceremonies, so that if you were to listen to them, you'd swear that you were right in the ceremony. That's how generous the elders were who gave us those recordings. There are centres like that in the province. One is in West Bay, the Ojibwe Cultural Foundation, Wikwemikong; in the north, the Nishnawbe Aski education authority is doing the same thing.

We want to be able to pull all those people together in a meeting and ask them what we need and do that kind of research, and then hopefully position ourselves with the new Ministry of Aboriginal Affairs. Hopefully, there's going to be a change within the department of Indian affairs as well. So what we're going to try to do with the commission is bring partners together and just rethink this so that we can enjoy a quality of life in this province that's also bilingual.

Mrs. Maria Van Bommel: You were talking about not just the language but the ceremonies and that. Is there an effort to teach the dances and recreate things like jingle dresses and that sort of thing for the young people, so they can enjoy what that means to them as part of their heritage?

Mr. Amos Key Jr.: Yes. We're collecting all those stories and we're encouraging—we have these celebrations called powwows in which you can actually practise a dance. So, yes, we're doing all those kinds of things. I invite you all to the great one at the SkyDome in Toronto at the end of November. I co-chair that festival. It's a humongous one. So people come there as well to see not only the dance, but the music and all art forms.

Mrs. Maria Van Bommel: And the food is great.

Mr. Amos Key Jr.: Yes. I helped to found the Canadian Aboriginal Music Awards, so that's part of that weekend as well. We're inducting Buffy Sainte-Marie. She's our first inductee into the hall of fame. So we're working at all those levels to raise the bar for ourselves.

The Chair (Mrs. Julia Munro): Any other comments? Mrs. Sandals.

Mrs. Liz Sandals: This is just fascinating. I've been looking at all your material here about the different language groups. Do you have any idea how many programs there are in schools associated with various First Nations where there is an emphasis on trying to preserve your language? I understand that your model is quite unique, but in other schools, are there other models?

Mr. Amos Key Jr.: The Chiefs of Ontario have that data and we're going to transfer that to this commission. We just started our commission two weeks ago, so we're going to get all that information.

Mrs. Liz Sandals: Okay. We understand why you haven't got it all done yet.

Mr. Amos Key Jr.: A year from now I could tell you precisely, probably, off the top of my head. This is the kind of work we're going to start doing, and working with universities and all of that. Early data coming out of a longitudinal study that York University is doing suggests that a bilingual person has a better chance of staving off Alzheimer's because they have brain gymnastics going on, because they're thinking in two languages. So just the health of that is something to investigate.

Mrs. Liz Sandals: And in your particular case, thinking in two cultures is even more complicated.

Mr. Amos Key Jr.: That's right. So there are some early studies that we're going to try to do with our people, as well.

Mrs. Liz Sandals: And will you be sharing that information with the Ontario Ministry of Education?

Mr. Amos Key Jr.: Yes. Because they have a new framework as well. So we've been talking with those folks as well.

Mrs. Liz Sandals: That's actually what was going on in the back of my mind: How does the work that you're doing mesh with the aboriginal plan within the Ministry of Education?

Mr. Amos Key Jr.: We've already met with them once, and we're going to create the partnership quickly and as strongly as it can be.

Mrs. Liz Sandals: Wonderful. Thank you very much for coming today.

The Chair (Mrs. Julia Munro): Mr. Barrett.

Mr. Toby Barrett: Thank you for coming, and thank you for the work you do on not only keeping some of the languages alive, but enhancing that, and also for your involvement with the Woodland Cultural Centre. I hope maybe some members of the committee have been down to the Brantford area.

1400

The Chair (Mrs. Julia Munro): Excuse me, could I ask you to move your mic a little closer?

Mr. Toby Barrett: I have trouble speaking English, let alone—but I do listen to CKRZ, the 100.3 radio station down in Six Nations, and I have my daughter listen. I enjoy the language program on there. It hasn't worked for me. Like I said, I have trouble with English; languages really aren't my thing.

Beyond that, we know there's involvement with McMaster and I think you mentioned York. What are we doing with some of the elementary schools or even at the secondary level as far as teaching some of these languages or getting kids involved in, as you say, not only the language but other things too, the way of thinking?

Mr. Amos Key Jr.: I think that's where the commission can start massaging and informing the Ministry of Education as well that there are some folks who want to have more language in their programming. Also, we have to inform Indian Affairs, who are on-reserve, as well. Those are the kinds of things with the new framework from the Ministry of Education on aboriginal education. When we sit down and start going forward together, we're going to inform each other about what needs to be done, so I think we're going to see a big improvement. As part of this framework, they've reduced the number of students required to host or promote a native-as-a-second-language course in a school system down to eight that would qualify for a subject course. It used to be 15; you had to have 15 students to make the program, but now it's reduced to eight. So they're making some changes like that. Now, with computer technology, that can be across the whole school board. If you had one student in this school in grade 3 and another one in another school but they were in the same school board, you could marry all of them through the computer system and do whiteboard technology to teach them in real time.

Mr. Toby Barrett: This summer, I was in Navajo country in northern New Mexico and learned a little bit more about the Navajo code speakers and their very important role during the Second World War. I think many know that story; a film was made. I wonder, what is being done in the United States, or even, say, with Mohawk or Cayuga in New York state, as far as language?

Mr. Amos Key Jr.: The United States has a bill on native languages that was passed, I think, in the last decade—I can't remember when—but the loophole with that, or the downfall of that, was that there were no resources attached to that bill; it was just that you can have a native language education. The next thing is, whatever happens in the United States, however they move funding or commit funding to that bill, that's what has to happen next. So we're doing the same kind of thing in Ontario as well, trying to identify or at least inform policy-makers that there needs to be some funding attached to whatever policy we set up.

Mr. Toby Barrett: Maybe a last question on the Woodland Cultural Centre: Has the funding for that been from the federal government? One reason I ask is, is it adequately funded? I'm thinking of security, for example. Things happen. I think there was a case just a year or two ago. Have we got proper security on locks, doors, windows and all of that to—

Mr. Amos Key Jr.: No. I'm sad to say that that program within the department of Indian affairs has been flatlined for 20 years. It has not had an increase. Just in the last three years they gave it a cost of living, but it doesn't talk in real dollars about program improvement, so we've had to cut a lot of staff and lay off staff as well.

Another grant the Woodland Cultural Centre got from the Ontario Trillium Foundation was to create a living and performing arts centre. To do it, we marketed and stacked some funding to do a feasibility study that cost us $100,000 six years ago. Our local MPP, Dave Levac, stopped into my office and said, "Let's try to resurrect that feasibility study." So what we're going to do now is, because the buildings are old, roofs are leaking—it's like that at every museum in Canada, if you really read the data on it, but ours is no different—we're going to try to tweak that feasibility study to include the museum and galleries for this performing arts centre. We're going to then launch a huge capital campaign to create Ontario's, and Canada's, first living and performing arts centre for First Peoples. It's called TNT, the Northern Thunder, as a working title for it. But it might become the BMO centre, or RBC. Who knows?

So we're involved with that too, to try to create and raise the arts as well. There are some great artists in our community as well, but there's no venue for them, except if they want to come to Toronto. Then they're on a docket with everyone else, using the facilities here. The only one that's close to us with that kind of vision is probably the Banff Centre, the aboriginal program over there. But we want to have one here in Ontario. In my issues paper, when I was creating it for my board, I said, "It can be what Shaw is to Niagara-on-the-Lake and what Shakespeare is to Stratford, and then we can market it internationally as well as a destination for First Peoples in this country."

