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Tuesday 1 May 2007

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Mardi 1^{er} mai 2007

**Standing committee on
estimates**

Office of the Premier

**Comité permanent des
budgets des dépenses**

Cabinet du premier ministre

Chair: Tim Hudak
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ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
ESTIMATESCOMITÉ PERMANENT DES
BUDGETS DES DÉPENSES

Tuesday 1 May 2007

Mardi 1^{er} mai 2007

The committee met at 1604 in room 228.

OFFICE OF THE PREMIER

The Vice-Chair (Mr. Garfield Dunlop): Good afternoon, everyone. Welcome to the standing committee on estimates. I believe that last time we finished up with the official opposition. Now we'll be going to the third party for a 20-minute rotation.

Minister Smitherman, welcome back today.

Hon. George Smitherman (Deputy Premier, Minister of Health and Long-Term Care): Mr. Chair, just before we begin with that round, at your instruction, cabinet office officials have a variety of verbal updates or answers to offer to some of the questions that were posed. So at whatever point you would prefer to receive those, we could make them available.

The Vice-Chair: If it's okay with the government, can we use your time to—

Interjection.

Hon. Mr. Smitherman: I think they were typically—we could probably go through them and determine which party they were answered from, if that's helpful to the Chair.

The Vice-Chair: Okay, we'll figure that out, and by the time we go around, we'll work that way.

So if you can provide those answers during whatever particular party asked the question at that time, we'll take some of that time out of each 20-minute rotation. I apologize for that.

To the third party.

Mr. Paul Ferreira (York South–Weston): I'm glad to be back for round three of our committee hearings into the estimates of the Premier's office.

My first question this afternoon is to Mr. Dean. Last week, on Wednesday, you referred in at least a couple of instances to “issues of significant magnitude.” I'm wondering if you could define what you mean by “significant magnitude.”

Mr. Tony Dean: I'm not sure. We were chatting last week about that, I think, in a couple of contexts. One was the circumstances in which notes or verbal briefings would be prepared. It may well have come up also in the discussion about when did the cabinet secretary learn about certain events and what did he do or not do about them.

I think that, as we talked about last week, there's an economic criterion in terms of impact on the province,

either positively or negatively, in terms of the fiscal plan. There are policy criteria that one looks at; there are criteria that relate to whether or not one can expect the opposition or another interested party or group to raise questions or issues about it; whether there's an inter-governmental impact; whether there's a potential impact on the health and safety of the population or on government services. Those are all things that I think you would weigh into the mix in determining whether an issue was of sufficient magnitude to alert our colleagues.

Mr. Ferreira: Does the amount of media coverage factor into that formula?

Mr. Dean: That is one of the criteria, certainly, that I would look at. That being said, one is always, in my world, thinking about these things on a 24-hour cycle, and one of the early determinations that I think we, in this world that we all share, make is whether or not a story is significant for this particular news cycle or whether it will continue to be of significance in the days and weeks and months ahead. Something that receives relatively minor coverage in one of the news media might well have the potential to become much bigger; something that receives considerable broad coverage may be a one-day piece of news.

Mr. Ferreira: In the case of Mr. Edmonds, there were dozens of print articles—some electronic media as well—within a period of a month in 2005. Would that have warranted further scrutiny, in your opinion, as a long-time civil servant?

Mr. Dean: I guess, generally speaking, one always looks at the context. My sense is, from observing the world of the media and the media production process—let me suggest to you that good news isn't something that tends to linger very long in the media; negative news, issues around conflict, tend to have a little bit more traction. So news of a settlement and the conclusion of some judicial or quasi-judicial dispute—my own expertise from the past is in the world of labour negotiations, and it often strikes me as quite remarkable how big news stories can quickly evaporate once a sense of conclusion or settlement is reached. So I don't really know what to draw from the question you're asking.

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Mr. Ferreira: Last week you said to us that you only learned of this case in October 2006. To quote, you said, “In retrospect, I might have expected that I would have learned about something like this a little bit sooner.” I'm

wondering why you would have expected to learn a little bit sooner.

Mr. Dean: The fact that I heard about a subject of the business of a government agency appearing on a TV news show is, I think, material and something that I might ordinarily have heard about with a little bit more advance notice.

Mr. Ferreira: In a case like The Fifth Estate, when they do these kinds of investigative reports—and having worked in the media, I know that typically it involves weeks, if not months, of research and background interviews and fact-finding. Do you find it odd that it wouldn't have come to you as that initial research—when The Fifth Estate goes around, they're digging, right? Would you have expected to have been made aware of their work well before it came to air, not just before it came to air?

Mr. Dean: I've learned, actually, in this job to expect the unexpected. I work in a rather unpredictable world, as you do. There are some things we can predict and others we can't. I think I said last week that the stuff we predict, that we know about, is actually easy to handle in my world. There are things that do sneak up and surprise you from time to time. This wasn't the first; it won't be the last. Is it exceptional that I, from time to time, be a little caught off-guard by something? Not really.

Mr. Ferreira: So it happens on a regular basis?

Mr. Dean: Well, that's part of the world we all inhabit.

Mr. Ferreira: Should someone have alerted you, and, if so, who would that person have been?

Mr. Dean: I would normally hear, I guess, through the deputy minister or perhaps, in some cases, directly from the media. As I said last week, there are hundreds and hundreds of things coming at us, and one hears about these through a variety of means. It could have been through the deputy minister; it could have been through the media; I could have picked it up in discussions with colleagues. There is any number of ways that it could have come to my attention.

Mr. Ferreira: So is this a case where someone may have just dropped the ball in assessing the importance of this issue?

Mr. Dean: I don't know enough about that at this particular time to give you a good answer to that, quite honestly.

Mr. Ferreira: Given the magnitude of the issue, as we've witnessed more recently, is it something that you're going back to check and see if there was a breakdown somewhere? It has become an issue of more significant magnitude as time has gone on.

Mr. Dean: When I'm occasionally surprised, I will, from time to time, go back to a ministry or department and suggest that it might be important to tighten up our information systems. Let me just put it like that.

Mr. Ferreira: How does that process—that investigation, if I can use that word—work? Go back to the relevant staffers and ask for some kind of explanation?

Mr. Dean: I think that, generally speaking, when we are advised of a material situation close to the event, my reaction is sometimes enough to wake people enough to a sense that it's time to sharpen up information systems. So it depends on the situation.

