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**Official Report
of Debates
(Hansard)**

Wednesday 9 April 2008

**Journal
des débats
(Hansard)**

Mercredi 9 avril 2008

**Standing committee on
government agencies**

Intended appointments

**Comité permanent des
organismes gouvernementaux**

Nominations prévues

Chair: Julia Munro
Clerk: Douglas Arnott

Présidente : Julia Munro
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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIES

Wednesday 9 April 2008

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

COMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Mercredi 9 avril 2008

The committee met at 1002 in room 151.

INTENDED APPOINTMENTS

RAJ ANAND

Review of intended appointment, selected by official opposition party: Raj Anand, intended appointee as chair, Human Rights Legal Support Centre.

The Chair (Mrs. Julia Munro): Good morning, everyone. This is the standing committee on government agencies. I'd like to begin.

If you'll note, our first order of business is the deferred determination on the intended appointment of Raj Anand as chair, Human Rights Legal Support Centre.

Mrs. Maria Van Bommel: I would move concurrence in the appointment of Raj Anand as chair, Human Rights Legal Support Centre.

The Chair (Mrs. Julia Munro): Any discussion? I would just say to members that this will be a very brief opportunity—

Interjections.

Mr. Kevin Daniel Flynn: On a point of order, Madam Chair: My understanding is that the motion was called at the last meeting and the vote was deferred, and the only thing left to do this morning is to have the vote.

The Chair (Mrs. Julia Munro): According to the format of asking for concurrence, there is an opportunity for members to make comments.

Mr. Kevin Daniel Flynn: That's not our understanding.

The Chair (Mrs. Julia Munro): That would be the normal process. That's the script, if you like, that we use when the motion has been made. I've made it very clear that I'm looking for a very brief comment at this point.

Ms. Lisa MacLeod: On behalf of the official opposition, I'd like to say that we will not be endorsing concurrence for this particular candidacy, and I have four brief points why.

During committee, Mr. Anand did mislead our questioning when we asked if he had ever made representations for Bill 107. We found in Hansard four such occurrences that he did on behalf of the government.

The offices of the official opposition have received complaints from the public on this particular appointment.

Third, the report which the government states cleared the air was actually done by internal staff for then-

Minister Phillips, who was the Minister of Citizenship at the time, under the Peterson government. So what we would be asking for before endorsing this particular appointment would be a clear-the-air report, because this is a \$14.1-million operation, as we've just learned today in the newspaper from a leak from the Attorney General. There are still many questions that we have.

In addition, I'd just like to point out that this is the second time today—first of all, the Liberals on the committee did try to revoke our right to know, in terms of information that they had actually put our request into a motion, whether it should be votable or not, whether we were entitled to information, and then again today wanted to stifle our ability to discuss this.

So, for the record, when the concurrence goes to the House, the official opposition would like it noted that we did not support this appointment of Raj Anand to the Human Rights Legal Support Centre for those reasons.

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

M^{me} France Gélinas: I would like to make a comment also that when this appointment came forward, there was some information that was provided by the Clerk's office which led to some questioning, and there was some discrepancy between the information we received from the Clerk and the answer we received from the appointee.

The ensuing set of actions was that I asked for legislative research to clarify some of the information that we had received from the Clerk's office. This request was denied by the members of the Liberal Party in a way that I think didn't serve the public well. We should have had an opportunity to get transparent information.

Although this man presented himself well and seemed to have lots of good qualifications to meet the requirements of this appointment, there was this pressure for me to withdraw my request for information that I think does not serve this House well. It doesn't serve the public appointment well. For this reason, I won't be supporting the appointee. I think it's not serving the House well, and if we were to repeat what happened last week, we wouldn't be serving the people of Ontario well. I hope it never happens again to anybody.

The Chair (Mrs. Julia Munro): Yes, Mr. Hudak?

Mr. Tim Hudak: Thank you, Chair. I'm not substituted on the committee, so I, unfortunately, cannot vote on this proposed appointment. But what stirred my curi-

osity was the reaction of the Attorney General yesterday, which was—I’m sure my colleagues opposite would agree—way over the top. A member of this committee raised legitimate concerns about the record of the proposed appointee, raised some of the issues—

Mr. Michael A. Brown: The nerve. A smear a day keeps qualified people away.

Mr. Tim Hudak: I hear my colleague Mr. Brown saying that this is a smear campaign. Is that what you’re saying, Mr. Brown?

Mr. Michael A. Brown: Yes.

The Chair (Mrs. Julia Munro): Just a minute. You’re going to speak through the Chair and we are going to keep our comments brief. We have a full agenda. Mr. Hudak, you have the floor. Please proceed.

