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

**Wednesday 21 November 2001**

## **Journal des débats (Hansard)**

**Mercredi 21 novembre 2001**

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## LEGISLATIVE ASSEMBLY OF ONTARIO

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON  
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES  
ORGANISMES GOUVERNEMENTAUX

Wednesday 21 November 2001

Mercredi 21 novembre 2001

*The committee met at 1003 in room 228.*

## COMMITTEE BUSINESS

**The Vice-Chair (Mr Michael Gravelle):** The government agencies committee has come to order. Good morning and welcome. We do have a little bit of business to do before we have our first appointment called.

The Clerk's office has been advised by one of the intended appointees, Mr Howard Whaley of the Cramahe Police Services Board, that he is not available to appear before the committee either today or November 28, but that he would be available to appear on Wednesday, December 5. The date of December 5 would fall beyond the committee's deadline for consideration pursuant to standing order 106, paragraph 10.

Therefore, I want to put a question to the committee. Does the committee agree to extend the deadline for consideration of Howard Whaley until December 6, 2001, pursuant to standing order 106, paragraph 11, which would allow us to call him here on December 5?

Is there any discussion?

**Mr Bob Wood (London West):** Agreed.

**The Vice-Chair:** Agreed? That's good news.

**Mr Wood:** On a point of order, Mr Chairman, while we're doing housekeeping matters: I would ask unanimous consent of the committee to extend the time for consideration of William Covello, an intended appointee to the Ontario Rental Housing Tribunal, by 120 days.

**The Vice-Chair:** And the reason is that Mr Covello is not well, I understand.

**Mr Wood:** That's correct. He apparently is ill and not able to attend at the moment before the committee.

**The Vice-Chair:** Is there agreement from all three parties?

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** You're asking for unanimous consent that it be extended by 120 days? Agreed.

**The Vice-Chair:** Agreed? All right.

## SUBCOMMITTEE REPORTS

**The Vice-Chair:** We will then carry on. We have a little bit of other business. We have a report of the subcommittee on committee business dated Thursday, November 8, 2001.

**Mr Wood:** I move its adoption.

**The Vice-Chair:** Mr Wood moves the adoption of the report. All in agreement? Carried.

We have a report of the subcommittee on committee business dated Thursday, November 15, 2001.

**Mr Wood:** I move its adoption.

**The Vice-Chair:** Adoption moved. All in agreement? Carried. Thank you very much.

## INTENDED APPOINTMENTS

## HARRY FINE

Review of intended appointment, selected by official opposition and third parties: Harry Fine, intended appointee as member, Ontario Rental Housing Tribunal.

**The Vice-Chair:** We will now move to our review of appointments for this morning.

Our first appointment is Mr Harry David Fine, intended appointee as member of the Ontario Rental Housing Tribunal. Welcome, Mr Fine. Please sit yourself down, and you'll have an opportunity to say a few words yourself, after which all three parties will have a chance to interview you.

**Mr Harry Fine:** Good morning, everybody. I'd like to thank you for allowing me this opportunity to come before the committee. I am pleased to have been considered for this appointment to this important and sometimes controversial tribunal. In the time I have, I'd like to familiarize you with my history and life experiences, which I think well qualify me to do an outstanding job as a member of the Ontario Rental Housing Tribunal. I'm confident that my appointment will assist the tribunal in dealing fairly and expeditiously with the very heavy workload that they find themselves under.

I was raised in a background of community service, both my parents passionate about the importance of involving oneself in the process. But while running a business and raising a family, it's sometimes hard to find time to contribute to public service. In May 2000, my father and I sold our family business, Bowlerama, which started in 1959 here in Ontario and grew to the point where we employed 600 full- and part-time people, people from all walks of life.

I was known as a leader of our industry and as a tireless worker on both the provincial and national boards of our trade association. In dealing with sponsors, staff,

customers and suppliers, I've always been known for my fairness; there had to be something in every agreement for all parties.

The purchasers of our company asked me to stay on as president for the new venture and I remained for a full year to ensure a smooth transition. But in June 2001, I left to face new challenges and perhaps take the time to do things I'd never found time to do in that demanding entrepreneurial life.

The first thing I did was to find some volunteer work, something I've always believed in passionately but never found time to do other than at the corporate level, where I'd worked raising money with wonderful organizations like the Big Brothers, Kids Help Phone and Variety Club of Ontario.

This past summer, I spent about 200 hours working with the physically challenged, both kids and adults. I found this tremendously rewarding, and I plan to continue helping those less fortunate throughout my future careers.

During the summer months, I also began to look for opportunities where I could contribute to the public good and was drawn to many opportunities that the agencies, boards and commissions of this province provide. Finding that there was a vacancy in the ORHT, I read everything I could about the workings of the tribunal and I attended hearings as an observer at the three Toronto regional offices.

I graduated from the University of Toronto in 1977 and went into the family business full time, building it into the largest and most successful bowling and recreation company in Canada. Many of the members of the Ontario Rental Housing Tribunal are lawyers, and some of you may be wondering if my experience running a business qualifies me for the sensitivity to all parties, the detailed analysis and thoughtful interpretation of statute that's required as a member of the ORHT. Anyone running a business will tell you that managing a business is all about managing people. Managing diverse opinions, creating consensus, listening to views and getting others to do the same was part of my everyday agenda.

The most challenging part of my work life has been in dealing with people, and certainly the most rewarding as well. Bowlerama operated in a very entrepreneurial, hands-on fashion, and that meant dealing with the public from all walks of life. I listened to my customers, not just about their problems getting strikes and spares, about which they all complained, but about their work, their families and their struggles to make better lives for themselves. I consider the skills I have in dealing with the public and being sensitive to their points of view one of my greatest strengths.

One of my most important roles in running that business in which most of our locations were leased was in working with landlords. I've spent thousands of hours negotiating, reading and drafting out lines for commercial leases. I have experience both as landlord and tenant, as we were in many cases the head lessor in properties with commercial leases under our control. My ability to

deal with complex issues, legal documents and issues surrounding leasing is quite strong.

I have lived all my life in Toronto and love its diversity and character. Part of appreciating that diversity is recognizing that we have people from all walks of life, from different countries, with different customs and from many different economic situations. We are not homogeneous, and one of the goals of a healthy society is to make sure we have room for everyone.

I understand that my job and the job of the tribunal is to exercise the statutory decision-making power as conferred by the Tenant Protection Act. However, there's latitude and discretion to be had while exercising that power, and I appreciate that my job is to make sure fairness prevails in the application of that act.

In conclusion, I'd like to thank the members of this committee for providing me this opportunity, and hope you recognize my commitment to fairness in the execution of my work as part of the tribunal.

**1010**

**The Vice-Chair:** Thank you very much, Mr Fine. We'll begin our interviews with the government. Any questions?

**Mr Wood:** We'll waive our time.

**The Vice-Chair:** We then move to the official opposition. Any questions on this side?

**Mrs Dombrowsky:** Good morning, Mr Fine. You indicated that because you had some spare time, you came to be interested in the role of the Ontario Rental Housing Tribunal. How did you find out about it? Did someone approach you? Did you approach individuals about it?

**Mr Fine:** I have a great interest. A lot of people I know work in government. My wife actually works as an EA to the MPP. Obviously, that allowed me to understand that these positions were available and to find out what they were all about.

**Mrs Dombrowsky:** So you have a family connection with your MPP.

**Mr Fine:** No. My wife works for an MPP.

**Mrs Dombrowsky:** Who would that be?

**Mr Fine:** David Young.

**Mrs Dombrowsky:** I see. Are you a member of a political party?

**Mr Fine:** I am a member of the PC Party, yes.

**Mrs Dombrowsky:** I see. Have you ever been either a landlord or a tenant?

**Mr Fine:** I have been a commercial landlord and tenant through my business, but not a residential one.

**Mrs Dombrowsky:** Do businesses approach the Ontario Rental Housing Tribunal?

**Mr Fine:** Businesses that are landlords certainly approach the tribunal. Generally it's tenants or individuals.

**Mrs Dombrowsky:** I'm interested in one of the statements you made with regard to your interest in ensuring that fairness prevails in the application of the act. I presume, since you've expressed some interest in this role and you've had the opportunity to attend some of the

tribunal meetings, that you might even have been inclined to read the act.

**Mr Fine:** I have.

**Mrs Dombrowsky:** Do you think it is fair?

**Mr Fine:** I think it's balanced. If you look at the whole creation of the tribunal and the amalgamation of several acts into the TPA, it's all about recognizing the realities of the day. I know that some people look at the Tenant Protection Act and look at the tribunal—certainly I've read references to it being called an eviction machine. The fact that people are evicted or that people have problems financially—those problems exist and they're very sad, and there are times when government should have a role. The question is: what is the role of the Tenant Protection Act and how do you balance the needs of the two parties?

In this country, we value and respect capital and the ability to invest capital to make money. I can pretty much be sure that any of the landlords who built residential buildings across the province did so not really thinking about themselves as philanthropists. When people build a residential building, a condominium or an office tower, they have a choice: they can run a business, they can put their money into mortgages or they can put their money in the bank. People who built residential buildings did so with an expectation of making a profit. I think we have to respect that expectation.

Many of them built those buildings in times when government was in the business of subsidizing rental housing. When we change the conditions, when we say what's happening to people in Ontario is difficult—people of lower incomes, people of lesser means and lesser abilities—and how do we protect them, I don't see the government introducing legislation to limit price increases on food or clothing, that we can only increase clothing prices 2.9% a year.