Mr. Ferreira: In this particular case, have you undertaken to go back and speak to the relevant staffers and ask them, "Hey, what happened here?"

Mr. Dean: I understand that that's something people are looking at in the ministry. I haven't asked them to do that.

Mr. Ferreira: Are you involved in that?

Mr. Dean: I'm not.

Mr. Ferreira: Who is involved in that?

Mr. Dean: You would probably need to talk to the deputy minister.

Mr. Ferreira: Of the Ministry of Public Infrastructure Renewal? Thank you.

To the Deputy Premier: Last week, you brought up the word "judgment" and how judgment calls are made on a regular basis that pertain to issues like this. In your opinion, is it a case of bad judgment that this wasn't brought up?

Hon. Mr. Smitherman: I don't think so. I had a chance to say last week that I've done different sides of this job. My impression is that when the volume of information that you're dealing with is like this—there's that much stuff in the public domain every day—if I'm in an issue management role and the stories that are pertaining to the area where I work are about a settlement and have the word "happy" in them—again, I wasn't around on that file. I get my information, too, apparently, from The Fifth Estate. But if I look back on it, having reviewed the kind of media that came out on that big day that you think everybody should have noticed but that the opposition parties didn't—no. I'd say no. If I'm trying to get the most pertinent information up the chain of command to let them know that X, Y or Z is occurring, I'm not very inclined to think that a story line that had the words "settlement" and "happy" in it was going to force that forward. In my judgment, no.

I just want to say, in answer, we do have some information pertaining to questions that you asked prior, and if it would be appropriate, Cabinet Office officials could provide that information now.

The Vice-Chair: Would you like that, Mr. Ferreira?

Mr. Ferreira: Sure.

The Vice-Chair: Go forward, please.

Ms. Shelley Gibson: Mr. Ferreira, you asked at the last session, I believe, and at the first one as well, on Tuesday, about the last paycheque for Don Guy.

Mr. Ferreira: Yes.

Ms. Gibson: I've gone back and looked at records, and I've confirmed what the secretary of cabinet already mentioned, that Don Guy was chief of staff until July 2006. He continued to provide some transition advice and counsel to his successor until August 2, 2006. You specifically asked about his last paycheque. Government paycheques—as you may know, because it may be the

same for the Legislative Assembly—are regularly processed two to three weeks after the final date of employment. So he received his last paycheque for work conducted for the Premier's office on August 24, 2006, and then he also collected accumulated vacation pay. That was one of the questions you asked us to come back with.

Another question: You asked us to confirm, although I believe the Deputy Premier might have already confirmed it, but just to reconfirm again, that the Premier's office does not have any contracts with Pollara. That was another question you had asked.

In the last session on Wednesday, you also asked for the budget breakdown for issues management. As I did indicate—I've gone back to confirm that there is no specific budget breakdown by department in the Premier's office; it's a global salary and wages budget.

Another question that you asked—and I believe the Deputy Premier might have also indicated a response to this question as well, but just to reconfirm—was that the issues management function in the Premier's office has consistently been staffed at or about three people.

I think the final response you were looking for was some examples of vendors in the services category. I think you were referring to page 12 in the estimates briefing book and you were looking at the services line there, which is about 4% of the whole budget. I've gone back and looked at that a little bit more. Costs against the "Services" line in general for the Premier's office have decreased by about 8% from 2002-03 to 2005-06, which is the last reported actuals, on page—I don't think it's page 12 where the actuals are; I believe they're reported on page 14, the line-by-line actuals. It has decreased by about 8% overall, from \$103,670 in 2002-03—and that's in public accounts—to \$95,402 in this year's estimates book, which is also the 2005-06 actuals from public accounts.

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Items such as equipment rentals and service, which I mentioned before, facility repairs and maintenance, meeting rooms, things like health and safety services and some vehicle-related costs are all things that are charged under the services line. You asked for some examples of vendors providing these types of services. They include vendors like Pitney Bowes for office automation, Reko Canada, the Legislative Assembly of Ontario, Compass Group Canada and Aon Reed Stenhouse. Those are some examples of the vendors that provide us with the operational services to support an office of the size of the Premier's office.

I think that responds to the question from Tuesday and Wednesday.

The Vice-Chair: There are five minutes left in this rotation, Mr. Ferreira.

Mr. Ferreira: Compass Group, what kinds of services do they provide to the Premier's office?

Ms. Gibson: They're a vendor of record for all of the Ontario public service for catering-hospitality services.

They also do some of the boardroom bookings in the Macdonald Block.

Mr. Ferreira: And Aon Reed Stenhouse?

Ms. Gibson: General liability insurance related to travel.

Mr. Ferreira: With regard to Mr. Guy—and thank you for getting that information for us, it's quite helpful—he left as chief of staff in July and, for a short period, he provided transitional advice and counsel to his replacement, I would surmise.

Ms. Gibson: Yes.

Mr. Ferreira: Has he had meetings with the Premier's office since his departure to talk about matters of business?

Ms. Gibson: That's not something that I would know, sir.

Mr. Ferreira: Anybody?

Hon. Mr. Smitherman: I have no formal knowledge of such meetings. Relationships are one thing and formal meetings are another. It would be my anticipation that he would be, from time to time, in touch with a wide variety of folks. I don't have meetings with him, per se, but I do run into him from time to time because our lives cross and overlap. I would suspect that he would have some engagement, but I don't think any of us that are here would have purview to his calendar.

Mr. Ferreira: Do you have access to the Premier's calendar or to the Premier's new chief of staff, to his calendar?

Hon. Mr. Smitherman: If there's a specific matter, as we've done in other cases, and if you want to pose a specific question, then we'll go back as we have in these other instances and do our very best to get you the—it's a little bit hard if it's kind of like a haystack, but if there's a particular question that you have in mind, then we'll do our very best to get you an answer to that.

Mr. Ferreira: I'm wondering if a log is kept of all the business-related meetings. I'm not talking about personal time, but business-related meetings that the Premier and his chief of staff conduct, or his senior staffers conduct, and with whom. Is that something that you could get for us, and, specifically, how many times Mr. Guy would have been involved in those meetings, if any?

Hon. Mr. Smitherman: I have no knowledge of whether there's some kind of a centralized thing where everybody's schedules go. I've never heard of that, but most definitely, we'll make inquiries along the lines of those that you've asked and see what information we might be able to bring back to the committee.

