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(Hansard)**

A-29

**Journal
des débats
(Hansard)**

A-29

**Standing Committee on
Government Agencies**

Intended appointments

1st Session
42nd Parliament

Tuesday 22 September 2020

**Comité permanent des
organismes gouvernementaux**

Nominations prévues

1^{re} session
42^e législature

Mardi 22 septembre 2020

Chair: John Vanthof
Clerk: Tonia Grannum

Président : John Vanthof
Greffière : Tonia Grannum

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON GOVERNMENT AGENCIES

COMITÉ PERMANENT DES ORGANISMES GOUVERNEMENTAUX

Tuesday 22 September 2020

Mardi 22 septembre 2020

The committee met at 0903 in committee room 2 and by video conference.

The Chair (Mr. John Vanthof): Good morning, everyone. I call this meeting to order. We are meeting to conduct a review of intended appointments.

We have the following members in the room: MPP Stiles and MPP Nicholls. The following members are participating remotely, and I'll quickly run through them: MPP Bouma, MPP Coe, MPP Cuzzetto, MPP Natyshak, MPP Martin, MPP Pang, MPP Simard and MPP Tangri. Did I miss anyone? Seeing not, thank you.

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 REPORTS

The Chair (Mr. John Vanthof): The first item of business will be the adoption of numerous subcommittee reports, which we have all seen in advance.

First, we have the subcommittee report dated March 12, 2020. Again, we have all seen the report in advance. Could I please have a motion? Mr. Nicholls.

Mr. Rick Nicholls: I do move adoption of the subcommittee report of intended appointments dated Thursday, March 12, 2020, on the order-in-council certificate dated March 6, 2020.

The Chair (Mr. John Vanthof): Mr. Nicholls has moved the report. Any further discussion? Seeing none, all those in favour? Opposed? The motion is carried.

Next, we have the subcommittee report dated March 19, 2020. Again, we have all seen the report in advance. Could I please have a motion? Mr. Nicholls.

Mr. Rick Nicholls: Again, I move adoption of the subcommittee report on intended appointments dated Thursday, March 19, 2020, on the order-in-council certificate dated March 13, 2020.

The Chair (Mr. John Vanthof): Mr. Nicholls has moved the report. Any further discussion? Seeing none,

I'd like to call a vote. All those in favour? Opposed? The motion is carried.

Next, we have the subcommittee report dated April 9, 2020. Could I please have a motion? Mr. Nicholls.

Mr. Rick Nicholls: I move adoption of the subcommittee report on intended appointments dated Thursday, April 9, 2020, on the order-in-council certificate dated April 3, 2020.

The Chair (Mr. John Vanthof): The member has moved the report. Any further discussion? Seeing none, I'd like to call a vote. All those in favour? Opposed? The motion carries.

Next, we have the subcommittee report dated April 16, 2020. Could I please have a motion? MPP Nicholls.

Mr. Rick Nicholls: I move adoption of the subcommittee report on intended appointments dated Thursday, April 16, 2020, on the order-in-council certificate dated April 9, 2020.

The Chair (Mr. John Vanthof): The member has moved a report. Any further discussion? Seeing none, I'd like to call a vote. All those in favour? Opposed? The motion carries.

Next, we have the subcommittee report dated April 30, 2020. Could I please have a motion? Mr. Nicholls.

Mr. Rick Nicholls: I move adoption of the subcommittee report on intended appointments dated Thursday, April 30, 2020, on the order-in-council certificate dated April 24, 2020.

The Chair (Mr. John Vanthof): The report has been moved. Any further discussion? Seeing none, I would like to call a vote. All those in favour? Opposed? The motion carries.

Next, we have a subcommittee report dated May 7, 2020. Could I please have a mover? Mr. Nicholls.

Mr. Rick Nicholls: I move adoption of the subcommittee report on intended appointments dated Thursday, May 7, 2020, on the order-in-council certificate dated May 1, 2020.

The Chair (Mr. John Vanthof): Any further discussion? Seeing none, I'd like to call a vote. All those in favour? Opposed? The motion carries.

Next, we have the subcommittee report dated May 14, 2020. Could I please have a mover for the motion? Mr. Nicholls.

Mr. Rick Nicholls: I move adoption of the subcommittee report on intended appointments dated Thursday, May

14, 2020, on the order-in-council certificate dated May 8, 2020.

The Chair (Mr. John Vanthof): Any further discussion? Seeing none, I'd like to ask for a vote. All those in favour? Opposed? The motion carries.

Next, we have the subcommittee report dated May 21, 2020. Could I please have a mover for the motion? Mr. Nicholls.

Mr. Rick Nicholls: I move adoption of the subcommittee report on intended appointments dated Thursday, May 21, 2020, on the order-in-council certificate dated May 15, 2020.