Mr. Toby Barrett: It sounds good.

The Chair (Mrs. Julia Munro): Thank you very much for coming. Our time is up, but we certainly appreciate the opportunity you've given us to hear what you're doing.

Mr. Amos Key Jr.: Thank you very much. Thanks for inviting me.

SUBCOMMITTEE REPORT

The Chair (Mrs. Julia Munro): Members, I would ask you to refer to your agenda. You will note that the first item on the second part of our afternoon agenda is the report of the subcommittee. I would ask Ms. Van Bommel—

Mrs. Maria Van Bommel: Thank you very much, Chair. You'll find the report of the subcommittee in front of you at the table, and I move its adoption.

The Chair (Mrs. Julia Munro): Is there any discussion? If not, all in favour? Opposed? The motion is carried.

INTENDED APPOINTMENTS

DALE HEWAT

Review of intended appointment, selected by official opposition party: Dale Hewat, intended appointee as member, Human Rights Tribunal of Ontario.

The Chair (Mrs. Julia Munro): We will now move to the next part of our agenda, which is the appointments review.

Our first interview is with Dale Hewat, intended appointee as member, Human Rights Tribunal of Ontario. Good afternoon, Ms. Hewat. Please sit wherever it's convenient for you there. As you may be aware, you have an opportunity, should you wish to do so, to offer some comments to the committee. Subsequent to that, we will have questions from the members of the committee. Each party has been allocated 10 minutes, and the government's time will be that which remains of the time you use. Today our questions will commence with the third party. So if you're ready, you may begin.

Ms. Dale Hewat: Thank you, Madam Chair, and members of the committee. I will take the opportunity to make an opening statement.

This past Sunday, in the heat, I was running the Terry Fox run—along with probably thousands of Canadians, and maybe some of you—doing the 10K, and I completed it. But I had an opportunity during that run to contemplate—I'm a runner, so I always use it to contemplate things—how I would approach today's interview. I understand, and know, that you have already interviewed a number of appointees and have my application before you.

I want to focus on two things, the first being why I applied for the position of vice-chair at the Human Rights Tribunal of Ontario, and the second, based on the job descriptions for the vice-chairs, the skills and requirements, to explain why my legal and life experiences make me qualified for the position.

I still actually have the original career advertisement from March 30, 2007—I have it somewhere in here—that I ripped out of the Ontario Reports. At the time, I had been home for a number of years, primarily managing our family of four children—we now have a dog; don't ask me why—and I was involved in various community, school and philanthropic activities. But I had been seriously thinking about how much I enjoyed being neutral. I was interested in alternative dispute resolution mechanisms, so the advertisement of the vice-chair position at the Human Rights Tribunal immediately appeared to me as an opportunity to resume my career.

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Just as general background, I've always had an interest in human rights, dating way back to law school, which was 1986. I graduated from the University of Western Ontario. I was fortunate to be awarded the Sher Singh Prize in Civil Liberties for a paper that I wrote on discrimination on the basis of disability and the duty to accommodate, and from that award I received a scholarship to attend a two-week training program on human rights in Canada, in Prince Edward Island. I worked at CLEO, Community Legal Education Ontario, which I'm not sure exists any longer, as a summer student and prepared and researched papers on mental health issues and human rights issues in the workplace. One of my favourite memories in undergrad was at CHRW, the University of Western Ontario radio station, where I was able to interview Alan Borovoy, who at the time was head of the civil liberties commission of Canada.

So, getting to the job description: Generally looking at it and reviewing it, but not covering everything, as a vice-chair I would be required to adjudicate and mediate disputes, conduct hearings, make rulings, write decisions in an organized and timely way, and consider alternative ways to resolve disputes. I would also be required to be objective and fair, consider conflicting evidence, and also always be sensitive to the tribunal's mandate and core values for a fair, open, accessible process and to provide an opportunity for fair, just and expeditious proceedings for the resolutions of applications under the code.

In terms of my own skills and requirements, I have the legal background, as a lawyer practising primarily labour and employment law, in which I dealt with administrative law issues and human rights issues, both as an associate at Fraser and Beatty, which is now a different firm, Fraser Milner Casgrain, and as in-house counsel for Humber College between 1990 and 1995. More importantly, I have the relevant adjudicative experience, from both my time as a vice-chair at the Ontario Labour Relations Board and as a Ministry of Labour-approved private arbitrator between 1995 and 2002.

So I have conducted a number of hearings; I have engaged in dealing with a wide range of issues, some involving very contradictory evidence, requiring me to make decisions on credibility. I've chaired hearings involving unrepresented parties, single parties and multiple parties. I have acted as a single vice-chair and also been a vice-chair on a panel of three in a tribunal. I've case-managed: When I was at the Labour Relations Board, vice-chairs did not engage in mediation, but I did case-manage and issued a number of decisions, after hearing submissions, either verbal or written, to order specific information from the parties within certain timelines so that I could organize the case and run an expeditious hearing. I've written numerous decisions, none of which

have been appealed. Looking back at some of those decisions, I believe they were organized, they were understandable, they appropriately dealt with the law and evidence before me, and they were issued in a timely manner, particularly where time was of the essence. I've engaged in mediation with parties as a private arbitrator and, in terms of other training, completed the Harvard model of mediation course with the Advocates' Society of Ontario and taken a tribunal training program with the University of Western Ontario.

More recently, I've joined with a company called CenterPoint Inc. on a fairly part-time basis. It's a dispute resolution company. My main role has been to help provide two-day training courses on a method of dispute resolution and facilitation called corporate circles. Last year, I had the honour of being able to sit on a panel and present the notion and model of corporate circles at last year's Ontario Bar Association ADR annual meeting.

So to sum up, as a person, I feel that I'm open-minded. I'm willing to take on new responsibilities, to learn. I think it's an exciting time for the Human Rights Tribunal. A lot of time and effort has gone into creating the legislation. Stakeholders have given a lot of input. I'm excited to have the opportunity to be part of that process. I'm confident that I can ensure neutrality and objectivity and be sensitive.

I'm happy to address any questions you have with regard to my qualifications for the position.

The Chair (Mrs. Julia Munro): Thank you very much, and we'll begin with Ms. Gélinas.

M^me^ France Gélinas: Good afternoon, Ms. Hewat. It's a pleasure to meet you.

Ms. Dale Hewat: Thank you.

M^me^ France Gélinas: I must say that you look very qualified and competent to do the position that you've applied for at the Human Rights Tribunal. I would have two quick questions for you. The tribunal has a mandate to offer services in French. Are you in a position to do that?

Ms. Dale Hewat: No, I am not.

M^me^ France Gélinas: Okay. And just your knowledge of—a part of Ontario which is close and dear to me is northern Ontario—the situation and activities in northern Ontario: Have you had any dealings in northern Ontario? Have you done work with groups from northern Ontario?

Ms. Dale Hewat: A number of years ago, I did a couple of labour arbitrations—I'm not sure how far north in northern Ontario—in Sudbury—I know Ontario goes a lot farther north than that—but not recently.

M^me^ France Gélinas: Okay. Those were my two questions. Thank you.

The Chair (Mrs. Julia Munro): Thank you very much. Mrs. Van Bommel?