The Vice-Chair: A quick one here.

Mr. Ferreira: If I could also ask the same of any meetings with Mr. Warren Kinsella.

Hon. Mr. Smitherman: We're talking now, if I understand it, about meetings between Mr. Guy and Mr. Kinsella?

Mr. Ferreira: No, no. Mr. Guy and the Premier or the Premier's senior staff, and meetings between Mr. Warren Kinsella and the Premier and/or his senior staff.

Hon. Mr. Smitherman: Okay. Now I understand the nature of the question. Same answer, Mr. Chair.

Mr. Ferreira: Specifically, Warren Kinsella. I understand that his brother, Lorne Kinsella, has done some work for the Premier's office in the past, but it's Warren that I'm asking about, just so we're understood.

The Vice-Chair: We'll now go over to the government side. Mr. Patten, if you could start.

Mr. Richard Patten (Ottawa Centre): My question is to the secretary of cabinet as well. My preamble to the question is the whole question of the agencies that we have. It seems to me that, regardless of which government, agencies are often set up in order to have an arms-length relationship that gets it out of partisan or political judgments or sensitivities. Of course, there's been a lot of interest in certain agencies recently, and it seems to me, as a friend of mine said to me, "You know, you guys can't win."

If you don't get involved somehow in an agency, then you're accused of not showing you care. If you do take an interest in it, even if it may be for learning about the function of the agency and what is going on, because theoretically—well, there are some overall oversight relationships with ministers, I suppose—then the vulnerability is, they're accused of meddling. Of course, that's the nature of our political system. We have a government and we have opposition parties who are there to try to make the government look bad.

My question is, related to Cabinet Office and the Premier's office—and there perhaps might be a different relationship here than with a ministerial office—are there any relationships there with Cabinet Office? For example, with people who are hired, are you involved in providing the terms of reference for the hiring of the chairs of boards, agencies and things of this nature? By the way, how many agencies are we talking about? We must be talking about 50, 60; maybe more.

Mr. Dean: Three hundred and nine.

Mr. Patten: Three hundred and nine. That's pretty big. What's the relationship with the Cabinet Office, if there is any?

Mr. Dean: First of all, I can confirm that governments' relationship with agencies, not just in this jurisdiction but across the country and internationally, have ebbed and flowed and do give rise to the sort of conundra that you articulate. Agencies are generally established to move out services, service delivery and oversight from government where that often isn't considered to be necessary to the core business or operations of government, and this has been a tricky relationship for governments of all political stripes.

We do the best that we can in central agencies to provide advice on how to get the accountability relationships just right, I suppose is the term. We wouldn't, in Cabinet Office or the Premier's office, generally have much involvement with the day-to-day, week-to-week, month-to-month operation of agencies or the relationship with them. That is generally dealt with at the ministry level. Most agencies are associated directly with a sponsoring minister, a sponsoring ministry.

I would certainly be involved to provide advice to the Premier's office or to ministries where a new agency was being created, or where there was contemplated a restructuring of agencies. We have, consistent with the discussion that we had last week, engaged in some restructuring of the agency sector because, of course, many of those agencies have similar back-office operations and, in the constant search for administrative efficiencies, we like to line those up wherever we can at the level of, if you like, the wiring and the plumbing of those organizations.

So, on a day-to-day basis, the relationship of the Premier's office and Cabinet Office to agencies would be slight. All of the real work occurs between the ministry and the agency itself.

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Central agencies: Management Board would certainly look to create some commonality in terms of expectations around accountability across the government. We do have an agency establishment and accountability directive which sets out, if you like, common standards for agencies.

I touched lightly on this last week. I won't go into much more detail unless you'd like me to. But essentially, the main elements of that: A memorandum of understanding is generally set out to establish the accountability relationship between the ministry and agency personnel. It clarifies administrative arrangements, roles and responsibilities, benefits, salary, compensation structure, conflict-of-interest issues and things of that nature. Those are generally signed by the minister and the agency chair and stay in place for four or five years.

Similarly, there's a requirement for a business plan to be developed and submitted annually for approval. That looks at things like the agency's key activities, priorities and performance measures. That business plan has to be submitted every three years to Management Board for approval. There is an annual report. There is provision for audits and things of that nature.

So it's a pretty standardized and reasonably rigorous accountability process that, going back to your question, tries to find the right balance between, if you like, setting a framework—what one tries to do here is to set a framework, an overall sense of government direction within which we would hope that the agency operates, establishing some expectations around performance and accountability in reporting.

The management on a day-to-day, week-to-week, month-to-month basis occurs at the senior management level within the agency itself. The ministry applies a light touch, I think it's fair to say, unless on a sort of risk basis it's necessary to change that.

Mr. Patten: I'll come back to that a little later. My colleague Mr. Wilkinson has a few questions, so I'll hold this one until later. Thank you very much.

The Vice-Chair: Go ahead, Mr. Wilkinson.

Mr. John Wilkinson (Perth–Middlesex): I have two questions: one for the Deputy Premier and one for the cabinet secretary. I will start with the Deputy Premier.

I know there seems to be a lot of interest on the part of the opposition about the relationship of the Premier's office and agencies and all these types of things. I'd be interested in knowing about the relationship between the Premier and his ministries. I would ask the Deputy Premier, given the fact that he's the minister for the largest ministry of the government and is, as I've been told, the longest-serving Minister of Health in the province of Ontario since we brought in medicare—I would like to ask your opinion—

Interjection.

Mr. Wilkinson: —and still alive and doing a wonderful job, I might add, and loves the job.

Hon. Mr. Smitherman: He's reading from a script.

Mr. Wilkinson: No, I'm not. Actually, I have—

Interjection.

Hon. Mr. Smitherman: His are in as good shape as yours are.

Mr. Wilkinson: I guess my question is, what is the role of the Premier in the setting of goals? He's a great believer, of course, in metrics. I think about the wait times, and the marching order that he gave to the Minister of Education about improving test scores. I know the ones that he gave to you about the reduction of wait times. Could you comment about that relationship between the Premier and his office and line ministries such as yours?

Hon. Mr. Smitherman: We had a chance to talk about this a little bit at committee last week. Part of the contrast that is sometimes on offer is with the style. As an example, government that is coming out of Ottawa right now in terms of the notion, at least, widely reported, that with few ministers aside—the member from Durham region's spouse is very often noted as one of those who has earned a little more room to manoeuvre, if you will—it really depends on the administration and the tone that the leader determines to set.

