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**Official Report
of Debates
(Hansard)**

Tuesday 29 October 2013

**Journal
des débats
(Hansard)**

Mardi 29 octobre 2013

**Standing Committee on
Government Agencies**

Intended appointments

**Comité permanent des
organismes gouvernementaux**

Nominations prévues

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Tuesday 29 October 2013

Mardi 29 octobre 2013

The committee met at 0901 in committee room 1.

COMMITTEE BUSINESS

The Clerk of the Committee (Ms. Sylwia Przedziecki): Good morning, honourable members. Owing to the absence of both the Chair and the Vice-Chair, it is my duty to call upon you to elect an acting chair. Are there any nominations? Ms. Hunter?

Ms. Mitzie Hunter: Kevin Flynn as the Acting Chair.

The Clerk of the Committee (Ms. Sylwia Przedziecki): Thank you. Any further nominations? Hearing no further nominations, I declare nominations closed. All those in favour of Mr. Flynn?

The Acting Chair (Mr. Kevin Daniel Flynn): Okay. Let's call it to order. We have an agenda before us, everybody has an agenda, and I think just about everybody is here. Jim is on his way, or—

Mr. Jeff Yurek: He's in the House.

The Acting Chair (Mr. Kevin Daniel Flynn): Good. Ms. Wong?

Ms. Soo Wong: Mr. Chair, I have two amendments to the motion that was presented, I think in the previous meeting, by MPP McDonnell, so I want to make sure that's on the table before we do any votes, that the committee knows in advance that I have two amendments to the motion.

Mr. Jeff Yurek: Do you have copies?

Ms. Soo Wong: Yes, I do.

The Acting Chair (Mr. Kevin Daniel Flynn): Just so we know where we're starting from here, ladies and gentlemen, our first order of business is to consider a motion that was moved by Mr. McDonnell at our last meeting that all members should have before them. That's currently on the floor. Jim isn't here to restate the motion, but we all know what that motion is.

On March 6, the subcommittee made the following decision, which was adopted by the full committee on March 19, 2013: that the committee begin consideration of the Metro Toronto Convention Centre Corp., selected for review in the previous session, after completion of the two written reports on the WSIB and LCBO.

The motion that Jim had placed on the floor is on the floor—it would be nice if he was here to restate it, but I don't think that's necessary—and the amendments now have been placed by Ms. Wong. Speaking to the amendments, Soo?

Ms. Soo Wong: Yes. I have copies, Mr. Chair, so the Clerk can—okay. I have two amendments to the motion. I just want to make sure it's on record. There are actually two sheets going around.

The first part to the motion: I move that the words “on November 5, 2013” be removed and replaced with “upon completion of the committee's review of the Metropolitan Toronto Convention Centre Corp.” That's the first part of my amendment. Then—

The Acting Chair (Mr. Kevin Daniel Flynn): Let's deal with that, then, Soo. We'll only put the one amendment on the floor at the same time. Speaking to that amendment?

Ms. Soo Wong: Mr. Chair, I think it's very, very important to understand that in April 2012 the subcommittee met and selected the following agencies for review: The opposition asked for the LCBO to be reviewed, the third party asked for the WSIB to be reviewed and the government chose the Metropolitan Toronto Convention Centre (MTCCC) for review. The review of the LCBO has already been tabled. Furthermore, the review of the WSIB is also finished, and it is my understanding that it's going to be tabled before the end of this month or in November. The review of the MTCCC has not begun yet, and now we have the motion from Mr. McDonnell.

I find the comments made by the member opposite last week—I wasn't here. I understand it was quite misleading for him to justify his motion. I need to remind everybody—I mean, as a new member, to sub for the committee—that we have not completed the review of the third agency yet, and that is the MTCCC.

I also want to go on record, Mr. Chair: The member from Stormont–Dundas–South Glengarry alleges the proration somehow reset the slate of review here in this committee and now we have refreshed, but that's not correct, Mr. Chair, because each caucus chose one agency for review. The opposition was reviewing the LCBO and the third party the WSIB; the government chose the MTCCC. I want to be sure, as there are a couple of us who are subbing today, that the committee picks up the work where it was left off after we reconvened in the spring of 2013. We need to review the LCBO and WSIB, and to understand that we start with the MTCCC upon the completion of the committee's review of the first two. I want to ask, and also remind the committee, that we need to respect the spirit of the committee, but also that

the subcommittee did all that work back in 2012, and now we have a new motion.

I'm not saying that we don't do this stuff, but the fact is that this already started its course in 2012, so we need to make sure that, when we review and we agree—all three parties—upon each of these agencies, we stand and also adhere to those timelines, and respect each other when we select agencies. I'm happy to answer any questions, but also to encourage members to look at what the subcommittee has done. Going forward, we need to respect this timeline. Thank you, Mr. Chair.

The Acting Chair (Mr. Kevin Daniel Flynn): Are there any further speakers to this? Mr. Fraser?

Mr. John Fraser: I'd just like to support the member in saying that the committee's business has been set already in terms of the agreed-upon sequence, which was: There was a request for the LCBO to be reviewed; that's been done. The third party asked for the WSIB, and I believe the WSIB is still being finished right now, but it will be tabled at some point soon. Our choice was the Metro Toronto Convention Centre. Saying that prorogation somehow changed this is just not the fact, because I understand that the committee's business just took up where we left off. I think it's fair, and the motion is a fair and reasonable one, and we'd be happy to support the member's motion with this amendment, given that we get the Metro Toronto Convention Centre done.

0910

The Acting Chair (Mr. Kevin Daniel Flynn): Thank you. Any further speakers?

Miss Monique Taylor: Call the question.

The Acting Chair (Mr. Kevin Daniel Flynn): I think, Soo, you still had a—

Ms. Soo Wong: Just one more, just for the committee on record, Mr. Chair. Just on record, that I got extra notes with regard to the fact that after we came back from prorogation, this committee reviewed the WSIB on April 16, 2013, and also on April 9, 2013. So it is very important, Mr. Chair, that when we have committee work, we set the timeline, and especially all three parties' decision to choose one agency. Those timelines need to be respected and we need to honour that, please. It isn't respectful, and more importantly, the committee needs to go on with the stuff that we have set out from the very onset. Thanks, Mr. Chair.

The Acting Chair (Mr. Kevin Daniel Flynn): Okay. Just for the members, the Clerk is printing off the report of the subcommittee that the committee adopted on, I think, it was March 19, just so that everybody has got that in front of them. The committee then will have to decide if the motion from Mr. McDonnell is in addition to what the committee has already decided to do or in place of what it's already decided to do.

Miss Taylor?

Miss Monique Taylor: Chair, we've tried to call the question.

The Acting Chair (Mr. Kevin Daniel Flynn): You've tried to call the question?

Miss Monique Taylor: We've heard the arguments; we're calling the question on the amendment.

Interjections.

Ms. Soo Wong: At this point, are we voting on the entire motion?

Miss Monique Taylor: No, we have to vote on the amendment now that's on the floor.

Ms. Soo Wong: Okay, that's all I wanted to know. Thank you.

The Acting Chair (Mr. Kevin Daniel Flynn): Okay. Have all members who want to speak to the amendment spoken to the amendment? Okay. Thank you.