So you ask: is it fair? It's fair if you recognize that we respect the rights of capital. We respect the rights of these landlords, not all of whom are the Cadillacs, the Menkes and the Daniels of the world, but mom-and-pop operations with one building who bought that building with an expectation of making a profit, making a better life for themselves and their families. When I look at the act, that's how I try to balance it.

The most important thing for a tenant, the most important thing for a person, is to have a roof over their head. The most important investment a landlord has made is to purchase that building. The act tries to balance those. I have to use my discretion to help balance those things. In that context, yes, I think it is fair. I could give you the long answer, but—

**Mrs Dombrowsky:** A very interesting answer, I have to say. I'm rather intrigued with the statement that in this province we value and respect capital. That was one of your statements. That concerns me a little. I think you're making reference there to capital as in buildings, not human capital.

**Mr Fine:** I was referring to "capital" as in ownership of land, for instance. You don't expect the government to

come and say, "I need your home for an expressway. Not only am I going to take it, but I'm not going to reimburse you for it."

**Mr Alvin Curling (Scarborough-Rouge River):** Mr Fine, thank you for coming forward. Talking about value for money—I said that; I don't think you said that—you said something rather interesting. You said that a tenant at least should have a roof over their head. I see beyond that. It's not a roof over their head; it's their home. Many times they don't get value for their money. I noticed the emphasis you placed on saying that landlords have an investment and have to have a return on their capital. I fully agree with that. I noticed that you also said there's no restriction on how food is being priced, if I quote you properly. I think you're wrong on that. There are prices placed on food. They are regulated in some respect. Let me ask you this question, then: if, as you administer your role, you find that the law or a regulation does not play a fair role for tenants, would you make a recommendation to the government or to your chair and say, "Listen, I think this is an inadequate regulation"?

**Mr Fine:** I absolutely would. I would hope I have input as a member of the tribunal. I consider myself caring and compassionate. I think I would use any discretion I have under the act—and there is plenty—to make sure tenants get every fair break we can possibly give them.

**Mr Curling:** There are more evictions happening now. As you go into your new role in this tribunal, you will find that more evictions are now happening. We have our view on this side. We feel the law is completely discriminatory and allows that much more so. There are many more evictions happening now. Do you have any view on why that is happening? You have read it very well and—

**Mr Fine:** There are certainly more applications to the tribunal and more evictions, if you look year against year for the last few years. Part of that is because it is a new act and a new tribunal, and so landlords are recognizing it is there and feeling it out and understanding the process. Part of the problem, I think, is simply that there are more people who find themselves in difficult situations.

Remarkable to me is the number of cases—and I'm not there as an adjudicator yet, so I don't understand why—of people who allow default orders to be issued against them. There's a huge percentage of people who don't dispute default orders within the time limit. I would like to understand better why that is. It is an issue in my mind.

There are more people being evicted because times are difficult. What I tried to relate earlier was the fact that if times are difficult—and, yes, governments may have a role—it is not the role of the landlord to incur losses to deal with the issue. The landlord has rights, and so does the tenant.

There was a wonderful article in yesterday's Maclean's magazine, which I just picked up and cut out. There was a quote by Jack Daniels, a developer. He said that, really, with the cost of building and levies and taxes today it is possible that people who are confined to being

renters can never afford to pay the rent we need to make even the smallest of profits in a rental building. That exposes the bigger issue. That issue is: what's wrong with the framework? Part of the problem in Toronto is simply that the city of Toronto sees rental buildings as commercial operations, and they want to charge five times the rate for realty tax that they would on a home. The tenant doesn't see that bill directly. He or she sees it in the rent. Yet the city of Toronto, while they claim to be concerned about the housing problem, wants to charge ridiculous realty tax rates.

**Mr Curling:** One quick one; I've only got a minute. The rent registry was introduced some time ago. As a matter of fact, I'm rather protective of it because I was the minister who introduced the rent registry. It was an important tool for tenants to negotiate. I'm sure the Tory members, who had no questions, all of a sudden have questions now. Would you feel that would be an important kind of tool for tenants going around judging what they can have and how they can acquire rental property? What's your view on a rent registry?

1020

**Mr Fine:** I don't know much about it, frankly. I know there was a rent registry. I know it was discontinued. I don't know how it worked, and I really can't comment much on it.

**Mr Curling:** I want to wish you all the best in your new endeavour, if you are appointed. It's a very challenging thing. Hopefully we can bring some more fairness when we do—especially when we become the government.

**Mr Tony Martin (Sault Ste Marie):** I listened intently to your description of how capital needs to generate a return on investment and that kind of thing. Do you understand the other side of the equation, that we, as a society, have a responsibility to house people in a fair and adequate way?

**Mr Fine:** I do, absolutely. But you hit the nail on the head: we as a society may have a responsibility; I don't think the landlord has a responsibility. That's all I was trying to make clear.

**Mr Martin:** You don't think the landlord is part of society? They're somehow outside of that loop?

**Mr Fine:** I don't think the landlord, I don't think that an operator of a business—I ran a bowling business. I had 600 full- and part-time people. If I felt my obligation was to take those who couldn't afford it and give them free bowling, what I was doing was jeopardizing the most important people to me in that business, and those were the people who worked for me. People say to me, "What's the most exciting thing, what's the best thing you ever did running a bowling company?" I say, "I gave employment, full- and part-time, to 600 people." Landlords will not be in a position, if they take on a responsibility that perhaps is government's.

**Mr Martin:** I certainly accept your answer, I have no choice, but do you understand, though, some of the challenges confronting people in today's housing market

to get fair and adequate housing for themselves and for their children? Do you understand that?

**Mr Fine:** I think I do. I'm becoming more familiar.

**Mr Martin:** In terms of your appointment to this tribunal, do you feel that you'll be able to bring a balanced and fair approach? You obviously understand the investment side, the capital side, the business side. My concern is, we have literally thousands of people out there now in, if not inadequate housing, certainly housing that is eating into more and more of their income. Do you understand some of the issues that these peoples are facing and confronting and the homelessness problem that we have in the province?

**Mr Fine:** I understand the issues but I think that—you know, I'm not a legislator; I wasn't elected. My job is to exercise the statutory decision-making powers conferred by the act and to use discretion as best I can, and I plan to use my discretion to try to make sure that it's balanced.

**Mr Martin:** You're being appointed by legislators to do our job—

**Mr Fine:** Yes.

**Mr Martin:** —because we can't be everywhere. Do you understand that?

**Mr Fine:** But not to write the act.

**Mr Martin:** But to administer it in a way that understands not just the capital investment side of the equation, but to understand that we have a responsibility as well for people, for children, to make sure that they get housed properly. That's why this tribunal is set up, to make sure that one side isn't gouging the other.

**Mr Fine:** I do understand and I respect that.

**Mr Martin:** Tribunals are set up to administer acts. Acts are put in place after, usually, due deliberation by governing bodies trying to find a balance. In an analysis of what's happened since their latest act came into place by—for example, the Parkdale Community Legal Services indicates some inequities. I don't know if you've had a chance to look at those findings.

**Mr Fine:** I have.

**Mr Martin:** Does that trouble you in any way, that it seems to be slanted more toward looking after the needs of the landlord than it does the tenant?

**Mr Fine:** I think if I read something by the Fraser Institute, I would expect a certain outcome. I read something by Elinor Mahoney, who's a tenant activist, and I can't look at that and say I take that at face value. Therefore, I consider her opinions. I just don't think there's enough balance in it.

**Mr Martin:** In the report that she wrote.

**Mr Fine:** I'd have to look at where it came from as well.

**Mr Martin:** You're questioning the figures and—

**Mr Fine:** I'm questioning her interpretation. Figures can be—figures are interesting.

**Mr Martin:** I have no more.

**The Vice-Chair:** Thank you very much, Mr Fine. We'll be making a decision later on in the proceedings.

If I may, to the committee members, just one other piece of business, which I meant to deal with off the top.

With the extension of Mr Whaley to December 5, that leaves us with one person potentially to be called for next week, the 28th—Betsy Stewart, for the Niagara Escarpment Commission. Is it agreeable to the committee that we move Ms Stewart to December 5 and have our next meeting scheduled for December 5, rather than come in for one appointment next Wednesday? Agreed.

So our next session will be for Wednesday, December 5.

#### MARY HENDRIKS

Review of intended appointment, selected by official opposition and third parties: Mary Hendriks, intended appointee as member and vice-chair, board of inquiry (Human Rights Code).

**The Vice-Chair:** We now move on to our next appointee. I'd like to call forward Mary Ross Hendriks, intended appointee as member of the board of inquiry (Human Rights Code). Is it Ms Hendriks or Ms Ross Hendriks?

**Ms Mary Ross Hendriks:** Mary is my preference, actually.

**The Vice-Chair:** Welcome. It's good to see you here. As always, you have an opportunity to say a few words yourself and then we'll proceed with the interviews. We'll begin with the official opposition.

**Ms Hendriks:** Thank you. I have some material here.

**The Vice-Chair:** Don't rush. Take your time.

**Ms Hendriks:** I brought some things with me that you're welcome to look at, if you like. I do have an opening statement.

Thank you for providing me with this opportunity to meet with you today. I'm truly honoured and grateful to be considered for an appointment to the board of inquiry, which as you know, is the human rights tribunal for this province. I am very honoured that its chair recommended me for this appointment.