The Chair (Mr. John Vanthof): Any further discussion? Seeing none, I'd like to ask for a vote. All those in favour? Opposed? The motion carries.

Next, we have the subcommittee report dated June 4, 2020. Could I please have a mover for this motion? Mr. Nicholls.

Mr. Rick Nicholls: I move adoption of the subcommittee report on intended appointments dated Thursday, June 4, 2020, on the order-in-council certificate dated May 29, 2020.

The Chair (Mr. John Vanthof): Any further discussion? Seeing none, I'd like to call a vote. All those in favour? Opposed? The motion carries.

Next, we have the subcommittee report dated June 11, 2020. Could I please have a motion for the report? Mr. Nicholls.

Mr. Rick Nicholls: I move adoption of the subcommittee report on intended appointments dated Thursday, June 11, 2020, on the order-in-council certificate dated June 5, 2020.

The Chair (Mr. John Vanthof): Any further discussion? Seeing none, I'd like to ask for a vote. All those in favour? Opposed? The motion carries.

Next, we have the subcommittee report dated June 18, 2020. Could I please have a mover for the motion? Mr. Nicholls.

Mr. Rick Nicholls: I move adoption of the subcommittee report on intended appointments dated Thursday, June 18, 2020, on the order-in-council certificate dated June 12, 2020.

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The Chair (Mr. John Vanthof): Any further discussion? Seeing none, I'd like to call a vote. All those in favour? Opposed? The motion carries.

Next, we have the subcommittee report dated June 25, 2020. Ms. Stiles.

Ms. Marit Stiles: I move adoption of the subcommittee report on intended appointments dated Thursday, June 25, 2020, on the order-in-council certificate dated June 19, 2020.

The Chair (Mr. John Vanthof): Any further discussion? Seeing none, I'd like to call a vote. All those in favour? Opposed? The motion carries.

Next, we have the subcommittee report dated July 2, 2020. Could I please have a mover for the motion? Ms. Stiles.

Ms. Marit Stiles: I move adoption of the subcommittee report on intended appointments dated Thursday, July 2, 2020, revised Monday, July 13, 2020, on the order-in-council certificate dated June 26, 2020.

The Chair (Mr. John Vanthof): Any further discussion? Seeing none, I'd like to call a vote. All those in favour? Opposed? The motion carries.

Next, we have the subcommittee report dated July 16, 2020. Could I please have a mover for the motion? Ms. Stiles.

Ms. Marit Stiles: I move adoption of the subcommittee report on intended appointments dated Thursday, July 16, 2020, on the order-in-council certificate dated July 10, 2020.

The Chair (Mr. John Vanthof): Any further discussion? Seeing none, I'd like to call a vote. All those in favour? Opposed? The motion carries.

Next, we have the subcommittee report dated July 23, 2020. Could I please have a mover for the motion? Ms. Stiles.

Ms. Marit Stiles: I move adoption of the subcommittee report on intended appointments dated Thursday, July 23, 2020, on the order-in-council certificate dated July 17, 2020.

The Chair (Mr. John Vanthof): Any further discussion? Seeing none, I'd like to call a vote. All those in favour? Opposed? The motion carries.

Next, we have the subcommittee report dated July 30, 2020. Could I please have a mover for the motion? Ms. Stiles.

Ms. Marit Stiles: I move adoption of the subcommittee report on intended appointments dated Thursday, July 30, 2020, on the order-in-council certificate dated July 24, 2020.

The Chair (Mr. John Vanthof): Any further discussion? Seeing none, I'd like to call a vote. All those in favour? Opposed? The motion carries.

Next, we have the subcommittee report dated August 6, 2020. Could I please have a mover for the motion? Ms. Stiles.

Ms. Marit Stiles: I move adoption of the subcommittee report on intended appointments dated Thursday, August 6, 2020, on the order-in-council certificate dated July 31, 2020.

The Chair (Mr. John Vanthof): Any further discussion? Seeing none, I would like to call a vote. All those in favour? Opposed? The motion carries.

Next, we have the subcommittee report dated August 20, 2020. Could I please have a mover for the motion? Ms. Stiles.

Ms. Marit Stiles: I move adoption of the subcommittee report on intended appointments dated Thursday, August 20, 2020, on the order-in-council certificate dated August 14, 2020.

The Chair (Mr. John Vanthof): Any further discussion? Seeing none, I would like to call a vote. All those in favour? Opposed? The motion carries.

Next, we have the subcommittee report dated August 27, 2020. Could I please have a mover for the motion? Ms. Stiles.

Ms. Marit Stiles: I move adoption of the subcommittee report on intended appointments dated Thursday, August 27, 2020, on the order-in-council certificate dated August 21, 2020.