Miss Monique Taylor: This isn't an unbiased Chair. I'm sorry, but—

The Acting Chair (Mr. Kevin Daniel Flynn): I beg your pardon?

Miss Monique Taylor: Well, Chair, you're pointing it out very clear that you're being biased against us here because you're pushing it on—

The Acting Chair (Mr. Kevin Daniel Flynn): Thank you.

Miss Monique Taylor: —to have members speak when we've called the question.

The Acting Chair (Mr. Kevin Daniel Flynn): I don't think I need your advice on this, Miss Taylor. You're welcome to stay; you're welcome to leave. Are there any members of the committee that want to speak to the motion and haven't spoken to the motion, including the opposition members? Ms. Hunter?

Ms. Mitzie Hunter: I really want to emphasize that the work of the committee and respect for the work of the committee is certainly important. We have looked at the LCBO and the WSIB, which is in report-writing stage. Following that, the MTCC, the Metro Toronto Convention Centre, is next up. I think that what we're seeking here is to complete the work of the committee as it was intended and then to move on to Metrolinx or another agency. I think that's what we're saying; it's to really respect that work of the committee and the fairness in terms of how we have been working as a committee for all of this year.

The Acting Chair (Mr. Kevin Daniel Flynn): Thank you. Mr. Pettapiece and Mr. Yurek.

Mr. Randy Pettapiece: Just a bit of clarification for my own information: When somebody calls a vote, does that not end debate?

The Acting Chair (Mr. Kevin Daniel Flynn): No. What happens is that it's the discretion of the Chair. If all members that want to speak on the motion have been heard, then the Chair will call the vote.

Mr. Randy Pettapiece: Yes, but if one of us asks to call the vote on that, that doesn't shut down debate?

The Acting Chair (Mr. Kevin Daniel Flynn): It doesn't shut down debate automatically. If you had been speaking for hours and you said, "Okay, that's enough, we've heard from everybody now," perhaps the Chair would agree with you. Ms. Hunter hadn't been heard from. I don't think any member of the opposition, up until you spoke, had been heard from.

Mr. Randy Pettapiece: Thank you.

The Acting Chair (Mr. Kevin Daniel Flynn): Mr. Yurek, then Mr. Hatfield.

Mr. Jeff Yurek: Thank you, Chair. I just wanted to point out that the committee does its work and it's the decision of the committee as a whole what work gets done. We have a motion on the table about going after and reviewing Metrolinx, and I think that's what the committee should be focusing on and calling the vote and going forward on that.

The Acting Chair (Mr. Kevin Daniel Flynn): Okay, now just so that the Clerk understands, and perhaps you've raised a point here, Mr. Yurek, what are your instructions now to the Metro Toronto Convention Centre, which has started its work for the review? What's the committee's pleasure with the Metro Toronto Convention Centre?

Mr. Jeff Yurek: Right now we've put forth a motion to go forward with Metrolinx, and that's where we are in the table. I think we should deal with that issue. It would be great to call the vote, so we could move on.

The Acting Chair (Mr. Kevin Daniel Flynn): Thank you, Mr. Hatfield?

Mr. Percy Hatfield: I call the question, Mr. Chair.

The Acting Chair (Mr. Kevin Daniel Flynn): Thank you. Further speakers?

All those in favour of the amendment? Those opposed to the amendment? That amendment loses.

Ms. Wong, your second amendment.

Ms. Soo Wong: Thank you, Mr. Chair.

I move that the following words be added to the final paragraph of the motion:

"And, that prior commencing its review of Metrolinx, the committee will complete its review of the following appointments"—I understand, Mr. Chair, that one of the witnesses is here. I believe that there are supposed to be two witnesses before this committee today. I think it's very important that the nine proposed names before this committee need to be—especially since they're here, for the committee to recognize the fact that people are travelling far for this committee because this committee called them before this committee, and it's important that we respect that. I want to make sure that the committee respects the witnesses we called before this committee, that they be presented today so that they will go forward. I believe there are two witnesses here. Am I correct, Mr. Chair? The Clerk could verify that.

The Acting Chair (Mr. Kevin Daniel Flynn): We have with us this morning, James Garrah and Suzanne Clapp.

Ms. Soo Wong: Are they both here? I also believe that the committee has asked for actually nine witnesses here, so the first two were supposed to come today, and then the others: Janet Kilty, a part-time member for the Niagara grant review team; Anne Tennier, part-time member for the Hamilton grant review team; Gail Beggs, part-time member for OLG; Mary Beth Currie, part-time member, OLG; Frances Lankin, part-time member, OLG; Joanne Lefebvre, part-time member, OLG; and Elmer

Buchanan, chair and part-time member, ORC. So if the intent of this committee is to ask these individuals before the committee, it is important that we respect that. Furthermore, Mr. Chair, my understanding is that two of these nine individuals are present today. So, you know, it's one thing that we are debating among ourselves on which motions and what have you, but we've got to remember that we have individuals here waiting to be presented to the committee. Thanks, Mr. Chair.

The Acting Chair (Mr. Kevin Daniel Flynn): Further speakers? Mr. McDonell.

Mr. Jim McDonell: I think we tried to deal with this motion at the end of the last meeting, and the government wanted to defer this to the beginning of this meeting, so now to defer it again—I think it's just time to call the motion and have a vote on it.

Mr. John Fraser: Mr. Chair, I think the motion that's before us right now is a reasonable motion. We have some people coming forward to us who have an expectation today, and then, if you take a look at the other appointments in there, it's my understanding that the OLG requires these members for the functioning of the board, and also the ORC requires a chair. It's not an unreasonable thing to accommodate this and to go forward with it. These are people who are here today. Some have come at some distance to be before the committee, and I think that's a reasonable thing to be putting forward in the circumstance. That's what I'd like to say.

The Acting Chair (Mr. Kevin Daniel Flynn): Any further speakers? Mr. Hatfield.

Mr. Percy Hatfield: Thank you, Mr. Chair.

I have absolutely no trouble at all dealing with the two members who have travelled here today to be heard and speaking with them today: Mr. Garrah and Ms. Clapp. They were on the agenda. If we want to do that, deal with the other question, and at the end of the meeting determine what happens at our next meeting, that's fine. I think the people came here today expecting to be heard and expecting a decision, if possible. I think we can do that, and the more we have dialogue about our next steps, the less time they're going to have to make their presentation.

The Acting Chair (Mr. Kevin Daniel Flynn): So what are you suggesting we do, Mr. Hatfield? Just so we're all clear; I wasn't.

Mr. Percy Hatfield: There are motions and amendments on the floor, and they have to be dealt with, but then, at the end of that, I think we should hear the two people that we came here today to listen to.

The Acting Chair (Mr. Kevin Daniel Flynn): Miss Taylor?

Miss Monique Taylor: Thank you, Chair. That was also my recommendation at this point, that we move ahead with James Garrah and Suzanne Clapp today, as expected to do so, and then have a subcommittee meeting to decide the rest of our agenda when it comes to dealing with the appointees who are to come before us.

But when it comes to having the Metro Toronto Convention Centre, I will be voting against that motion in the

respect that they did reset the clock, and as a committee we can decide on which agency we will bring before us next. Thank you.