Mr. Tim Hudak: Thank you, Chair. Again, the members of the government side are obviously trying to intimidate the opposition members from asking legitimate questions by suggesting that simply reading across headlines that had existed of great controversy dealing with this intended appointee is somehow a smear campaign. They raised legitimate questions—and the Attorney General obviously trying to intimidate members of this committee from asking legitimate questions about Liberal appointees.

Now, Chair, if the Liberal members of the committee had brought forward information, as members of the opposition—both the Conservatives and the New Democratic Party—had asked for, I wouldn’t be as suspicious. But the fact that, repeatedly, information requests have been denied, that the appointee gave some responses to questions that appeared to be at variance with the truth, and then to see Mr. Flynn begin today’s meeting by trying to shut down any further comments by members of the committee, tells me this looks like some sort of cover-up campaign by the government members for a Liberal friend that will work against odds with the goal of this particular committee.

You have the votes. I don’t understand why you have to resort to these types of intimidation tactics or accusing members of the opposition of a smear campaign when you have the votes.

The Chair (Mrs. Julia Munro): Any further discussion? Okay, seeing none, I’d ask for the vote. All in favour?

Ms. Lisa MacLeod: Recorded vote.

Ayes

Brown, Flynn, Ramsay, Sandals, Van Bommel.

Nays

MacLeod, Hillier, Gélinas.

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

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GEMMA SALAMAT

Review of intended appointment, selected by official opposition party: Gemma Salamat, intended appointee as member, Council of the College of Midwives of Ontario.

The Chair (Mrs. Julia Munro): We will move on to the appointments review, the second part of our agenda. Our first interview today is with Gemma Salamat, the intended appointee as member, Council of the College of Midwives of Ontario. Ms. Salamat, good morning and welcome to the committee.

Ms. Gemma Salamat: Thank you very much.

The Chair (Mrs. Julia Munro): As you may know, you have an opportunity to make an initial statement and subsequent to that we will have an opportunity to have questions from the members of the committee. This morning we will be commencing with questioning from the government party members. As you know, each party has 10 minutes and we deduct the time that you take from the government. Please begin.

M^{me} France Gélinas: Madam Chair, I was reading at the same time. Do I start or do they start?

The Chair (Mrs. Julia Munro): No, the government starts.

M^{me} France Gélinas: Sorry.

The Chair (Mrs. Julia Munro): Please proceed.

Ms. Gemma Salamat: Madam Chair and members of the committee, I thank you for the opportunity this morning to be before you, to present to you personally my background which could be considered for the appointment to the Council of the College of Midwives of Ontario.

My name is Gemma Salamat and I’ve had many, many years of experience in the business world. I have previously been the Ontario superintendent of pensions, where we did many governance issues. I have obtained a lot of my past experience through my employment with the Ontario government. I’ve worked with human resources management consulting firms and have been an adviser to companies on their employee benefits plans, portfolio development, management and looking after, by and large, pension fund obligations.

My background: I am a human resources professional as well as insurance and securities licensed, the later two being in part needed for my consulting background. I have recently left full-time employment. I am officially retired and drawing Canada pension plan and old age security, and still do a little bit of consulting when the opportunity arises. But by and large, my time is now free to devote in some capacity to public sector work.

I’m looking forward to the opportunity to serve the people of Ontario in some capacity and thought that this could be accomplished by my serving on an agency, board or commission. In my past employment and voluntary lives, I have worked with government and community boards and as an adviser to business publications. In particular, I bring to your attention Benefits Canada

and Today's Corporate Investor. These have given me skills which I believe are transferable to an Ontario agency, board or commission.

When I decided that I wanted to serve the people of Ontario in some capacity, I searched the Ontario websites looking for opportunities and I found the one related to the Council of the College of Midwives of Ontario. In my research, I learned what the role of the council would be and found that they were administrators of the college's affairs and they regulated the profession of midwifery in the public interest. They also establish, monitor and enforce standards of practice. Looking at my past experience as Ontario chief pension regulator, these are areas that I'm very comfortable with because we had to enact legislation there and set rules and regulations for the administration of pension plans.

Let me speak briefly, since this is a governance position, to what I believe is governance. "Governance" is used very loosely in today's business environment. To me, though, it means that good governance is to have in place a comprehensive and articulated strategy which addresses the duties, associated responsibilities and accountabilities for all participants in the governance process and also to have an oversight regime for monitoring and protecting the interests of the sponsors and beneficiaries. In this particular case, it would be the midwives, the Ontario government and the mothers-to-be. And lastly, is to have measures in place which will really identify successes and failings of a particular board. Whatever is in place, however, must be transparent to the users in accordance with whatever rules, regulations and codes are in place at that point in time.

With respect to becoming a member of the council, I realized that this was an ideal situation for me. I applied through an online application process for an appointment to this position. Subsequently, I had a telephone interview with Ministry of Health and Long-Term Care officials. And then only last week, I had an invitation to appear before the committee. Since that time, I've become a grandmother—last Saturday.

