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Wednesday 14 April 2004

Standing committee on government agencies

Intended appointments

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Mercredi 14 avril 2004

Comité permanent des organismes gouvernementaux

Nominations prévues

Chair: Lorenzo Berardinetti Clerk: Anne Stokes Président : Lorenzo Berardinetti Greffière : Anne Stokes

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STANDING COMMITTEE ON GOVERNMENT AGENCIES

Wednesday 14 April 2004

The committee met at 1009 in room 151.

SUBCOMMITTEE REPORT

The Chair (Mr Lorenzo Berardinetti): We'll call the meeting to order. Our first order of business is the report of the subcommittee on committee business dated April 8, 2004. May I have a motion to adopt?

Mr Ernie Parsons (Prince Edward-Hastings): I move adoption of the report.

The Chair: Is there any discussion? No. All in favour? Opposed? The motion is carried.

INTENDED APPOINTMENTS

PETER SMITH

Review of intended appointment, selected by third party: Peter Smith, intended appointee as member, GO Transit board of directors.

The Chair: We now move to consider the appointment for review today: Mr Smith, intended appointee as member of GO Transit board of directors.

Sir, you may come forward and have a seat here. As you may be aware, you have an opportunity, should you choose to do so, to make an initial statement. Subsequent to that, there are questions from members of the committee. We will be commencing those questions with the Progressive Conservative Party for 10 minutes and going in rotation after that, with 10 minutes allocated to each of the parties. Any time you take in your statement will be deducted from the time allocated to the government party.

Welcome, and you may begin your statement.

Mr Peter Smith: Thank you, Mr Chairman. It's a pleasure to be here this morning. I would like to make a brief presentation and look forward to questions from the committee regarding my proposed appointment to the board of GO Transit.

Let me begin by explaining why I am most interested in this appointment to GO Transit and why I would bring useful skills and experience to the board. There is no question that today, more than ever, there is a focus in this country on urban issues. Perhaps the principal issue is continued urban growth, which puts pressure on the existing infrastructure in all of our communities and results in incredible traffic congestion in our cities and surrounding areas. This is evident in Montreal and VanASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

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couver, but nowhere is it more severe than in the greater Toronto area. Among the litany of issues facing cities today, many believe the number one issue is gridlock. Transit in and out and through urban areas and to outlying areas is an important part of the solution to this gridlock.

GO Transit, since its inception in 1967, has been a wonderful example of building and providing an alternative transportation mode in the GTA. It now carries 44 million passengers a year. It would take 48 additional lanes of highway to carry as many people in the rush hour as GO does. GO Transit serves an area of 8,000 square kilometres in the strongest economic region of Canada.

Growth pressure continues in the GTA and we're told we cannot afford to build new transit. But the truth is, as many have said, we cannot afford not to build more transit. GO is a critical part of the solution for traffic congestion in the GTA. GO Transit in the year 2002 produced a 10-year growth plan. This plan calls for an investment of over \$1 billion over a 10-year period. I see this as an important challenge, a very big challenge, and I would like to be part of that as a member of the GO Transit board as a citizen appointee.

I believe I can bring to the board of GO Transit over 30 years of experience working in both the public and private sectors in various urban-related fields, such as urban planning, social and community development, housing and homelessness, public hospitals facing increasing growth pressures and, more recently, waterfront redevelopment here in Toronto.

While I own and manage a housing company, Andrin Homes, and I sit on the board of Brampton Brick Ltd, which is Canada's second-largest manufacturer of clay bricks, I have spent the last eight years as chairman of Canada Mortgage and Housing Corp, CMHC, which is one of the largest crown corporations in Canada and the 13th-largest financial institution in the country.

Like GO Transit, CMHC is a crown agency corporation which serves a public policy role while operating under a commercial mandate. This requires, in my view, a special kind of governance, and I am quite comfortable in this public-private or commercial-public policy governance role. In fact, in 2002 CMHC won the Spencer Stuart/Conference Board of Canada award as the best public sector corporate governance model in Canada. I was proud to accept that award on behalf of CMHC, because I believe I've committed myself during my lifetime to good corporate governance on every board with which I have been involved. As my CV illustrates— I believe you have a copy—I have served on numerous boards, both in the public and private sectors.