0920

The Acting Chair (Mr. Kevin Daniel Flynn): Any further speakers?

Mr. Jim McDonell: Just a quick point.

The Acting Chair (Mr. Kevin Daniel Flynn): Yes, Mr. McDonell?

Mr. Jim McDonell: I think the original motion states that we start on November 5, so we'll still be seeing today's witnesses. We can start with those today. There's no problem with seeing—I think there's some talk that we have witnesses here today. We'll still see those, but this talks about the committee in the future.

The Acting Chair (Mr. Kevin Daniel Flynn): The Clerk is asking that I make all members aware that a decision was made by the subcommittee and then approved by the committee in this session, and that it is something that the committee should be aware of, basically: You've decided to do one thing, you've set that in motion, and here you appear to be deciding to do something else—which is well within the limits, but just so that everybody is aware that you've set something in motion and now you're doing something else.

Ms. Hunter.

Ms. Mitzie Hunter: I'm wondering, Mr. Chair, as was proposed by Mr. Hatfield, if we could hear the two people who have travelled. I understand that Mr. Garrah has come all the way from Gananoque to speak with us this morning. We could do that portion, and then come back to the motion and the various amendments, just out of respect for those who will be appearing. I think there are a number of questions. There was a suggestion that we take this to subcommittee, and I'd like to talk a little bit more about that, but I just feel, with the individuals who are here, that we should respect their time and fairness as well.

The Acting Chair (Mr. Kevin Daniel Flynn): Any further speakers? Mr. McDonell.

Mr. Jim McDonell: I believe the subcommittee did meet before the prorogation and we continued on with the two committees that we had started, but I think we have ample time to call a vote here. I think we should call a vote and get this behind us and hear the witnesses who are here today. We've had our discussions. I think it's clear that the committee as a whole has a direction it would like to take, and I think we should just move on that.

The Acting Chair (Mr. Kevin Daniel Flynn): Are there any further speakers?

Mr. John Fraser: I'd just like to restate something that I said earlier. It's not just the two people who are here to appear before us today, but we have a number of people. Specifically, if you take a look at the OLG appointments and the ORC appointments, there are appointments that those boards require to go forward and to function.

Miss Monique Taylor: Chair?

The Acting Chair (Mr. Kevin Daniel Flynn): Miss Taylor.

Miss Monique Taylor: Never at any time did we say that we didn't want to continue forward with the appointments, and that's why I said we can talk about the appointments in the subcommittee. There was nothing against them coming before us. We had called them, right? So we're happy with speaking with them.

The Acting Chair (Mr. Kevin Daniel Flynn): Any further speakers? Mr. Hatfield.

Mr. Percy Hatfield: Thank you, Mr. Chair. I think we have to deal with the motion that's on the floor, or the amendment that's on the floor, get that out of the way, and then listen to the two presenters who have travelled here today. Then at the end of that, we can decide what our next steps are.

The Acting Chair (Mr. Kevin Daniel Flynn): Thank you.

Mr. Jim McDonell: I think we should—

The Acting Chair (Mr. Kevin Daniel Flynn): Go ahead, Mr. McDonell.

Mr. Jim McDonell: We'll deal with the amendment and deal with the motion. We have lots of time to move ahead. It will be like last week, where we went to the end and they called the recesses and it timed out. I think we should just get this through. I think it's clear which way it's going to go.

It's interesting that they're talking now about trying to do this. During the summer, when we tried to have different committees, this government didn't want to do that, when we had the time. I think we should make the time during the year—we're here anyway—and we can get through the witnesses as well as look at Metrolinx. I think it affects over half the province, and I think it's an important thing to review.

The Acting Chair (Mr. Kevin Daniel Flynn): Thank you. Any further speakers? Seeing none, let's let everybody sit before we have the vote.

Okay, there's an amendment on the floor. Everybody understands what the amendment is. All those in favour? Those opposed? That amendment loses.

Now we return to the main motion. Speaking to the main motion: Ms. Wong.

Ms. Soo Wong: Mr. Chair, next week is November. I respect the colleague opposite who asked for Metrolinx to be here before the committee on November 5. We've got to be respectful. This is a fairly large organization. I think it's important for us to give people reasonable time to do a good presentation for this committee so that they will be ready to answer the questions before the committee.

I just a friendly amendment: Instead of starting on November 5, as written by Mr. McDonell, that the review of Metrolinx is to commence on November 19. That way, it is respectful. It's not just one week; it's actually giving two weeks' notice and the fact that they need to come prepared. I'm sure every member in this committee will have questions for Metrolinx. Furthermore, we want them to answer the questions. So it's not because we don't

want them to come, Mr. Chair, but the fact of timeliness is really important, so they will be ready and they will be prepared to answer all the questions for this committee. That's just a friendly amendment on the date.

The Acting Chair (Mr. Kevin Daniel Flynn): There's an amendment on the floor, then, to change the date from the 5th to the 19th. Any speakers?

Mr. McDonell.

Mr. Jim McDonell: We have limited time here. When we come back, we only have three weeks.

It's interesting. Last week, we went through a bill, and we gave people less than 24 hours' notice to get witnesses here. We have a full week here. I think it's time to move on with this. If we hadn't delayed it last week, we would have been able to give them two weeks' notice. They're trying to delay it again until next week—I think it's one of these things you get on with. I think it's an important part. We hear of a lot of the issues that are happening with the transit in Toronto. I think it's time that we look into this, see if there are some issues that we can look at. We'll be into the Christmas break pretty soon right after, so I think that we should move on to this as quickly as we can.

The Acting Chair (Mr. Kevin Daniel Flynn): Any further speakers to the amendment? Ms. Hunter.

Ms. Mitzie Hunter: I just wanted to speak in support of Ms. Wong's suggestion, because it does give certainly a reasonable enough time, but I also feel that those individuals who are waiting to appear before the committee, that that will give us an opportunity to get through some of that agenda as well so that these agencies can have the people appointed and working on their behalf. So I think that that friendly amendment, as Ms. Wong has put forward, does give us an opportunity to do that.

I'm just wondering, Mr. Chair, if there is an opportunity to have a 10-minute recess to just—can we have a 10-minute recess?

The Acting Chair (Mr. Kevin Daniel Flynn): We certainly can. Are there any further speakers? There's going to be a recess called for, obviously.

Mr. McDonell.

Mr. Jim McDonell: Just one comment: A minute ago, we were hearing how important it was to get witnesses on time. I think we just put the vote on the floor and call it. I don't know if the recess—I know they're entitled to it. Could I ask that it be reduced to five? I think we just don't have a lot of time here for the two witnesses who are here.

Ms. Mitzie Hunter: Sure. Five minutes is fine.

The Acting Chair (Mr. Kevin Daniel Flynn): Okay. In the spirit of co-operation, we're going to have a five-minute recess.

The committee recessed from 0928 to 0933.

The Acting Chair (Mr. Kevin Daniel Flynn): We're back in session again. I've just got some more instructions from the Clerk here. Let's continue, then. Ms. Hunter, you asked for a—

Ms. Mitzie Hunter: I did, Mr. Chair. We have a friendly amendment, just on the date that we have asked

for. It would give the agency a little bit more time, but also, I believe as well, the seven other individuals who are also part of this committee's work, a very important part of our work—

The Acting Chair (Mr. Kevin Daniel Flynn): Before we move on, Ms. Hunter, what we should do is—we recessed before the vote. We should take the vote on the amendment and then you're free to move the friendly amendment.