For over 10 years, I have been an active member of the executive committee of the feminist legal analysis section of the Ontario Bar Association. For the last few years, I have been the co-editor of our newsletter, *Voices*, and I am very proud of the leadership stance we have taken on a number of domestic and international human rights issues of relevance to women, children and visible minorities.

For example, I researched and wrote an article identifying the growing problem of global slavery, which affects 200 million people worldwide, three months before it was on the cover of the *New Yorker* and about seven months before it was on the cover of *Maclean's*. Based on that research, we wrote to both the federal Departments of Foreign Affairs and Justice and asked what Canada's position is on global slavery, what specific steps Canada has taken to avoid the importation of goods made by slaves and what steps Canada has taken to prevent criminal activity from taking place by Canadians in foreign jurisdictions with children.

I was also this section's delegate to the advocates round table on linking national and international women's human rights in October 1999, where I spoke on behalf of FLAC about the economic rights of women within the context of human rights in light of Canada's participation in the UN's Convention on the Elimination of All Forms of Discrimination Against Women.

In terms of my academic background, I attended York University, where I received my bachelor of arts degree in political science in 1984, my bachelor of law degree from Osgoode Hall Law School in 1987 and my master of law degree from the University of Leicester in 1998. I have brought with me some samples of my legal writing, including my book on motions published by Carswell, if you would care to see them.

As you may already know from the material before you, I was called to the Ontario bar in 1989, and worked as a litigator in private practice and government during my articles and for several years after I was called. During that period of time, I regularly appeared before courts and tribunals on a variety of matters, including personal injury files, commercial litigation files and securities litigation files and appeared on behalf of injured workers and, later, pension beneficiaries as crown counsel. I have acted as both plaintiff and defence counsel. Since that time, I have worked primarily as senior legal policy counsel in the private sector, leading and preparing complex submissions on detailed issues for various financial services regulators on behalf of my constituents, including the joint forum of financial market regulators and an appearance before the Senate banking committee.

I'm very committed to human rights issues and believe that my experience from a legal policy and senior management standpoint would be of value to the board. I am not a member of any political party. I appreciate being invited here today, and I'd be pleased to answer any questions you may have.

**The Vice-Chair:** Thank you very much. We'll begin with the official opposition.

**Mrs Dombrowsky:** Thank you very much for attending and for the background you've provided. I was curious: this is a full-time position, so you're looking forward to a change in your career in a new full-time role. You indicated in your remarks that the chair recommended you for this role. I assume that is the present chair?

**Ms Hendriks:** Yes, Matthew Garfield.

1030

**Mrs Dombrowsky:** Very good. You're being considered for the position of member and vice-chair, which is a significant appointment as well, so obviously the chair has some significant confidence in your ability.

I'd like to talk to you about an issue that is really very important to me with regard to human rights. It's the matter of the proposed drug testing of people who are on welfare. I was wondering if you have an opinion on that particular policy that's being introduced?

**Ms Hendriks:** Well, I do have a general understanding that there is case law that alcoholism and drug-dependency are forms of disability. However I have to say that as vice-chair, if I get the appointment, I will have to look at the actual evidence that comes in front of me and weigh it. I'll have to go back and look at the law, specifically the code and any relevant case law, and then I think I would have to balance another competing interest, which is the concept as human rights as a living tree. I would have to weigh those three things, so I can't specifically tell you—

**Mrs Dombrowsky:** Excuse me, can you repeat the last one?

**Ms Hendriks:** I've been doing some reading, and some people view human rights law as a living tree. It's a comment that Madame Justice Claire L'Heureux-Dubé has made in a decision: the idea that it is quasi-constitutional and so that it evolves. So you have to be sort of temperate, you have to look at the actual evidence in front of you, the law as it's formed and where there's any discretion how you should use that discretion. I don't know if I've specifically answered your question.

**Mrs Dombrowsky:** If I might just share with you some of the concern that I have, that a group in our society, because they are less fortunate or because of whatever circumstances have come their way, have found themselves in a situation where they become part of the social service system of the province. By virtue of that misfortune, if you want to call it that, or happenstance, they will now be required to encounter a test that no other person in the province who would be paid out of the public purse would.

Part of the argument is that taxpayers are paying for these people, so for some reason taxpayers then have a right to understand what their personal habits would be. I would only suggest that, by extension, if that is the logic, then perhaps all people who are paid out of the public purse should be subjected to the same set of rules. But in this particular case it would seem that it's only those who find themselves as part of the social service system who are going to be subjected to these rules.

I have a very great concern about that, that as a government we've set aside a group of people for some particular treatment. As I read the background around human rights and human rights issues, I believe this is discrimination, and I believe that it is something that must be addressed immediately. There are jurisdictions in the province that are beginning to plan to pilot the drug testing of people on their workfare programs. It's a very serious issue and certainly one that I hope you have an opportunity to look at. It's obvious that you are a very intense person in terms of your profession, that you look to do a lot of background and study, and that's an area that I'm most concerned about. I did want to understand your perspective to date on that particular policy that is about to be implemented by this government. That would conclude my line of questions.

**The Vice-Chair:** Mr Curling, do you have any questions?

**Mr Curling:** Thank you for coming forward. I would say that one of the most important roles that anyone can play in any committee is on this board of inquiry. Without any editorial, justice delayed is justice denied, as we hear all the time. It takes forever for those who have human rights cases to come before the board to be heard. How do you feel about that? You have been dealing with that quite often. Do you feel that the delays are adequate?

**Ms Hendriks:** Well, again I agree with you that justice delayed is justice denied, but that is really an administrative process issue with the commission itself, not the tribunal. I understand that they are working towards moving cases through more quickly. I think I need to be a bit careful with your question and with Leona's question, that I don't start opining on what are really policy issues when I may have to actually adjudicate cases in front of me that fall squarely on those issues. I don't want to prejudice a case, but I hear what you're saying.

**Mr Curling:** Basically, I endorse very much what my colleague has said and I said, because there are individuals who get large contracts from government money. Even I get paid by the government. If the welfare people have to line up to be tested for their money, I don't mind lining up to be tested to see if I am on drugs or whatever the case might be. I think it is discriminatory. The other question I have for you is: the tribunal or the Human Rights Commission to me lacks teeth; no substance. It is a nice exercise for people to believe they're getting justice. Even when individuals are found guilty in discrimination cases, they don't pay up. Nothing happens. I have personal experience with that. How do you feel about that, going through the tribunal, going through this exercise and then the judgment will come down that an individual should be paid whatever amount it could be and then nothing happens, like payout?

**Ms Hendriks:** I would be quite disturbed if I heard a hearing, rendered a decision, no one appealed it and they just didn't pay. I understand that I'll have the ability to award general damages, special damages and mental anguish damages. I take that quite seriously. I intend to make awards. I don't know what I can do to answer your question specifically. I don't know that the adjudicator is the one who can remedy that problem.

**Mr Curling:** But my proposal or presentation to you is to say that, as you go through this exercise and as you make this judgment for any damages maybe coming to the victim, there should be follow-up by the Human Rights Commission that these people are paid. There are many cases, of course. I'm not putting you on the spot. I'm saying this actually happens. Many cases have come out. You award these penalties to the individuals. Nothing happens. Then, even when the tribunal or whoever in the Human Rights Commission perceives that, they say, "Take it to a civil case."

Sometimes people are better off going straight to the courts than going to the Human Rights Commission. Do you see this as a tangible? I know you're going to serve on this board. You're a lawyer. You have seen the results of cases through the courts. Do you feel that justice is



really done through the Human Rights Commission? It is a great feeling to say, "They have dealt with my case, and they have found that little culprit guilty and I am all right." In the courts, that is not sufficient. That individual is being charged, his possessions are taken away and he pays. Do you see that at all as a comparative, being a lawyer and also being on the Human Rights Commission?

**Ms Hendriks:** Yes. I do take this appointment very seriously. I take the work of the tribunal extremely seriously. I certainly will be less than pleased if our decisions are not followed. People have the right to appeal them to Divisional Court, but I don't expect to be ignored. I don't know at this point; maybe it is just too early for me to know what I can do to fix that, but I appreciate your comment.

**Mr Curling:** My last five-second comment is to tell the government that the government should give resources to the Human Rights Commission and give them the authority, the power and the kick to do just so, because I think those individuals who serve on those tribunals are reputable people who want to do a good job.

**Mr Martin:** Thank you very much. You're obviously a very well qualified individual with, I would think, lots of options open to you at this stage in your life in terms of what you want to do with the rest of your life. This will obviously be all-consuming, I would think.

**Ms Hendriks:** Yes, I believe it will be.

**Mr Martin:** Why would you want to do that at this point? What is your interest in this area, other than that it's an interesting legal field and will I'm sure present lots of challenge?

**Ms Hendriks:** I've always been interested in equality issues and human rights issues. The opportunity to be an adjudicator is a once-in-a-lifetime opportunity. It would be fun. As well as being a lot of work, it would be a lot of fun. It would be intellectually challenging. The work I would do would be important. I've had a little bit of frustration feeling that the work I do is not important enough, quite frankly, right now. It would be a new opportunity for me to do something a lot more constructive with my life.

**Mr Martin:** You said you have an interest in equality issues and human rights issues. What experience have you had to have developed and honed those interests? What's in your background that we should have some knowledge about?

1040

**Ms Hendriks:** I've been on the executive committee of the feminist legal analysis section of the Ontario Bar Association for 10 years.