Mrs. Maria Van Bommel: I want to thank you, Ms. Hewat, for appearing before this committee today. I can tell by the fact that you have four children that you probably have lots of exposure to arbitration and litigation.

Ms. Dale Hewat: I was thinking of putting that in. I've honed alternative dispute resolution—family.

Mrs. Maria Van Bommel: I was going to say sometimes that's the most challenging of all that you'll experience. Thank you very much.

The Chair (Mrs. Julia Munro): Anything else? Okay. Ms. McLeod?

Ms. Lisa MacLeod: Welcome. Thanks for coming. Just to follow up with something my colleague from the New Democrats said, she had asked you if you were able to adjudicate in French and she also wondered if you knew a little bit about this vast province we've got. I just want to make a comment and it is not to you, it is actually to the government.

My concern is with the amount of Human Rights Tribunal appointees we've brought before this committee. A large number are from Toronto. Right now, we've got somebody before us who is from Kathleen Wynne's riding of Don Valley West in Toronto. Somebody can correct me if I'm wrong, but we don't have a francophone member on this committee.

Interjection.

Ms. Lisa MacLeod: We do? Because I remember my colleague asking this several times throughout the previous deliberations and it's a big concern for folks in the city of Ottawa and I know in different parts of northern Ontario. I think if you're going to make the composition of a new Human Rights Tribunal, a new system of human rights in the province of Ontario, you're going to have to get it right. So I have a big concern there.

With the matter at hand—and I do appreciate you coming here today—it's no secret that the official opposition will be opposing and has opposed the Human Rights Tribunal as this new system is set up, and it's because we have a concern. We've had many of your future colleagues before us in this committee who have refused to answer on issues of conscience. In fact, it actually made it into a Globe and Mail article.

Today in the newspaper, the National Post is writing about the Ontario Medical Association's opposition to the Ontario College of Physicians' response to the Ontario Human Rights Commission. Are you aware of this issue?

Ms. Dale Hewat: No.

Ms. Lisa MacLeod: The Ontario Human Rights Commission came forward and said that "doctors, as providers of services that are not religious in nature, must essentially 'check their personal views at the door' in providing medical care."

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A man whom I deeply respect in the city of Ottawa, Rabbi Reuven Bulka of the Congregation Machzikei Hadas, pointed out—and this is not a direct quote, but I will give Hansard the direct quote—that this could be applied to doctors who not only refuse to prescribe birth control pills or do fertility treatments for same-sex couples, but it would also impact those who refuse to offer referrals to doctors who do those things. Rabbi Bulka, who is a man of great stature in the city of Ottawa, says, "Referring is just a way of sloughing off your responsibility. If you're opposed to these things, referring is the same as taking part in the evil."

I'm wondering if you have a position on the Human Rights Commission of this province forcing physicians to undertake practices that they do not deem conscionable?

Ms. Dale Hewat: I haven't read the newspaper article, and that's a lot of information for me to analyze. The medical profession has its own disciplinary board. I'm not sure if that's correct, and—

Ms. Lisa MacLeod: In this case, actually, what has happened is that the Ontario Human Rights Commission has heavy-handedly so-called "encouraged" the college of physicians to redraft its human rights code. They've come out with a draft policy entitled Physicians and the Ontario Human Rights Code. It deals with physicians' obligations with respect to engaging in medical acts to which they may have a conscientious objection and referring patients for such procedures. I think it's a simple, straightforward question: Do you believe that physicians should be respected for their own conscience, or do you think that the Human Rights Commission must tell individual physicians that they must work on or refer a patient, even if they do not deem it conscionable?

Mr. Kevin Daniel Flynn: On a point of order, Madam Chair: With the scarcity of information that's available on that, I think it's very unfair to ask somebody, who has come here to be asked questions by each member of the party about their qualifications for a job, something specific to a judgment based on very scant information.

Ms. Lisa MacLeod: Madam Chair, if I may respond to that?

The Chair (Mrs. Julia Munro): Yes. We'll just hear one person at a time. Thank you.

Ms. Lisa MacLeod: In terms of this, I think I've made it quite clear throughout the deliberations with the Human Rights Tribunal that this is a brand new human rights system with a massive number of appointments being made—I believe 22 over the course of the summer. We are creating a new system and it is important that the people of Ontario, including this Legislature, understand what direction this tribunal will take in terms of its decisions, whether that is three months from now, six months from now or two years from now. Some of these are so subjective, some of the decisions that these previous commissions have been making, that I think it's important that we understand what individuals' philosophies are.

Mr. Kevin Daniel Flynn: My point is, you don't get a person's philosophy out of giving them three sentences and asking for their judgment in a hypothetical case.

The Chair (Mrs. Julia Munro): Thank you very much, Mr. Flynn, and thank you, Ms. MacLeod. It is my judgment that the opportunity to provide something in Hansard with regard to a newspaper article is fair enough to offer, but it's also an opportunity for the individual to suggest, as she has, that she is not fully informed about this. So I would ask, having made public the information that has troubled you, which is the important point on your side, that Ms. Hewat have the opportunity in this process to explain her position on the particular issue. I'd ask you to move on, if you have further questions.

Ms. Lisa MacLeod: I think that just about says it. I'll leave with one final quote from Sean Murphy of the Protection of Conscience Project. This is a group that tries to protect the rights of health workers. He said of the new document, which the Human Rights Commission has sort of forced upon the college of physicians: "It's more clear in this document that the bogeyman is the Ontario Human Rights Commission." Thank you, Madam Chair.

The Chair (Mrs. Julia Munro): Any further comments? Seeing none, thank you very much for coming, and we will move on to the next appointment.

SARI SAIRANEN

Review of intended appointment, selected by official opposition party: Sari Sairanen, intended appointee as member, Workplace Safety and Insurance Board.

The Chair (Mrs. Julia Munro): Our next interview today is with Sari Sairanen, intended appointee as member, Workplace Safety and Insurance Board. Good afternoon, and welcome to the committee. As you will have observed, we have 30 minutes. You are able to make a statement during that time. We will then have questions from the members in rotation. If you are ready?

Ms. Sari Sairanen: I am certainly ready, and I do have an opening statement that I'd like to make. Thank you, and good afternoon, Madam Chair and committee members. I thank you for this opportunity to speak on the appointment, my background, my interests, my values and how I can contribute to this appointment.

I am originally from Finland. I came to Canada as a young child. I grew up in Saint-Jean, Quebec, in a francophone town, and then spent my formative years in Winnipeg. From there, I went to the University of Winnipeg. I studied economics and French, and then I went to Université Laval to further my studies in economics. I did a double whammy; I did that in French in graduate school. After about a year, I returned to Manitoba and went to the University of Manitoba to further my studies.

It was during my course of studies at the University of Manitoba that I was introduced to occupational health and safety, and that area has interested me since. As I mentioned, I did graduate work at Université Laval, and that's what I continued doing at the University of Manitoba. My thesis work investigated the hypothesis that when you have unionized, organized labour jurisdictions, that would interpret itself into safer workplace environments. I used Canada and Finland as a study ground, Finland having a very high density of unionized workplaces compared to Canada.

After my studies, I was hired by Air Canada as a customer sales and service agent and thus became a unionized member, part of Canadian Auto Workers. It was through my affiliation with Canadian Auto Workers that I was able to move into different elected positions. I started out as health and safety, I moved on into collective bargaining and then I ended up being the president of

the airline local, representing roughly 10,000 airline workers across Canada, the majority of them being in Ontario.

