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A-31

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(Hansard)**

A-31

**Standing Committee on
Government Agencies**

Intended appointments

**Comité permanent des
organismes gouvernementaux**

Nominations prévues

1st Session
42nd Parliament
Tuesday 6 October 2020

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Mardi 6 octobre 2020

Chair: John Vanthof
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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON GOVERNMENT AGENCIES

COMITÉ PERMANENT DES ORGANISMES GOUVERNEMENTAUX

Tuesday 6 October 2020

Mardi 6 octobre 2020

The committee met at 0900 in committee room 2 and by video conference.

The Chair (Mr. John Vanthof): Good morning, everyone. I would like to call this meeting to order. We are meeting to conduct a review of intended appointments. We have the following members in the room: MPP Nicholls and myself. The following members are participating remotely: MPP Bailey; MPP Bouma; MPP Miller, Parry Sound–Muskoka; MPP Natyshak; MPP Pang; MPP Harris; and MPP Tangri. Did I miss anybody? If I missed anybody, please make yourself known. We are also joined by staff from legislative research, Hansard, and broadcast and recording.

To make sure that everyone can understand what is going on, it is important that all participants speak slowly and clearly. Please wait until I recognize you before starting to speak. Since it could take a little time for your audio and video to come up after I recognize you, please take a brief pause before beginning. As always, all comments by members and witnesses should go through the Chair.

SUBCOMMITTEE REPORT

The Chair (Mr. John Vanthof): Our first item of business is the subcommittee report dated October 1, 2020, which includes additional selections. I would like to point out the order of the House dated September 22, 2020, which states that in addition to the mandate set out on the Standing Committee on Government Agencies in standing order 111(f), the committee be authorized to retroactively review selections made from certificates tabled between March 6, 2020, and August 21, 2020, inclusive, and that this additional mandate be effective for the fall 2020 meeting period and any extension thereof.

We have all seen the report in advance, so could I please have a motion?

Mr. Rick Nicholls: I can do that, Chair.

The Chair (Mr. John Vanthof): Mr. Nicholls.

Mr. Rick Nicholls: I move adoption of the subcommittee report on intended appointments dated Thursday, October 1, 2020, on the order-in-council certificate dated September 25, 2020.

The Chair (Mr. John Vanthof): Is there any discussion? Seeing none, I would like to call a vote. All those in

favour of adopting the committee report? Opposed? The report carries.

INTENDED APPOINTMENTS

MS. DENISE DIETRICH

Review of intended appointment, selected by official opposition party: Denise Dietrich, intended appointee as member, Social Benefits Tribunal.

The Chair (Mr. John Vanthof): We will now move to our review of intended appointments. First we have Denise Dietrich, nominated as member of the Social Benefits Tribunal.

Good morning, Ms. Dietrich. As you may be aware, you have the opportunity, should you choose to do so, to make an initial statement. Following this, there will be questions from members of the committee. With that questioning we will start with the official opposition, followed by the government, with 15 minutes allocated to each recognized party. Any time you take in your statement will be deducted from the time allotted to the government. Welcome to the committee. The floor is yours.

Ms. Denise Dietrich: Good morning, Mr. Chair and members of the committee. My name is Denise Dietrich, and I'm honoured to be a candidate for the position of full-time member of the Social Benefits Tribunal of Ontario. Thank you for the invitation to address this committee to detail my qualifications for this appointment.

0910

In terms of background, I was born in Waterloo region, and I have lived in the region all my life. I began my work career as a registered practical nurse, having graduated from Canadore College in North Bay. As a nurse, I worked in acute care, community care, education, policy and long-term-care settings. I continue to be a member of the College of Nurses of Ontario.

In the 1990s, I began working as a medical and vocational case manager. My work involved interacting with persons with all types of disabilities. I worked with many professionals in order to support my clients. The disabilities of the persons with whom I worked ranged from those for whom complete recovery was expected, to persons with devastating, life-changing injuries. My role was to assess the client's needs and to develop plans to achieve maximum medical and vocational recovery.

Concurrent with work in case management, I was an elected professional member of the College of Nurses and

later an appointed public member of the College of Veterinarians. These positions exposed me to administrative tribunals through participation on their discipline committees. I eventually became the chair of the discipline committee of the College of Veterinarians of Ontario.

During this time, I also added to my education, eventually achieving a master's degree in health care leadership from Athabasca University. To support my work, I completed studies in addiction treatment, brain injury recovery and many courses and workshops in administrative law through a variety of institutions. Until my federal appointment in 2012, I had been a long-term volunteer with various nursing associations, participating in the development of best-practice guidelines and teaching leadership- and ethics-type workshops to nurses.

Since 2008, I have been a certified disability management professional. This is an international professional designation that was relatively new to Canada at that time, but it is a field that continues to grow.

In 2012, I accepted a federal appointment to the Veterans Review and Appeal Board. This was a full-time position, and I heard disability claims from veterans of all ages and many different types of disabilities.

The caseload for review and appeal files was significant, and it was common to hear about 20 cases a week and to write decisions for half of those cases. While at VRAB, the Veterans Review and Appeal Board, I completed satisfaction surveys after their hearings. Some 96% of veterans described the hearing process as a positive experience. There was a particular emphasis on writing plain-language decisions, a skill that I will be able to bring to the Social Benefits Tribunal. While on this committee, we met our targets for decisions issued within six weeks more than 90% of the time.