**Mr Martin:** I noted that.

**Ms Hendriks:** I'm the co-editor of its newsletter. I brought with me my newsletters if you're interested in looking at them. You're welcome to flip through them. I've also written a book on motions. It is in its second edition from Carswell. I've attended conferences. I have a strong commitment to equality issues. I hope I'm answering your question. I'm not sure I have.

**Mr Martin:** What I'm trying to get to is, have you had any roll-up-your-sleeves, hands-on out there with people who are struggling with issues of access, equality and opportunity? Have you worked at any legal clinics?

**Ms Hendriks:** Not since I was in law school. I did a bit of classwork when I was at Osgoode many years ago.

**Mr Martin:** What I'm concerned about is that we appoint people to these tribunals and boards who have a balance of experience, knowledge and background. You obviously have the legal requirements, there's no question. I'm just wondering on the other side. I appreciate your involvement with the feminist legal analysis section. There are other sectors of society who also feel like they're not getting the fair opportunity they need. For example, this week in the Legislature an Ontarians with Disabilities Act was tabled that will require the Human Rights Commission to oversee now a whole lot more of that area. That's another group of people who feel on the outside looking in. I have a case I'm watching through my own office in Sault Ste Marie where a disabled woman is challenging a post-secondary education institution as to what they did or didn't do for her. Do you have any experience or knowledge in any other fields besides the one that you identified?

**Ms Hendriks:** I have a lot of legal policy experience. I have a lot of senior management experience. I have a lot of academic legal experience. I've taught the bar ad course a number of times. One of my newer challenges will be seeing diverse groups in front of me. I'm a quick study. I have a good appreciation for the code already. I've been reading a lot of human rights law and critical articles of human rights law. In terms of that specific act, I don't believe at this point those matters would actually end up in front of me unless there's an enforcement section put in the legislation.

**Mr Martin:** That's the shortcoming in the act. Actually, there is no enforcement.

**Ms Hendriks:** I don't imagine I would be hearing those cases, then. Although, certainly if I did, I'd have an open mind. I don't see how they would get to my tribunal.

**Mr Martin:** The area that has been changed is that they've changed the term "handicapped" to "disabled," which will take in a whole array of new people. Handicapped is a very physical thing.

What I'm trying to get at here is, when people come before you—and I think all of us here can identify with this when they present at our offices—it isn't always as black and white as we'd like it to be. The legal analysis and ramifications aren't always the whole story. There are things in a person's life that have happened that will require one to stretch a bit and try to understand and figure out what it is that's getting in the way.

I'm wondering what your ability to do that will be and what your immediate attitude in front of some of that will be. I see too often in people who have positions of some authority and actually some tremendous control over people's lives—a decision can make or break somebody. There are some who come at it very legalistically: "These

are the guidelines. This is what I'm called to do. These are the parameters. Everything else outside of that, I'm not interested. Don't bother me with it."

**Ms Hendriks:** On that point, looking at a case I'd be looking at the actual facts of the case, the evidence before me, weighing it and looking at the applicable law but, as I mentioned, weighing in the fact that I do think human rights is a living tree and that it does require a certain agility. You have to be prepared to look beyond dictionary definitions where that's appropriate and look beyond precise words where that's appropriate. You have to balance that carefully. I certainly would do my best to be understanding to the people before me and to hear them out carefully. Certainly I think they are the weakest members of society. They're not typically in the best of circumstances or they wouldn't end up in front of the human rights tribunal.

**Mr Martin:** When and if you get this position and you discover that because of the huge backlog, the demand and the pressure that will be on you, I would think it would be easy to revert to a very narrow—"OK, this is the law; this is the way it is." Is there anything that you could suggest that we might be doing in terms of professional development for people on these boards, other than going to courses on some of the legal changes, language and concerns, to actually get out into the community and begin to live or to at least experience first-hand some of what the folks who come before you are living with and having to deal with, so that your decisions might be flavoured in some way by that?

**Ms Hendriks:** That might be an interesting idea for a training program. I am planning on attending the training program for adjudicators. That might be something to consider for appointees, yes, some kind of other training program. You have to be careful, though, once people are appointed. I am sensitive to the issue of bias as well, so I have to be a bit careful about how I explore some of that. But certainly if it was done on a collective basis with a number of adjudicators, some kind of sensitivity training, it might be a very good idea.

**The Vice-Chair:** Thank you very much—I'm terribly sorry, my error. The government members have an opportunity now of course. See, I'm not used to this chairing responsibility.

**Mr Wood:** We will give you all the help we can.

Over the past 40 years, we've had a fair number of decisions made in the area of human rights adjudications. Do you see your role as primarily to enforce those precedents in the cases that come before you, or do you see your role as primarily to break new ground?

**Ms Hendriks:** I think I have to consider certainly the body of law before me, the code itself and then the facts of the case.

**Mr Wood:** Would you see that as your primary role, or would you see your role as primarily to break new ground?

**Ms Hendriks:** I don't see my role to rewrite the code; I see my role to interpret the code. But as I mentioned earlier, I also think human rights is a living tree. It is a

quasi-constitutional body of law, and I want to consider the facts and the law very carefully.

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

1050

**Mr Joseph Spina (Brampton Centre):** I guess it is a bit of a springboard from Bob Wood's question. I wanted to explore your comment about the Human Rights Code being reflective perhaps of—it's a human tree or it is a dynamic change. Do you see that change evolving as public sentiment changes in terms of acceptability for certain practices or less acceptability for other practices? Do you see that as influencing that dynamic or the interpretation of the code in your adjudication process?

**Ms Hendriks:** I'm sorry, I'm not really sure I'm clear on your question.

**Mr Spina:** As you evaluate cases, you indicated—I'm paraphrasing so I'm not sure I'm quoting you accurately about how it is a dynamic—

**Ms Hendriks:** I used the expression "living tree."

**Mr Spina:** A living tree, thank you. Maybe I'll more simply ask the question, what do you mean that it is a living tree? Could you expand on that a bit?

**Ms Hendriks:** I'm contemplating that there might be rare instances where facts come before us that were not perhaps contemplated in the code itself and that we are interpreting the code, interpreting prior case law that's come from the code, and having to forge some new ground based on those legal principles and the facts of the case.

**Mr Spina:** That's based on legal principles that perhaps had not been taken into account in previous cases. Is that what I'm understanding from what you said?

**Ms Hendriks:** There might be new fact situations, yes.

**Mr Spina:** Would elements of society's more or less acceptability of certain issues temper that, or do you think that it is strictly the interpretation of the code? I'm thinking in terms of judges, for example, whose opinions or whose judgments may be tempered by changes in acceptability in society of certain elements, or less acceptability of elements in society, that might temper or influence their decision.

**Ms Hendriks:** I would have to look at what evidence was put before me. Sometimes the commission, for example, puts out policy statements, but those aren't binding law; they are just statements. All those things have to be weighed carefully. As I said, it isn't my personal intention to try to rewrite the code. I'm going to be trying my best to interpret the code. There may be circumstances where the code is vague. I can't think of one off the top of my head, but there could be fact situations that just aren't contemplated squarely within the code and I'm going to have to use some discretion.

**Mr Spina:** Or make recommendations, I suppose, that they ought to be clarified in legislation. Would that be an alternative if it was too grey?

**Ms Hendriks:** It is an interesting legal issue. At this point, I'm not sure. I'd have to go back and find out more

about what to do if something is that grey. It's something to discuss with my colleagues.

**Mr Bert Johnson (Perth-Middlesex):** Do we have more time?

**The Vice-Chair:** Yes, you do, Mr Johnson. Go ahead.

**Mr Johnson:** A little earlier, and I think it was with another candidate, Mr Martin made the comment that it was society's responsibility to make sure everybody had a roof over their head or a house or a home. I'm paraphrasing maybe.

**Ms Hendriks:** Yes, I remember that question.

**Mr Curling:** It was the right to shelter.

**Mr Johnson:** "A right to." No, it is not a right to; it's providing it, as I interpret. I want to see how, because I always thought that it was my responsibility as an individual to try to help people. I think that it is a stretch, for me anyway, to say that it is society's responsibility and therefore it is government's responsibility. I wanted to know how you felt about that.

**Ms Hendriks:** To be candid with you, I think that's a public policy issue as opposed to being an adjudicative issue. My role is to interpret the law and the facts. We do have individual and collective obligations in society. That's my personal view. If it doesn't have direct bearing on the Human Rights Code, it is important for me to be as transparent as possible and not to prejudge cases or go into cases with feelings of bias.

**Mr Johnson:** To your knowledge, is there anything in the code or any of the judgments on housing within human rights?

**Ms Hendriks:** I don't know all the judgments perfectly. I don't think it is enumerated directly in the code, no.

**Mr Johnson:** OK. Thank you. That's my question.

**The Vice-Chair:** Are there any other questions for the government members?

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

**The Vice-Chair:** Thank you very much. We will be taking a vote later on this morning.

**Ms Hendriks:** Thank you.

#### BRADLEY TUFF

Review of intended appointment, selected by official opposition party: Bradley Tuff, intended appointee as member, St Thomas Police Services Board.

**The Vice-Chair:** Our next appointment is Mr Bradley Craig Tuff, intended appointee as member of the St Thomas Police Services Board. Mr Tuff, if you could come forward. Welcome, Mr Tuff. You have an opportunity to say a few words in advance, if you want, and then we'll have questioning amongst the three parties. Do you wish to make any remarks?