Obviously, if we look back on health care through various times—as an example, when the member from Kitchener was the Minister of Health, the longest-serving health minister in the Harris government—there was a series of occasions when it was very clear, emergency room challenges being one that everybody knows about, that the Premier's office was running files.

I think that Premier McGuinty, from the day that we arrived here in government, has operated in a fashion which really allowed ministers to go and do their work. It's obvious, I think, in the way that he speaks and how he very, very often reflects on his responsibilities as the leader to sometimes be at the 30,000-foot level or up in the crow's nest or a similar idea. It's very, very hard to be the person who's involved in managing the day-to-day and at the same time be achieving some of the longer-term goals.

I think that the one real point of distinction—and I think that Mr. Dean could comment on this as well—was maybe borrowed a little bit from a model that had been successful in driving some of the agenda of the Blair government, and it is this kind of results-based agenda.

What does that mean, practically? About once a month, for about two or two and a half hours, I go in to meet with the Premier with my front-line team. In four, five, six very, very key files—production of family health teams, the reductions in the number of orphan patients, electronic health records, patient safety initiatives, wait times—we are held accountable for the resources that we've received and, accordingly, for the results that were anticipated.

I know that he doesn't do that with every ministry, but I believe that the Premier operates on this results basis with perhaps three or four of the files around this place that warrant the highest degree of his hands-on attention, and I believe that's where he satisfies not just his curiosity—because he typically comes very, very well prepared—but helps to drive us to the destination point, as well.

Mr. Wilkinson: Unless the secretary wants to comment on that, I have a question.

We actually have a Premier who's also a minister, through his creation of the Ministry of Research and Innovation.

I agree with you, Deputy Premier, about his leadership style, which is to be the leader and to be up in the crow's nest, as he always says. Someone has to know where the ship is pointing, and it doesn't turn on a dime, so therefore it falls on leadership to be able to do that.

Talking about the ministry that the Premier has created—and of course, in the last six months as his parliamentary assistant, I'm aware of this—I wanted to commend to my colleagues around the table the latest issue of a quarterly called *Topical*. It is a periodical within the OPS, the Ontario public service. This quarterly issue has to do with innovation and innovation within government.

I remember that when we formed government, the Premier set out a challenge through the secretary, saying to our public servants, "We actually want to listen to you. Are there better ways of doing things?" not as some kind of a secret plan to cut costs but to actually make service better for the people that they serve each and every day. I think there was some initial resistance, but then when they knew that the Premier actually meant it, they participated in the ideas campaign. We received thousands of ideas. For example, Ronald Kwan, who was at the Ontario Financing Authority, submitted a simple idea that has the potential to save the OPS hundreds of thousands of dollars and lots of trees: to change the default margins in Microsoft Word on all of the computers at the Ministry of Finance from 1.25 inches to 1 inch. A feasibility study on a similar initiative at the Pennsylvania State University estimated that the university could save more than \$120,000 a year or 72 acres of forest—just because we asked and because the OPS is willing to listen to that.

There are some other great examples, about how we coordinate boardrooms around here so that we're actually using the infrastructure that has been entrusted to us by the taxpayers and the public.

I'd ask the secretary if he would talk about how you get a culture of innovation in what has been described as the least innovative creation of mankind, which is government. How have you been able to help create that innovation, and what's the relationship with the Premier? When he says, "I want to make this so," how do you make that so?

Mr. Dean: We're really talking about changing culture here, and it's not an easy thing to do, particularly in a 63,000-person organization. I think the starting point is that one goes into this with a view that every human being wants to be given an opportunity to make a difference, to share their ideas, to be heard and to be part of something bigger than themselves. That's not just a professional issue in my opinion; it verges on the spiritual also. We have a tremendously talented and passionate and proud group of people in the OPS. That's not just the case in the OPS; it's the case in other public service organizations as well.

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The first thing you do, of course, is ask. When you have the senior leadership of an organization, the Premier—I'm on the public service side myself—and ministers, that makes a big difference. In fact, the Premier wanted to personally not just have the idea for an ideas campaign originally but wanted to go out on the road and launch it. He did that, and his ministers did that as well, and there was a tremendous reaction. But one of the reactions, of course, that we heard most commonly was, "The thing we like most about this is the fact that somebody came to ask us."

There was a very consistent message that people wanted this not to be a one-time, flavour-of-the-month initiative, and we have now institutionalized a permanent online ideas campaign. We continue to get new ideas. Obviously, one of the critical things that's important to make this thing work is to provide constant feedback and information to people about what's happening to their ideas and their innovations. So people can send their ideas in and then log on after the fact and find where in the process of decision-making their ideas are. In fact, we've seen hundreds of those ideas come to fruition at the ministry level.

But to take a step back from this: This is one element of what all organizations need to do, and certainly this organization is trying to do more and more to engage its staff and its managers. There are such talented, talented people out there, and the subject experts in this organization number in the thousands. If we're not doing anything well enough, it's that we're not tapping that expertise and that ability to innovate. We want to do more of that, and obviously that's great for the organization because it makes us more effective and innovative and in a position to provide better value for money.

I go back to what that does for individuals as well. I will say to managers in this organization—and every year I get out on the road and go province-wide and meet with about 1,800 or so of the senior managers in the organization—that we as managers got to be managers and

leaders because somebody gave us an opportunity at some point in our career to shine. They took a risk. They took a chance on us. Certainly, I'm able to say, with gratitude, that some of my political colleagues of all political stripes have given me those opportunities, and one of the things I really want to do in this organization is to pass that opportunity, that gift, along to as many people as I can in the organization, because we're all here to make a difference. We want to make a difference. We want to make the province better, and engaging employees, asking them for their ideas and then letting them know when we've heard them is a critical part of, as I say, not only making them feel engaged, giving them an opportunity to contribute, to grow, to make a difference, but it makes terrific sense for the organization.