It is my understanding that as a Social Benefits Tribunal member, many of the cases that will be heard will be those involving Ontario Disability Support Program benefits. Given my more-than-35 years' experience working with individuals with various disabilities, combined with my administrative law background, I see myself as an ideal candidate.

Tribunal work is difficult. It involves making significant decisions, based on evidence, criteria and legislation. The decisions cannot always be favourable; however, in my opinion, the principles of fairness, transparency, timeliness and respect should never be compromised.

I look forward to your questions.

The Chair (Mr. John Vanthof): We will begin with questioning from the official opposition. Ms. Stiles.

Ms. Marit Stiles: I noted that you were previously appointed to the Veterans Review and Appeal Board. Thank you for your comments on that and your comments relating that back to the work that you would be doing on this tribunal.

I do want to ask you some standard questions we ask every person who's appointed here. I have to say, an overwhelming majority of the candidates who are being appointed right now under this current government have been what would appear to be partisan appointments—

people who have some connection back to the Conservative Party or such. You don't appear to have any of those. I just want to ask you, though, if you were approached by anybody to apply for this position, and, if so, by who?

Ms. Denise Dietrich: I wasn't approached by anyone.

Ms. Marit Stiles: Can you speak a little bit more about what motivated you to seek out an appointment on this particular board?

Ms. Denise Dietrich: I enjoy administrative tribunal work. I've been quite successful in that in the past. It's a skill that I perhaps came upon in the later half of my career, and it's a really good fit with my background in nursing and disability management. I saw that I had qualifications both professionally and in the ability to manage the administrative law aspects of this appointment.

Ms. Marit Stiles: And if you don't mind my going back again to your time on the Veterans Review and Appeal Board—you were appointed to that board under Prime Minister Harper, I assume?

Ms. Denise Dietrich: Yes, I was.

Ms. Marit Stiles: So just to check in again, do you have any connections with the federal or provincial Conservative parties or governments?

Ms. Denise Dietrich: I don't.

Ms. Marit Stiles: Thank you. I'm going to turn it over to my colleague.

The Chair (Mr. John Vanthof): MPP Natyshak.

Mr. Taras Natyshak: Good morning, colleagues, and good morning, Ms. Dietrich. Thanks for appearing before us.

How long did you serve on the Veterans Review and Appeal Board at the federal level? What was your term?

Ms. Denise Dietrich: It ended up being six and a half years. I was actually appointed three times, and there was about a two-month gap between the two times.

Mr. Taras Natyshak: Were you appointed by the Conservative government and as well by the Liberal government that took over?

Ms. Denise Dietrich: Yes, I was.

0920

Mr. Taras Natyshak: And you served from—2012 was the start of your tenure there?

Ms. Denise Dietrich: That's correct.

Mr. Taras Natyshak: Was that a full-time position?

Ms. Denise Dietrich: It was.

Mr. Taras Natyshak: That was a very contentious time for Veterans Affairs; specifically, the drastic cuts that were being made through the Harper government over their tenure and the legal battle that ensued on behalf of veterans to fight those cuts and fight for benefits that were ultimately given to them.

Can you tell us what your role was in delivering the mandate of Veterans Affairs through the review board?

Ms. Denise Dietrich: Well, we were certainly a review board, so we were reviewing first-level decisions that had been made by Veterans Affairs that persons were dissatisfied with. We would listen to veterans as to why they were dissatisfied. And that is also the time when the

policy was changing and new legislation was being introduced, to address some of the inequities that veterans were reporting.

Mr. Taras Natyshak: Some of those inequities we had heard anecdotally, and specifically—it was quite prominently displayed in the media—that some veterans during that time had to reapply for their benefits, to reassert that they had had an amputation of a limb; they had to requalify for their benefits, even though they were missing a limb due to their service. Were you a part of that process in evaluating benefits requirements for veterans during that time? Does that ring a bell, those types of—

Interjection.

The Chair (Mr. John Vanthof): Excuse me, Mr. Bouma is asking for a point of order, I believe.

Mr. Will Bouma: Yes, Mr. Chair, point of order: I'm just wondering if we could get back to the matter at hand.

The Chair (Mr. John Vanthof): I would say that the witness's previous experience is relevant to her possible future appointment.

Could you continue, MPP Natyshak?

Mr. Taras Natyshak: Thanks. There was a question on the table. Do you recall those types of cases coming before the appeal board?

Ms. Denise Dietrich: Those would not be the cases that came before us. It's my understanding those reward cases of the SISIP or the long-term disability aspect of Veterans Affairs—whereas we dealt more with disability awards, so basically, determining whether an injury arose out of or in relation to the person's service, but they're not at the bottom of disability that a person experienced. It's my understanding that those would be more of a long-term disability—I certainly never heard any—

Mr. Taras Natyshak: Well, there was a clear policy of clawbacks within Veterans Affairs during that time period. That was documented in the court case that ultimately awarded veterans \$887 million in back pay or benefit awards. That included \$80 million in interest. That figure stems from veterans who I guess at some point appeared before you to have their case heard there—and not you specifically, but your board. The number that I've been given is 3,684 veterans came before the Veterans Review and Appeal Board and were denied, from the outset, their benefits. Was that a systemic policy? Was that something that was driven by the PMO, by Veterans Affairs? Was that the mandate within the Veterans Review and Appeal Board that you worked under?