The Chair (Mr. John Vanthof): Any further discussion? Seeing none, I'd like to call a vote. All those in favour? Opposed? The motion carries.

Next, we have the subcommittee report dated September 3, 2020. Could I please have a mover for the motion? Ms. Stiles.

Ms. Marit Stiles: I move adoption of the subcommittee report on intended appointments dated Thursday, September 3, 2020, on the order-in-council certificate dated August 28, 2020.

The Chair (Mr. John Vanthof): Any further discussion? Seeing none, I'd like to call a vote. All those in favour? Opposed? The motion carries.

And finally, we have the subcommittee report dated September 10, 2020. Could I please have a mover for the motion? Ms. Stiles.

Ms. Marit Stiles: I move adoption of the subcommittee report on intended appointments dated Thursday, September 10, 2020, on the order-in-council certificate dated September 4, 2020.

The Chair (Mr. John Vanthof): Any further discussion? Seeing none, I would like to call a vote. All those in favour? Opposed? The motion carries.

Thank you, members.

The Chair (Mr. John Vanthof): We will now move to our review of intended appointments. First, we have Joseph Tascona, nominated as a member of the Human Rights Tribunal of Ontario.

Interjection.

The Chair (Mr. John Vanthof): Oh, Ms. Stiles. My apologies.

Ms. Marit Stiles: Chair, I was wondering, before we move on to that item, if it would be possible for us to have at some point, maybe today or tomorrow—I have two issues. One is that we have not had a subcommittee meeting in many, many months—at least a year, I think. I've made numerous requests. We haven't had a subcommittee meeting. I'd like to request again a subcommittee meeting as soon as possible.

Secondly, I wondered if it would be possible, just to have it in the record, to have some overview of what's happened over the last few months in terms of appointments and where we're at right now, because some folks maybe are watching and might notice that we are about to review some appointees. It would be good to understand a bit better for those folks what happened to all the other appointments that were made during the period of the pandemic when we were shut down here.

The Chair (Mr. John Vanthof): Are you asking for the committee to ask for that overview, or is that a personal—

Ms. Marit Stiles: I would like that overview in the record, yes.

The Clerk of the Committee (Ms. Tonia Grannum): On the record? After the appointment, or—

Ms. Marit Stiles: I think it would be better to do it now.

The Clerk of the Committee (Ms. Tonia Grannum): It's just that you've got two appointments and this time is scheduled for them, and if we run out of time then we won't get to the concurrences.

Ms. Marit Stiles: Okay, so maybe if we have time at the end it would be great to do that. Thank you.

The Clerk of the Committee (Ms. Tonia Grannum): Okay.

The Chair (Mr. John Vanthof): Okay. Thank you for your intervention.

INTENDED APPOINTMENTS

MR. JOSEPH TASCONA

Review of intended appointment, selected by official opposition party: Joseph Tascona, intended appointee as member, Human Rights Tribunal of Ontario.

The Chair (Mr. John Vanthof): We will now move to our review of intended appointments. First, we have Joseph Tascona, nominated as a member of the Human Rights Tribunal of Ontario. You may come forward—or you're here, on Zoom.

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. The floor is yours, sir, and welcome to our virtual meeting.

Mr. Joseph Tascona: Thank you for having me. Can you hear me?

The Chair (Mr. John Vanthof): Yes.

Mr. Joseph Tascona: Thank you very much, Mr. Chair and members of the standing committee. It is an honour and a privilege to be considered for an appointment to the Human Rights Tribunal of Ontario. I appreciate the opportunity to provide the committee with some insight on my career and how I could provide a positive contribution to the HRTO and make progress with respect to human rights in Ontario.

As you are aware, the tribunal resolves cases of discrimination and harassment under the Ontario Human Rights Code. The tribunal process, upon receipt of an application alleging a violation of the code, is to offer mediation to resolve the dispute; if not successful or not agreed to by the parties, then a hearing is held to decide the issue.

I will provide a brief summary of my experience and how it prepared me to be a very effective member of this tribunal. Academically, I have an undergraduate degree in political science and an MBA from McMaster University.

Before I attended law school at Queen's University, I worked for the Ford Motor Co., where I worked in labour relations in their Windsor and Oakville operations.

I was called to the Ontario bar in 1985. As a lawyer I have specialized in climate and labour law, and as an experienced litigator have provided representation in provincial court, the Superior Court and the Court of Appeal, and at the Ontario Labour Relations Board, the Human Rights Tribunal of Ontario, in labour arbitrations and at the Workplace Safety and Insurance Appeals Tribunal.