It was during this period that I was fortunate, and unfortunate, to be part of the restructuring of the airlines. As you know, Air Canada in 2003 filed under the CCAA protection program, and that became a very unusual existence. You were sort of in a fishbowl, not only by your own membership but also by the media and the business community, of "How do you restructure a legacy carrier like Air Canada?" It was a very stressful time for myself and for our members in finding that medium that allowed us to survive and have jobs to go back to. It was fascinating to participate in the debates as well as the actual bargaining itself. It's not always easy when you're not in control of your own destiny, when you have a judge who is appointed, as well as a money individual; once the assets of the employer are locked down, how the assets are divided or shared equally as best they can be among all of the stakeholders.

All of these interests, not only my thesis work but also my involvement in Air Canada, gave me a great understanding and appreciation of public policy, of how public policy has to balance the interests of the different stakeholders, whether it's the employer priorities, the community at large or the labour rights. It is a fine balance, and you find that fine balance by having good dialogue and open dialogue with all of the stakeholders.

That ends my opening remarks.

The Chair (Mrs. Julia Munro): Okay. We'll go to government members. Mrs. Van Bommel?

Mrs. Maria Van Bommel: We have no comments and no questions. Thank you.

The Chair (Mrs. Julia Munro): Ms. MacLeod.

Ms. Lisa MacLeod: Thank you very much. We appreciate you attending here today. I just have one question for you. Our labour critic in the official opposition, Bob Bailey, has raised an issue in the Legislature this past spring about bringing the Auditor General in to look at the financial affairs and other funding situations at the WSIB. I'm wondering if you believe that the Auditor General should be allowed into the WSIB to do independent investigations.

Ms. Sari Sairanen: What would the investigations be on? Are there specific areas that they'd be looking at? Or was that just in general saying that there's something rotten in the house?

Ms. Lisa MacLeod: The Auditor General—my colleagues can correct me if I'm wrong; there are a few of us who used to be on public accounts—will go into different government agencies and different government departments to look at their operations, how they spend their money. There was a concern earlier in the year, I'm not sure if you're familiar with it, in the spring, where I believe it was the chair who had spent a lot of money on hospitality in the national capital. I think that was the issue, to see if we could actually go in to make sure all the dollars were accounted for.

Ms. Sari Sairanen: I'm aware of the criticism that was in the press on that as well. I think everybody should be accountable equally. If there are other agencies as well that have any public criticism on how funds are spent, I think people as individuals and as public servants certainly do need to be accountable for it. Sending the general accountants, the agency, in to look at expenses—is there no other way of doing that?

Ms. Lisa MacLeod: I don't think it would just be expenses in terms of making sure that all the money that's allocated to the WSIB gets to the people—

Ms. Sari Sairanen: But is that not accounted for on a yearly basis?

Ms. Lisa MacLeod: I guess it's in the eye of the beholder how that's accounted for. My colleague Randy Hillier, who sits on this committee generally, at last committee said, "WSIB actually encourages employers to be deceitful or cheat on the system instead of reporting minor incidents or accidents, just because the cost and the process is onerous. There's a quote from the president of the Ontario Federation of Labour saying exactly that: 'We have a system that encourages employers to lie and cheat to WSIB.'"

We had the OFL president here yesterday; it would have been good to have him here today. I'd like your comment on that: Is that something that you believe is a prevalent belief among Ontarians?

Ms. Sari Sairanen: I think we're all accountable to the taxpayers for how we utilize funds if you are in the public arena.

Ms. Lisa MacLeod: Thank you.

The Chair (Mrs. Julia Munro): Thank you very much. Ms. Gélinas.

M^me^ France Gélinas: Thank you for coming, and welcome to Queen's Park. I appreciate the time you've taken to explain your background to us and find you very brave to join an organization such as the WSIB.

There have been changes to the act with Bill 185, specifically about the deeming. Before, injured workers could have been deemed to have found work when really they hadn't. This was repealed in the act by legislation, but there seems to be a culture within the WSIB that still continues the old practice. Are you aware of it and are you aware of what you're stepping into?

Ms. Sari Sairanen: I'm very well aware of it. As you've probably seen from my resume, I'm the national director of our health and safety department for the Canadian Auto Workers, so I deal with workers' comp. issues at all of the provincial levels across the country. Certainly deeming is not an easy topic for any of our jurisdictions, and certainly our injured workers in Ontarians feel very negatively towards deeming, that you're deemed to do a certain job even though your qualifications are much broader than that. That goes into different arenas of it. I understand that it is a very hot issue, a very contentious issue and a very profound issue for injured workers, how you address it and how you balance that interest with all of the stakeholders.

M^me^ France Gélinas: I wish you luck with your new appointment. Certainly, if you can do anything to change the culture, it would be greatly appreciated by this party.

Ms. Sari Sairanen: Thank you.

The Chair (Mrs. Julia Munro): Thank you very much. That concludes the questions from the members. We appreciate you coming here today. Thank you.

Ms. Sari Sairanen: Thank you for your time.

The Chair (Mrs. Julia Munro): Members, I have learned that we are going to have to take a recess for a few minutes. I'm going to ask that you be back by 3. We will recess between now and 3 o'clock.

The committee recessed from 1434 to 1502.

The Chair (Mrs. Julia Munro): Good afternoon. We are going to resume the Standing Committee on Government Agencies and the appointments review.

FAISAL BHABHA

Review of intended appointment, selected by official opposition party: Faisal Bhabha, intended appointee as member and vice-chair, Human Rights Tribunal of Ontario.

The Chair (Mrs. Julia Munro): I would now ask that Mr. Faisal Bhabha come, who's the intended appointee as member and vice-chair, Human Rights Tribunal.

Welcome to the committee. As you may know, you have an opportunity to make some statements. We have 30 minutes in total, and the time that you take will be deducted for the government members. We will go around in rotation, and we will start with the official opposition. You may begin as soon as you're ready.

Mr. Faisal Bhabha: Good afternoon. I'm delighted to be here today and to have the opportunity to speak with you about my qualifications and my interest in this tribunal.

Let me tell you a little bit about myself. I was born outside of Toronto to a francophone Québécois mother and an immigrant South African father. Both were newcomers to Ontario and had settled in Toronto, which, 40 years ago, was just beginning to evolve into the multicultural city that it is today.

My understanding and appreciation of human rights and anti-discrimination was ingrained in me from a young age, as I watched both from afar, the struggle to bring an end to apartheid in South Africa, and from close up, the successes of Canada's proactive approach to embracing diversity and enhancing equality.

After completing my B.A. in history and political science at the University of Toronto, I began law school at Queen's University in Kingston. I had spent my whole life in and around Toronto and deliberately sought out the new experience of life in a smaller Ontario city.

After my second year of law school, I decided to take some time away from studies to travel and to gain some hands-on experience doing international human rights work. I ended up spending two years in the Middle East, where I worked with organizations on both sides of the Palestinian-Israeli conflict.

I returned to Canada to complete law school and began my articles with a prominent labour law firm in Toronto. During my articles, I first began to learn about human rights litigation in Ontario. Representing unions, I saw how sometimes employers were the respondents in complaints and at other times it was the unions. I learned very quickly that human rights are not partisan or ideological and that thinking about it in terms of good guys and bad guys would not get one very far.

Following my call to the bar, I began practising with a small firm specializing in human rights practice, which was, and I think still remains, an underdeveloped area of specialization. My practice was overwhelmingly on the complainant side, largely because the firm's motto of accessible justice meant that we filled a vacuum in legal services for individuals who had nowhere else to turn for representation.