**Mr Bradley Tuff:** I'll make a brief statement just to let you know a little bit about myself.

I've spent my whole life in St Thomas and area, and I've seen many changes for the best over the past years. I've been married to my wife, Anne, for 13 years. She made the trip down with me today, along with my father,

to experience Queen's Park. We have two young boys, ages 10 and six and a half. I currently work for a Magna stamping plant. I've been there 16 years as a die setter or a crane operator. Through work, I've sat on many committees, including the health and safety committee and social and teamwork utilization committees. Away from work, I volunteer coaching hockey and soccer, and I help with yard duties around our church. Now that my children are in school all day, I've been looking to volunteer for a challenging position with importance in our community.

If awarded this position, I will work hard to learn what I need to know, and I will help make sure our community is as safe a place as it was when I was young, and for my kids also.

**The Vice-Chair:** We'll begin the questioning with the third party.

**Mr Martin:** Thank you very much for coming before us today. You're being appointed to a body charged with civilian oversight of policing. What's your position on that? How much oversight should civilians have? How much influence should the general populace have on the issue of how we do policing?

**Mr Tuff:** I think that on day-to-day issues the police will pretty much run themselves. But just to oversee the chief and to make sure—maybe steer the chief and the board in the right direction, in the direction you want to go, such as crime prevention or along that line.

**Mr Martin:** What background do you have, which you bring to the board, that you think would be helpful to that end?

**Mr Tuff:** What's helpful is that I've lived in St Thomas my whole life and raised my family there and I want to do this job. As for schooling, there hasn't really been any schooling I've taken for this. But I have sat on certain committees through work, and I have good judgment and I'm just eager to learn.

**Mr Martin:** The events of the last few weeks, starting with September 11, have certainly cast a different atmosphere around this province and across the country in terms of security and policing. How do you think that will affect the role and responsibility of the St Thomas Police Services Board?

**Mr Tuff:** I think we have to make sure we have some disaster policy in effect, be it terrorists or anything along that line, just to have a policy in effect—what to do in these cases for our city, our community, because we are a smaller community with a smaller force.

**Mr Martin:** Certainly the government has taken some rather dramatic and direct actions in response to the threat that's perceived to be out there. One of them is to appoint a couple of people to report directly to the Premier's office in the area of policing and, in some ways, bypassing the system of reporting and civilian oversight that has been established and has evolved over a period of time under direction from three different political parties. Do you have any concern that now, all of a sudden, there's the potential for policing through the appointment of Major General MacKenzie and the gentle-

man from the RCMP—his name just skips my mind at the moment—that will actually supersede any responsibility or opportunity you would have to affect how policing is done in your community?

**Mr Tuff:** I can't really see that being a big stopping block for us. Other than that, I really can't comment, because I just don't have enough knowledge at this time. I'm not actually on the board; I'm just trying to get the position. I don't know about that, but I can't see going overtop of the board. I can't see that really happening.

1100

**Mr Martin:** What would be the most important issue for you right now in being appointed to the board? There's obviously something that has jumped out at you and you said, "Hey, I'd like to do that because I've got a concern there." What's the most important issue for you?

**Mr Tuff:** I would have to learn the policy of the board and work hard doing that.

**Mr Martin:** Are there any issues of policing in your community that are a particular problem at the moment?

**Mr Tuff:** I feel there's some organized crime that's been trying to move in. I know there are a lot of car thefts around town. Youth crime is always something you like to target.

**Mr Martin:** Again, flowing out of the September 11 event that seems to have captured all our imaginations, there's been lots of debate in the public around the question of racial profiling. One of the concerns I have is the appointment by this government of Major General MacKenzie, who seems to think racial profiling is OK. What would your position on that be if your police services got into a debate or discussion about whether that should actually be part of trying to get to the bottom of, say, this question of rooting out terrorism?

**Mr Tuff:** I can't agree with racial profiling. It's just ethically not proper. We have many minority groups in our community, and we all coexist together. The colour of your skin or what your religion is means nothing. I can't see any of that being a problem.

**Mr Martin:** OK. Thank you very much. Those are all my questions.

**Mr Frank Mazzilli (London-Fanshawe):** Mr Tuff, good morning and thanks for making the trip. I commend you for putting your name forward for the St Thomas Police Services Board. When we talk about civilian oversight or civilian representation, the one thing we have to look at is our communities. You're obviously employed in the auto sector, if you will.

**Mr Tuff:** Yes.

**Mr Mazzilli:** In St Thomas and the surrounding area, many people are employed in the auto sector.

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

**Mr Mazzilli:** I think it's important that you have representation on the board as a working person who, much like other people in St Thomas, can bring your concerns forward.

The one thing I can tell you about boards—the chief and the department will run themselves. Often you get boards that want to meddle in daily operations and they

become unsuccessful. Obviously the board needs to come up with the broader policy on how the chief and the department need to run.

One thing you said in your opening statement was that you want St Thomas to be the same safe place you grew up in. Would you try to steer the department to local issues, some community policing initiatives where you prevent crime so kids can walk around safely?

**Mr Tuff:** I think that's a smart thing to do: spend more time in the schools and at shopping malls and make the children so they're willing to go up and talk to a police officer and see they're good people, hard-working and just doing a regular job like everybody else. A lot of times, if you find things for kids to do, they're not out looking for trouble. I think St Thomas has taken that step. I would think youth crime in the city is down, but I know they work hard to do that.

**Mr Mazzilli:** Good. That's my only question. Thank you.

**Mr Wood:** What would you say are the key qualities or experience you bring to this job on the police services board?

**Mr Tuff:** The main thing is that I want to do this. I want to serve the community of St Thomas. I think I have very good judgment. I'm a quick learner and I am curious about this. I'm really looking forward to doing this. Just on those points alone, I think that makes me qualified. I try to keep up on local news so I have a fair sense of what is going on around town.

**Mr Wood:** Have you had an opportunity to speak to some of the people in your area about what their concerns are about policing in St Thomas? Have you had a chance to do that?

**Mr Tuff:** Have I had a chance?

**Mr Wood:** Yes.

**Mr Tuff:** About other people's concerns, is that the question?

**Mr Wood:** Yes.

**Mr Tuff:** We talk about it, you know, coffee time talk about work and around the locker room, that sort of thing. It seems to be a lot of the same thing, with car thefts and people drinking and driving, and the drug trade, so it has been spoken about, naturally. Like anywhere else, you know, you talk about what's going on around town.

**Mr Wood:** Do you have any interest in community policing?

**Mr Tuff:** Do I?

**Mr Wood:** Yes. You're familiar with the concept of community policing?

**Mr Tuff:** Yes, like Neighbourhood Watch and RIDE programs and that sort of thing. Is that what you're asking?

**Mr Wood:** Yes. Have you given any thought to what you think might work by way of community policing in St Thomas?

**Mr Tuff:** I haven't given it a whole lot of thought, other than getting to the children when they're young and using that as crime prevention later in their lives.

**Mr Wood:** Are there any particular things that you'd like to pursue if you're confirmed on the police services board? Are there issues that you are thinking of taking to the board to see whether or not they're good ideas?

**Mr Tuff:** Not at this time, I don't really have a lot, other than that I really want to stress making the community safe. I want to make it safe for all of us in the town and work on the children, who are the future of our town.

**Mr Wood:** Those are my questions. We'll waive the balance of our time.

**Mr Curling:** Mr Tuff, thank you for coming forward. There are two important things that came forward today: the Human Rights Commission tribunal and your appointment here, which I consider an extremely important appointment. Let me just ask you, are you a member of a political party now?

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

**Mr Curling:** What party would that be?

**Mr Tuff:** I'm a member of the Elgin-Middlesex PC Party.

**Mr Curling:** Excellent. There are a lot of PC Party appointments here. How did you find out about this appointment?

**Mr Tuff:** Through a general inquiry with a fellow I know, Bruce Smith. I heard about the turnaround on the board so I put my name in for future reference, and I got a call much later.

**Mr Curling:** Let me tell you first, before I ask this question, I kind of disagree with my colleague over here that sometimes we should leave the police to do their work. Actually, this board itself which you're appointed to is to oversee as a civilian, to see that the police carry out their work. You, of course, pointed out—only to the chief himself and to give advice accordingly, so therefore it's a kind of interference, if you want to call it that, advice. Sometimes, some police and some police chiefs need guidance and I think this is one of the more sensitive parts of it, about the community itself.

You indicate in your comments that at coffee time you discuss the situation of policing in your community and you say from that you get a sense of it all. Are you familiar with the SIU, the special investigations unit?

**Mr Tuff:** Somewhat, yes.

**Mr Curling:** Do you feel that the special investigations unit itself interferes too much with the police's work and what they do?

**Mr Tuff:** I don't believe it does, no.

**Mr Curling:** Some police officers feel that way, though. Are you familiar with the fact that some police officers feel that the SIU interferes in their day-to-day work and impedes them from doing an effective job?

**Mr Tuff:** I'm not aware of that, no, but if that's what you're saying, I guess that must be true. You have your certain beefs with everybody at work, but I think it keeps everybody on the right page.

**Mr Curling:** And you feel the SIU is a very important organ of the policing environment?

**Mr Tuff:** I can't see any harm coming from it, no.

1110

**Mr Curling:** Do you feel that police should investigate police, if there is a problem within the police force in St Thomas itself?

**Mr Tuff:** They're not above the law.

**Mr Curling:** Do you feel that they should investigate themselves, or if there is an investigation that maybe civilians should assist in it, or other police officers outside the area, maybe the OPP?