Ms. Denise Dietrich: I'm not quite understanding your question, because—

Mr. Taras Natyshak: Let me clarify: Did the government set the mandate or did the appeal review board set the mandate for those drastic cuts that happened during that time?

Ms. Denise Dietrich: I don't know. I think you might be referring to first-level decisions. That's done by the department, by Veterans Affairs Canada. Basically, our role was to review decisions made by them, to determine whether or not they were correct.

Mr. Taras Natyshak: And to a large extent, those decisions were rubber-stamped, essentially, and led to a

court case that required the federal government to reinstate those benefits and pensions that were cut under the Harper government to our veterans. That makes up the broad case against the government at that time. Am I correct?

Ms. Denise Dietrich: I can't say for sure. Basically, the focus of the review board was very narrow. It dealt with individual disabilities. We certainly didn't deal with groups. Each case was adjudicated on its merits.

Mr. Taras Natyshak: Well, ultimately it led to a class action against the government on behalf of veterans' associations, because there were so many veterans at that time that were being denied—

Mr. Mike Harris: Point of order, Mr. Chair.

The Chair (Mr. John Vanthof): Excuse me, Mr. Natyshak. I have a point of order on the floor.

Mr. Taras Natyshak: I just wanted to know how that happened and how that policy was—

The Chair (Mr. John Vanthof): MPP Natyshak, I have a point of order on the floor. MPP Harris.

Mr. Mike Harris: I believe the witness has already answered this question a few times. I'm hoping we can move on, as we have a limited time frame this morning.

The Chair (Mr. John Vanthof): Thank you—

Mr. Taras Natyshak: Thanks, Chair. I believe my time is my time, and I can ask whatever type of question I want. It's up to you as the Chair to determine whether those questions are in order, and I think you've already done that.

I want to pass any remaining time that I have back to my colleague Ms. Stiles to wrap it up.

The Chair (Mr. John Vanthof): MPP Stiles.

Ms. Marit Stiles: I did have some questions. I will say to Ms. Dietrich—and I think I could speak for at least most of my colleagues as MPPs—that the number one issue that I probably get called about and that we are approached in our office about is regarding Ontario Works or the Ontario Disability Support Program, and particularly some of the obstacles that recipients continue to experience.

I wanted to ask you specifically about ODSP. You do have, I think, some very interesting qualifications in this regard. But measuring the policy or the reality of what government—not just under this government, but under the previous Liberal government as well, there's the meagre amount that ODSP recipients are provided with and the fact that a certain amount of work over and above is clawed back.

In a city like Toronto, where I live—and I'm sure it's not so different where you are—living off of what people are receiving is almost impossible. We've had very complex cases come to our office, and heartbreaking cases of people who have been denied or who have seen their meagre earnings clawed back, or having to prove themselves to be disabled—appropriately, adequately disabled—every year. It's really quite heartbreaking. I know that the job of the tribunal is to follow the policy of the government, but how do you weigh those things? How do you balance the reality of what is, frankly, such an inadequate policy and program with the kinds of cases that you see? It's heartbreaking. It's not much of a question, but I wonder if you could comment on that.

Interjection.

The Chair (Mr. John Vanthof): We can't hear you.

Interjections.

0930

The Chair (Mr. John Vanthof): Welcome back. Can you hear us?

Ms. Denise Dietrich: I can hear you.

The Chair (Mr. John Vanthof): And we can hear you. You have a minute and 24 seconds to make your response.

Ms. Denise Dietrich: I did hear that question. It was: How do you balance the policies with the realities of an applicant who is basically dealing with issues of poverty?

I think that fairness, communication and integrity are keys to the process. It's very important that the applicants understand the limits that a committee can have. I think the basic appeal process is an opportunity to lobby for what the applicant believes in further, and also for them to receive a deeper understanding of the reasons for the decision. It seems to me that there is a fair amount of decisions that are reversed on appeal. That's a good thing for applicants. Certainly, it's my understanding that we're not in a position to increase the quantum of the finances. We have to leave that, I think, to government.

The Chair (Mr. John Vanthof): Thank you. That concludes the time for the official opposition.

I would now like to switch to the government and start with MPP Harris.

Mr. Mike Harris: Ms. Dietrich, it's nice to see a fellow Waterloo regioner here today who also spent some time in North Bay, which is my hometown. Thank you for attending Canadore College. It's a great place to be, up there.

I know we don't have a whole lot of time left here for the government's questions, so I just wanted to ask you a little bit about some of your community engagement here in the region and things that you've done over the years. Obviously, I think you've got a very robust resumé, but I was just wondering about some of the stuff that you've done here—volunteering, that kind of thing etc.

Ms. Denise Dietrich: Certainly. I would say, up until 2012, I was active with volunteering with mostly sports associations. I believe, for a one- to two-year term, I had been a member of Crime Stoppers in London region. But when I was working with the Veterans Review and Appeal Board, I was certainly [*inaudible*] unavailable for meetings. I could be in Nova Scotia or British Columbia, and I basically wasn't able to commit.