Let me conclude by saying that transit is a major issue in the GTA. GO Transit is a public agency with both a public policy role to address traffic congestion and a commercial mandate to operate as an efficient business while providing affordable transit to the GTA. These are challenges I believe I can help address because of my breadth of experience and my commitment over a lifetime to good corporate governance and to improving the quality of life in our communities and our country.

Thank you, Mr. Chairman. I look forward to questions from your committee.

The Chair: Thank you, Mr Smith. The first questions are from the Progressive Conservative Party.

Ms Laurie Scott (Haliburton-Victoria-Brock): Thank you, Mr Smith, for coming today. You certainly have an extensive and very impressive background to add to the GO Transit board of directors. A lot of your background, as you mentioned, is urban planning, housing and homelessness. My question is, why GO Transit? Why not a board more affiliated with housing?

Mr Smith: I live in the GTA, which I often have to drive through and into and out of. I have a place in Muskoka that I travel to frequently. I'm as aware as anyone else of the incredible congestion. I'm aware that the growth pressures in the GTA will continue. I've experienced some other cities in the world that have alternate modes of transit that help relieve congestion.

I believe I've served this country well in housing. It has been a lifetime interest of mine. I think the challenge of trying to address transit issues is important to my kids and to our communities. I'm interested in doing it.

Ms Scott: I certainly commend you for all the public service that you have done. How did you hear about this appointment?

Mr Smith: At Christmastime I was at a hospital function. I serve on the board of Credit Valley Hospital. My term is coming up. The current Minister of Transportation, Mr Takhar, served on that board with me for about six years, I believe, and he was at that hospital function. He knew my term at CMHC had ended and he knew my term at the hospital obviously was ending, and he asked me if I was interested in serving on this board.

Ms Scott: The Minister of Transportation, Mr Takhar, asked you?

Mr Smith: At the time he said he was interested in bringing on to the board people with business back-grounds and people who had worked in both public and private corporations. At the time I said it was an honour to be thought of. I hadn't thought of it. I did think about it and said, yes, I was interested. Then he asked me to forward my resumé, which I did.

Ms Scott: You forwarded your resumé on to the Minister of Transportation?

Mr Smith: To the minister's staff, I believe.

Ms Scott: I live in a rural area in a rural riding and Peterborough is close to me. I know Barrie is looking at expansion of the GO Transit service. You did mention the 10-year plan, which is really important for all of us, for the transit in and out and the commuter and the jobs. Is there any way you think we could make that faster than the 10-year plan? Do you agree totally with the 10-year plan? Do you want to see some changes within that 10year plan that's out there?

Mr Smith: The research I've done is principally the document that I received plus what I could get off the Web site. I guess going off Web sites and getting information is not the best.

I do believe there is a need to expand GO Transit, not only in terms of the service to the areas it currently serves but expanding it to the outer areas that are growing. There is no question in my mind, and I understand it from being part of the building and development industry, that there are continued growth pressures outside of the Toronto area. More and more, affordable housing is being provided outside of Toronto as opposed to inside of Toronto. Those people, more than any in the future, would require transit. I think, as part of a 10-year strategy, that ought to be addressed, and I understand it is being addressed. I'd like to be part of the process of addressing that.

Ms Scott: I hope that it does come and comes sooner than the 10 years, but that's certainly what we need in the area that I come from and other areas in Ontario.

Thank you. Those are all the questions I have.

The Chair: We'll move on then to the NDP.

Mr Gilles Bisson (Timmins-James Bay): Thank you for your application. I apologize for being a bit late. I'm normally a very punctual person, but we have this process around here of scrums with the media, and sometimes we have to wait for our opportunity.

I've got a couple of questions, and part of it is process. I agree with my colleague's assessment that you certainly bring a vast amount of experience when it comes to your business background, both what you've done in the development industry and what you've done at Canada Mortgage and Housing Corp. I think that's a plus. **1020**

My problem, and one of the reasons we bring you here, is that we don't know a lot about you when it comes to your experience with transportation. I don't want to use my 10 minutes to go on with my pet peeve about policy in this province. It's not your fault, but quite frankly the fault of all governments in the past. We've not done a very good job in doing good planning when it comes to urban transportation issues: Via, GO Transit, the TTC and all of that stuff. My first question is, do you have any experience in the transportation industry?