Ms. Mitzie Hunter: Okay.

The Acting Chair (Mr. Kevin Daniel Flynn): There was an amendment on the floor when we last recessed. Those in favour of the amendment?

Mr. Jim McDonell: Read the amendment again.

The Acting Chair (Mr. Kevin Daniel Flynn): It was to change the date to November 15.

Mr. Randy Pettapiece: The 19th.

The Acting Chair (Mr. Kevin Daniel Flynn): The 19th. It would read then, instead, "I move that the words on"—November 19, basically, would be the date instead of the 5th, and that's what we're voting on now. Is everybody clear?

All those in favour of that amendment? Those opposed? That loses.

Ms. Hunter.

Ms. Mitzie Hunter: So I guess I would like the committee to talk about what happens next in terms of these seven individuals, four of them for OLG, the chair of ORC. These are also the committee's responsibility in the work that we are doing, and I would just like to get some perspective on that.

The Acting Chair (Mr. Kevin Daniel Flynn): Were you going to move an amendment, or was that just a question? The Clerk had actually asked me the same question. You've got a list of people that you'd intended to interview by certain dates. Did you still want to hear from them?

Miss Taylor.

Miss Monique Taylor: Chair, within the actual motion that's put on the floor by Mr. McDonell, it says specifically, "That this motion be subject to the committee choosing to undertake other business pursuant to its mandate." So, like we did with the WSIB and the LCBO, we will be able to see these other appointments, and that is something that we can speak to in subcommittee, but we need to move ahead with this portion and get on with our agenda to be able to make sure that we're dealing with the other people who are here before us today.

The Acting Chair (Mr. Kevin Daniel Flynn): Thank you, Miss Taylor.

The motion is on the floor. We're back to the main motion now, just so everybody understands where we are. Any further speakers before I call it? Ms. Hunter?

Ms. Mitzie Hunter: I believe actually that Ms. Taylor raises a very good point, and that's why the date itself does seem to constrain the flexibility of this committee to do its work and to prioritize its business, so maybe, you know, a suggestion that I would have is to not have a date, that we can move ahead with the selection of the

agency but to not actually tie it to that specific date, which would then make this portion of the motion much more valid in terms of the committee having the flexibility to undertake its business and its mandate.

The Acting Chair (Mr. Kevin Daniel Flynn): Thank you. Are you moving an amendment to that effect, or is that just a suggestion?

Ms. Mitzie Hunter: I'm sorry, Mr. Chair?

The Acting Chair (Mr. Kevin Daniel Flynn): I wasn't clear if you were moving an amendment to that effect or if you were just suggesting that the folks adopt it.

Ms. Mitzie Hunter: I so move that we remove the date from the main motion, and therefore it allows that opportunity for the committee itself to move forward but with priorities as it determines as a whole.

The Acting Chair (Mr. Kevin Daniel Flynn): So then it would read, if I understand this correctly, and the Clerk can correct me where I'm wrong:

"That the Standing Committee on Government Agencies meet to conduct an agency review of Metrolinx; and

"That the committee shall conduct this review during regularly scheduled meeting days"—

And what you're suggesting is that we take out the time?

Ms. Mitzie Hunter: That's correct.

The Acting Chair (Mr. Kevin Daniel Flynn): The date—I'm sorry—November 5.

Miss Monique Taylor: It's already there.

Ms. Mitzie Hunter: Yes.

The Acting Chair (Mr. Kevin Daniel Flynn): And then everything else would remain the same. Are we all clear on this?

Ms. Mitzie Hunter: Including the end, as Ms. Taylor has reminded us, pursuant to the mandate of the committee.

The Acting Chair (Mr. Kevin Daniel Flynn): Okay. Mr. McDonell.

Mr. Jim McDonell: Chair, we started off today's meeting with the urgency to move on to these witnesses. We've seen delay. Last week, we had a delay that failed to let us vote on it. We're now here over half an hour and we're still looking at it. We've already talked about the date and defeated that. This motion allows us to carry on the regular business as we see fit from a committee point of view. Changing the date doesn't really change that; it just moves the words around and is a further delay.

Unless they think they can delay the full hour and half today, I think we just move ahead with this question. We have witnesses here and we want to hear from them. We'll be backed up so we won't be able to hear those either. So I think we should just call the original question, or very quickly vote this down and move to the original question.

The Acting Chair (Mr. Kevin Daniel Flynn): Thank you, Mr. McDonell.

Are there any further speakers? Seeing none, those in favour of the amendment? Those opposed to the amendment? That amendment also loses.

We're back to the main motion now. Are there any—last time. Miss Taylor?

Miss Monique Taylor: Can we call the question, please?

The Acting Chair (Mr. Kevin Daniel Flynn): Any further speakers? Seeing none, all those in favour of the main motion? Those opposed? That motion carries. Thank you.

0940

A few members have mentioned that we had intended to hear from some appointees by certain dates, and it looks like, with the decisions being made by the committee, those dates aren't going to be met. Do we have—

Interjection.

The Acting Chair (Mr. Kevin Daniel Flynn): Okay, the Clerk is asking if there is unanimous consent to extend the expiry date for the deadlines for the six appointments: Anne Tennier, Gail Beggs, Mary Beth Currie, Frances Lankin, Joanne Lefebvre and Elmer Buchanan. Is there unanimous consent?

Interjection.

The Acting Chair (Mr. Kevin Daniel Flynn): No. Just so the committee members are clear, by not extending them, that will mean the committee will lose its opportunity to review these appointments—just so that everybody is clear. Miss Taylor.

Miss Monique Taylor: Can we deal with this at subcommittee, Chair, please, and have a subcommittee meeting shortly? We still have time before the expiry dates on some of them.

The Acting Chair (Mr. Kevin Daniel Flynn): Okay, I'm sure that's something the committee will come to grips with eventually.

Mr. Jim McDonell: Mr. Chair?

The Acting Chair (Mr. Kevin Daniel Flynn): Mr. McDonell.

Mr. Jim McDonell: Could we have some time, maybe next week, to really define which ones we want to prioritize so we wouldn't lose them all?

The Acting Chair (Mr. Kevin Daniel Flynn): The committee can do what it wants. As of today, it said it doesn't want to—

Mr. Jim McDonell: I'm just asking the Clerk if that would fit in there—they don't all expire today, of course, because we haven't seen them.

The Acting Chair (Mr. Kevin Daniel Flynn): Do we all have the sheet in front of us of the six people who are being talked about here? Are there any specific instructions that the committee has? By November 3, at least for the first person on the list, that opportunity will have expired.

I'll tell you what: We've all talked about the people we have before us who have come down to spend some time with us. I'm just sitting in the chair for the day, and I don't want to be seen as being biased. Why don't we move on to the public appointments?

INTENDED APPOINTMENTS

MR. JAMES GARRAH

Review of intended appointment, selected by the official opposition party: James Garrah, intended appointee as member, St. Lawrence Parks Commission.