Mr. Michael A. Brown: Congratulations.

Ms. Gemma Salamat: Thank you very much. And would you believe, it was with a midwife. It was a home-birth, and through that—this was the second situation. Through my daughter-in-law, I have learned a lot about the midwifery profession. It's one that I know my son and daughter-in-law would not trade for anything because they are so comfortable with this particular situation.

I have not had a whole lot of time because I have been babysitting my two older grandsons, an eight-year-old and a three-year-old, who is very active, and helping mother with the newborn.

I must confess that I've had very little practical experience with the College of Midwives of Ontario and the laws governing it, but I did some research through the public sites for purposes of this review. I am a quick study and understand that I will have some orientation.

With my working knowledge of laws, rules and regulations and the general governance process, I am confident that I will get up to speed quickly and become a contributing member of the council.

The Chair (Mrs. Julia Munro): Thank you. Congratulations. What a wonderful opportunity for some practical knowledge.

We go to the governing party and Mrs. Van Bommel.

Mrs. Maria Van Bommel: Thank you very much, Ms. Salamat, for coming in. Certainly, as a public member, you don't have to have professional knowledge of midwifery, but I was going to ask if you had some experience. Of course becoming a grandmother through midwifery is definitely a good experience for all of us. Congratulations.

Ms. Gemma Salamat: It's a good experience. Thank you very much. It's been a learning experience for me, because, of course, I come through the old rule where you have your obstetrician and gynaecologist and you go to them. In the old days, it was different to the new days, when you were just a number along the spectrum. It was really an eye-opening experience for me.

The Chair (Mrs. Julia Munro): We'll move to the official opposition.

Mr. Randy Hillier: Thank you very much for being here today. Just a few brief questions. You mentioned that you searched the website and you found this appointment on the website. Were you approached in any other manner to indicate about this appointment?

Ms. Gemma Salamat: No, but I did some research previously. The way that I know about the opportunities available for potential appointees is really through ministers and other elected officials attending our mosque. They have always encouraged people to apply. Minister Smitherman had come, I think, within the last year, and as a result of his meeting with the mosque people, I was looking at the site of the Ministry of Health, and that's how I—but I was not personally approached by anyone. I did my own research.

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Mr. Randy Hillier: I understand you had a telephone interview with the Ministry of Health people.

Ms. Gemma Salamat: Yes. They called me after I sent in my online application, just to get a sense of who I was, I would imagine.

Mr. Randy Hillier: About how long was that interview?

Ms. Gemma Salamat: It was a telephone interview, so I would say it was about five or 10 minutes, getting a sense from me as to what my experience would be to serve this particular board.

Mr. Randy Hillier: But there have been no other interviews by the ministry officials, other than that telephone interview?

Ms. Gemma Salamat: No other interviews.

Mr. Randy Hillier: Are you a member of any political party?

Ms. Gemma Salamat: Not currently, but I was a member, in the past, of the Liberal Party. I think my hus-

band has been a member of just about every party when he's been disenfranchised, so through that, we've had great associations with all parties in Ontario.

Mr. Randy Hillier: Have you donated to the Liberal Party?

Ms. Gemma Salamat: Very minimally. I've gone to conventions of some sort in which you had to pay some fees. I don't know if that's considered a donation or not, but you do get a tax receipt for it.

Mr. Randy Hillier: Those are all my questions for now.

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

M^{me} France Gélinas: Welcome to Queen's Park. I want to also congratulate you on the birth of your new grandchild. I'm sure it was quite a different experience. Midwives do not consider birth a medical process, but a natural process. It changes everything.

My first question has to do with French-language services. Do you have any ability to speak French?

Ms. Gemma Salamat: Very minimally. I did some French communications through the Alliance Française. I wouldn't even call it a working knowledge. It's really very minimal.

M^{me} France Gélinas: Most of your work has been in and around the city of Toronto. Do you have any knowledge of health care delivery, particularly with midwifery, as it pertains to people living in northern Ontario?

Ms. Gemma Salamat: I must say, not very much. Again, this is a very new field to me, so I know that I would have to do a lot of background work and research to come up to speed if I am appointed.

M^{me} France Gélinas: Along the same line, midwifery is the provider of choice for First Nations families who are expecting. Do you have any knowledge of the culture and of the First Nations of Ontario?

Ms. Gemma Salamat: Again, I have to say, no, I don't have any knowledge, but hopefully I would learn about these in the future.