Also, when I began with the federal government in 2012, they were really quite clear about restricting most volunteer activities for a potential conflict of interest. I think some of that could be just that we're dealing with veterans and everybody you know is a veteran. Everybody usually has fond esteem for veterans. They didn't want any perception of conflict of interest. So, basically, I stepped back from a lot of my—mostly skating with KW figure skating club and the same with the SSAH skating club [*inaudible*] engaged with.

Mr. Mike Harris: Thank you very much. I appreciate that. I believe that's it for government questions.

The Chair (Mr. John Vanthof): No further government questions? Thank you. There is no one else? So that would conclude the questions.

Thank you, Ms. Dietrich, for bearing with the technology. You are welcome to stay on for the rest of the meeting if you would so choose, but that is your decision. Thank you very much.

Ms. Denise Dietrich: Thank you.

MS. SARA MINTZ

Review of intended appointment, selected by official opposition party: Sara Mintz, intended appointee as member and associate chair, Criminal Injuries Compensation Board.

The Chair (Mr. John Vanthof): Next we have Sara Mintz, nominated as member and associate chair of the Criminal Injuries Compensation Board. As you may be aware, you have the opportunity, should you choose to do so, to make an initial statement. Following this, there will be questions from members of the committee. With that questioning, we will start with the government, followed by the official opposition, with 15 minutes allocated to each recognized party. Any time you take in your statement will be deducted from the time allotted to the government.

Welcome to the committee, and the floor is yours.

Ms. Sara Mintz: Mr. Chairperson, Mr. Vice-Chairperson and honourable members of the Standing Committee on Government Agencies, good morning to you all. My name is Sara Mintz. Thank you for inviting me to appear in front of you today to discuss my qualifications to be the associate chair of the Criminal Injuries Compensation Board.

I anticipate that by the end of my appearance, you will agree that I have the skills and the abilities to fulfill the role and the wind-down of this board.

I have been a member of the Criminal Injuries Compensation Board for approximately one and a half years. It has been a privilege to do so. In my capacity as board member, I have heard many matters in each of our three hearing formats, being: oral, which is in person or by video conferencing; electronic, which is by telephone; and written, which is a documentary hearing. I have heard matters alone and as part of a panel, both for oral and electronic hearings. I have sat and adjudicated with several current board members and have good working relationships. I have written both long and short decisions, again, on my own and as part of a panel. I have not added up the number of hearings I have participated in, but I can assure you the number is significant. And in doing so, the experiences have given me many skills to assist in the associate chair position.

While it's not a requirement, I am confident that my extensive experience as a board member will greatly benefit me in my role as associate chair. Having participated in the meaningful work that the Criminal Injuries Compensation Board does has given me the opportunity to understand the work we do on behalf of victims, and how we can do things better.

This board is in a unique position in that it is winding up. That creates a different set of tasks than that faced by other boards. I have a strong business background where I focus in on service operations that will support the capitalization on these opportunities that arise as a result of the wind-down.

I have spent 15 years practising family law in Ontario. There are many parallels that overlap from my time in private practice to the work of the board. Family law is unique in that the clients are experiencing trauma as a result of the dissolution of their marriage, much like victims of crime experience trauma as a result of crimes of violence. It is important in family law to work in such a way that minimizes any chance of revictimization, and I know that is important to victims of crime too.

I am excited about the opportunity to lead this board, and to ensure that the victims of crimes of violence in Ontario are treated with the respect, fairness and compassion they deserve. I look forward to answering any questions you may have.

0940

The Chair (Mr. John Vanthof): Thank you very much for your statement.

We will begin with questions from the government. MPP Nicholls.

Mr. Rick Nicholls: Good morning, Ms. Mintz. It's a pleasure to have you here with us this morning. I'm very impressed with your background.

Just a quick question with regard to motivation; primarily, your motivation: Could you please speak to what motivated you to apply to the Criminal Injuries Compensation Board, first as a member, but now as the associate chair?

Ms. Sara Mintz: I have an extensive background, as I said—over 15 years—in family law. Part of family law—there has been a movement towards alternative dispute resolution, so that is mediation and arbitration. As part of my time as a family law lawyer, I participated in an intensive, multi-day arbitration course that is run by ADRIO. ADRIO is the Alternative Dispute Resolution Institute of Ontario. I did that fairly early on in my career.

That led me to think about and consider adjudication, so I did, then, apply to the Child and Family Services Review Board as well as the Criminal Injuries Compensation Board as a part-time board member, at the same time. Obviously, the CFSRB was as a result of my background. It felt like a more natural extension of the work that I was doing day in and day out. Additionally, I was intrigued by the work that the Criminal Injuries Compensation Board was doing for victims and also family members of victims in Ontario, so I applied.

Shortly after, there was a change to the overriding legislation, and the then-associate chair, Maria Tassou, had requested that I dedicate time to the board exclusively as it progressed through the windup, and I agreed to do so. Then I began doing the work, sitting on hearings, participating in adjudications, making the decisions for the victims of crime, and I fell in love with it and helping the victims of crime in Ontario. So when the position of associate chair came up, I thought about it—I had some

discussions, obviously, with my family members—and decided that there was a real opportunity here, because this will be the legacy of the board. To have the opportunity to lead the board through its wind-downs, through the opportunities and challenges that lie ahead in the next year and a bit, seemed something exciting and something I felt passionate about, so I applied.