The Acting Chair (Mr. Kevin Daniel Flynn): Our first intended appointment today is James Garrah, who is nominated as member, St. Lawrence Parks Commission. James, if you would come forward. Hopefully you will understand the next half-hour better than the first half-hour.

Thank you very much for being here. You may begin with a brief statement if you wish. Members of each party then will each have 10 minutes to ask you questions. Any time used for your statement will be deducted from the government's time for questioning. The questions will start with the government. Thank you very much for being here. The floor is all yours.

Mr. James Garrah: Thank you very much for the invitation. I've been nominated, as I heard, to be appointed to the St. Lawrence Parks Commission.

I have been involved in public service as a local town councillor. I recently served for seven years as the mayor of my community, the town of Gananoque. We're in the middle of the parks of the St. Lawrence. I think public service is an important part of one's life—serving the community.

From the notes that I sent in, you've probably seen that I retired as an elementary school principal 15 years ago, and since that time I have devoted a lot of my time to doing volunteer work. I'm currently the chair of a community family health team which serves Gananoque, Brockville and Westport. I'm also on the executive of a community support service agency which provides all kinds of services for seniors which allow those seniors to remain in their homes, to age at home, rather than go to nursing homes. We provide such things as Meals on Wheels, foot care, taking people to doctor's appointments and so on.

I think my work career and my volunteer experiences have allowed me to develop skills that make it easy for me to work with people. I'm a team player. I'm a good listener. I enjoy serving the community in which I live.

One of the things I do that I think makes it easier for me to work with groups such as this, or councils or boards that I sit on and so on, is that I'm a volunteer for the Canadian Guide Dogs for the Blind. I'm currently working with my 17th guide dog. One of the things I've learned from working with those dogs is to be very patient and to try to understand the dog's point of view. When working with the various groups that I've served, I find likewise that that's something that one has to do: listen to all sides of the argument or the discussion and try to reach a consensus that serves everybody in the best way that we possibly can.

That's all I wish to say at this point.

The Acting Chair (Mr. Kevin Daniel Flynn): Very good. Thank you very much. You didn't use your 10 minutes. That was great.

Ms. Wong.

Ms. Soo Wong: Thank you, Mr. Garrah, for waiting for this question. As a former principal, as a former mayor, how do you see those experiences helping you in your new capacity as a member of this commission?

Mr. James Garrah: Whenever you sit on a board, just like sitting and listening to this committee here today, people have different perspectives, and I think it's important that we listen to the reasons of how people have arrived at their particular viewpoint and try to arrive at a decision that, as I said earlier, serves everybody. It's not always easy, it's not always popular, but in the end, if we follow that course or subscribe to those particular ways of doing business, then I think everybody is well served.

Ms. Soo Wong: Are you familiar with the mandate of the commission and the responsibility of the commission?

Mr. James Garrah: I am. I've read the code of conduct for the members. I've read the legislation that applies to the particular commission. I have talked to people who have been involved with the St. Lawrence Parks Commission in the past.

Ms. Soo Wong: You've done your homework; that's good. Are you aware of the time commitment in your capacity as a member of the commission?

Mr. James Garrah: I am. I understand that the time commitment varies for different times of the year. I know that they have to submit a budget by January 1, so I'm sure that the fall is probably a busy time, with the CEO making presentations to the board and trying to arrive at a decision that will go forward to government to—I guess it's Minister Chan.

Ms. Mitzie Hunter: Thank you, Mr. Garrah, for taking the time to appear before us this morning. I'm wondering, as mayor of Gananoque, if you've had an opportunity to interact with the commission in any way.

Mr. James Garrah: Not very much, really. What I see from the tourism industry in Gananoque—and I might say that with Gananoque, because of our manufacturing industry having left the town and the tourism business taking more prominence, one of the things I've found was that many people in the tourism business seem to see that everybody else who is in the tourism business is competition rather than people in the business trying to create that critical mass of attractions to our area, which everybody can benefit from. So I really spent a lot of time working with our local tourism operators, tours and businesses. We have boat lines, the Thousand Islands Playhouse, people who rent kayaks, and lots of restaurants. We also have a casino.

As a matter of fact, in talking just lately to one of the people who is involved in giving information to tourists, I said, "What sorts of things do you tell them about our area when you're talking about tourist activities? What about Fort Henry?" They said, "Oh, no, we don't talk about Fort Henry because it's not in our area and we

don't want to draw people away from Gananoque." So our economic development committee and so on that I was working with—we tried to at least convince people in our area that we're all working together and that we should try to find as many partnerships as we possibly could.

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I have to say, I don't think at this point I was particularly successful, but I think the province has initiated the regional tourism sectors that were in region 9, and I think that's one thing that pulls people together.

But the short answer to the question: No, I didn't have much to do with the St. Lawrence Parks Commission.

The Acting Chair (Mr. Kevin Daniel Flynn): Any further questions? No? Thank you.

Let's move to the official opposition. Mr. McDonell.

Mr. Jim McDonell: Thank you for coming today. I see you're a mayor or were a mayor from eastern Ontario, so I know you're very familiar with the St. Lawrence Parks Commission.

One of the concerns I've had in dealing with some of our neighbours when I was mayor of South Glengarry—some of the conflicts we seemed to have with the St. Lawrence Parks Commission. I think there were things that sometimes were not good for anybody, and I'd suggest that some of the parks—where they closed them, municipalities had opened them up, and then they took them over again.

I just wanted to know your thoughts on working with the municipalities and making decisions on where you're going, and then once you've made that, allowing the communities to use some of the facilities that are there that would be otherwise closed.

Mr. James Garrah: I think it's fairly clear in the mandate of the St. Lawrence Parks Commission that there is an expectation that there be a lot of time spent working with a community, working in partnership with a community, to try to, I guess, augment and supplement, rather than detract or distract from, what's happening in the communities around them. I think it's really critical, and I would be quite happy, when and if I'm appointed, to certainly take that concern to the commission.

I think it's probably a regular and ongoing issue with many municipalities that the St. Lawrence Parks Commission or the parks of the St. Lawrence—it's a very large operation, and it certainly could, I guess, in some cases, overwhelm some of the smaller activities or smaller operations that are happening. I think input to all the things that happen at the parks, as well as things that are happening in the community—the commission should know of it and try to make sure we don't do things that are detrimental to your community and the community that I live in and all the ones along that 200-kilometre corridor.

Mr. Jim McDonell: Well, thanks for that. I guess what I was talking about in South Stormont—where they took over a park, were running it and then it was retaken over by the St. Lawrence Parks Commission. They all seemed to have some trouble with budgeting. They were

going back to the township to ask for money to support some of the operations. I mean, it's things like that that I think leave a bad taste.

Anyway, I'm sure, coming from a municipal point of view, you'll be able to bring those issues back to the commission, so I look forward to that.

Mr. James Garrah: Is it possible that someone representing your community does go to the St. Lawrence Parks Commission and speaks to these very issues?

Mr. Jim McDonell: Well—

Mr. James Garrah: They do?

Mr. Jim McDonell: Certainly, that conversation happened long and hard—

Mr. James Garrah: Okay. Good. Thank you.