M^{me} France Gélinas: Midwifery is a fairly recent profession that was added. It has been there for a long time, but it's only been recognized in this province in the last 10 years or so. There are still lots of battles that those professionals have to fight for access to delivery rooms in hospitals. There are often lots of tensions when those professionals are brought in. They are often not treated very well. They not only have to attend to their clients, but also prep the room, clean up the room etc., which would never be expected of any other professional, but it is expected of the midwives.

There are some big battles that the midwives still have to fight that have to do with governance, their college and the position that you will be sitting in. Are you aware of those, and do you feel up to the fight?

Ms. Gemma Salamat: Once I had applied for this position, I started to do a bit of research on my own. First of all, I understood what the colleges do, what the council would do. I really looked to people I knew to talk about what kind of situation would arise when care has to

be transferred from one to the other, whether care is at home or in the hospital by the midwives. Fortunately for me, I have a brother-in-law who is an obstetrician-gynecologist and who was a Queen's University professor, and I have a nephew, the son of my brother-in-law, who is an obstetrician-gynecologist, so I felt them out informally about what their feelings and their colleagues' feelings are about midwives in the hospitals and the qualifications that they bring to the table in delivering maternity care. I got the sense that there is a lot of antagonism at the present time and that there is a need for a lot of bridge-building. With any new profession, as you know, this has to be there. There has to be an openness, there has to be communication. There are definitely lots of challenges. I think there will have to be intense communication, so that all participants in this process, be they the hospitals, the gynecologists and obstetricians, or midwives, will have to feel that in their own areas they are serving the need of the beneficiaries, which would be the moms and families. I get a sense that there's lots of work to be done, but that is not unusual with every new profession when you're crossing territorial bounds.

I'm prepared for this. When we developed pension legislation in Ontario, I was there. It was not only Ontario; there were a lot of discussions with the other provinces, there were lots of communications with the tax authorities. Again, we were embarking in new areas. Through communication, much will be accomplished; I feel confident of that.

M^{me} France Gélinas: I think you're going into battle with your eyes open, so that's good to hear.

Ms. Gemma Salamat: I hope so. You never know until you get there truly what is in store and what the agenda is. And there are hidden agendas and overt agendas, as we know.

M^{me} France Gélinas: There is a movement among the midwives that says, "We are recognized, we have our college, but we should simply withdraw from the payment scheme and go back to what it was before," where families would pay the midwives directly rather than have to deal with the building of the bridges that you're talking about. What are your views about midwives offering their services for a fee?

Ms. Gemma Salamat: I haven't really thought too much about this, but my quick response to that—if I had more time, I could go into it deeper—is the government has the obligation to provide care for all Ontarians. Individuals, however, must have a choice as to how they want that care provided. They are taxpayers. What I believe would be necessary would be to have an all-inclusive system, but the ability of choice of the individuals in the system must be accommodated. So the public service, the tax dollars, the government funding, is, to me, the choice method.

M^{me} France Gélinas: Those are all my questions.

The Chair (Mrs. Julia Munro): That completes the time. We certainly appreciate you being before us.

Ms. Gemma Salamat: Thank you so much to the committee for having me here today. I wish you well.

1030

PAULETTE KENNEDY

Review of intended appointment, selected by official opposition party: Paulette Kennedy, intended appointee as member, Ontario Securities Commission.

The Chair (Mrs. Julia Munro): Our second interview is with Paulette Kennedy, intended appointee as member, Ontario Securities Commission. Ms. Kennedy, please come forward. Welcome to the committee. As you may be aware from the previous presenter, you have an opportunity to make a statement, and subsequent to that, we'll have questions from the members of the committee.

Ms. Paulette Kennedy: Thank you very much for the opportunity to appear before you today.

I would like to take a few minutes to give you an overview of my business experience and how I believe that the skills I have acquired, with over 30 years of financial management experience, can contribute to the challenging work ahead for the Ontario Securities Commission.

My career has included roles as chief financial officer, chief accountant and chief auditor. In these roles, I've been responsible for complex financial and regulatory reporting in Canadian generally accepted accounting principles, in US accepted accounting principles, and in international financial reporting standards.

In my roles, I've been responsible for the design, audit, review and management of internal control systems over financial reporting and over operations. As well, I've been responsible for the implementation of risk management, including the measurement of risk of investment products.

As a director in companies, I have gained experience in corporate governance and compliance in the financial services and mutual fund industries. As well, I've also gained experience in the public sector through my involvement with the University of Toronto. I am currently vice-chair of their audit committee and a member of their business board. I have worked effectively with regulators, including the office of the superintendent of financial institutions—OSFI—and the Financial Services Commission of Ontario—FSCO.

I believe my experience aligns nicely with several accountabilities of the Ontario Securities Commission. Demands of the investment community for innovative, complex products and demand for services, trading strategies and advice are areas that the OSC is currently tackling right now.