Mr. Rick Nicholls: Obviously, your passion for the position and your past experience bode very, very well with the opportunities that lie before you.

I'll now turn it over to my other colleagues.

The Chair (Mr. John Vanthof): Further questions from the government? MPP Harris.

Mr. Mike Harris: Ms. Mintz, it's great to see you here today. Thank you for participating in this. It's obviously very important to be able to question people who we're going to be putting in charge of how these tribunals work.

I just wanted to ask you a question based on your application. We know you've generously donated a lot of time to several charitable causes. I'm just wondering how you think that those experiences will influence some of your work on the CICB.

Ms. Sara Mintz: MPP Harris, thank you so much for the question about my volunteer experience. I want to let you know that this is in my genes. I feel it's part of my DNA, giving back and serving. My mother has spent 40 years running a not-for-profit social services agency in our small town, and my father was a social worker, so even from a young age, the idea of giving back and volunteering and being civic-minded was very strongly ingrained.

I have given back over the course of my education and professional career. I remember as a student at Western, I was the president of the billiards society and I was the social director for the Western Investment Club. As well, when I was in law school doing my combined degree, again at Western, I was the treasurer of the legal society, which was a natural extension because I was also doing a concurrent business program. And then I was also the president of Phi Delta Phi, Rand Inn chapter, which is the legal fraternity.

Now, that's all to say that this is something I've done for a long period of time and will continue to do—to give back to various charitable organizations.

I wanted to talk about two charitable events that I have spearheaded and the skills developed in doing so that relate to the role of the associate chair.

Relationship building and the maintaining of relationships is imperative. Part of the way we do that is through communication—open communication, honest communication—and building trust between people. I was able to do that when I was at Torkin Manes—I was at Torkin Manes for a number of years—with a special-needs school, Sir William Osler High School, out in Scarborough. We created a group of lawyers and staff members and teachers and families of students and students where we all together, because of the relationship building, would yearly walk together in the walk for autism, raising funds for Autism Speaks Canada. That was something that I was passionate about and proud to do. We did that for a

few years, and again, formed the relationships and the communication.

More recently, I have done a similar thing through the Brain Injury Society of Toronto, BIST. I was a patient for several months at Rumsey neuro centre, which is a rehabilitation centre here in Toronto focusing on the brain, and again, I developed relationships, built relationships with staff and therapists at Rumsey neuro centre. When I was in a position to be able to give back to the community, I asked, what was an organization—and they led me to BIST. So I developed a relationship with BIST as well. They have a yearly fundraiser called the BIST Heroes 5K Run, Walk or Roll, and that takes place at Wilket Creek. And so, again, because of the relationships and the communication, I built a team of friends and family and staff and therapists from Rumsey neuro centre, and we would go and participate in this yearly, and I would volunteer my time as a course marshal.

We're talking about, again, relationships, communication and building trust. Because of my work already on the board, because of my knowledge of the staff, of the board members, those things pre-exist, and I know that I will continue to build on those relationships and that will serve me well in the role as associate chair.

The Chair (Mr. John Vanthof): Mr. Pang, you have a minute.

Mr. Billy Pang: Thank you, Mr. Chair. Through you to Ms. Mintz: This is a very unique situation for the CICB because it hasn't been accepting new applicants for over a year and is slated to close by December 2021. So how does this change your role of AC for CICB and how will you keep the adjudicators engaged and focused?

0950

The Chair (Mr. John Vanthof): You have 20 seconds.

Ms. Sara Mintz: Well, I don't know that I could do that question justice in 20 seconds, but what I will start by saying is, yes, it is a unique situation, and I'm excited for the opportunity to see the challenges that will inevitably occur as a result of the wind-down and to deal with those head on.

The Chair (Mr. John Vanthof): We will now switch to the official opposition, and we will start with MPP Stiles.

Ms. Marit Stiles: Thank you, Ms. Mintz, for joining us here today.

I don't know if you were on the line then, but as you may have heard in our previous questioning of the other appointee, we have some rather standard questions that we ask here. We have seen a significant, I would say, majority of candidates, appointees—because inevitably they are appointed by the government—who have political and partisan connections to this government. So I'd like to start by just clarifying a few things with you.

First of all, I want to clarify that this is a full-time position and its salary is \$174,184; correct?

Ms. Sara Mintz: It is my understanding that it is a full-time position. Again, I think you're getting that figure from the paper prepared for the standing committee by Lauren Warner. Looking at the table on page 2, it does say \$174,184.

Ms. Marit Stiles: Over the last number of years, you've donated quite significantly to the Progressive Conservative Party of Ontario—maybe federally, as well. Are you a member of the Progressive Conservative Party of Ontario?

Ms. Sara Mintz: No, I am not a current member of the Progressive Conservative Party of Ontario.

Ms. Marit Stiles: Have you ever been?

Ms. Sara Mintz: Yes, I have been a member of the Progressive Conservative Party of Ontario in the past.

Ms. Marit Stiles: And how about of the Conservative Party federally?

Ms. Sara Mintz: I'm sorry, MPP Stiles; what about the Conservative Party federally?

Ms. Marit Stiles: Have you been a member of the Conservative Party of Canada?