The Acting Chair (Mr. Kevin Daniel Flynn): Any other speakers? Mr. Pettapiece?

Mr. Randy Pettapiece: Thank you, Chair, and thank you for coming out today. I'm going to take a little different angle on this thing. You said that you have helped train guide dogs. Is that correct? Seventeen of them?

Mr. James Garrah: That's correct. We do the first stages. We have the dogs till they're about a year and a half, and we do basic obedience. We socialize them. We teach them basic walking skills. As I said, I've done 17 of them to this point.

Mr. Randy Pettapiece: Okay. And what agency is that through?

Mr. James Garrah: Canadian Guide Dogs for the Blind.

Mr. Randy Pettapiece: I'm familiar with the Lions dog guide system. They have a school in Oakville.

Mr. James Garrah: Yes.

Mr. Randy Pettapiece: I guess where I'm going with this—sometimes it can be a difficult balancing act between government and private enterprise, especially in tourism where things may not be going well so maybe the government steps in and builds a new dock or something and then private enterprise sometimes gets a little bit miffed about that because they think they're taking business away from them and this type of thing.

I guess your patience with dog guides, and the way you're able to decide between discipline and obedience, or how you do these things, may help you in this position. I wonder if you could comment on that.

Mr. James Garrah: I think it does, in the sense that you're always trying to figure out why the other end of the leash is doing what it's doing. The other thing is, you have to make sure that the dog end of the leash isn't smarter than the person end of the leash.

I think that whenever there are grants involved, whenever there's the appearance of subsidies and those kinds of things—I mean, I've heard over the years that people feel, when that happens, that it creates a disadvantage for those that don't receive those particular grants.

If the government, say, builds a dock, and somebody is running a private marina and somebody doesn't come in and build their dock, and we're both in competition with each other, one could argue that you've created an

uneven playing field. I think we always have to be aware of that.

I'm not sure how that applies to the dog, but I guess that in working with the dogs, if I'm trying to do something with a dog and somebody's over there with a treat, in competition with me, those with the greatest treats probably win.

Mr. Randy Pettapiece: Yes, and—

Mr. James Garrah: I don't know whether I've gone down a path here I shouldn't have started.

Mr. Randy Pettapiece: No, I think you're correct. If this carrot is hanging out there, sometimes it tempts people or dogs to do something that they're not supposed to be doing—or shouldn't be doing; let's put it that way. I think your experience with dog guides—I've seen these dog guides in operation; it's quite incredible what they do. Thank you for your service to that industry.

Mr. James Garrah: My pleasure. Very rewarding.

The Acting Chair (Mr. Kevin Daniel Flynn): Mr. McDonell?

Mr. Jim McDonell: Thank you. Yes, just one more question, specific to our area, but I know it has also happened in the park commissions in Niagara.

In our area, the parks own the Upper Canada Golf Course. I know that there's a lot of upgrading that has been done over the years, and some of the private golf courses are having some issue with that, from the point of view that they don't have access to this money. I think a few hundred thousand was spent recently.

Their complaint is that it's also one of the lowest-priced in the area, to the point that it's making it very hard for the private golf courses to compete, because, of course, they're trying to charge the same amount and they don't have access to this huge capital that's being spent on the Upper Canada.

Just that you'd be aware that you're really competing with the private sector, which is spending its own money, by spiralling down to a price that's lower than the provincial average—it's very hard for people to compete, and you're maybe driving a lot of these private companies out of business. Any comment on that?

Mr. James Garrah: Well, I do. I think there is a feeling—again, I come back to what I said in my opening remarks about somebody who is in the same business as being competition. There are many groups that believe that if you have one golf course, you can attract a few people; if you have 10 golf courses, you can perhaps attract a whole bunch of people. You now have a destination. You now have an opportunity for people to come and stay in your area for a longer period of time. Maybe if there was only one, they wouldn't be competing with anybody else but maybe they wouldn't be doing as much business, either.

I don't know how you work that out, but I do know that in our area, where we'll say there are beaches, people like to come and spend a bit of time here and a bit of time there and so on. They don't just come to one spot and stay there. I think it's the same within our community. People come and they stay overnight; they stay at the

Playhouse and so on; they go and gamble for a while down at the casino; they take a boat tour.

I know, from my own experience and from many people I play golf with, that they're not always in competition. I don't know how you would analyze it, but maybe the person or the golf course or the marina who feels that they're being treated unfairly, because the government is subsidizing one operation, may in some cases be getting a great deal of benefit from that subsidization of that person or that group they see as competition.

I think this always has to be looked at. I think we always have to look at the playing field, and that we not skew it in such a way that private enterprise suffer because a government agency or somebody is heavily subsidizing somebody else. I think you have to be very aware of that in the decisions that you make.

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The Acting Chair (Mr. Kevin Daniel Flynn): Thank you, Mr. Garrah. Time's up, unfortunately, Jim.

Third party? Miss Taylor.

Miss Monique Taylor: Good morning, and thank you for being here with us today. Those were some interesting points of view that the Conservatives brought forward this morning. I think possibly with your role as being mayor and dealing with small businesses and smaller organizations than publicly funded should definitely bring some different perspectives to the table for you. Would you agree with that?

Mr. James Garrah: I would. One of the things we did as a community was we developed some community improvement plans, and part of the community improvement plans was to actually subsidize small businesses for facade improvements and those kinds of things. It meant somebody had to invest a bit of money and come forward to get that grant. And perhaps others who decided for, one reason or another, not to take advantage of the grant, said, "You know, that's not fair. You're helping them build a new facade," and so on. But our feeling was that whenever we improved a significant number of facades, even those ones who didn't improve their facades would benefit. Even though they didn't get some money to help with their facade, they would benefit.

In Gananoque, we have a fairly large marina that serves the Thousand Islands National Park now. I guess to some extent it might be subsidized. I don't know that marina. But it brings a tremendous number of people to our area.

The playhouse is subsidized through grants and so on. But it brings a tremendous number of people to John Keilty at the Gananoque Inn, to the boat line and probably to the casino, which siphons off some money for government services elsewhere.

So I think it's this symbiotic relationship that we look at of people benefiting from other people, and sometimes you need incentive grants to make it work better. That's my feeling.

Miss Monique Taylor: Have you ever had maybe, possibly, in your mayoral position the opportunity to

work with the feds, because I believe Fort Henry receives a portion of federal grants, so have you—

Mr. James Garrah: Well, I'm with an organization I mentioned, Community and Primary Health Care, which is stationed in Brockville. We just received a \$3-million grant from the federal government and we received a \$3-million grant from the provincial government to do what we call a centre of excellence. So I'm aware of working with various branches of government and sometimes the difficulty of getting grants. As mayor, we got all kinds of grants for infrastructure, which was great for the people who build pipelines and that sort of stuff.

Again, I keep coming back to that governments are there to provide services. I know from sitting just for a few minutes here that we don't all view the world the same way. I just think it's important sometimes, to achieve certain goals, that you need to work with other branches of government to get money, to spread the costs over a larger base, because that's one of the things that governments do: They circulate money through taxation and so on. I think—I'd like to think, anyway—that all the work the government does is to make our world a better place.

Miss Monique Taylor: Thank you. One last question: If you're appointed to this board, do you have one different thing in mind particularly that you would like to bring to the board that you're seeing is not already happening?