I was known in my firm as someone who could handle the most difficult client and who could find common ground amid the most intractable problem. It was always my view as an advocate that 90% of the time negotiations have a far better likelihood of yielding a mutually satisfactory result than litigation. This was a philosophy I put into practice in my cases, with I think a pretty good rate of success.

In addition to my role as an advocate, I also wore the hat of a non-partisan human rights expert. I was involved in consulting projects for the Accessibility Directorate of Ontario and for the Canadian Human Rights Commission. I was appointed amicus curiae, or friend of the court, in a case before the Nunavut Court of Justice involving a Charter of Rights claim on behalf of a seriously disabled aboriginal child against the government. The court appointed me as an expert to provide an objective perspective on the charter equality issues in the case. In this role, I had to gain the trust of both sides—the government and the family—and I played a significant role in helping bring them to a mediated settlement before the case even got to court.

I've also appeared as counsel representing public interest interveners in two charter cases before the Supreme Court of Canada. My expertise in human rights and anti-discrimination work earned me an appointment to the equity advisory group of the Law Society of Upper Canada, which is the governing body of the legal profession in Ontario. I've also been invited to speak at numerous public legal education events concerning anti-discrimination, constitutional law, disability, access to justice and multiculturalism.

After practising law for a few years, I decided to return to the academic arena to take some distance from my experiences as an advocate and to complete a Master of Law degree at Harvard. Pieces of my research have been accepted for publication as articles in journals like the Queen's Law Journal, the McGill Law Journal and the Supreme Court Law Review. I also spent three months as a visiting researcher with the Centre for Applied Legal Studies in Johannesburg, South Africa. I benefited greatly from the comparative perspective of seeing how that country, which has very young human rights institutions, has sought to address its deep historical inequalities. I was also surprised to see how much

South Africa has borrowed from the Canadian charter and from our human rights jurisprudence.

In sum, I'm confident that I would practice fair and impartial adjudication as a vice-chair with the Human Rights Tribunal and I look forward to the opportunity to fulfill this important and honourable public function.

I'd be pleased to take your questions now.

The Chair (Mrs. Julia Munro): Thank you very much, and we'll begin with Ms. McLeod.

Ms. Lisa MacLeod: Thank you very much, Madam Chair. I appreciate you attending here today. You said your mom was francophone. Are you able to deliberate in French and in English?

Mr. Faisal Bhabha: No. I'm comfortable in conversational French, but I've never studied in French or practised in French.

Ms. Lisa MacLeod: So it would be an impediment, then, to actually adjudicate in French?

Mr. Faisal Bhabha: I'm not sure what you mean by an impediment.

Ms. Lisa MacLeod: I guess you won't be able to adjudicate in French.

Mr. Faisal Bhabha: No.

Ms. Lisa MacLeod: Okay. I apologize if that was misconstrued.

I just want to make another point to the government: again, another Toronto appointee who isn't able to communicate in French.

I want to talk a little bit about your work with the Ontario Human Rights Commission that you've done in the past.

Mr. Faisal Bhabha: Sure. Just to clarify, I'm able to communicate in French. I wouldn't be able to adjudicate in French.

Ms. Lisa MacLeod: Okay, you can't adjudicate in French.

I would like to know a little bit more about the nature of the work that you've done with the Ontario Human Rights Commission. I see that there's a scholarly publication, Human Rights Issues in National Security: An Inventory of Agency Considerations. This was a report for the Canadian Human Rights Commission in June 2007.

Mr. Faisal Bhabha: Yes. I've never done any work for the Ontario Human Rights Commission.

Ms. Lisa MacLeod: Just the Canadian Human Rights Commission.

Mr. Faisal Bhabha: Yes.

Ms. Lisa MacLeod: I notice in terms of national security, you have written about three publications with respect to that issue: balancing human rights with national security.

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Mr. Faisal Bhabha: I've published I believe two articles in legal journals and co-written that piece for the Canadian Human Rights Commission, which was commissioned by the commission.

Ms. Lisa MacLeod: Did each of the articles have similar conclusions and recommendations?

Mr. Faisal Bhabha: No. I would say that each of the three pieces was very different in orientation and consideration. They all looked at questions of the intersection of human rights and national security, but the purposes of the projects were different and thus the conclusions were different.

Ms. Lisa MacLeod: Could you tell me a little bit more about the report in June 2007 on the human rights issues in national security and inventory of agency considerations?

Mr. Faisal Bhabha: The report is one that I co-authored with a number of my colleagues. I can't even remember how many of us are listed as authors on there. My contribution to that report was very minor, and it consisted of some of the contextual factors to consider when balancing human rights protections and national security imperatives.

Ms. Lisa MacLeod: Okay. Could you be more explicit about that?

Mr. Faisal Bhabha: I helped to sketch out some of the broader factors to consider when looking at the balance between equality and antidiscrimination in particular in the application of the law, the development of important national security initiatives to ensure that the country is safe and, in navigating that terrain, how to reach the right balance in promoting a society that is both equal and safe.

Ms. Lisa MacLeod: Just out of curiosity, there is another article that you had written in 2003: Tracking "Terrorists" or Solidifying Stereotypes? Canada's Anti-Terrorism Act in Light of the Charter's Equality Guarantee. Could you give us the conclusion to that report? What did you find in terms of tracking or solidifying?

Mr. Faisal Bhabha: It wasn't at all a report; it was a scholarly article. I was examining what was at the time still a bill, which was the proposed Anti-terrorism Act, which contained amendments to the Criminal Code and other legislation. I was speculating on what impact the adoption of this act might have on people from certain communities who might be adversely affected by the application of that act.

Incidentally, one of my predictions or observations was subsequently confirmed in a case where a court struck out part of the definition of "terrorist activity" on the basis that it violated the charter.

Ms. Lisa MacLeod: I just have two quick questions. One is, with this appointment, will you continue your work with Bakerlaw?

Mr. Faisal Bhabha: No.

Ms. Lisa MacLeod: Okay. So that will end when you begin employment?

Mr. Faisal Bhabha: It will end in approximately two weeks or so.

Ms. Lisa MacLeod: Okay. And the final question is: I thought I may have heard, but I wasn't sure, that you have lived in parts of Ontario other than just Toronto?

Mr. Faisal Bhabha: Kingston.

Ms. Lisa MacLeod: You lived in Kingston.

Mr. Faisal Bhabha: Yes.

Ms. Lisa MacLeod: Okay, I wasn't sure. I thought you said it, but I didn't hear it. Thank you very much.

Mr. Faisal Bhabha: Thank you.

The Chair (Mrs. Julia Munro): M[me] Gélinas.

M[me] France Gélinas: Bonjour. Je vous ai entendu dire que vous pourriez parler français. Est-ce que ça va si je vous pose les questions en français?

M. Faisal Bhabha: Absolument. Mais peut-être que je vais répondre en anglais, si c'est d'accord pour vous?

M[me] France Gélinas: C'est pour vous. Ça ne me dérange pas.

La première, c'est que je ne sais pas comment prononcer votre nom.

M. Faisal Bhabha: Faisal.

M[me] France Gélinas: Bonjour, Faisal. Est-ce que, dans votre pratique et jusqu'ici, vous avez eu la chance de rencontrer des francophones et de les représenter, même si vous ne les représentiez pas en français?