If I can go back, Mr. Wilkinson, to your point about the Ministry of Research and Innovation—I think that's very, very important. Perhaps one of the most important things about this is that, as we tend to do in times of transition, we'll often make suggestions to governments about ways of restructuring government ministries. When Premier McGuinty arrived, he very much had right at the forefront of his mind the view that mandates pass by very quickly, and it can often be the fact, and I think we've all observed this, that governments can tend to stay within the frame of a mandate. The more difficult thing to do is to actually look beyond mandates, look not just one, two, three mandates down the road but further, and to think about not just the new investment that's coming in this year, but the different economies that will follow today's economies. This is one of the really neat things about the work that's been done at the Ministry of Research and Innovation: It's about what comes next. It's about looking to the future and developing a strategy and growing and helping to grow the economies of the future. It's very, very exciting in terms of forward-looking public administration for that reason.

The Vice-Chair: Okay. I think your time is up on that one; that was a good long answer.

Hon. Mr. Smitherman: Mr. Chair, would it be possible to seek a two- or three-minute recess so that I might use the nearby gentlemen's room?

The Vice-Chair: Yes, we'll adjourn until you get back.

The committee recessed from 1646 to 1648.

The Vice-Chair: Okay, the Deputy Premier is back. We'll now turn it over to the official opposition. You may have wanted some of those answers at this time, or would you like to—

Mrs. Christine Elliott (Whitby-Ajax): Yes. Actually, I understand Mr. Dean may have some information for me regarding some questions that were asked last week. So if this would be a convenient time, perhaps we could start with that.

Mr. Dean: Okay. Last week there were some questions about my recollection of when I became aware of the OLG airing on TV. I think my sense was a sort of a general sense of inquisitiveness about how I would have been informed and what I did about it. There was refer-

ence to briefings and things of that nature. So let me just try and put this together for you, because I did go back and take a look at what I was doing and where I was at the time.

I was actually out of the country from October 13 to October 31, 2006. I was a juror at the Commonwealth public service competition that was organized by the Commonwealth Association for Public Administration and Management. As I look back, I'm reminded that the Deputy Minister of Public Infrastructure Renewal was attending the same conference, which was coincident with the competition, so she was also away from her office at the time, and she was attending that conference in her capacity as president of the Institute of Public Administration of Canada. So looking at the dates that we were talking about last week, I believe the show aired on October 25, and the Ombudsman announced a news conference the following day, on October 26. So those are fairly important days that were the focus of attention and I certainly wasn't in my office at that time.

Last week we touched on, and we got back a little bit to it today, the complex and busy environment in which the international, the national, the intergovernmental, the fiscal, the policy, the human resources and operational issues come at us quite quickly. I did look at that period and at some of the issues that were ongoing, and of course the fiscal imbalance was a very significant one in my world. That was an issue that Cabinet Office was involved in providing some advice on. At the time, also, there were some issues around hospital emergency rooms. I was working with a group of parents interested in the autism issue. Autism was a fairly significant story at that time. Balanced budgets at school boards were certainly there. So there was a lot of stuff happening in that environment.

So when would I have heard, then, about the OLG? My best sense is that on or about October 24 I was advised by Carol Layton, the deputy minister, directly, probably in one of the conference rooms where her work and my work would have taken us. She would have mentioned it to me in that context. I did receive an update from my office back in Toronto on October 24. Seven issues were mentioned, and the OLG was the seventh issue mentioned on that list. I was simply told at that time that I'd likely hear something from the deputy minister, if you like, on the ground. Essentially what I learned was that The Fifth Estate was going to be running a story imminently that claimed that retailers had lottery products winning at a rate higher than an average that would be expected. So I wasn't around. I would have heard on or around the 24th. I would have heard from two sources, both from my office and from Carol Layton.

What information in terms of briefing material, information material would I have received at that time? Taking a quick look, a copy of the Ombudsman's press release, a copy of the transcript of the first day in the House when questions were asked about this, a sense of where this showed up in the Globe and Mail, essentially public domain information that really at that point would

have been available to anyone else. So that's what I have been able to recollect about the circumstances, what I was told and who I heard it from.

Mrs. Elliott: I think also as part of that question there was a question about what memoranda were prepared for you, any notes, and what you did as a result of hearing about it, Mr. Dean.

Mr. Dean: Again, I think what I now recollect is that at the time that I learned about this I was out of the country. I primarily heard about it through verbal briefings, either telephone or direct person to person. The only briefing material provided to me was public domain information. So essentially I was getting top-line information about the fact that—I was certainly told that the Ombudsman had taken a very quick interest in this and was calling a media conference. I was given some sparse information about what was in the Globe and Mail the following day. That was it, because I essentially was out of my environment, and I remained out of my regular working environment until the end of the month. As I think I mentioned the other day, by the time I got back, we were really into the thick of the Ombudsman's work. Essentially, at that point, we're doing everything we can to get as much information into the Ombudsman's hands as possible, and we're awaiting the third party's recommendations and doing the best we can to help that inquiry. So, very, very little, actually.

Mrs. Elliott: Can you tell me what interaction there was between your office and the Ombudsman's office? Were you receiving letters, notes or whatever about what information the Ombudsman's office required, either from your office or through the Premier's office?

Mr. Dean: I can only speak for my own office and, to my knowledge, the Ombudsman did not ask us directly for information. The bulk of the Ombudsman's work, I believe, was directly with the agency. To some extent, he likely had some discussions with people at the ministry, but my interactions with the Ombudsman generally focus on a meeting that we will have two or three times a year just to check in and to ensure that he's getting all the support from our organization, in the context of his inquiries, that he needs. No, through that period, there would not have been any direct correspondence between ourselves and the Ombudsman.

Mrs. Elliott: Is it fair to say that during that time, you were aware that an investigation was ongoing, but there were no specific asks, I suppose, of your department?

Mr. Dean: That's correct.

Mrs. Elliott: When, if ever, did it become a more significant issue for your department as time wore on?

Mr. Dean: Well, significant issue—I think that one has to think about this proportionally and put these things into an appropriate context. I understand that there is a large degree of subjectivity involved in what exactly happened, what was done about it and what the outcome is. I guess that once something hits a national TV broadcast, it takes on more significance than it did before. When we have an Ombudsman's report, that's a fairly significant event. What we strive to do is to get on that as

quickly as we can and, if it's at all possible, respond or help to respond to the Ombudsman's recommendations as quickly and diligently as we can. I think that in this context we have had a couple of very significant reviews—people, if you like—taking the lid off OLG.

I can tell you from observing the Ombudsman's work with a number of ministries and in a number of investigations, he and his staff operate with a sense of dispatch. They tend to leave no stone unturned; they are extremely thorough. He delivers meaty recommendations. Some of those reports are tough, but he's there for a good reason, for a good public purpose; he adds public value. We learn a lot from him.