I have experience in the audit and oversight of financial product design and development, including investment mandates and product risk assessment. I have experience in the audit and oversight of financial product administration systems and security and mutual fund purchase, sale and ledger systems. As well, I have experience in the audit and oversight of the management of financial product sales and distribution activities. I have experience in implementing new, complex financial stan-

dards, including the CICA—Canadian Institute of Chartered Accountants—rules on financial instruments.

I appreciate the challenges and costs businesses face in responding to regulatory requirements and increased financial reporting demands. As well, through my experience in auditing and overviewing complaint management systems and reporting, I understand the challenges retail investors face in understanding complex financial products with risks associated with them. As well, I have supervised the implementation of senior management assessment over internal controls of financial reporting and disclosure, as currently contemplated by the OSC.

In summary, my experience matches the current needs of the commission, and I would very much like to share this expertise with the OSC by joining it as a commissioner. I hope you agree with me.

I would be pleased to answer any questions that you have.

The Chair (Mrs. Julia Munro): We'll begin with the official opposition. Ms. MacLeod.

Ms. Lisa MacLeod: It's so refreshing to find someone in this committee who's so thoroughly well-equipped to take on the position for which she is intended to be appointed.

The only concern I have is not with you; it's with the fact that the Ontario Securities Commission is very heavily Toronto-based in terms of its membership. That doesn't have anything to do with you.

On that note, I just want to wish you well and let you know that the official opposition will be supporting your candidacy.

The Chair (Mrs. Julia Munro): Madame Gélinas.

M^{me} France Gélinas: I, too, find that the commission is very Toronto-centric. I come from northern Ontario. I see that you live in Toronto, but I would be interested in your knowledge of northern Ontario, if there is any.

Ms. Paulette Kennedy: Apart from as a vacationer, no, I don't have a great deal of knowledge of northern Ontario.

M^{me} France Gélinas: As I say, that's nothing you can help. It's refreshing to see a woman in your position, and certainly your qualifications are really impressive.

Ms. Paulette Kennedy: Thank you very much.

M^{me} France Gélinas: You're welcome.

The Chair (Mrs. Julia Munro): We'll move to the government.

Mrs. Maria Van Bommel: Again, thank you very much for appearing before the committee. I appreciate all the work you've done.

Ms. Paulette Kennedy: Thank you.

The Chair (Mrs. Julia Munro): I think we've exhausted the questions. Thank you very much for appearing here today. We appreciate you coming.

Ms. Paulette Kennedy: Thank you very much for the opportunity.

MARY-ELLEN MCKENNA

Review of intended appointment, selected by official opposition party: Mary-Ellen McKenna as member, Board of Directors of Drugless Therapy.

The Chair (Mrs. Julia Munro): Our next appointment, then, is Mary-Ellen McKenna, the intended appointee for the Board of Directors of Drugless Therapy. Good morning, Ms. McKenna, and welcome to the committee.

Ms. Mary-Ellen McKenna: Good morning, everyone.

The Chair (Mrs. Julia Munro): As you will have observed, you have the opportunity to make some comments and then we will begin our round of questioning, starting with the third party.

Ms. Mary-Ellen McKenna: Thank you and good morning, everyone. Madam Chair, members of the committee, I would like to thank you for this opportunity to appear before you today and for considering me for this appointment.

I am a doctor of naturopathic medicine. I have been in practice since 1994. I started practising in Toronto as an associate in an established practice, and in 1995 I decided to move out of Toronto, into Port Hope, and open my own practice there at the time. I continue to live and work in Port Hope.

I was a member of the board for the Ontario Association of Naturopathic Doctors from approximately 1995 to 1997. At that time, our profession was beginning to grow; it was a very exciting time to be part of that board as a representative of our members and to promote our profession. I enjoyed my time on the board, but chose to leave when my term was up as I felt I needed to focus my time and energy on my growing practice. I didn't want to shortchange the board or the association by not giving it the attention I felt it required at the time.

Since May 2006, I have been a member of the complaints review committee of the board of directors (naturopathy). I believe I have performed my responsibilities on that committee with fairness and an open-mindedness, such that all parties were fairly and equally considered in the process.

I have also been involved in the profession in a teaching capacity at the Canadian College of Naturopathic Medicine. I taught a hydrotherapy course for four years, as well as supervising in the on-site clinic. This clinic is where the fourth-year naturopathic students do a one-year internship. I found supervising a very rewarding experience as I saw the students learn and grow in their skills, but mostly as they saw first-hand the effectiveness of naturopathic medicine and the satisfaction of helping people regain their health.

One of the qualities that I believe I will bring to this board is a strong sense of responsibility. If I say I will do something, I will do it. I grew up in a family where considering the other person and their perspective was very important. Part of that was being responsible to that other

person and keeping your word. This is a value I continue to carry today.