Mr Smith: The answer is no, not directly in any transportation company or agency. As I indicated in my opening remarks, I have a great interest in it from a variety of perspectives, not the least of which is to create livable communities, but without being flippant, I didn't know anything about manufacturing bricks before I went

on the board of a brick company. We're the secondlargest brick company in Canada.

Mr Bisson: I'm one of your customers, by the way.

Mr Smith: Good; it's the best brick in the country.

Mr Bisson: It has held up rather well in the driveway of 246 Middleton, I want you to know.

Mr Smith: I think the important thing here is my commitment to learn, to do research, and my understanding of how corporations run—the need for them to get clear authority, accountability.

Mr Bisson: I've got no qualms about that part of it because I looked at your CV when it came forward. Clearly you have done an excellent job at your appointment at Canada Mortgage and Housing Corp. The award speaks volumes. My problem, however, is not that I'm holding up your appointment, but I want to make this point: When we put boards together, such as the board that's going to deal with issues like GO, it would seem to me we would pay some special attention to making sure that we bring people on who have some experience in the transportation industry, because there are many issues we need to deal with. I wanted the opportunity to be able to remind the government that the process we have is somewhat flawed, and no disrespect to you.

Mr Smith: I understand.

Mr Bisson: I understood the question being, "Where did you hear about this appointment," and you heard about it through the minister at a function you went to, and therefore the minister asked you to apply and all of a sudden you are here, basically getting your appointment. It seems to me there's something wrong with that process. I don't care if it's Minister Takhar or Minister Bisson or Minister Smith who did the deed. I'm elevating you to cabinet today, Monique, just so you know.

Ms Monique Smith (Nipissing): Thank you.

Mr Bisson: You're welcome. The problem is that's not the way we should do appointments. I want to use this opportunity to suggest the following: My problem is that now we have a process where we don't go out and advertise for interested people across the area who may have a contribution to give to GO Transit. I don't take away from your abilities and your managerial skills. I think they're impeccable. That's not my point here.

Mr Smith: I understand.

Mr Bisson: Your appointment is going to happen, but I want to take this opportunity to say to the government that we need to try to find a way to fill these appointments by advertising far and wide for people to be able to apply, should they have an interest in sitting on such a board and have some ideas about what needs to be done with GO. If you have somebody out there—he or she—who has experience when it comes to transportation, has some ideas and wants an opportunity to be able to raise those ideas and use that experience at the board, we should know about it as a government. Those are the people we should be seeking to appoint to these boards.

The process as it stands—no disrespect to you—is, "I'm the minister. I see you at a function. I know you are my friend or an associate." I say to you, "Why don't you apply for this board?" How many times have we seen in the years I've been on this committee, "I really know nothing about the board I'm going to, but I have other experience and I happened to talk to the minister"? It seems to me that that's not the way we have to do this no disrespect to the current minister, because it has been done by Tories, it has been done by New Democrats, and it has been done by Liberals and Tories before that.

We tried, when we were in government, to go through a public process of appointment where we advertised and people had an opportunity to apply. I would argue that it was successful to a degree, that we did manage to find people, bipartisan as far as politics is concerned, who had something to bring to the boards they were coming to. The downfall, though, was that it was a bit slower, but maybe that's not a bad thing. Maybe taking the time to make sure we canvass far and wide for the proper people to go on these boards is a process that's worth investing in so that these boards end up with people who have an interest and an understanding of the issue they're getting into.

I want to say up front that I'm sure you are going to bring good managerial experience to that board. I've no doubt about that whatsoever. The brick in my driveway attests to the quality of the product you produce, as I said. I'm not going to agree with everything CMHC has done. I think they could do far more, but that's government policy, not your decision as a person who was responsible to that board.

I would only say, and no disrespect to you, but it really doesn't sit well with me when we go through this process, and I just say to this committee that maybe one of the things we need to spend some time on in one of the sessions is talking about coming up with some sort of process by which we can do a better job of canvassing for people to be able to apply to the positions they are interested in so that we can pick the best. Maybe your appointment shouldn't be to GO Transit; maybe your appointment should be to the Ontario Municipal Board or some other board that would better be able to use your lifelong experience in those fields which you are good at.