1700

To some extent, I'd say a significant event certainly was a TV news show on CBC; another significant event was the Ombudsman looking into it; and another significant event was the Ombudsman's report.

Since the release of his report and recommendations, our focus governmentally has been in responding as quickly as we possibly can and as definitely as we possibly can to those recommendations. We will be reporting to him regularly on how those are being implemented.

Mrs. Elliott: Thank you, Mr. Dean.

Hon. Mr. Smitherman: I just had one answer to a question that was posed with respect to when the Premier was first informed of this. I don't have a specific date except that the same trigger, which is that—in a period within about one week of the airing of *The Fifth Estate* program, there was, I guess, transcript information around from a participant from OLG who had done an interview. I think this time frame was when the Premier was first alerted to it and then, of course, everyone's awareness had been dramatically enhanced subsequent to the actual airing on *The Fifth Estate*.

Mrs. Elliott: So just to clarify, the Premier first knew about it after the—

Hon. Mr. Smitherman: No, about one week prior to the airing and the trigger for that was that because an OLG official had been interviewed, some nature of the questions had become better known.

Mrs. Elliott: Thank you. Deputy Premier, if I could ask you a few more questions, just turning back now to a freedom of information request. Generally speaking, when a freedom of information request comes in to a ministry or an agency—and I'm sure there are many of them—what would happen with them in the normal course of events?

Hon. Mr. Smitherman: I think that I could speak at a fairly high level about this and Mr. Dean might actually be in a more appropriate spot than me to talk about how that's kind of—I see it a little bit more very often as the final product, and I'm not always necessarily aware of the way the machinery churns away on trying to compile the information that's requested. Of course, it would depend.

What I know a little bit better is that freedom of information responses under our government have improved

very dramatically compared to the record in past circumstances. But to be honest with you, in terms of the way those processes work, if it would be appropriate, I think Mr. Dean might be in a better position to let us know how those things work out across the government.

Mrs. Elliott: Certainly, if I could address it then to you, Mr. Dean, please.

Mr. Dean: Sure. There are a large number of requests that come in to ministries and we have tried to design a fairly common, standardized approach to it. Our record is watched fairly carefully by the commissioner and we'd like to do the best job we possibly can.

Generally, there is a coordinator designated within the ministry. So there is a central, if you like, repository or window for freedom of information requests. Generally speaking, we have, again, people who are highly professional and keen to do their jobs in the most effective way possible in those positions. They will generally take a look at the nature of the request. If it's not clear, they will sometimes go back to the requester and seek clarification. Sometimes the scope broadens, sometimes it might narrow. They might want to give requesters a sense of time and cost involved on some of the larger requests.

But then essentially the coordinator will send out or, if you like, initiate a search. Those are very, very thorough and we try to operate fully within the spirit of the request and to gather all of the pertinent information. Once the information is gathered, there would then be a process of determining relevancy. For example, people tend to be overly generous sometimes in the material submitted. Some may or may not be relevant. Some information may contain personal information that falls outside of the ambit of the legislation. Some of that information may be the subject of solicitor-client privilege. Some may fall into the ambit of cabinet privilege where there is certain material that has been prepared for or considered by cabinet. We try to work as quickly as we can to get as much information out as we can.

As the Deputy Premier indicates, generally speaking, over the last several years, I think the record corporately has been getting better. Certainly I know that's the case for my own ministry. I will take a look at those ministries where occasionally performance is standing still or perhaps moving in the wrong direction, and we'll take the appropriate action to make sure that more effort is placed on meeting or exceeding expectations.

The Vice-Chair: Okay. I'm sorry, your time is up, Mrs. Elliott. Mr. Dean has a way of answering questions in a very detailed manner that eats up the time.

Mr. Ferreira, it's your turn for the next 20 minutes.

Mr. Ferreira: Thanks, Mr. Chair. I guess time does fly when you're having fun.

I want to start this round by saying I appreciate the work in getting the answers to the questions I had posed last week. There are a couple that have not yet been answered. Are you still working on those, Ms. Gibson, Mr. Dean, Mr. Smitherman?

Ms. Gibson: If you could remind me again what those are.

Mr. Ferreira: I asked which ministries have staff working in the Office of the Premier and have the salaries for those staff members charged back to the office.

Ms. Gibson: Actually, that's my fault. I was remiss. I did have notes on that on the flip side of my note page. So I'm sorry.

Mr. Ferreira: Oh, okay. If you want to share those now, sure.

Ms. Gibson: I would be happy to share those with you. So just to respond to that question—and, as I said, my apologies. They were on the flip side of my notes there.

Mr. Ferreira: That's all right. This is your first estimates meeting too.

Ms. Gibson: My first estimates. I'll have to figure out a better way to organize my notes so that I can get the members' questions back.

As I had said when I responded to the question before but without full information at the time, in the spirit of fully integrated cost accounting, it is a common practice for costs to be spread across ministries where the program accountability lies. So that same principle holds true here.

The list of ministries that cost-share staffing support for the Premier in his role as leader of the government are as follows: the Ministries of the Attorney General, Community Safety and Correctional Services, Economic Development and Trade, Education, Energy, Environment, Finance, Government Services, Health and Long-Term Care, Municipal Affairs and Housing, Natural Resources, and Northern Development and Mines.

Since the fall of 2003, staff directly supporting the Premier have been reported on the books of the Premier's office and they've appropriately received their paycheques from the Office of the Premier. Our understanding is that this shows clear transparency and accountability for staffing matters, and we can actually support that by documented financial journals to these ministries. Prior to the fall of 2003, it's my understanding that staff who were physically working in the Premier's office weren't reported on the books of the Office of the Premier and were actually paid directly by line ministries.

So my apologies for not answering that question earlier, but I think that's a fulsome response.

Mr. Ferreira: Yes. Thank you for that. You listed, I believe, 12 ministries. Is that for the current fiscal year or was that for last year?

Ms. Gibson: That's current and last year.

Mr. Ferreira: Has that list of ministries changed dating back to 2004-05?

Ms. Gibson: I don't have that information with me. I know that since I've been here for the last year and a half—and I've looked back—it's these 12 ministries.

1710

Mr. Ferreira: Could you go back and get a similar list for the last three fiscal years—2004-05, 2005-06 and 2006-07—just for comparative purposes?