One other quality I bring to the table is the ability to be a good listener. As a naturopathic doctor, it is vital that I listen to and that I hear what my patients have to say. I believe part of the healing process begins when the person is allowed to tell their story and feels that what they have to say is important and has been heard. To that end, when on a board, it is vital to listen to the other members, since all opinions are of value.

As a naturopathic doctor, one of the things I do every day is take a variety of information—symptoms the patient reports, the blood test, other test results they may have, results I find on physical examination—and put those pieces all together in a comprehensive way, in a holistic way, in order to come to a naturopathic diagnosis and determine some course of treatment appropriate to that individual. Also, that treatment plan must continually be evaluated and adjusted when indicated. Working on the board will require this ability to assimilate and make sense of a variety of information and issues. I look forward to this opportunity and challenge.

My practice in Port Hope is a one-woman operation, in that I run the office and all that entails, as well as, of course, naturopathic responsibilities. I am able to do all these duties because I am able to keep myself organized and prioritize as to what needs to be done on what particular day.

I would just like to add that it would be hopeful on my part to feel that—the person before me had a very quick and easy pass through this committee. I don't know that I will enjoy a similar privilege, but I'm happy to answer any questions you have today.

1040

The Chair (Mrs. Julia Munro): Thank you very much. We'll begin with Madame Gélinas.

M^{me} France Gélinas: Good morning, Ms. McKenna. Welcome to Queen's Park. I just wanted to let you know that I'm a physiotherapist by profession and I really admire the work of naturopathic doctors, so you are in safe territory with me.

Ms. Mary-Ellen McKenna: Thank you.

M^{me} France Gélinas: I know that the entire area around the scope of practice for your profession has been an area of concern for some of your members, some of the practising doctors, and I was wondering if I could have your opinion on that.

Ms. Mary-Ellen McKenna: Actually, we've made great strides, in that we are about to be included in the Regulated Health Professions Act. As we were practising under the Drugless Practitioners Act, our scope was very vague and very broad and not very well defined. But going through this process of being included in the RHPA, our scope has now been very well defined under consultation with the profession and with other professions that have a stake in what our scope is. I believe that as a profession we are happy with it, and certainly personally I'm very happy with how they have defined our scope of practice.

M^{me} France Gélinas: I realize that you and most of your colleagues are not funded through the government to provide your services. The exception to this is that there are a few naturopathic doctors who practise in community health centres where their services will be paid for through the budget of the community health centre. Aside from this, I think most of your colleagues have to bill their clients directly. Do you have an opinion on that?

Ms. Mary-Ellen McKenna: It's true they all pay out of their own pocket; however, in my 13 years of practice—when I started practising, many people did not have any naturopathic coverage through their health benefits at work. Now I would say definitely the majority of my patients coming in have benefits through their work. There's more and more coverage through the insurance companies, which is definitely beneficial. I do feel for the people who cannot afford it. I do have people who call me, and if they have a concern about the cost, I will tell them, "If you really need to come in and see me, we'll discuss the cost." However, I find that for 99% of the people who contact me, that is not an issue. Perhaps people don't contact me because it is an issue and they never even bother to call me because they can't afford it.

I can extend that question and say, would we be covered under OHIP? That's a huge question. I know it has been discussed within the profession and there are pros and cons to that, and I don't even think that's on the board. Unfortunately, because it's not under OHIP, many people cannot avail themselves of our practices. So that is unfortunate.

M^{me} France Gélinas: I can tell you that from the NDP point of view, the service that you provide to the community is a service that we see as essential and it's a service that we would like to see covered by medicare so that the people who do not call you because they know they haven't got the money also have access to the essential services that you bring to our health care system.

Thank you for coming. Those were my questions.

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

Mr. David Ramsay: Ms. McKenna, welcome to our committee. I'm a big believer, personally, in what you do and feel we need to expand our exploration of what I guess some people would say are alternative medical philosophies. I think we're starting to do that as a government, and I really welcome that.

The focus of the health care system up until now, of course, has primarily been the treatment of disease. I think we need to have more emphasis—and I see our government moving in this direction—on starting to concentrate on keeping people well. I wish that people would see health care practitioners when they're well and not wait until they are sick, to sit down with somebody like you or their MD and talk about wellness. I think what we're trying to do with our family health teams and supporting other philosophies of medical care is to really put a focus on that.

I'd be interested to hear your philosophy about that, because I think what I need to do as an individual is to work with a professional like you, or others of my

choice, as a team to see how I could stay well so that I don't have to enter the system, hopefully, to be treated for disease.

Ms. Mary-Ellen McKenna: I agree with you 100%. We do have disease care; we don't have health care within the OHIP system. It always makes me think of the traditional Chinese medicine model. Thousands of years ago, the tradition was that you paid your doctor when you were well, not when you were ill, because his or her job was to help you stay healthy. So if you weren't healthy, then you weren't going to pay them, because they weren't getting the results they were looking for. We wouldn't make it that way in the world today, in Ontario certainly.