**Mr Tuff:** I would say officers outside the area would probably be the best.

**Mr Curling:** So you'd have some concerns about how the SIU does its job, then?

**Mr Tuff:** It would depend on the case and the circumstances.

**Mr Curling:** My colleague from the third party talked about ethnic profiling. Do you completely disagree with ethnic profiling?

**Mr Tuff:** Yes, I do. I totally disagree with that.

**Mr Curling:** Do you think it does harm to the community itself when one makes a list or targets certain ethnic groups because of, as you said, their colour, religion or just because of their orientation? So ethnic profiling should not be part of the policing force?

**Mr Tuff:** That's what I'm saying. I don't think it should be part of the force.

**Mr Curling:** You mentioned that within St Thomas the primary concern with regard to policing was organized crime. Was that it?

**Mr Tuff:** I'm not saying that is the primary concern. I said it could become a concern because there is a presence of organized crime in town that I've heard of.

**Mr Curling:** What would you say would be the primary concern of police today in the St Thomas community?

**Mr Tuff:** I think youth crime is a high concern, drinking and driving has always been a concern for us, and I'm sure there is something on the table now with disaster control. They're trying to get some policy in effect for that.

**Mr Curling:** Being on this board means that you have to be very much in touch with the community. I appreciate that your experience in the community is wide. Tell us one or two of the community groups you have been involved with and what organizations you are involved with that allow you to be exposed to some of the concerns in St Thomas.

**Mr Tuff:** If you ever go to soccer night in St Thomas, there are a couple of thousand kids running around the soccer field and it's always a good place to see everybody around town. I spend time at the hockey arenas all winter long and somewhat in the summer. We have a lot of good things around town such as Pinafore Park, where there seems to be a big community presence.

**Mr Curling:** So you're not involved with or a member of any community organization? You say that at the soccer game you may hear things, which I know sometimes is gossip, but—

**Mr Tuff:** Coaching soccer and hockey, that's a lot of time and you see a lot of people who spend time there also.

**Mr Curling:** Do you know of anybody else who wanted to serve on this board? I understand there is a keen interest in St Thomas by people who want to serve on this board. Do you know of anyone else?

**Mr Tuff:** Anybody else who wants this position?

**Mr Curling:** Yes.

**Mr Tuff:** No, I don't. Sorry.

**Mr Curling:** Why would you want this position?

**Mr Tuff:** Because it's an important position and it's something that would be a good challenge for me.

**Mr Curling:** Do you get along well with the chief?

**Mr Tuff:** I know the chief.

**Mr Curling:** Do you get along well with him?

**Mr Tuff:** I have, yes. I knew him before he was the chief.

**Mr Curling:** So he's a buddy of yours, then?

**Mr Tuff:** Not necessarily a buddy, but through acquaintances I know him.

**Mr Curling:** I'm not putting you on the spot. I just want to basically understand this, because policing is a very, very serious profession. What we are seeing today is that many police lack training, not because of their fault but because of resources that are put into the police force. Do you think there is an adequate amount of funding for the police, especially in St Thomas, in order to give them adequate training for the diversity that's happening today, the complexity of crime and what have you? Do you think there are adequate resources being placed in there?

**Mr Tuff:** I apologize. I haven't seen that information, so I can't make a comment on that. I haven't seen the budget.

**Mr Curling:** Even without the budget itself—sometimes money doesn't do the trick, you know; it's the commitment. My last comment: would you then feel there should be more? From what you see of the police, are they adequately trained and can they address the issues St Thomas has?

**Mr Tuff:** I'm sure they're up to par with other forces their size, but I'll bet there's always extra that they need and want, you know.

**Mr Curling:** That's all I have, Mr Chair.

**The Vice-Chair:** Thank you very much, Mr Curling. Thank you, Mr Tuff. We'll be voting on your appointment later in the morning.

#### CHRISTOPHER McCARNEY

Review of intended appointment, selected by official opposition party: Christopher McCarney, intended appointee as member, St Lawrence Parks Commission.

**The Vice-Chair:** Our next intended appointee is Mr Christopher James McCarney, intended appointee as a member of the St Lawrence Parks Commission. Mr McCarney, welcome.

**Mr Christopher McCarney:** Good morning, sir.

**The Vice-Chair:** Good morning, Mr McCarney. You have an opportunity to make a brief statement beforehand, if you'd like, and then we'll obviously have questions from the three parties.

**Mr McCarney:** Good morning, ladies and gentlemen. I would like to take this opportunity, first of all, to thank the committee for allowing me to sit before you and answer any questions you may have today.

It's my understanding you've been provided with my resumé, so I will make my opening remarks very brief. My name is Chris McCarney. I was born and raised in the town of Gananoque, which is located about 28 kilometres east of Kingston, Ontario. I am the president of a small business in Kingston called DataLink Computer Solutions. This is a computer hardware company that we have. We configure hardware for special applications in business and industry. I'm a director of the 1000 Islands Recreational Aviation Centre, which is an airport located four kilometres north of the town of Gananoque. I'm a two-term past president of the Canadian Passenger Vessel Association. This is a federal association representing passenger vessel owners, ferry operators and marine suppliers from coast to coast. I am a past committee chair for the Ontario Tourism Marketing Partnership program for the eastern committee. At the present time I'm general manager of the Gananoque Boat Line, where I've worked part-time and full-time for 32 years. This company runs one- and three-hour tours of the Thousand Islands. We carry in excess of 300,000 people a year. We operate from two departure locations. My duties comprise the overall general management of the company, but one of my principal duties is marketing.

In closing, I would like to say that my family has been involved with tourism and accommodation properties since the early 1800s and, given my family's experience and my experience over the past few years, I think I can bring a lot to the St Lawrence Parks Commission. Once again, I thank you for the opportunity to speak to you.

**The Vice-Chair:** Thank you, Mr McCarney. We'll begin the questioning with the members of the government party.

**Mr Mazzilli:** Thank you, sir. What do you see as the number one issue for the St Lawrence Parks Commission? I know there are many.

**Mr McCarney:** Tourism is one of their mandates—I think increasing tourism into eastern Ontario. I go back to what Mr Martin had to say. After September 11, you can go back to talking about how to increase revenues and everything else. Right at the moment the biggest problem with tourism, facing not only eastern Ontario but all of Canada, is sustaining what we already have. That part of the world is in turmoil as far as tourism goes.

**Mr Mazzilli:** Do you think you'll be able to resolve any of the issues around Fort Henry?

**Mr McCarney:** My knowledge of what happens with Fort Henry right at the moment, other than being there twice and seeing some of the damage they speak of—I think my resolve comes from trying to find a way of sustaining that facility, regardless of who funds it. It is a

very important piece of the tourism puzzle in eastern Ontario, and it's one we cannot live without.

**Mr Mazzilli:** And as you move forward, what kind of progressive initiatives do you see that one could come up with that would make that more financially self-sufficient?

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**Mr McCarney:** I think that before I answer too many questions, I've got to remark on the point that I was asked by the Chair if I would stand for nomination back in midsummer, and it was only about a week and a half or two weeks ago that I found out about this committee and my appointment. I did ask the chair back in October, and he said he had received no word. So I don't have any intricate knowledge of what goes on within the St Lawrence Parks Commission board, other than any relationships I may have had with them at trade shows or just in talking to them.

Getting back to Fort Henry and the board, I think there is room within the board to explore some different types of marketing. I think I have the expertise to help in that marketing. The concept of tourism marketing, which in turn brings in more people, which in turn brings in more revenue and makes a place more self-sustaining—that whole concept is changing. I think that through my experience with the different—the Ontario ministry board and through the extensive travelling and work I do with different travel agencies and things like that—I have a very good, clear idea of how we can maybe look at some of the marketing plans they have and help in that respect.

**Mr Mazzilli:** Those are all my questions. I know that with the skills you bring to the table, you will do a fine job.

**The Vice-Chair:** Any other questions?

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

**The Vice-Chair:** The official opposition.

**Mr Curling:** Thank you very much for coming forward. Of course, Mr McCarney, you're into quite a challenging job.

I'll just continue with the Fort Henry situation. I believe you said you're not quite familiar with all the intricacies of it. Just to bring you up to date quickly, Minister Saunderson, at one time, put forward \$35 million for maintenance and repairs in that project, hoping to more or less kick-start it again, which was welcome, very much so, and needed badly. This was never implemented, and I think the commission continued to find itself in a struggling situation. I think later they put \$5 million or something like that in there. Do you feel the provincial government should be putting more money into Fort Henry—because what is going to happen is that it's going to die. As you know, it generates a tremendous amount of money within the Kingston area. What is your feeling about that?

**Mr McCarney:** The \$35-million repair tag, which seems to be the number everyone throws around with Fort Henry—I think my experience would draw from another attraction we have in our area, called Boldt Castle, which has now become the icon of the Thousand

Islands. It was in just a horrible state of affairs about 15 years ago. It was taken over by the Thousand Islands Bridge Authority. The first thing they did was walk in and do a stabilization program on the castle to stop any further deterioration. I'm quite sure that a stabilization program at Fort Henry can be done for considerably less than \$35 million. I think that's one avenue that must be looked at.

As far as funding goes—once again, I go back to what seems to be the tussle between the federal and the provincial government as to who's going to fund this. All my comments would be drawn strictly from what I read in the newspaper, and I personally don't like commenting on things I read in the newspaper. I go back to the point that the funding for Fort Henry must be found. I will strive to help find that funding and come up with ideas to find that funding, regardless of where we can get the money, provided we can stay within the mandate of St Lawrence Parks. Personally, I don't care whether it comes from the federal government, the provincial government or private enterprise, if we can convince these people in different organizations to get behind it.