Mr Smith: I don't believe there's a question there.

Mr Bisson: No, no. I'm just making—I do appreciate that you have a sense of humour, though.

Mr Smith: I understand what you're saying. I don't believe I need to respond to that, Mr Chair.

Mr Bisson: Now, I've got a few minutes, and I do have a question.

Now that I've put that out, tell me a little bit what your thoughts are, what you think needs to happen at GO Transit, what kinds of investments we have to make. Do you have any ideas, any plans about what you want to talk about once you finally get to the board?

Mr Smith: Thank you. I think that's an excellent question. I obviously would bring—

Mr Bisson: You will know that all my questions are excellent.

Mr Smith: I won't go on again about the governance side that I would bring; I think that's self-evident.

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Mr Bisson: No question.

Mr Smith: I think what I would bring to the board is an ability to look long-range, to look at 10-year plans, to be able to assess what's required to get there and to assist the rest of the board and the chair in order to get consensus, because consensus will be required amongst different levels of government and amongst different agencies and with the private sector as well. I believe I've demonstrated over the past, and I can give you a number of examples, some at CMHC, some in other agencies, where I have been able to play a significant role in securing enormous capital works, capital projects.

I can give as an example to you a \$1.2-billion commitment to affordable housing in the country, signed by 14 governments—10 provinces, three territories and the federal government—a historic document and a historic contribution of \$1.2 billion; a \$150-billion commitment to Canada mortgage bonds, with the ability to raise money internationally as well as nationally to commit \$120 billion to create more affordable mortgages for young people securing homes in this country.

What I'm saying is that I think I have the ability to deal with large capital works and the ability to understand the financing that it takes to get there and the knowledge that it requires more than one party to do that.

Mr Bisson: But you agree with the premise that there needs to be an investment at GO Transit?

Mr Smith: Absolutely. I said that in my opening comments. I believe that GO Transit needs to not only expand the range of services it offers in the current service area, but to look at expansion beyond, because growth is continuing to take place not just in the greater Toronto area, but in the surrounding regions. I think the long-term liveability of our communities is to create a balance of housing opportunities and transportation opportunities so that people can get to where they work, get to places of enjoyment.

Mr Bisson: And that's a whole other debate. Better planning legislation would allow us not to have as much of a need for GO, but that's a whole other debate.

Mr Smith: We could debate that a long time, I guess.

Mr Bisson: But we have to deal with where we're at. **Mr Smith:** Right.

Mr Bisson: As far as how GO organizes itself and where it goes from here, do you believe that GO must remain a public entity?

Mr Smith: As opposed to being privatized?

Mr Bisson: Yes.

Mr Smith: Yes, I do. As I said in my opening remarks, I think it's an agency that has a public policy role, and that is to provide transit to the people of the greater Toronto area and beyond at an affordable rate and in an efficient manner, but to operate as a commercial business. In other words, it has to raise revenues from the users to fund its operations. As a builder, I pay toward GO Transit. For every house I build—I think it's \$329.83—I have to write a cheque to GO Transit. What I'm saying is that I think, just as I believed with CMHC, that there is a public policy role here that should not become part of the private sector. It has to have a private sector orientation.

Mr Bisson: Yes, as far as its overall view about how it runs.

Mr Smith: It's a business.

Mr Bisson: But also, at the end of the day there are not many rail services in the world that do run at a profit, and we need to understand that there is also a public policy side that says it may not be—what's the word in English: « rentable »? It may not be profitable in some cases, but from a public policy perspective you need to provide it.

1030

Mr Smith: Exactly.

Mr Bisson: So you agree with that concept?

Mr Smith: I agree with that exactly. I don't think the intention here is to create a public agency that would turn a profit for the province through operating transit systems for communities. I think the idea is to run an efficient, businesslike operation, recognizing its public policy mandate.

Mr Bisson: Do you believe that there is a positive role to play by employees being canvassed by management and the board about some of the things we need to do to increase services and provide better services to the riders of GO?

Mr Smith: I think in any organization, the more you consult with stakeholders about the future of the enterprise they're involved in, the better you're able to make decisions and plan and develop strategies. I see the employees of any company as being stakeholders, whether it's GO Transit or my own company.