You're right: Many people, when they come into my office, have been through their medical doctor and they haven't found satisfaction. They've come to a naturopath well after the disease has set in, or whatever condition their concern is. This is my analogy when I speak to people about prevention. I say, "Our houses we do maintenance on. We make sure the roof doesn't leak before it leaks. We take the car and hopefully we get regular oil changes." That's what we do. We do maintenance. We do prevention. We don't do that with our bodies. We wait until they get sick. We can buy a new house, we can buy a new car. We cannot buy a new body. But we were not brought up that way. We were brought up to wait until something happens and then deal with it. So that is the mindset, but I do believe it is slowly changing, that people are realizing the value of just taking some basic vitamins every day.

Should we be included in OHIP? Certainly naturopathic care would save the government huge amounts of money, because we are prevention, because our natural therapies are very cost-effective. So there are many, many ways. However, I think the health care system at this point is just putting out fires. There are so many crises to deal with and, naturopathically, if somebody comes in and there are some major symptoms we have to deal with, we can deal with those. One of the principles of naturopathic medicine is, "Let's get down to the root cause here." Let's not just put out fires. Let's not just make that symptom go away. Where did that symptom come from in the first place? That's what we're trying to do, and that's part of prevention.

The other thing I say is, "What I do with my car is that I hear a noise and I pretend it's not there and maybe it'll go away." With the human body, because it has the ability to self-heal, oftentimes it does go away, which it doesn't with the car usually. Then, of course, it gets louder and then I finally have to deal with it and it costs me way more than if I had dealt with it in the first place. So if we dealt with the symptoms as the body speaks to us, when it is whispering to us, we can deal with it much more efficiently and effectively than if we wait until we have the heart attack, the cancer or whatever it may be. So I agree.

Mr. David Ramsay: Thank you very much.

Ms. Lisa MacLeod: Thank you very much, Ms. McKenna. It is rare that in this committee we have two such qualified people follow one another, and I just want to welcome you to committee today. I thought your deputation was very fascinating, and not until you've actually hit that crisis in your own family and the traditional medicine doesn't work do you really look toward naturopathy and drugless therapy. I had that experience in my own life in the last year with a family member. So I just want to congratulate you.

The only question I have for you is: You are so busy; do you have a lot of time for this new position?

Ms. Mary-Ellen McKenna: I do. I choose not to have a full-time practice because I'm the type of person who needs balance. I have chosen not to have a full-time practice, and my daughter is of an age where she doesn't need as much of my attention. My husband works out of the house, so I certainly have support at home should I need to spend extra time with the board. So, no; I've considered that and I definitely have time to devote to it.

Ms. Lisa MacLeod: I wish you much success. The official opposition will be supporting your candidacy.

Ms. Mary-Ellen McKenna: Thank you.

The Chair (Mrs. Julia Munro): Thank you very much. You have obviously provided the committee with lots to think about. Thank you for coming here today.

Committee members, I do not believe we have our fourth intended appointee with us at this point, so what I am proposing, then, is that we recess. Since the time is 11:30, I think we should recess to 11:25 to be sure that we can complete that on schedule.

The committee recessed from 1050 to 1127.

MARY CONDON

Review of intended appointment, selected by official opposition party: Mary Condon as member, Ontario Securities Commission.

The Chair (Mrs. Julia Munro): Good morning. We're going to continue with the meeting of the standing committee on government agencies.

The item on our agenda is the fourth and final interview for today with Mary Condon, the intended appointee as member, Ontario Securities Commission. Ms. Condon, please come forward. Good morning and welcome to the committee. You have the opportunity to make some remarks, and then we will entertain questions from the various members of the committee. Each party has up to 10 minutes, and your time will be deducted from the government members' time. Welcome, and please begin.

Ms. Mary Condon: Thank you for inviting me to come today. I apologize that I didn't get here a few minutes earlier so that you could complete the business of the committee in a more timely fashion.

I might just take a minute or two to highlight what could be seen as my qualifications to undertake this position as a part-time commissioner with the Ontario Securities Commission. I have been teaching at Osgoode Hall

Law School for 15 years, over 10 of which—I think 12—have involved teaching in the area of securities law specifically. I've been teaching future securities lawyers who will work in the field. I also have an active research agenda in the area. I've collaborated on books, written articles and also researched policy papers for a number of public and private policy-making groups.

In fact, even before I had my position at Osgoode Hall Law School, I was a student of Ontario securities law. I did my doctoral degree at the faculty of law at the University of Toronto, and the subject on which I wrote my dissertation was a history of policy-making and decision-making at the Ontario Securities Commission over a 30-year period, starting in 1945, so I feel like I have a relatively well-established view of the trajectory of policy-making in securities in Ontario.