Mr. James Garrah: I don't think so much different. I think the points that have been raised here about working in partnership with all the people who are in our area—there are several municipalities in an area that goes from Kingston to almost the Quebec border. I think the St. Lawrence Parks will be much better when there's a relationship so that people stand back and say, "It's great to have the St. Lawrence Parks Commission in our area. We're all benefiting from it."

I hear what you're saying. I think this is a big deal of making sure we're not in competition—unfair competition—with the private sectors, and that we do all we can to bring more and more people to the area, which will benefit everybody in all of those municipalities. I'm convinced that not only—I think the commission is doing it. Nobody knows that I've applied for this other than you people, as far as I know, and yet people have been talking to me in the last week about something at Upper Canada Village which is called Pumpkinferno. They're attracting thousands of people to this thing. They had 5,000 people there in one night. Anybody who has a business in the area, whether you sell Tim Hortons coffee or whatever, is probably going to benefit from that sort of thing.

I think they're doing some things that haven't been done before. There's a new patio at Fort Henry. They've got Alight at Night and so on. Fort Fright is at Fort Henry. When people come together at those places, all the businesses and whatnot in the area benefit. So I'm hoping we can make our presence known. Corporately, a lot of people probably don't know what the St. Lawrence Parks Commission is, and I think that's one of the things

we need to exploit. The current CEO—it looks as though he's really working hard to make that happen.

Miss Monique Taylor: Thank you. Go ahead.

Mr. James Garrah: I ramble on.

The Acting Chair (Mr. Kevin Daniel Flynn): You've got about three minutes, Mr. Hatfield—about three minutes.

Mr. Percy Hatfield: Three, okay. Thank you for being here. Thank you for doing the dogs. A friend of mine does that in Windsor.

I haven't been to your community in a long time. I hitchhiked from Newfoundland up there in 1967 to visit a friend. I wouldn't suggest hitchhiking these days. I just realized, looking around the room, that most people weren't born in 1967. A beautiful part of the province, really.

As mayor and councillor, have you ever been publicly critical about the commission?

Mr. James Garrah: No, I have not.

Mr. Percy Hatfield: Do you have an opinion on how it can better serve all of its member municipalities along the stretch?

Mr. James Garrah: I'd like to think that I had a lot of great ideas to do it, but I think the ideas in many cases rest with those people who live in those communities. I think those people know the community far better than I do. I know Gananoque quite well; I know Leeds and the Thousand Islands quite well. I sat on county council for a while and so I got to know a number of mayors, but I certainly don't know their communities very well—other than, we're part of the united counties of Leeds and Grenville, and I wouldn't say the word "united" always applied when they get together. In many cases, I think they were a rather disparate group. One of our roles can be to work with them and find out more about them so we can serve them better. You need to know your constituents, as you know only too well.

Mr. Percy Hatfield: Yes. Do you have a priority for Gananoque to get more out of the system?

Mr. James Garrah: One of the things I would suggest that an organization as large as this do—a lot of small businesses don't have the ability to do such things—is training staff. I would think, when the organization is doing things that promote customer service and all those kinds of things, as a small community with many small businesses, we could benefit from things like that.

Also, from the marketing point of view, I'm going to guess that the St. Lawrence Parks Commission spends a fair bit of money marketing. If there's any way that you can tag onto that, if there's any way you can get your name on the list, if there's any way you can add the amenities that you have in your town to what somebody else is marketing, it can't do anything but benefit everybody.

This critical mass of activities is really important. You cannot stand alone. You need to be part of a much larger group if you're going to do well.

Mr. Percy Hatfield: A very impressive presentation. You were probably a very good mayor and councillor.

I have one burning question: Can you teach an old dog new tricks?

The Acting Chair (Mr. Kevin Daniel Flynn): Okay. On that note—you don't have to answer that.

Thank you very much for coming, Mr. Garrah. We'll deal with the concurrence at the end of the meeting. You're welcome to stay. It should only take a short while—15, 20 minutes.

Mr. James Garrah: You're saying that a decision will be made today?

The Acting Chair (Mr. Kevin Daniel Flynn): By the committee. That's the intent, still, depending on how the next delegation goes.

Mr. James Garrah: I have to catch a train at some time. What sort of timeline is it?

The Acting Chair (Mr. Kevin Daniel Flynn): About 10:25. You don't have to stay. It's entirely up to you.

Mr. James Garrah: No. I will be informed by mail or email or whatever?

The Acting Chair (Mr. Kevin Daniel Flynn): Yes.

Mr. James Garrah: Thank you very much for your time, and I do apologize for getting focused too much on one person at a time. Thanks.

The Acting Chair (Mr. Kevin Daniel Flynn): No problem.

MS. SUZANNE CLAPP

Review of intended appointment, selected by the official opposition party: Suzanne Clapp, intended appointee as member, Consent and Capacity Board.

The Acting Chair (Mr. Kevin Daniel Flynn): Our next intended appointee today is Suzanne Clapp, nominated as a member of the Consent and Capacity Board. Please come forward, Suzanne. Make yourself comfortable. We're dealing with a little bit of a time constraint, at the pleasure of the committee. You can begin with a brief statement, if you wish. Members of each party will then have up to 10 minutes to ask you any questions. Any time you use for your statement will be deducted from the government's time for questions. This time around, the questioning will start with the official opposition.

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That clock is a little fast. If we are going to get this in in time—if that's the wish of the committee—we may all have to be a little brief.

Suzanne, the floor is yours.

Ms. Suzanne Clapp: I'll try to be brief, as well. I have prepared a statement, which I'll keep brief.

Good morning. My name is Suzanne Clapp. I'm seeking a part-time appointment as a lawyer member to the Consent and Capacity Board.

By way of background, I developed my interest in medical-legal issues through my education. I did a bachelor of life science and physical and health education at Queen's University, and then I moved on and did my law degree at the University of Toronto. I was able to

combine those interests through articling and practising litigation law with McCarthy Tétrault, where I was routinely involved in medical malpractice actions. I also did general litigation there and appeared before many courts and various tribunals, including this particular board, as well as the Health Professions Appeal and Review Board.

I then moved on to the litigation section at the city of Toronto legal division, where I was exposed to a broad range of subject matter and issues within the legal field, and some of those involved inquest proceedings and litigation involving the Toronto Police Service, both of which had some medical-legal components to them.

For the past seven years, I've been at home with my two young children, and I'm looking now to get back into the workforce. I am looking for a role where I can combine my medical-legal interests with service to the community and work on a part-time basis.

I met with some people who work with the Consent and Capacity Board to speak about what the board does. I attended some hearings as an observer to see what it is in real life, and after doing that, I came to the conclusion that I felt I could make a good contribution to this board and the community, and that it would be a good fit for me personally.

In terms of my qualifications, this board is an adjudicative one, and the role of the board is to hold hearings, so my skills as an adjudicator would come into play. The lawyer member in particular on this panel sits with a psychiatrist and a public member, but the role of the lawyer is to preside over the hearing and then to write the actual reasons for the decision, if they are requested.