**Mr Curling:** The commission has been on a trend—reduction of services, the closing of campsites, off-loading things so that volunteer groups take over what they usually do. They have gone into public and private partnership. Most of these strategies have put a great burden on the commission to find the funds that are lacking there.

As you said, you don't care where the money comes from. It seems to me there's a tussle, of course, between the provincial and the federal governments. Do you feel that those decisions the commission has made that had this impact on having today's problem—that what it has done is to sort of make up for some of those decisions that were more or less helping it to be viable?

**Mr McCarney:** I think the commission has done an excellent job, given the materials that they've had to work with. In one of the papers that I read, the commission is now about 60% self-sufficient, which is considerably up from what it was 10 years ago. I believe that the commission runs just like a private business. I am being inundated more and more in my business with so-called user fees every year and I have to start coming up with more ingenious ways to overcome these fees too. I think that's the direction that I would like to see St Lawrence Parks turn to, to become as self-sufficient as it possibly can and as little dependent upon government funding as it possibly can. I think that's the direction that I will try to help take the commission into.

**Mr Curling:** How far would you go in trying to preserve the heritage of Canada, to the point that everyone who would like to be exposed to the heritage of Canada like this would have to pay a user fee to see that? Do you feel governments have a very important role financially and morally in this regard?

**Mr McCarney:** I think that, first of all, the heritage of Canada is extremely important, and I think that's unquestionable. I believe that the government does have

a role, if the commission itself cannot find a way within its own means, to try to help the commission to preserve our history and our heritage. Yes, I do.

**Mr Curling:** So you do think that heritage is a priority for governments, to make sure that people are exposed to heritage and not at the total cost of the people themselves. It's their cost anyhow because it's their taxpayers' money that they've collected.

**Mr McCarney:** We walk a fine sword. In a perfect world, we would have lots of money to give the government in taxes and, in turn, the government would have lots of money to give back to the businesses, the commissions and everything else to try to maintain these things. I think that all the commission can be asked to do is work as diligently and as best as it possibly can to lessen any burden upon the government, yet know that the government can be there for them or can come up with different ideas and become a partner with them. I think the commission has to be looked at as a business, and you've got to make that business work. Until I get in there and find out exactly how the commission is working right at the moment, I'm probably negligent in making any further comments on how I think the commission should be run, because honestly, I don't know the intricate workings of the commission right at the moment.

**Mr Curling:** I'm going to give you an opportunity now. Mr McCarney, at the end of your session, the time of your term, what would you like to be known as having accomplished in being appointed to this board?

**Mr McCarney:** That I was intelligent, that I was dedicated and that I worked my butt off to try to make this commission work.

1130

**Mr Martin:** I certainly see the protection, support and enhancement of commissions like the St Lawrence Parks Commission as very important in the overall tourism offering we make as a province to outsiders to come in.

As you mentioned, September 11 has shaken to the core that whole business, and it's my view that government has an important and responsible role to play in that. They can't shirk their responsibility. They have to work to find ways to partner with people who are working their butts off to try and make some of these things work. My concern is what side of the line you will come down on in terms of that responsibility. Do you have any political connections?

**Mr McCarney:** No, sir, I do not.

**Mr Martin:** You're not affiliated with any party?

**Mr McCarney:** No, I'm not, sir.

**Mr Martin:** How did you get this appointment?

**Mr McCarney:** I was asked by the chair about midsummer if I would let my name stand for nomination. That was Gord Brown. I told him I would. I gave him a resumé and a letter stating that I would. I asked Gord around the first part of October if there was any word or if they'd filled the position and he said at that time they had not. It was only maybe a week and a half or two weeks ago that I found out about this committee meeting.

**Mr Martin:** You're aware obviously that there are some discussions, we'll call them, between the different senior levels of government as to who is responsible and who should come up with the funding for various projects etc. If it came down to a question of which side of the fence you're on, the commission taking a position that it needed more support from the provincial government, the provincial government saying, "No, you've already had enough. We're out of here. We've done our bit," and if the future of a number of the very important facilities within the commission's jurisdiction were at risk, which side of that fence would you come down on?

**Mr McCarney:** Hopefully that never happens. I think if it came down to it and I had to make a decision, it would be better to lose a little bit than lose a lot, if that answers your question.

**Mr Martin:** It doesn't, but let me put it another way, then. In getting this appointment, who do you see yourself as champion for, protecting the interests of the provincial government, because they make the appointments, or protecting the interests of your local community and the St Lawrence Parks Commission?

**Mr McCarney:** I see myself as championing the parks commission because the parks commission has a very important role in tourism in eastern Ontario, of which I am a part, and it is a major part of the economy of eastern Ontario. The parks commission plays a very important role there. They do an excellent marketing job that a lot of the smaller tourism-type businesses can't afford to go out and do. They do a good job of bringing people in for these people. The St Lawrence Parks Commission in eastern Ontario is a very important piece of the tourism puzzle. It is a very important piece of the heritage puzzle. They do an excellent job of showing off what the heritage facilities that they control do. Given the monies they receive, and through their own initiatives, they do an excellent job.

We are talking a little bit in hypotheticals as to whether or not—you know, if this happens or that happens. We've got Old Fort Henry and, as I stated, I'm going to do everything I can to make sure that I can come up with some ideas and help to maintain that facility. I think personally, just through marketing, I can bring a lot to it from a technical background, through the boats and through construction of boats and things like that. I have a good understanding of building that I can bring to the board as far as any projects that they want to come up with. Is that answering your question?

**Mr Martin:** Yes, it does. I understand that. Let me paint a scenario for you that will help you understand why I might have asked that question. You can put all the money you want into marketing, promoting and trying to attract tourists, but if you have nothing to bring them to, like if the facilities that you're marketing are falling apart when the tourists get here and they're disappointed, they're not coming back. Your best marketer is a happy customer, I would say.

In northern Ontario we have some facilities where it is understood by those who live in the community that their



value is much wider than simply the enterprise itself. For example, a ski hill brings people in. People spend money in hotels and restaurants. In our area we have an impact with one little ski hill we have, Searchmont, of \$10 million to the local community in any given winter. We almost lost that this winter, following having lost the other significant ski hill in northeastern Ontario, which was Mount Antoine in Mattawa. So if you're marketing northern Ontario as a wonderful place to come and recreate and we don't have those facilities when they come, it doesn't give you much to hang your hat on.

In the instance of Searchmont, the provincial government didn't come to the table and the municipality, because they knew they were on the verge, they were within two days of losing it, had to belly up and sit down with the banks that had control at that point and work out a deal to keep it open for this coming winter so that we wouldn't lose that important engine. The provincial government said they don't have a responsibility because they're not going to invest in individual enterprises.

This is probably a rhetorical question. Do you understand the impact of some of those kinds of facilities on the larger economy of a community? Do you think the provincial government should be there as a partner, making sure that they stay alive?

**Mr McCarney:** Number one is, yes, I do understand the impact of one attraction on the overall economy. That feeling is present in eastern Ontario. For years and years, when people went to trade shows and they went to see a tour operator, it was, "Come and see my attraction. I've got the greatest attraction in the world." That concept is now changing. Now what people are more and more doing when they're dealing internationally is they're saying, "Come to Canada. It's a great place. Once you get there, come to Ontario, and once you get to Ontario, come to eastern Ontario. Once you come to eastern Ontario, come down to the Thousand Islands." That's the type of marketing structure that is now being promoted, back from the days where you went to Atelier in France and you said, "Come to the Thousand Islands," period. You forgot to tell people about Canada and everything else.

I think that is cognizant of the fact that the country as a whole is very attractive, and then the province is very attractive, and then the communities are very attractive, and that's because of the attractions that are surrounding.

Parks of the St Lawrence, when you talk about funding, if this is where we are getting back to, is getting into a position right now with a few other attractions that are now opening up round the Thousand Islands in the form of a casino. I think that's going to bring a lot more people in. There was an announcement in the Brockville paper of a \$250-million theme park going into Brockville, situated right in the middle of the Parks of the St Lawrence commission's jurisdiction. If it comes to fruition, that is going to be an amazing bonus to eastern Ontario.

I get back to, if all of these things happen and we are able to bring more people into the area, then we can lessen the reliance on the government. I think the gov-

ernment still has a part to play; how big that is depends upon how well the commission can do its job.

**The Vice-Chair:** We now move to formal consideration of the tentative appointees who appeared before the committee today.

First up is Mr Harry David Fine, intended appointee as a member of the Ontario Rental Housing Tribunal.

**Mr Wood:** I move concurrence.

**The Vice-Chair:** Mr Wood has moved concurrence. Is there any discussion?

1140

**Mr Martin:** I wasn't able to find the comfort level, in terms of balance, that I need to be able to support this appointment. I just didn't get a sense from the answers I got, actually the honest answers I got, from the intended appointee that he really understood the other side of the equation where the rental relationship is concerned in the province and the very real problem we're confronting, at the moment, of literally thousands of people homeless and inadequately housed.