More recently, I've been interested in how other jurisdictions are making policy and conducting regulation in the securities area, and I hope to bring that perspective to bear, especially the perspective from the US, but also the UK with the development of the Financial Services Authority there and some of their approaches to securities regulation.

I have served in a volunteer capacity on a couple of advisory committees of the securities commission. One is the continuous disclosure advisory committee that meets for a morning four times a year and brings in a number of different stakeholders within the securities area to advise the corporate finance staff of the committee on current policy initiatives. The other one is the enforcement advisory committee. That's a more recent appointment, since last year; it's only met twice.

The final point that I'd make is that in terms of governance, because part of the role of the commission level of the securities commission is to be, if you like, the board of directors for the organization as a whole, I do have some governance experience through serving as a member of the board of trustees of the York University pension fund. I have just been reappointed to a second three-year term as a trustee of the fund.

The Chair (Mrs. Julia Munro): Thank you very much. We'll begin with government members.

Mrs. Maria Van Bommel: Thank you, Ms. Condon, for appearing before the committee. We have no questions or comments.

Ms. Lisa MacLeod: Thank you very much, Ms. Condon. The official opposition will be supporting your candidacy. I wish you well. The only point I'm going to make is one I made earlier with respect to the Ontario Securities Commission and I'm hoping the government will listen. It is too Toronto-centric and we must consider a way, as the Legislative Assembly, to make sure that we have representation from elsewhere in the province. But I wish you much success, and thank you for your appearance today.

M^{me} France Gélinas: My questions are along the same line as my colleague's. You have lived and worked most of your life in and around the GTA. I'm just curious to know if you have any knowledge of northern Ontario.

Ms. Mary Condon: Certainly, one of the important issues that comes from northern Ontario about securities regulation—and here I go back to my knowledge of the history—is that the entire reasoning for developing the securities commission in the first place in 1945 was because of the need to support and facilitate the development of the mining industry. That continues to be a really important centre of activity. Many significant reporting issues in Ontario are from that sector. It's still an important area of commission activity and policy-making.

The other thing that I would point to is that insofar as the securities commission has the mandate to protect retail investors, I think it's also extremely important to remember that those retail investors can come from anywhere in the province, and they may just as well be people who live and work in areas outside of Toronto as well as inside. It may need to be considered in terms of the financial literacy-type information that is available to them about things they should think about when they invest in different products and so on.

M^{me} France Gélinas: Thank you. That was my question.

The Chair (Mrs. Julia Munro): I appreciate you coming here this morning. Thank you very much for your participation.

Ms. Mary Condon: Thank you.

The Chair (Mrs. Julia Munro): Committee members, we will now deal with concurrences. The first one that we will consider is the intended appointment of Gemma Salamat, intended appointee as member, Council of the College of Midwives of Ontario.

Mrs. Maria Van Bommel: I move concurrence of the appointment of Gemma Salamat.

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

Mr. Kevin Daniel Flynn: Could we have a recorded vote on that, Madam Chair, please?

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

Ayes

Brown, Flynn, Gélinas, Hillier, MacLeod, Ramsay, Sandals, Van Bommel.

The Chair (Mrs. Julia Munro): Thank you.

We will now consider the intended appointment of Paulette Kennedy, the intended appointee as member, Ontario Securities Commission.

Mrs. Maria Van Bommel: I move concurrence of the appointment of Paulette Kennedy.

The Chair (Mrs. Julia Munro): Concurrence has been moved by Mrs. Van Bommel. Any discussion? Seeing none, all those in favour? The motion is carried.

We will now consider the intended appointment of Mary-Ellen McKenna, intended appointee as member, the Board of Directors of Drugless Therapy.

Mrs. Maria Van Bommel: I move concurrence of the appointment of Mary-Ellen McKenna.

The Chair (Mrs. Julia Munro): Concurrence has been moved by Mrs. Van Bommel. Any discussion? Seeing none, all those in favour? Opposed? The motion is carried.

We will now consider the intended appointment of Mary Condon, intended appointee as member, Ontario Securities Commission.

Mrs. Maria Van Bommel: I move concurrence of the appointment of Mary Condon.

The Chair (Mrs. Julia Munro): Concurrence has been moved by Mrs. Van Bommel. Any discussion? Seeing none, all those in favour? Opposed? The motion is carried.

This concludes the business on intended appointments but, members of the committee, I would draw your attention to the memo that you have received just to ensure that everyone has this and will take it under advisement. It's not an item for discussion at this time, but I simply want to bring it to your attention and ask you to consider it.

This committee stands adjourned.

The committee adjourned at 1137.

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