Mr Bisson: I will only say that in conversations I've had with union representatives of the company, as well with as some of the GO staff I've talked to, they really have a sense that that has not happened to the degree it needs to happen. I hope, in coming to the board, that you bring an approach of at least trying to canvass and listen to what they have to say, because quite often employees are better situated to be able to look at what some of the problems are and what the solutions should be to some of those problems.

Mr Smith: I think they're an important part of the enterprise, as they would be in any company.

Mr Bisson: Thank you.

The Chair: We'll move on to the government party.

Ms Smith: Thank you, Mr Smith. We appreciate your being here today.

Mr Bisson: Are you guys related?

Ms Smith: I just wanted to confirm for Mr Bisson, because I knew he was going to ask the question, that we're not related.

Mr Smith: We're not related, nor had we met.

Ms Smith: Nor have we ever met; exactly. There are a lot of Smiths in the world.

I also wanted to give you an opportunity to speak to your experience. We have had the opportunity to review your credentials, which are impeccable, as the opposition has agreed. But in order to counter Mr Bisson's speech earlier today, I'd like to give you an opportunity to just speak to your experience with corporate-public governance issues and how you think the experience you have will enrich the board at GO.

Mr Smith: On the governance side, as I said in my opening comments, I was very proud of the fact that Canada Mortgage and Housing won the public sector award in governance across the country in 2002. We did that by developing a risk management program within a corporation. It was very effective.

In terms of governance, something that I would bring to the board of GO Transit is an ability to listen to the other members of the board, but also to understand very clearly what the mandate is, what the accountability framework is, what the authorities are, what legislation you operate under and, within that context, then to develop corporate plans or strategic plans that involve all the members of the board.

Let me give you an example. I've sat on boards, we've all sat on boards in the past where, come October or April, whatever the time frame of the year is, the staff wander in and plunk down a big plan and ask you to stamp it and approve it, and off they go for another year; and a year later they come back again with a plan. What I worked on, and what I'm very proud of, is having a process whereby the plan starts with the members of the board by doing, if you wish, an environmental scanwhat are the issues out there that we need to deal with; what are the current issues today in transportation, in congestion in the GTA—and to bring in experts to talk about that, bring in transportation experts, bring in urban planning experts, bring in demographers, to have the board totally up to speed on what in the environment is important to consider in developing the plan, and then, throughout the year to have the plan evolve to the point where, when it is signed off and sent to the ministry for approval if that's required, and it was in my case, the board is completely onside and understands and it is their plan. So if I had to give one example of governance, and it's a simple one, that would be one that I hold very dear.

The Chair: That concludes the time allocated. Thank you very much, Mr Smith. You may now step down.

We'll now consider the intended appointment of Mr Smith. Do we have a motion for concurrence?

Mr Parsons: I move concurrence.

The Chair: Is there any discussion?

Mr Bisson: Just for the record, I want to say again that the New Democratic Party caucus does not have a problem per se with the person who has been put forward; it's more an issue of the process. Again, I want to ask the committee to do a bit of thinking about this. Maybe at a further date we can talk about it at subcommittee and bring it back to the committee itself and we'll try to develop some kind of process.

Obviously this gentleman, Mr Smith, who's not related to Monique Smith, does have experience that might have been better served on another commission. For example, I'm thinking of the Ontario Municipal Board, in planning that kind of thing. We need to think about that a little bit because maybe we're not appointing the right people to the right boards. Just a comment.

The Chair: Is there any other discussion? If not, all those in favour of the appointment? That carries.

Mr Bisson: I just want to raise with the committee members that you would know that, as committee members, we also have the responsibility to take a look at agencies. I would propose-maybe, Mrs Smith, we could talk about this; if we're not reaching a decision today, maybe we can talk over the week about looking at bringing the Ontario Northland commission before our committee. I don't need to go through the entire debate with you; you know it well. But for the satisfaction of other members, ONTC has undergone a massive amount of change over the last number of years. I think both Mrs Smith and myself are allies on this, when it comes to making sure that the ONTC does the best possible job and has the best possible ability to have the resources to do the job, to serve northeastern Ontario. I think it would be interesting to bring the ONTC before this commission in order for us to take a look at how it's run and where it's going so that northerners, at the end of the day, can have a better sense of what's happening.