Ms. Gibson: Sure.

Mr. Ferreira: I do thank you for that. Out of these 12 ministries, how many staff does that represent?

Ms. Gibson: It's a global budget for the Premier's office, so it's not specific staff per ministry. It's a charge to these ministries as opposed to a specific staff-by-staff.

Mr. Ferreira: Are the job functions broken down according to the staff that's come through these ministries? Are these individuals working on files in the Premier's office? I'm trying to figure out how the structure works.

Hon. Mr. Smitherman: Maybe I could just try and clarify.

Mr. Ferreira: Sure.

Hon. Mr. Smitherman: The ministries provide an amount that informs the Premier's global budget, and the 61 employees—

Mr. Ferreira: So it's not a person, it's an amount of—

Hon. Mr. Smitherman: Yes, that's right, because it's not saying that it's policy staff particularly. Obviously, across the breadth of support in the Premier's office, there are opportunities for ministries to be relying on staff, not just those that would be strictly limited to a policy function.

Mr. Ferreira: So the funds that are provided by, let's say, the Attorney General's office—that ministry—may very well go towards the salary of multiple staff members?

Ms. Gibson: Yes, they go towards the global budget.

Mr. Ferreira: How do you determine the amount from each ministry? How is it decided to cover those staffing costs?

Ms. Gibson: I actually don't have that information. As I said, in the time that I've been here, it's been these ministries.

Mr. Ferreira: Are the amounts similar from ministry to ministry?

Ms. Gibson: I didn't actually look into the amounts. Sorry, Mr. Ferreira. I'd understood you to be looking at which ministries they were, but I could certainly go back and look at what the different amounts are.

Mr. Ferreira: Can you get a breakdown on that as well?

Ms. Gibson: Yes.

Mr. Ferreira: Great. Thank you.

I want to go back, Ms. Gibson, to the list of service providers that you were able to provide us with. This comes under the "Services" line item of \$121,600. You mentioned the Compass Group, catering/hospitality. What portion of the \$121,600 is budgeted for that particular contract, for that particular service?

Ms. Gibson: I don't have a specific figure on that. The \$121,600 that you're referring to is the projection; it's the estimate. I don't have the actuals for 2006-07 or the budget isn't broken down within the "Services" line to say, "This much is for meeting rooms and this much is for insurance." It's not broken down.

Mr. Ferreira: Or for food and drink.

Ms. Gibson: For meeting rooms if there was food and drink involved in a meeting.

Mr. Ferreira: You do not have the actuals for 2006-07. Do you have actuals for the previous year?

Ms. Gibson: For 2005-06?

Mr. Ferreira: Yes.

Ms. Gibson: We have actuals, yes, for 2005-06. That was the \$95,402?

Mr. Ferreira: Correct, yes.

Interruption.

The Vice-Chair: We're not quite sure what these bells are for.

Interjection.

The Vice-Chair: We'll have to recess for just a couple of moments, everyone., until after this vote, which is a motion—a 30-minute bell. We'll come back here at around quarter to 6.

Interjections.

The Vice-Chair: What do you prefer we do? Can we continue on, then?

Hon. Mr. Smitherman: No, we think that we're to be guided by your original decision and we'll come back at the appointed hour, or we can resume whenever we're next set to resume. It's the rules.

The Vice-Chair: I've made the decision to recess, so we'll come back after the vote.

The committee recessed from 1714 to 1747.

The Vice-Chair: We can call the meeting back to order. You have about 13 minutes to finish up your rotation, Mr. Ferreira.

Mr. Ferreira: Thank you very much. I'll try to pick up where I left off.

The Vice-Chair: I just want to make it clear that if he calls a motion again, we'll adjourn at 6. He may, in fact, do it; I see that he's speaking again.

Mr. David Zimmer (Willowdale): Why would he do that again?

The Vice-Chair: Because he's allowed to. Go ahead.

Mr. Ferreira: Thanks very much. I'm still learning the ways of the place.

Ms. Gibson, I believe that before we were so rudely interrupted, we were talking about the hospitality and catering portion of the "Services" line. You were looking at the 2005-06 expenditures. Do you have those?

Ms. Gibson: No, I do not have 2005-06 detailed expenditures for the "Services" line; just the total, \$95,402, that's already on page 14. That's the top-level information that I have with me.

Mr. Ferreira: Would you be able to take note of my request to get that breakdown and also for the estimates for the upcoming year?

Ms. Gibson: Yes. Just let me be clear, though. For the estimates for 2007-08, it's just a "Services" line, so there's no estimate against different costs within that line. I can look back and tell you actual expenditures for 2005-06.

Mr. Ferreira: Are you able to get a breakdown on the estimates for 2006-07 or actuals spent up to a given date?

Ms. Gibson: The books aren't closed on 2006-07 yet. Hopefully, they will be shortly. But 2005-06 is definitely closed.

I think you were asking specifically about Compass Group, which is meeting facilities and—

Mr. Ferreira: Whichever pertains to hospitality, catering and the like.

Ms. Gibson: I've made a note.

Mr. Ferreira: With regard to other suppliers listed under "Services," you gave us a list earlier. Is that the complete list? You mentioned Pitney Bowes, Compass Group, Aon Reed Stenhouse.

Ms. Gibson: The Legislative Assembly, 4 Office Automation—there are a few other ones. Those were examples of some of the common operational costs in the "Services" line.

Mr. Ferreira: And that is the complete group from the most recent year that you have the final figures for?

Ms. Gibson: Yes, that's from 2005-06. It's not the complete group; it's some examples of some of the vendors that are more commonly used for the operational costs in the "Services" line. So, for example, Pitney Bowes, 4 Office Automation, Ricoh Canada—those are the vendors of record for the OPS, and they're the ones that are commonly used for things like fax machines and photocopiers, so they're the list of some of the common vendors.

Mr. Ferreira: Could you get us a complete list of vendors?

Ms. Gibson: Of all the vendors for services?

Mr. Ferreira: Please.

Ms. Gibson: I can certainly go back.

Mr. Ferreira: I think it would be helpful.

Services such as media training, communications training—does that fall under that particular line item?

Ms. Gibson: I don't believe there would be anything in the Premier's office under that line item for services.

Mr. Ferreira: Does the Premier receive any kind of training that would fall under communications, media training?

Mr. Patten: Dealing with the opposition, for example.