Ms. Sara Mintz: Are you asking about now or in the past?

Ms. Marit Stiles: Any time—both, please.

Ms. Sara Mintz: I am not a current member of the Conservative Party of Canada, and I have in the past been a member of the Conservative Party of Canada.

Ms. Marit Stiles: In May 2008, you came before the Standing Committee on Public Accounts to answer some questions about a contract that you were awarded to assist with budget 2007, and I believe that may be related to your connections to—I believe you may have worked or volunteered with Jim Flaherty and the Conservative Party; is that correct?

Ms. Sara Mintz: For clarity: I was employed, through a contract, to work on the budget through the minister's office federally. So that was through the Ministry of Finance and the minister's office.

Ms. Marit Stiles: You've had quite an extensive political background, I think, actually, from the research we've done. I know in your testimony at that public accounts committee you spoke to that quite extensively, so there's definitely a record of it.

You were, I believe, on the executive of the Ontario PC Party at one point; is that correct?

Ms. Sara Mintz: I was a member of the executive of the Ontario PC Party approximately 17 years ago, for one term, in the role of fifth vice-president of the party.

Ms. Marit Stiles: And you worked, I believe, in the Office of the Premier back in 2001; is that correct? That was Mr. Harris.

Ms. Sara Mintz: I was an intern in the Premier's office for Premier Harris, yes, in which—again, I can't be 100%, but 2001 sounds approximately correct. Again, that was an internship just for the summer.

Ms. Marit Stiles: Just to clarify for anybody watching: You currently sit on the Criminal Injuries Compensation Board, but you're basically being promoted here. This is what this is about now. It's an extension of a promotion; correct? And you were appointed a year and a half ago, under this government. Were you approached to apply for that position? And then who have you spoken to about this opportunity to be promoted to a \$174,000 full-time position?

Ms. Sara Mintz: Just for clarity: You have a question about who I've spoken to?

Ms. Marit Stiles: Were you approached by anyone, say, in the Premier's office or any political—who approached you initially to apply for this the first time around? I don't think we had the pleasure of conducting these questions with you the first time around.

Ms. Sara Mintz: So your first question is, who approached me the first time around when I was applying as a part-time member? Is that correct?

Ms. Marit Stiles: Yes, that would be good. And then also, who have you had conversations with about this promotion to a \$174,000 full-time role?

Ms. Sara Mintz: Let me answer the first question first. I just want to get everything straight. As I said in my earlier testimony, I have an extensive background in family law, which extends to adjudicative matters with respect to arbitrations, attending arbitrations, taking the arbitration course. That's how interested I was in that: I took the arbitration course that is certified by ADRIQ. Again, that's the—

Ms. Marit Stiles: Sorry; if I may, Ms. Mintz, we have very limited time here. What I'm trying to get at is, were you approached by anybody in the Premier's office, anybody who is elected or is staff here, politically? Who contacted you, or was it something where you just thought, "Hey, I really want to be on this board"?

Ms. Sara Mintz: As I expressed, it was my interest through my work professionally that led me to adjudication and wanting to extend my professionalism in that way, in doing adjudication. So I was the one who went on the Public Appointments Secretariat system and saw that there were opportunities that interested me at that time, completed the necessary applications, and then applied and participated in a competitive, merit-based system for the appointments.

Ms. Marit Stiles: I have to say, it has been our experience that it seems to be that these appointments are very heavily weighted toward people who have those political connections or partisan affiliations.

In any case, I'm going to continue on. You mentioned a few times that you're going to be vice-chair of this board through a very important time of—I think "winding down" is the term you used. For those watching, what you mean is that there is a shift coming, that the Criminal Injuries Compensation Board is winding down, is being shut down by this government and being replaced by another mechanism—which, I have to say, has been something that many, many victims of crime, particularly folks like sexual assault survivors, have been very critical of and are very afraid of. We've already seen some people talk about the failure to be adequately compensated. We know that this is ultimately about saving—I think about \$23 million was the savings that were estimated by this government for this process.

You talked about having a familiarity with trauma from Family Court, family law, and comparing that to the trauma of people who are survivors of violent crime. I would just argue, or I would rather just put it to you, that, for example, one of the requirements of the Victim Quick

Response Program+, which is being implemented, is that an applicant has to have visited a victim service agency within six months of the crime against them or within six months of disclosing that crime to authorities. I'm curious to hear what your thoughts are on how that leaves historical sexual abuse victims—for example, people who may have been victimized in childhood; it leaves them out of eligibility—and how you feel about that and whether you think that this is a positive development for those survivors of historical sexual abuse.

1000

Ms. Sara Mintz: Thank you for the question, MPP Stiles.

I first want to clarify: I am not here as a vice-chair of the board; I'm actually here as an associate chair for the Criminal Injuries Compensation Board. I just wanted to clarify that off the bat.

You were asking me about VQRP+. Again, that is not something, in my role as associate chair of the Criminal Injuries Compensation Board, that I would be responsible for. The board is a quasi-judicial and arm's-length board from the government and from policy decisions. The role of the associate chair is clearly spelled out in the legislation, in the Compensation for Victims of Crime Act, and so as such—

Ms. Marit Stiles: But you must have some opinion—

Ms. Sara Mintz: I think that my opinion is completely irrelevant to the duties—

Ms. Marit Stiles: But is it? You're being asked to participate—

Ms. Sara Mintz: —of associate chair and the position that I have been asked to fulfill.