Mr. Faisal Bhabha: Let me think. I have represented quite frequently people who speak English as a second language. Many of those, or at least some of those, would have been francophones. When I have the opportunity to represent somebody who speaks French as a first language—there's a lot to lawyering other than making legal representations in court and making arguments, so in the casual conversations, I use my knowledge of French as much as possible. I've worked with French-speaking colleagues. We had an articling student in our office last year who was a francophone, and we at times would converse in French. She was beginning to get us involved in issues of language equality rights.

M[me] France Gélinas: Est-ce que vous pouvez lire ou écrire le français?

Mr. Faisal Bhabha: Not so well anymore, because I'm out of practice.

M[me] France Gélinas: Du côté de votre connaissance de l'Ontario—moi, je viens d'un comté qui est dans le nord de l'Ontario qui s'appelle Nickel Belt. C'est autour de Sudbury. Je me demande si vous avez eu l'opportunité de venir travailler ou de représenter des cas ou des personnes qui demeurent dans le nord de l'Ontario.

Mr. Faisal Bhabha: No, I've never had the opportunity to work in northern Ontario. As I mentioned in my statement, I've spent time in the north, the Arctic, in the territory of Nunavut, working on the case that I've described. I've had the chance to travel through northern Ontario a fair bit; I've been to Sudbury, Thunder Bay and to other parts of the north. I think it's beautiful and I would love to go back again sometime.

M[me] France Gélinas: Lorsque vous avez fait application pour le tribunal, est-ce qu'on vous a demandé vos connaissances de la langue française?

Mr. Faisal Bhabha: Yes.

M[me] France Gélinas: Puis, est-ce que c'était une condition d'embauche ou quoi que ce soit?

Mr. Faisal Bhabha: I'm not sure I understand.

M[me] France Gélinas: Est-ce que c'était une condition d'embauche ou ce n'était pas nécessaire pour avoir le travail?

Mr. Faisal Bhabha: I know that it was a question that was asked and there was great interest as to whether I would be able to conduct a hearing in French, and I've indicated that my comprehension is fluent, or relatively fluent. I think it would be a challenge to—I think it's always a challenge to work in one's second language, and French is my second language. I wouldn't feel comfortable to adjudicate a case in French at this point. That's not to say that I couldn't—at one point in my life, I'm told by my mother, French was my primary language, at least the first language that I understood, and I suspect that it's somewhere deep inside, and perhaps it could be uncovered one of these days.

M[me] France Gélinas: Je vous remercie, monsieur.

Mr. Faisal Bhabha: Thank you. Merci.

The Chair (Mrs. Julia Munro): Thank you very much. Mr. Leal.

Mr. Jeff Leal: Sir, you have impeccable credentials and I think you could do a tremendous job with the Human Rights Tribunal, and we should be supporting you unanimously this afternoon.

Mr. Faisal Bhabha: I appreciate that.

The Chair (Mrs. Julia Munro): Thank you very much. I believe that concludes the questions from the committee. We certainly appreciate your being here today.

Mr. Faisal Bhabha: Thank you all for being here.

LORNE SLOTNICK

Review of intended appointment, selected by official opposition party: Lorne Slotnick, intended appointee as member, Human Rights Tribunal of Ontario.

The Chair (Mrs. Julia Munro): Our next interview is with Lorne Slotnick, intended appointee as member, Human Rights Tribunal of Ontario.

Good afternoon, Mr. Slotnick, and welcome to the committee. As you will know from observation, we have an opportunity to hear from you and then, if you should wish to, we'll have questions in rotation by members of the committee. So if you're ready, you may begin.

Mr. Lorne Slotnick: Thank you, and good afternoon, committee members. Thanks for the opportunity to be considered for appointment as a part-time member of the Human Rights Tribunal of Ontario. I have a brief statement, and then I'll be happy to try to answer any of your questions.

As you'll see from my resumé, which I believe you have, I have considerable experience in dealing with disputes about employment relationships, which are the source of a large majority of human rights complaints. I also have a wide variety of experience as an adjudicator and as a mediator. I have a law degree from the University of Toronto and was called to the Ontario bar in 1979. I have worked as a journalist, a labour negotiator, and for the past eight years I have run an independent mediation and labour arbitrations practice. I also served part-time for several years during the 1990s as an adjudicator with the human rights board of inquiry, which is the pre-

decessor to the current Human Rights Tribunal of Ontario.

The newly revised Human Rights Code mentions three criteria for appointment to the tribunal, and I want to highlight some of my background in light of those areas. First, the code calls for experience and knowledge of human rights law and issues. As I mentioned, I have adjudicated human rights complaints for the old board of inquiry. In addition, as a labour arbitrator, I have dealt with numerous cases that raised human rights issues, including accommodation of disabilities and workplace harassment. As a mediator under the Superior Court of Justice's mandatory mediation program in Toronto, Ottawa and Windsor, I've assisted the parties in settling many wrongful dismissal actions that include human rights aspects such as allegations of age discrimination or failure to accommodate disabilities.

Second, the code mentions an aptitude for impartial adjudication. As the committee members may know, labour arbitrators receive the bulk of their work by agreement between unions and employers to have a particular arbitrator hear a case. My arbitration practice depends on maintaining the confidence of both parties—unions and employers—and that I will be fair and impartial. My ability to establish and expand my labour arbitration practice is proof of my ability to be fair and neutral.

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Finally, the code calls for aptitude for applying alternative adjudicative practices. As you're aware, mediation is very prominent in the tribunal's approach to a caseload that is expected to increase dramatically under the new system. The first mediations I conducted were of human rights cases for the old board of inquiry more than a dozen years ago. Since then, I have mediated employment and labour disputes at the Ontario Labour Relations Board, auto insurance disputes at the Financial Services Commission of Ontario, complaints of professional misconduct at one of the health profession colleges, a wide variety of Superior Court cases under the mandatory mediation program and, of course, many union-management grievances.

I have also, on occasion, conducted short hearings where, as adjudicator, I've taken a more active role in narrowing issues and questioning witnesses than is traditionally used in lengthy cases. This is the kind of alternative adjudication that the tribunal wants to encourage. This broad experience in alternative dispute resolution will, I hope, be useful to the Human Rights Tribunal.

I want to end by saying that it was through my human rights work at the board of inquiry that I realized I could be an effective adjudicator and mediator. I now look forward to making a contribution to the tribunal at this interesting and exciting time in the history of human rights in Ontario.

The Chair (Mrs. Julia Munro): Thank you very much, and we'll begin our questions with Ms. Gélinas.

M^me^ France Gélinas: Good afternoon, Mr. Slotnick.

Mr. Lorne Slotnick: Hi.

M^me^ France Gélinas: Welcome to Queen's Park.

Mr. Lorne Slotnick: Thanks.

M^me^ France Gélinas: I'll ask the question I ask everybody who comes in front of this committee: Are you able to work in or speak French?

Mr. Lorne Slotnick: My French is too basic to run a hearing in, I'm afraid.

M^me^ France Gélinas: Okay. You know that the tribunal will be hearing cases from all parts of Ontario, which includes a part that's very near and dear to me, which is northern Ontario. I'm curious to know your dealings and the work that you have performed for, and in, northern Ontario.