There's a bit of a sense of—we've gone through a period of almost five or six years of trying to save the Ontario Northland train. Finally the government's done the right thing and said they're going to keep it public. But I think people are now waiting to see what's next; where are we going with the commission. If we're going to keep the train and we're going to keep it public, bravo; we give the government full kudos for that. But I think at this point we need to start turning our attention toward what has to happen at the ONTC to make sure that train services and other services of the ONTC are run in such a way that they are effective for northeastern Ontarians and others who need to travel up to the northeast, so that it's run as efficiently as possible and that it's usable, as far as being user-friendly, to the people who use the service.

I don't know if you, Monique, wanted to move that as a motion now, or we could put it off to another time. But I wanted to raise it with you.

The Chair: Why don't we put it off until another time? The subcommittee can meet and perhaps put it on a future agenda. Is that OK? Do we have a motion to adjourn, then? All in favour? Opposed—

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): Just a second.

The Chair: Mr Tascona?

Mr Tascona: Sorry, I was with the Speaker; we were having a meeting. This fax here, has that been discussed? The one we received from, it looks like, Echo Advertising.

The Chair: Yes, that was information that was requested to be distributed to all committee members.

Mr Tascona: Has the clerk got anything to say about it? It involves the Human Rights Commission.

Clerk of the Committee (Ms Anne Stokes): I received material in my office addressed to the committee members. It was incumbent upon me to distribute that to the committee members. It's an unsolicited letter. We have distributed others from the same person.

Mr Tascona: I just don't know why it would come to this committee, when it went to the Attorney General.

Clerk of the Committee: The person has chosen to alert this committee to the situation.

Mr Tascona: Is anyone going to be contacting that person as to what they want from the committee?

Clerk of the Committee: It's up to the committee if you'd like to respond or address the issue.

Mr Tascona: If they're sending something to the committee, I think it has to be acknowledged somewhat, since you decided to give it to us. It might not have come to our attention unless you had given it to us. There has to be some acknowledgment of it by the committee.

Sometimes you do get letters coming into the committee and people expect you to look at them. It's usually in a different format; you get alerted to it. I would just suggest that we at least acknowledge that we've received it. I don't know if that's been done.

Clerk of the Committee: I can do that. I can do that on behalf of the committee.

Mr Tascona: I think all I could offer is just in terms of what they would hope this committee would do with it. Having read it, somewhat summarily, it's not looking for any directions. The Attorney General has directed the person to go back to the Human Rights Commission. So I don't really know what they're bringing it to our attention for. I'd like to know what they expect this committee to do with it, along with acknowledging it, if that's all right with this committee. If we're going to get information like this, I think we have to respect the fact that it's brought to our attention.

The Chair: Is there any further discussion on this item? I think Mr Tascona just wants acknowledgement that we've received this.

Mr Tascona: If all they want is for us to receive it, that's enough, but if we're looking for some direction from the person, then I guess that's another thing.

Mr Bisson: I've seen this letter and I haven't had an opportunity to question the gentleman who wrote the letter and get totally up on what the issue is. What he is alleging is that some of the decisions or practices of the OHRC are suspect, and I have no way of knowing if that's true. I think one way this committee can deal with it is by calling that particular commission before this committee. Maybe that's something we need to look at at the subcommittee level to see if possibly that's something we want to do.

Mr Tascona: I don't have any difficulty with that.

The Chair: I don't know if we have to hear first from the commission itself. Perhaps we can direct the clerk to contact the commission first and ask them to respond to this. Is that OK?

Mr Tascona: The way the chronology goes here, if there has been correspondence with this individual with respect to this with the commission—at least two letters; one in August 2003 and then a response from the Attorney General in January, because by that time the Attorney General was given responsibility for the Human Rights Commission—I think it basically has to do with their caseload. But I don't disagree with Gilles. It's part of our mandate, and if there's something that needs to be done, we have to look at it.

The Chair: I think we'll contact the commission and ask them to respond. Is that OK? Mr Bisson.

Interjection.

The Chair: With a pen, for the record.

Motion to adjourn: All in favour? Opposed? Carried. *The committee adjourned at 1042.*

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