The fact that people have to make a profit on their investment—we're all involved to some degree in investments, particularly since our pension scheme was changed a few years ago. I'm sure more of us than before are paying attention to how the market works and all that, and we understand the concept of return on investment. But I think we've decided over the years that there are things in society that we moderate and bring regulation to and try to govern in a way that speaks of balance. We're delivering a service that cannot be totally and solely driven by a profit motif. If the only measuring stick is how much profit and how much increased profit—we all understand that over the last 10 or 15 years, people are no longer interested in making the same profit year over year. If an investment isn't increasing in profit—and we're talking 10%, 15%, 20% here—then it's considered a failure. In the 1960s, and I'd suggest even the 1970s, companies I knew of and worked in were happy when they made a profit, whether it was 1% or 5%. Success was, "Hey, we made a profit." But nowadays, that whole realm is driven, as I just suggested, by ever-increasing profit. It's not just 10%; it's 15% or 20%, as I said.

So in the area of housing and providing housing, some of the responsibility we have and some of the actual legislation we've passed at the international, federal and provincial levels, which compels us to make sure we're housing people, that we're feeding people, that we're providing health care for people, I think has to have a big influence on the way we legislate and regulate those industries. There is room within that, and I think it's been shown over the years that people can make a profit if they're smart. Actually, good corporate citizens have a better track record over the long haul, in terms of the sustainability of their businesses and industries, when they act in that way, when they're seen to be and actually do perform as good corporate citizens understanding they have a responsibility.

If we simply turn the delivery of some of these services over to an ethos that speaks of, "Well, you've

got to have a return on your investment, and if you don't have a return on your investment then you have to make decisions that reflect that. So what if there's 1,000 people out on the street? The system will sort itself out. The market will determine. Yes, there are a few who will be victimized and become victims, and that's the price you pay"—I think that in the world we live in today we've become sophisticated enough and politically aware enough that we can do some things.

We put tribunals in place that act on behalf of government, become our arms and eyes and conscience out there, because we can't be everywhere. In this instance, this tribunal is such a vehicle. So I think we have to be really careful, when we make appointments to those tribunals, that we appoint people who understand the whole picture, who have empathy for both sides of the equation and will make decisions that will move us away from some of the statistical evidence we're seeing now that indicates people are being abused, people are being thrown out of their housing without due process—too many of them on a weekly basis, particularly in the larger centres like Toronto. Having said that, I won't be supporting this appointment this morning.

**Mr Curling:** I want to make a comment about that too. The Ontario Rental Housing Tribunal becomes extremely important now, especially when government itself has abdicated the responsibility to ensure that people have access to affordable housing, that you should not more or less throw out those individuals who need that sort of support—protection, if you want to call it that—in the market, that you should not throw them out there. Individual tribunal members are there to be extremely sensitive to those needs.

Our tribunal appointments must also be sure that those who are providing the housing, the landlords, who of course are there for a profit—that's fine; I think they should make a profit. But in the meantime, those who are buying within that market must have value for money and they must not be exploited. So the individual who is being appointed to that board must understand that, must understand, "Why are the forces for eviction coming before me all the time? Why are the landlords pressuring to make sure their capital investment is preserved?" Having those balanced, we've got to make sure that the appointments we come forward with—I don't want to get into the detail of the abdication of responsibility by government itself in this regard, but a tribunal must be there to protect those interests, and that balance must be there. I did not see that balance. I will not support this.

**Mr Mazzilli:** What we've heard from Mr Fine is that as a board member he feels it's his job to interpret this legislation that was passed by this Legislature and uphold the law. Certainly what people are talking about here is that somehow he should do more than that, and that's what he said he should not do. He should carry out his duties, and he respects capital.

What he clearly said is that there is a problem. He's acknowledged that there is a problem with the haves and have-nots. There are those types of problems. But you

cannot expect this board and landlords to shoulder that problem. If governments, both federal and provincial, have the solutions, bring them forward. But let's not throw those responsibilities on to a small sector and a board to deal with. Those are my only comments.

**The Vice-Chair:** Further discussion? We'll move forward with the vote.

All those in favour? All those opposed? Mr Fine's appointment is carried.

We then move on to Mary Ross Hendriks, intended appointee as a member of the board of inquiry (Human Rights Code).

**Mr Wood:** I move concurrence.

**The Vice-Chair:** Mr Wood has moved concurrence. Is there any discussion?

**Mr Martin:** In this instance, from my perspective anyway, I found there was a balance, an appreciation of the complexity of some of the issues that will come before that board, and that this appointee will do everything in her power to try to understand all sides of the equation. I think she is very highly qualified, obviously, and will do the things required to keep herself current in terms of some of the challenges and difficulties out there.

This is a very important board, particularly in today's environment, and more and more responsibility in the area of human rights and people's rights is being turned over to the Human Rights Commission by this government. We need the kind of appointment and due diligence that I think this appointee will bring to this position, so we'll be supporting it.

**The Vice-Chair:** Further discussion? Let's move to the vote.

All those in favour? Carried.

We then move on to the appointment of Mr Bradley Craig Tuff, intended appointee as a member of the St Thomas Police Services Board.

**Mr Wood:** I move concurrence.

**The Vice-Chair:** Mr Wood has moved concurrence. Any discussion?

**1150**

**Mr Martin:** Again, I think this will be a good appointment. As Mr Tuff said, he comes from the community, he lives in the community and he understands some of the issues. I don't think he comes with any pre-ordained notions about things. He's going to learn and grow with the job, in contrast to an appointee we had before us a couple of weeks ago. That appointee—and it went through—wasn't willing to put on the record that he had no difficulty with racial profiling and indicated a real disdain for the multicultural nature of our country. In the environment we're living in today, after September 11, I think that's a very sensitive area and issue. As government, we have to make sure we are overseeing and appointing people to oversee who understand the sensitivities there. Mr Tuff's position on racial profiling is commendable. Given that it is one of the big issues at the moment where policing and security are concerned, and his position on it, I won't have any difficulty supporting his appointment to this board for those reasons.

**Mr Curling:** The police services board is an extremely important board. Today, police are challenged by the issues and the laws they have to enforce. I, too, want to say that the response Mr Tuff gave in regard to ethnic profiling pleases me. However, in regard to that, I feel that there has to be a much more informed manner of how the police work and what influence—and I emphasize that—civilians have on the police services board. I had hoped I would have seen—I don't think Mr Tuff has the understanding of how it really works. While he has a good understanding that ethnic profiling is bad, I cannot on that one issue say he would be an excellent member of the board. I think that as a human being he is an excellent individual. I will not be supporting his appointment.

**Mr Mazzilli:** Just a quick comment. I certainly will be supporting Mr Tuff. When we talk about civilian representation or civilian oversight of police, to get the proper representation of community standards and the community itself—one could certainly come up with a lawyer. I suspect a lawyer would represent a small percentage of the people of St Thomas and the views of those people. I believe Mr Tuff, employed in the auto sector, like many other people in St Thomas, will bring community standards that he shares with his neighbours and other people of St Thomas and will reflect those on the police services board.

**The Vice-Chair:** Any further discussion? Let's move to the vote.

All those in favour? All those opposed? Mr Tuff's appointment is carried.

We then move on to Mr Christopher James McCarney, intended appointee as a member of the St Lawrence Parks Commission.

**Mr Wood:** I move concurrence.

**The Vice-Chair:** Mr Wood has moved concurrence. Any discussion?

**Mr Martin:** Just to comment in general, I think we had a fairly good morning this morning. We only had two obvious political appointments in terms of connections and cardholding membership and that kind of thing. It is important to point that out. We are doing 50-50 here today. Normally that's not the breakdown.

In the case of Mr McCarney, we have somebody who brings a level of balance that gives me enough comfort to support his appointment. I believe we do need, in the instance of the tourism industry and some of these attractions, a private sector-public sector partnership. However, we have to continually remind this government that they need to be one of the partners. Mr McCarney

will make the point loudly and clearly that, yes, we need to operate some of these facilities that have been in the public domain for a long time in a more businesslike way, make them somewhat more self-sustaining. But at the end of the day he understands that if you're going to market attractions and bring people in and sing the praises of Canada and Ontario and different regions, and they come and what we have to offer is falling apart and not the best or is not maintained in a proper way, then they'll go away and they won't tell anybody. As a matter of fact, an unhappy customer will tell more people than a happy customer.

I think Mr McCarney, coming from, if I remember correctly, a family that's been involved in the tourism industry in that area for quite some time, understands the need for that balance and that partnership and will, when the time comes, speak up for the St Lawrence region, champion some of the issues they have and call on both senior levels of government to play their respective roles and be there in a way that reflects the value in some of the attractions they have responsibility for and that need to be supported and looked after. I'll be supporting this appointment as well.

**Mr Spina:** I was going to talk about all the wonderful attributes and things Mr McCarney would bring to the table, but my colleague from Sault Ste Marie has done a surprisingly marvellous job, pleasantly to me, from the perspective that he did mention the balance in a parks commission, where you certainly have the environmental element of protecting the parks, the lakes, the islands and so forth, but also that unique involvement and particular experience in marketing it and in increasing its value as a tourism and economic entity. I'm pleased you spoke that way, Tony, and I was very happy to hear that. Those are also the concurrent opinions of myself and maybe some others on our side of the House. We certainly would endorse Mr McCarney's appointment.

**The Vice-Chair:** Any further discussion? Seeing none, we will move to the vote.

All those in favour? Mr McCarney's appointment is carried.

Thank you very much, committee members. Congratulations to all the appointees. Any further business?

**Mr Johnson:** Did we pass the subcommittee reports?

**The Vice-Chair:** We dealt with the subcommittee reports at the beginning of the meeting.

**Mr Johnson:** Sorry. I missed that.

**The Vice-Chair:** We will be back here on Wednesday, December 5. The meeting is adjourned.

*The committee adjourned at 1158.*

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