Mr. Lorne Slotnick: Well, I've done hearings in my labour arbitration practice. I have done hearings in North Bay, Sudbury, Sault Ste. Marie, Timmins, Thunder Bay and a lot of the smaller centres also—New Liskeard, Cochrane, Sioux Lookout, Red Lake. I've been to northern Ontario many times, and I notice that you represent the great riding of Nickel Belt. For the last 25 years, I've been a frequent visitor to Nickel Belt because that is where my wife grew up and much of her family still lives. So I know your area of the province very well.

M^me^ France Gélinas: Very good. Those were my questions. Thank you.

Mrs. Maria Van Bommel: I want to just thank you, Mr. Slotnick, for coming here this afternoon. I certainly appreciate your taking your time.

Mr. Lorne Slotnick: That was an easy one.

Ms. Lisa MacLeod: You can always count on them to let a free ride be had. I'm just wondering if—

Interjection.

Ms. Lisa MacLeod: Pardon me?

Mr. Kevin Daniel Flynn: We just know quality when we see it.

Ms. Lisa MacLeod: Oh, yes.

I'm looking at your resumé. You've stated very clearly that you were only looking for a part-time position.

Mr. Lorne Slotnick: That's correct.

Ms. Lisa MacLeod: Can you state why?

Mr. Lorne Slotnick: As I mentioned, I have a labour arbitration and mediation practice, and I started that about eight years ago. I've built it up from scratch. I regard this as a complement to it, but I'm not willing to give up my labour arbitration practice.

Ms. Lisa MacLeod: Do you do any work with the Ontario government?

Mr. Lorne Slotnick: No. I do some work in the public sector. I've done arbitrations with hospitals, municipalities and so on, but I don't do anything with the Ontario government.

Ms. Lisa MacLeod: The other question I have: I noticed that you are doing work with the Canada Labour Code as a part-time adjudicator.

Mr. Lorne Slotnick: That's correct.

Ms. Lisa MacLeod: Are you going to continue to do that job or are you going to remove yourself from that?

Mr. Lorne Slotnick: No. I do adjudications under the Canada Labour Code. These are unjust dismissal alle-

gations and I'm the neutral adjudicator. At most, I probably do about five cases a year from that. I'm on a list of people who are appointed to those cases by the—

Ms. Lisa MacLeod: You will be holding the federal appointment at the same time you will hold the provincial appointment?

Mr. Lorne Slotnick: It's not really an appointment; it's just case by case—

Ms. Lisa MacLeod: Well, it says here on your resumé that it's "Appointments by federal Minister of Labour to adjudicate complaints of unjust dismissal," and today we're talking about an appointment. You hold a federal appointment according to your resumé, you're going to hold—as of probably an hour from now—a provincial appointment, and you do work for the public sector. I just wanted to be clear about that.

Mr. Lorne Slotnick: Yes. Just to clarify that, the appointments from the federal government are on a case-by-case basis. I'm on a list with the federal labour department, and they appoint me to occasional cases to hear allegations of unjust dismissal, which is under the—

Ms. Lisa MacLeod: Okay, but since 2003 you've had these appointments, and you expect in the foreseeable future you'll continue to have these federal appointments on a case-by-case basis?

Mr. Lorne Slotnick: Oh, yes.

Ms. Lisa MacLeod: Okay. I think that's about it. I appreciate you coming in. Thank you.

Mr. Lorne Slotnick: Okay, thanks.

The Chair (Mrs. Julia Munro): That concludes the questions. I appreciate you coming here today. Thank you very much.

Mr. Lorne Slotnick: Thank you.

The Chair (Mrs. Julia Munro): Our next interview is Justina Ray, the intended appointee as member, Committee on the Status of Species at Risk in Ontario. The time allocated is 4, so I guess we'll have to recess until 4, but perhaps if we can start at 10 to or something, we will. We'll stand recessed until 4.

The committee recessed from 1532 to 1536.

JUSTINA RAY

Review of intended appointment, selected by official opposition party: Justina Ray, intended appointee as member, Committee on the Status of Species at Risk in Ontario.

The Chair (Mrs. Julia Munro): Good afternoon. We're resumed. Our interview is with Justina Ray, intended appointee as member, Committee on the Status of Species at Risk in Ontario.

Welcome to the committee. You have the opportunity to make a statement, should you wish, and then we will have questions from the committee members after you've finished. Please begin if you're ready.

Dr. Justina Ray: Thank you very much. I'm honoured to be here.

I have a Ph.D. in wildlife ecology and conservation. My research career has spanned a number of environments: I started out in the tropical forests of Africa and have gone increasingly northward, and I have been planted for the past 10 years in northeastern North America at large, but predominantly northern Ontario. I don't plan to go any further north. I'm going to stay there; there's more than enough to keep me busy.

This breadth of experience has really exposed me to a huge diversity of both ecology and culture, so I have a lot of exposure to different organisms and I even once discovered a new species of shrew in Africa. But my specialty is mammals, a wide diversity of mammals from small to large.

My current position is with the Wildlife Conservation Society Canada, which is an NGO. But it's a little bit different; it's an NGO that specializes in science and undertaking comprehensive field studies that inform conservation and/or applying scientific information and expertise to relevant policy development or decisions happening at the community level, or broader scales.

I am also an adjunct professor at both Trent and the University of Toronto, so I have a lot of engagement with students.

My research and my conservation work does intersect with many species at risk. I am an active researcher, working specifically with caribou and wolverine these days in northern Ontario, and a little bit of my research is funded through the species-at-risk stewardship grant, which was just given this year and last year. I am on two recovery teams, one the wolverine recovery team here in Ontario, and I'm also on the Nova Scotia lynx and marten recovery team. I am a member of numerous advisory panels—I have been; some of them are not active any more. MNR advisory panels—I was on the one that helped develop the Endangered Species Act. I was also called on a small science advisory panel for caribou to evaluate the caribou recovery strategy. The Ministry of the Environment—I'm on, actively right now, the Lake Simcoe advisory committee for the Lake Simcoe watershed protection act. On the federal level, I'm on an Environment Canada science advisory team for caribou critical habitat. My primary research on wolverines and caribou that are active in the province right now is understanding basic information about distribution, working with the trapper community to solve issues of conflict, caribou monitoring—those kinds of things. Lastly, I have been simultaneously appointed to the federal body that is similar to this, the Committee on the Status of Endangered Wildlife in Canada, COSEWIC, and am about to start that appointment in January. Thank you very much.

The Vice-Chair (Ms. Lisa MacLeod): Thank you very much. The remaining time will be split between the three parties, starting with the government party, and I understand that my colleague Mr. Leal—

Mrs. Maria Van Bommel: Jeff, I think you would like to say something.

Mr. Jeff Leal: Ms. Ray, when I looked at your CV and your extensive background, I thought of Jane Goodall. I think it's a real asset for Ontario when some-

body with your great credentials applies to be on such an important committee—the species-at-risk committee. I know you'll do a really good job. Being the MPP for Peterborough, I'm glad that you spent some time at Trent, which has an international reputation through the DNA activity at Trent and looking at species at risk and that whole, wide range of our wildlife in Ontario. So I wish you well. You'll certainly be an outstanding member on this committee.

Dr. Justina Ray: Thank you very much.

The Vice-Chair (Ms. Lisa MacLeod): Okay. Any more questions?

Mr. Jeff Leal: No. Those were my five questions, Madam Chair.

The Vice-Chair (Ms. Lisa MacLeod): Excellent. Thank you very much.