So in terms of adjudication experience, in my years of practice in both the public and private sector, I was exposed to a lot of different types of hearings before different levels of courts and administrative tribunals. I understand what it means to have a fair, impartial, inclusive and professional hearing and what that looks like in practice.

I have strong listening and communications skills and feel that I would be able to effectively preside over these types of hearings with the appropriate amount of neutrality, empathy and respect. I also have experience in legal research and writing, and in that regard, I feel that I could write clear, concise and meaningful decisions within strict time frames, which are set out in the legislation for this particular board.

I have a keen interest, experience and knowledge in the subject matter of this board and knowledge of the applicable legislation, and I'm excited and motivated to take on a new challenge.

Thank you for having me, and I'd welcome any questions that you have.

The Acting Chair (Mr. Kevin Daniel Flynn): Thank you, and thank you for being brief.

Mr. McDonell.

Mr. Jim McDonell: I think everybody is aware of somebody in the community or family or friend's family who has some issues with mental health. I know there are

lots of agencies that deal with this type of service, but it still seems we see people coming through our office all the time who have fallen through the cracks.

Do you see, from your experience, a lot of people who should not have gotten to this review board, who should have been looked after before this stage?

Ms. Suzanne Clapp: I'm not on the board, obviously, now, so I have not seen, other than the hearings that I have observed and the few that I was involved with some time ago, to know whether that is in fact the case.

I think that the purpose of this board is for people to be able to challenge decisions and opinions of doctors, in particular, so I think it is a good thing to have before you get to, say, the court system. Whether or not they should never have gotten there in the first place, I can't really answer. I know that there are rights advisers in hospitals and other resources for patients to try and resolve things, but I'm really only aware of the role of the board.

Mr. Jim McDonell: Thank you. I guess that's it for us.

The Acting Chair (Mr. Kevin Daniel Flynn): Okay. Third party? Percy or Monique?

Mr. Percy Hatfield: Welcome. Very impressive resumé. I was interested in when you were working for the city. You had to work for the city during the death of the emotionally disturbed man in police custody.

Ms. Suzanne Clapp: Yes.

Mr. Percy Hatfield: How was that as an experience for you?

Ms. Suzanne Clapp: It was a great experience on a number of levels. It was an inquest proceeding, which is, again, a different type of hearing than maybe a court hearing or a different administrative tribunal hearing. That was interesting in itself, because an inquest is not to find fault, but to try to make recommendations about something that has happened that we want to make better.

In that particular case, we were really looking at what the Toronto Police Service could do better to help emotionally disturbed or mentally ill people before it escalates to a situation of someone dying, someone being shot or something like that. It, in particular, was a good experience in hearing all sides of this type of an issue, in having various stakeholders come to the table and address their positions and recommendations. It enabled me to really have a broad understanding of the issues and the stakeholders involved in those sorts of matters.

Mr. Percy Hatfield: And you've been involved with Dying with Dignity, as well.

Ms. Suzanne Clapp: That was many years ago. That was part of my law school education. I had an interest in medical-legal matters, so I did a course where I was able to work with that particular organization. In my role at that point in time, there was a committee going on discussing it—the Senate committee—so my job was to basically take all of that information and condense it into a readable form for that committee.

Mr. Percy Hatfield: I wish we had more time today. I'd like to explore that further, but it's off topic. Thank you for coming in.

Miss Monique Taylor: Thank you so much for your patience today, as well as being here before us. So you were on this inquest for the death of this emotionally disturbed man, and, obviously, that inquest would have brought forward recommendations to the police board. Do you remember, just off the top of your head, what they could have been, possibly?

We've seen this stuff happening just recently in my own city. In my own riding, it happened in the summer. It happened with a young person. This is very good information that should have been used at that time when you did that, right?

Do you see being in this position—maybe I'll just, because of the lack of time—in this position, do you see recommendations such as your previous experience being able to make a difference?

Ms. Suzanne Clapp: So I'll start with the inquest. It was some time ago, so I'm challenging my memory a little bit, but I definitely remember that many of the recommendations related to the training of police officers in these types of circumstances, and that more training was needed in order to try to understand what emotionally disturbed people are going through and how to de-escalate a situation. I'm also aware—recently, in the news—that these things continue. They're obviously extremely complex, difficult issues to deal with, so that's my memory of those recommendations.

The role of the Consent and Capacity Board is an adjudicative role. If we're trying to tie it to the police inquest situation, I don't really see a connection—

Miss Monique Taylor: But, I mean—sorry; just because we don't have a lot of time—

Ms. Suzanne Clapp: Yes, go ahead.

Miss Monique Taylor: —so I'll move you in the direction.

Ms. Suzanne Clapp: No, please.

Miss Monique Taylor: Okay. We have a crisis in our mental health system. We see that people are falling through the cracks on a regular basis. In your capacity, you will be able to help make life decisions for people. How do you feel, to have that consideration as a member? Do you know what I mean? What are you going to bring to the table for that?

Ms. Suzanne Clapp: They're very important and fundamental rights of individuals—liberty, autonomy—so it's an extremely important role. This board has an extremely important mandate, and I bring to the table in terms of an adjudicative role what I've outlined before: impartiality, bringing an open mind to the table, using my skills as a lawyer to take the particular test from the legislation and apply the facts to that test in the legislation. That is our role on this board, to do that—recognizing, obviously, the context within which we operate in the health care context, that it is extremely emotional and gut-wrenching, but really the role is to apply the law and the test to these situations.

Miss Monique Taylor: Great. Well, good luck in your position, because we need some. Thank you.

Ms. Suzanne Clapp: Thank you.

The Acting Chair (Mr. Kevin Daniel Flynn): Let's move to the government side. Are there any brief questions? Mitzie.

Ms. Mitzie Hunter: Mr. Chair, we just want to take this as an opportunity to thank Ms. Clapp for putting herself forward. You certainly have an impressive background and will serve the position very well. Thank you.

Ms. Suzanne Clapp: Thank you.

The Acting Chair (Mr. Kevin Daniel Flynn): Thank you, Suzanne, for coming today. We're going to deal with the concurrence right now, so unless you've got a train to catch, you might want to watch this.

We will now consider the concurrence for James Garrah, nominated as member, St. Lawrence Parks Commission. Is someone prepared to move the concurrence?

Ms. Mitzie Hunter: Mr. Chair, I move concurrence in the intended appointment of James Garrah, nominated as member, St. Lawrence Parks Commission.

The Acting Chair (Mr. Kevin Daniel Flynn): Very good. Is there any discussion? No speakers? All those in favour? Those opposed? That motion is carried.

We will now consider the motion for Suzanne Clapp, nominated as member, Consent and Capacity Board. Is there a mover for this concurrence? Ms. Hunter.

Ms. Mitzie Hunter: Mr. Chair, I move concurrence in the intended appointment of Suzanne Clapp, nominated as member, Consent and Capacity Board.

The Acting Chair (Mr. Kevin Daniel Flynn): The motion has been moved. Any speakers? Seeing none, all those in favour? All those opposed? That motion is carried.

Congratulations.

Thank you, everyone. The meeting is now adjourned.

Interjection.

The Acting Chair (Mr. Kevin Daniel Flynn): The next meeting is as per the motion. Whatever you passed today will happen.

The committee adjourned at 1022.

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