Ms. Marit Stiles: Okay. I'm going to turn it over to my colleague in a moment, but I would just say, for the record, that what we have here is a clearly very partisan appointment, with very strong connections to the Conservative Party of Ontario, coming in at a "critical moment" in the winding down of the Criminal Injuries Compensation Board. Whether or not the appointee considers that her opinion matters or not, it seems to me like quite a political role at this point, in winding it down to prepare for this government's, basically, cost-savings exercise on the backs of survivors of violent crime.

I'll turn it over to my colleague.

The Chair (Mr. John Vanthof): Mr. Nicholls?

Mr. Rick Nicholls: Point of order, Chair: I believe that the line of questioning that the opposition is asking here is very misleading and implying motives, and I don't think that that falls in line with the interview that we are conducting with Ms. Mintz this morning.

The Chair (Mr. John Vanthof): Thank you. Ms. Stiles, have you a question to end that?

Ms. Marit Stiles: I don't—but just to respond to that, I would say, yes, I am. I am, absolutely.

The Chair (Mr. John Vanthof): I don't want to encourage cross-debate. This is a question period for this deputant.

Mr. Natyshak? The floor is yours, sir.

Mr. Taras Natyshak: Thank you very much, Chair. How much time is left on the clock?

The Chair (Mr. John Vanthof): Two minutes and 50 seconds.

Mr. Taras Natyshak: Okay.

Thank you very much, Ms. Mintz, for appearing before us today.

There have been cuts, as my colleague referred to, to compensation for victims of sexual assault. Victims would have previously received up to \$30,000, including a maximum of \$5,000 for pain and suffering. Those cuts were made by the current Ford government through the Criminal Injuries Compensation Board. I wondered how you think that best serves victims of sexual assault—those cuts to their potential awards or compensation.

Ms. Sara Mintz: Thank you for the question, Mr. Vice-Chairperson.

Again, my role as an adjudicator on the board is to apply the legislation as it stands. You—in fact, all the honourable members of this committee—are the legislators. You are the ones who have been duly elected by the constituents of Ontario to represent them and to make the legislation, and the legislation as it stands—there have been changes, and I acknowledge that. They were made when I started at the board and—

Mr. Taras Natyshak: Let me simplify it: Do you believe that victims of sexual assault, including victims of historic sexual assault, should be awarded substantial compensation for the crimes that have been perpetrated against them?

Ms. Sara Mintz: Again, I don't think that my opinions with respect to that are relevant. I think the role being asked of me is to adjudicate, with the legislation as it exists in its present form, and then also, on an operational side for this board, to provide some strategic leadership as it goes through the next year and a bit with a wind-down in December of the end of next year.

I want to assure you, Mr. Vice-Chair, that in my practice as a family law lawyer, I have opinions on the legislation—

Mr. Taras Natyshak: What are those opinions?

Ms. Sara Mintz: But those don't matter. It is—

Mr. Taras Natyshak: No, they do. They absolutely are relevant and form the basis of what we would like to see in our appointees—to know that they come to their appointments with a specific perspective on the legislation which they are tasked to support and to make functional. What are your personal—

The Chair (Mr. John Vanthof): Mr. Natyshak and Ms. Mintz, that concludes the time for the official opposition.

Thank you very much for appearing before the committee. You are welcome to stay on for the rest of the meeting, if you so wish. Thank you for your time today.

Ms. Sara Mintz: Thank you, everyone, and continue to stay safe.

The Chair (Mr. John Vanthof): For our next order of business, we will now consider the intended appointment of Denise Dietrich, nominated as a member of the Social Benefits Tribunal. Mr. Nicholls?

Mr. Rick Nicholls: I move concurrence in the intended appointment of Denise Dietrich, nominated as member of the Social Benefits Tribunal.

The Chair (Mr. John Vanthof): Thank you. Concurrence in the appointment has been moved by Mr. Nicholls. Is there any discussion? Mr. Natyshak.

Mr. Taras Natyshak: Can we have a recorded vote, please, Chair?

The Chair (Mr. John Vanthof): Yes. Mr. Natyshak has asked for a recorded vote. Any further discussion? Seeing none, I would like to call a vote.

Ayes

Bailey, Bouma, Harris, Norman Miller, Nicholls, Pang, Tangri.

Nays

Natyshak, Stiles.

The Chair (Mr. John Vanthof): The motion carries. We will now consider the intended appointment of Sara Mintz, nominated as a member and associate chair of the Criminal Injuries Compensation Board. Mr. Nicholls?

Mr. Rick Nicholls: I move concurrence in the intended appointment of Sara Mintz, nominated as member and associate chair of the Criminal Injuries Compensation Board.

The Chair (Mr. John Vanthof): Thank you. Concurrence in the appointment has been moved by Mr. Nicholls. Any further discussion? Ms. Stiles.

Ms. Marit Stiles: Can we get a recorded vote on this, please, Mr. Chair?

The Chair (Mr. John Vanthof): Yes, a recorded vote has been requested. Any further discussion? Seeing none, I would like to call a vote.