I'll now ask my colleague from Simcoe—

Mrs. Julia Munro: Thank you very much. I actually wanted to step out of my role as Chair and ask you, particularly, about the fact that you are part of the scientific advisory committee working on the Lake Simcoe Protection Act, and my riding is the whole bottom half of Lake Simcoe.

I guess my question is really on the dilemma that I see with this, in the sense that most of the area is part of the GTA and therefore part of the huge pressures of growth. I've struggled with this, as the MPP, and I've had public meetings and things like that. I've always worked with the conservation authority and others on the issue surrounding the complexities, quite frankly, of the Lake Simcoe watershed area. So when I read your CV and saw that you had extensive work in parts of the province and parts of the country that aren't under the same population pressures—for me, this has always been the huge issue: how to balance. So I would like your comments from a scientific perspective.

Just by way of further introducing myself, I actually went into one of those landowner agreements with the conservation authority, where we took a piece of land that we recognized was intermittent wetland, and the amount of vegetative growth that's taken place there in four years is quite remarkable. That's obviously an initiative, personally. But I look at the hundreds of thousands of people who are going to call this area home. My question to you is: How, as a scientist, can you help us look at how we can stabilize, in terms of species, including the human one?

Dr. Justina Ray: To answer that question, I'll try to bring it back to COSSARO. As a scientist, I think there's a very important place for both diagnosing a problem and giving a clear indication of what it will take. Those steps need to be very separate from the very difficult decisions that are about the trade-offs and how much sacrifice will be made on either end of the spectrum, either to species at risk or to economic development. Those questions must be separate from the science.

COSSARO, as a body, is also separating some of those decisions by making a clear diagnosis of the assessment of a species, as to whether it is at risk or not. The recovery process is at the point where some of those decisions are made, but at least the science of having diagnosed that there's a problem does not get compromised.

So I see it as our duty, as scientists, to make very unfettered recommendations, to make sure there is at least some room for a clean diagnosis before the hard decisions are made, so that at least everybody is clear about what the trade-offs are going to be.

Mrs. Julia Munro: That's where I see the work that has to be done, obviously, so that at least there's a common body of the science—and then the issue of the trade-offs. Those become, might I suggest, harder decisions.

Dr. Justina Ray: They're harder, yes.

Mrs. Julia Munro: The focus is, through that piece of legislation, on that particular area, but I'm sure you would agree with me that there are many other places in the province where the similar kind of—

Dr. Justina Ray: Pressures.

Mrs. Julia Munro: Yes.

I think, then, that having your kind of expertise is obviously very important to providing people with the kind of balancing act that ultimately will be required—to be able to count on that kind of expertise that you obviously have.

I have no further questions. I appreciate the fact that you're going to be looking at the science around my neighbourhood. Thank you.

The Vice-Chair (Ms. Lisa MacLeod): That concludes the time allocated. We really appreciate you appearing before the committee today. You may step down.

Dr. Justina Ray: Really? That's it?

The Vice-Chair (Ms. Lisa MacLeod): You're all done.

Interjections.

The Chair (Mrs. Julia Munro): I was trying to give you the hand signals. We now have to deal with concurrences, so you may step down, and you may also continue the conversation at a later point. I had a feeling that you didn't realize there was a reason why the gavel hadn't come down.

Interjection.

The Chair (Mrs. Julia Munro): No, no. I was aware of my responsibilities here, and we have to now proceed to concurrences.

The first one to consider, then, is the intended appointment of Dale Hewat, intended appointee as member, Human Rights Tribunal of Ontario.

Mrs. Maria Van Bommel: Yes, I would like to move the concurrence of Dale Hewat.

The Chair (Mrs. Julia Munro): Concurrence in the appointment has been moved by Ms. Van Bommel. Any discussion?

Mrs. Liz Sandals: Recorded vote, please.

The Chair (Mrs. Julia Munro): Any other discussion? If not, all in favour?

Ayes

Flynn, Leal, Sandals, Van Bommel.

Nays

MacLeod.

The Chair (Mrs. Julia Munro): The motion is carried.

We will now consider the intended appointment of Sari Sairanen, intended appointee as member, Workplace Safety and Insurance Board.

Mrs. Maria Van Bommel: I would move the concurrence of the appointment of Sari Sairanen.

The Chair (Mrs. Julia Munro): Concurrence in the appointment has been moved by Ms. Van Bommel. Any discussion?

Mrs. Liz Sandals: Recorded vote, please.

The Chair (Mrs. Julia Munro): Any other discussion? If not, all in favour?

Ayes

Flynn, Leal, Sandals, Van Bommel.

Nays

MacLeod.

The Chair (Mrs. Julia Munro): The motion is carried.

We will now consider the intended appointment of Faisal Bhabha, intended appointee as member and vice-chair, Human Rights Tribunal of Ontario.

Mrs. Maria Van Bommel: I would move the concurrence of the appointment of Faisal Bhabha.

The Chair (Mrs. Julia Munro): Concurrence in the appointment has been moved by Ms. Van Bommel. Any discussion?

Mrs. Liz Sandals: Recorded vote, please.

The Chair (Mrs. Julia Munro): Yes, recorded vote. Ms. MacLeod?

Ms. Lisa MacLeod: Just to be consistent—I should probably have spoken up when the vote was taken with Dale Hewat—the official opposition will not be supporting those appointees to the Human Rights Tribunal of Ontario, on principle. As you will recall, during committee deliberations as well as House proceedings over the former Bill 107, which is now the new human rights system in the province of Ontario, we stood firmly against this and we are steadfastly opposed to this new system. We have many concerns, which I do not think have been addressed in the last three or four sessions of this committee, dealing with the appointments to the tribunal. That said, these people are good people; I know that they work hard for the province of Ontario. But it is based on the principle that we, in the official opposition, object to the Human Rights Tribunal and its appointees.

The Chair (Mrs. Julia Munro): Any other discussion? If not, all in favour?

Ayes

Flynn, Leal, Sandals, Van Bommel.

Nays

MacLeod.

The Chair (Mrs. Julia Munro): The motion is carried.

We will now consider the intended appointment of Lorne Slotnick, intended appointee as member, Human Rights Tribunal of Ontario.

Mrs. Maria Van Bommel: I would move the concurrence of the appointment of Lorne Slotnick.

The Chair (Mrs. Julia Munro): Concurrence in the appointment has been moved by Ms. Van Bommel. Any discussion?

Mrs. Liz Sandals: Recorded vote, please.

The Chair (Mrs. Julia Munro): Any other discussion? If not, all in favour?

Ayes

Flynn, Leal, Sandals, Van Bommel.

Nays

Barrett, MacLeod.

The Chair (Mrs. Julia Munro): The motion is carried. We will now consider the intended appointment of Justina Ray, intended appointee as member, Committee on the Status of Species at Risk in Ontario.

Mrs. Maria Van Bommel: I would move the concurrence of the appointment of Justina Ray.

The Chair (Mrs. Julia Munro): Concurrence in the appointment has been moved by Ms. Van Bommel. Any discussion?

Mrs. Liz Sandals: Recorded vote.

The Chair (Mrs. Julia Munro): Any other discussion? If not, all in favour?

Ayes

Barrett, Flynn, Leal, MacLeod, Sandals, Van Bommel.

The Chair (Mrs. Julia Munro): The motion is carried.

That concludes our business on intended appointments. Any other business? I would just remind the committee members that we will meet next Tuesday, September 23, at 9 a.m. in committee room 151. The meeting is adjourned.

The committee adjourned at 1549.

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