Ms. Gibson: I can't speak specifically to that, but from the expenditures I've reviewed in the "Services" line, I didn't see any training-related. As I said, they were common operational costs related to photocopiers, faxes, meeting rooms.

Mr. Ferreira: And just so I'm clear, under "Salaries and wages," that's for permanent staff.

Ms. Gibson: That's correct.

Mr. Ferreira: Would costs associated with the Premier's media work fall under another ministry? If the Premier were to receive, and I believe in the past he has received, media training, image consulting—you can describe it in various forms—would that fall under expenses of another ministry? Research and Innovation?

Ms. Gibson: I'm sorry—

Mr. Ferreira: If it's not under the Premier's office—you're saying such an expense would not be under the Premier's office.

Ms. Gibson: It's certainly not anything I've seen in the 2007-08 estimates, and it's not something that I'm aware of.

Mr. Ferreira: And in past years?

Ms. Gibson: It's not something that I'm aware of.

Mr. Ferreira: Fair enough. Earlier, I asked about meetings with Mr. Guy and Mr. Warren Kinsella. I'd like to find out the same about Jim Warren. He was the Premier's director of communications. When did he leave?

Ms. Gibson: I'm sorry, I don't have that information.

Hon. Mr. Smitherman: Just as we did for Mr. Guy, we'll get you the sequence. You've had questions about meetings with others. We'll just add him to the sort of general inquiry and as we go through the process we'll report back through the Chair.

Mr. Ferreira: What I'd like to see, if they're available, are records of visits: who was present, what the subject matter was—

Hon. Mr. Smitherman: I know that the White House has some sign-in process; I'm not sure that the same thing exists here. But we'll endeavour to see what we can get and bring it back through the Chair. That was my attempt at a Lewinsky—

Mr. Wilkinson: We got it.

Hon. Mr. Smitherman: Sorry. It just wasn't funny.

Mr. Ferreira: Is there some tracking? Is there a visitors' log in the Premier's office, Mr. Dean?

Mr. Dean: Not that I'm aware of.

Mr. Ferreira: Has there ever been?

Hon. Mr. Smitherman: I was a receptionist in the Premier's office in 1986, and at that time I didn't know anything of any such log.

Interjections.

The Vice-Chair: Okay, guys; let the Deputy Premier speak.

Hon. Mr. Smitherman: I haven't seen any such thing, but as we make inquiries related to the three questions that you had, we'll see what is available.

Mr. Ferreira: My next question is with regard to staff: Is partisan work done in the Premier's office?

Hon. Mr. Smitherman: Is partisan work done in the hearts and minds of politicians?

Mr. Ferreira: By staff—paid time, paid by the taxpayers of Ontario.

Hon. Mr. Smitherman: I think the issue of what is partisan is essentially—you're right, obviously as elected officials, most people would make the judgment that the decision-making processes that we're in, there's a political consideration to that.

Mr. Ferreira: How about this: To advance the efforts and the cause of the Liberal Party.

Hon. Mr. Smitherman: I would say no more than the nature of the partisan work that would be going on in a member's office and quite likely considerably less.

Mr. Ferreira: So, for example, we know that your federal counterparts had a leadership race last year, and I know that you supported one of the candidates, Mr. Smitherman. It was quite a lengthy process, and two of

the staff members in the Premier's office, the director of issues management and the assistant director of issues management, were involved in that process as returning officers for the delegate selection process. Would that work have second place?

Hon. Mr. Smitherman: This issue has come up before, and the first thing that needs to be said is that even before the federal leadership—or as it was clear that there was going to be a contest, it was made decidedly distinct and clear to everybody who worked around here and to ministers most certainly that the complete expectation, of course, is that the time that people are working is work that they're to do on behalf of the people of the province of Ontario. People have fulfilled that. I think some people would have given a Saturday or an evening or a Sunday playing this role, which is a non-partisan role, in the leadership process; that is, to work as the neutral officials to help to run the process themselves. But no, I know that it was made distinctly clear right from the get-go that no inappropriate activity would be tolerated. I see the member has another question, so I'll stop there.

Mr. Ferreira: That directive was communicated to all of the staff in the Premier's office?

Hon. Mr. Smitherman: To the very best of my knowledge, it was communicated through—in my circumstance, it was transmitted through an informal channel. When I say “informal,” it means that to the best of my knowledge in my office we didn't do it in writing but certainly made clear to everybody that that was the expectation. Whether there was any written correspondence on that formally, I'm not certain, but we can endeavour to see what might have been out there. But the Premier made his expectation very, very clear to us, which was that activity such as that was not appropriate, and we sought at all times to make sure that was the case.

Mr. Ferreira: When you say, “The Premier said to us,” you're talking about the Premier to cabinet ministers?

Hon. Mr. Smitherman: Yes, to members of the cabinet.

Mr. Ferreira: And then from the Premier to staff or from you as a minister to your staff, in your case it was done verbally?

Hon. Mr. Smitherman: In my case, my chief of staff was the one who has the obligation. The staff report to her, and she was the one who communicated it. There may have been written communication on it—I really don't know—that laid out the expectations and ground rules. We'll definitely take a look and be able to report—

Mr. Ferreira: Could you find out if there was a written directive in the Premier's office?

Hon. Mr. Smitherman: Yes, absolutely. Sure.

Mr. Ferreira: I'm wondering—

The Vice-Chair: You've got time for one quick question.

Mr. Ferreira: How was that directive enforced in your case?

Hon. Mr. Smitherman: I think that the directive is enforced on the nature of reporting relationships. So the expectation is created, and frankly, when the leader gives a directive, the expectation of people abiding by it is very, very high. But responsibility for enforcement would most typically be related to the reporting relationships that people have. So in my office, it would be my chief of staff, as an example. We can, as I said, find out whether there was anything that was written on this subject.

Mr. Ferreira: Thank you.

The Vice-Chair: Thank you very much, everyone. Sorry about the delay, that recess for a few minutes.

We'll be reconvening tomorrow afternoon after orders of the day. We have about three hours and 13 minutes left.

Minister, I'd like to thank you for being here today. Mr. Dean, Shelley, thank you so much for being part of this.

We will be in committee room 1 tomorrow after petitions. We're in room 228 today; we will be in committee room 1 tomorrow following petitions. Thank you very much. This meeting is adjourned.

The committee adjourned at 1800.

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