Ayes

Bailey, Bouma, Harris, Norman Miller, Nicholls, Pang, Tangri.

Nays

Natyshak, Stiles.

The Chair (Mr. John Vanthof): The concurrence has been approved.

COMMITTEE BUSINESS

The Chair (Mr. John Vanthof): Our next order of business is extensions.

The deadline to review the intended appointment of Barry Raison, selected from the September 18, 2020, certificate, is October 18, 2020. Do we have unanimous agreement to extend the deadline to consider the intended

appointment of Barry Raison to November 17, 2020? Okay. That is approved.

Interjections.

The Chair (Mr. John Vanthof): Oh, did I—sorry.

Mr. Rick Nicholls: I'm sorry to ask. You didn't. We were—

Ms. Marit Stiles: They missed it, no?

The Chair (Mr. John Vanthof): I said, "All those"—

Mr. Rick Nicholls: No, no, you asked, "Do we have agreement to extend the?"—

The Chair (Mr. John Vanthof): And I didn't hear a "no."

Mr. Rick Nicholls: I was waiting for you to ask the question, Chair. I'm sorry.

The Chair (Mr. John Vanthof): No, but my question was, "Do we have unanimous agreement to extend the deadline?" I didn't hear a "no."

Mr. Rick Nicholls: I misunderstood the question.

The Chair (Mr. John Vanthof): I didn't ask for "opposed" or—

Interjections.

The Chair (Mr. John Vanthof): Who had their hand up first? I will go to Mr. Bouma.

1010

Mr. Will Bouma: I don't understand how I can say no, Mr. Chair—point of order—if I'm muted.

The Chair (Mr. John Vanthof): Maybe we're going to have to do the—I don't know. That is a very valid point.

Mr. Taras Natyshak: You can do it again. We'll let them do it again if that's in order.

The Chair (Mr. John Vanthof): Since we've had some confusion—I ask this question, the same question, every time. I didn't hear a no from the floor, but there could have been, so I will go again. I'm going to do the whole thing over again.

The deadline to review the intended appointment of Barry Raison, selected from the September 18, 2020, certificate, is October 18, 2020. Do we have unanimous agreement to extend the deadline to consider the intended appointment of Barry Raison to November 17, 2020? I heard a no. I heard two, and I saw a no as well. So we have a no.

The deadline to review the intended appointment of Anthony Tamburro, selected from the September 18, 2020, certificate, is October 18, 2020. Do we have unanimous agreement to extend the deadline to consider the intended appointment of Anthony Tamburro to November 17, 2020? I heard a no.

The deadline to review the intended appointment of Maureen Harquail, selected from the September 18, 2020, certificate, is October 18, 2020. Do we have unanimous agreement to extend the deadline to consider the intended

appointment of Maureen Harquail to November 17, 2020? I heard a no.

Do I hear any further discussion on any other—Mr. Natyshak?

Mr. Taras Natyshak: The three names that you just went through—Mr. Raison, Mr. Tamburro and Ms. Harquail: Can the committee Clerk tell us whether we've reached out to them to ask them to appear on a specific date yet?

Interjection.

The Chair (Mr. John Vanthof): She will check, but she doesn't believe so.

Mr. Taras Natyshak: This happened at our last meeting. I just want to clarify that this committee is not even giving its intended appointees—prior to our recess due to COVID-19, we'd not seen this. We saw the committee members, the government committee members, and the government itself to at least allow their intended appointees to be contacted and to have a date put on the calendar. "Just pin it. Put a pin in it." Now we're not even doing that. We're not even giving them the opportunity to say, "Sorry, I can't make it."

This is an incredible abdication of the responsibility of this committee, and it smacks in the face of precedent and the good order in which this committee has functioned for so many years. I beg the indulgence of my committee colleagues: Let's at least contact them to give them a date to say no. It looks terrible on you as government members that you're voting to not extend these certificates without even giving them a date to say no.

You literally don't care whether they come before us as a committee. That's what you're saying to the general public. You're going to rubber-stamp everyone, everything. It doesn't matter how much we're paying them per annum or per diem. You don't care about whether they are qualified or not. That's what you're saying with this vote here today. I didn't think that this committee could get any worse in terms of its functionality. You've done it, so congratulations.

Can we change this rule or this precedent now that you've set it? Because it looks terrible.

The Chair (Mr. John Vanthof): Any further discussion? Or how much time do we have before—one minute. Any further discussion in that minute?

Mr. Taras Natyshak: Any of my colleagues? Because that would be great.

Mr. Rick Nicholls: Just in response to the member: I really don't think it's fair to come at this particular committee—

The Chair (Mr. John Vanthof): Sorry, we will continue this. It's 10:15.

The committee adjourned at 1015.

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Mr. John Vanthof (Timiskaming–Cochrane ND)

Vice-Chair / Vice-Président

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Mr. Will Bouma (Brantford–Brant PC)

Mr. Lorne Coe (Whitby PC)

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Mr. Norman Miller (Parry Sound–Muskoka PC)

Mr. Taras Natyshak (Essex ND)

Mr. Rick Nicholls (Chatham-Kent–Leamington PC)

Mr. Billy Pang (Markham–Unionville PC)

M^{lle} Amanda Simard (Glengarry–Prescott–Russell L)

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