In my human rights practice, I have mostly represented individuals. In relation to employment and when representing employers, I have embraced my duty as a professional to treat self-represented litigants with understanding, as my responsibility is to serve the public interest to ensure a fair process. The main reason I want to serve as a tribunal member is to give something back to the legal profession and build my province in the face of challenges, to ensure that every person has the right to freedom from discrimination in relation to employment, accommodation, goods, services and facilities.

I believe in public service, and I have served in the political arena when I was elected as a city of Barrie councillor and served 12-plus years as MPP at Queen's Park, where I had the privilege of acting as the Second Deputy Chair of the Committee of the Whole House, in addition to numerous other roles.

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I fully understand the legal issues dealt with by the HRTO and the need for impartial adjudication to resolve disputes, so that the rights of all persons are respected, by applying my experience and understanding of the HRTO rules, procedure and jurisprudence to arrive at a just and fair result.

Mr. Chair, I thank you for the opportunity to address this committee, and I welcome any questions.

The Chair (Mr. John Vanthof): Thank you very much, sir. Our first round of questioning will go to the official opposition. Ms. Stiles?

Ms. Marit Stiles: Sure. I'll start. Thank you very much, Mr. Tascona, for joining us today. I was surprised when I first received the first initial notice of this, because it didn't actually mention that you were an MPP for so many years. But of course I remember that. I see it here reflected in the more extended background that they provided.

This is, I gather, a full-time role. Are you familiar with what the compensation will be for this position?

Mr. Joseph Tascona: Yes, I am.

Ms. Marit Stiles: Do you want to share that, or shall I—

Mr. Joseph Tascona: Well, I understand there's a range between \$110,000 to \$126,000 per year.

Ms. Marit Stiles: Were you approached to apply for this position, Mr. Tascona?

Mr. Joseph Tascona: No.

Ms. Marit Stiles: How did you apply? Did you go online, or it just kind of occurred to you this would be a good opportunity?

Mr. Joseph Tascona: Well, I had initially applied, I think it was back in 2017 or 2018, for the legal aid chair position. I had put myself into the system, so I was familiar with that. You get the notifications, because I was in the system. I was looking at what was coming up and all of a sudden the HRTO position started coming up. I was very familiar with it as a tribunal, and I love doing that work, so I put in an application.

Ms. Marit Stiles: Your law practice indicates that you've dealt with issues regarding human rights. What experience do you have working on human rights cases that involve—and I'll just list a few of these—racism, homophobia, sexism, transphobia?

Mr. Joseph Tascona: I've pretty well covered every prohibitive ground in my practice, so I'm familiar with those areas, yes, and I've represented people of that persuasion.

Ms. Marit Stiles: Persuasion—what do you mean by that?

Mr. Joseph Tascona: Well, you were talking about sexual gender and that particular area.

Ms. Marit Stiles: So orientation, gender?

Mr. Joseph Tascona: Yes.

Ms. Marit Stiles: Certainly, we've had many appointees here who were members of the PC Party, donors and such, and I know I don't have to ask you that, because you were an elected MPP. But as a former member of a Conservative government, how do you feel you can maintain your objectivity when individuals come to the tribunal with complaints against the Ontario government?

Mr. Joseph Tascona: Well, I've always been impartial. I'm a lawyer governed by the law society rules of professional conduct. As I said, most of my clients in the human rights area are individuals, so in terms of dealing with whoever came before, I don't have any difficulty with that. I haven't been in the Legislature for over 13 years, and I haven't been politically active in that area either.

Ms. Marit Stiles: Okay. I've going to turn it over to my colleague now.

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

Mr. Taras Natyshak: Good morning. Can you hear me, Chair? Chair, can you hear me?

The Chair (Mr. John Vanthof): Yes. We can hear you, sir.

Mr. Taras Natyshak: Mr. Tascona, thank you so much for appearing before us remotely today. I don't know if you're aware of it but you are making history today, in that I believe—and the Chair can correct me if I'm wrong—you're the first intended appointee to provide a deputation through Zoom.

The Chair (Mr. John Vanthof): Yes.

Mr. Joseph Tascona: Really?

Mr. Taras Natyshak: Welcome to the wonders of technology and trying to make this place function. I'm looking at me; I want to see you. There we are. Okay. Yes, thanks again.

Just a couple of pro forma questions. You have been, obviously, an elected official, a member of provincial

Parliament under a Conservative government. Have you ever donated to the Conservative Party of Ontario?

Mr. Joseph Tascona: Yes, I have.

Mr. Taras Natyshak: How recently?

Mr. Joseph Tascona: The most recent—let me check my record—was in 2019.

Mr. Taras Natyshak: And you've obviously stood for office. You had mentioned that you hadn't spoken to anybody in government—no elected officials, no cabinet ministers—or anyone within the inner circle of the Progressive Conservative Party or government officials about this appointment coming up. You sought it out yourself, you had mentioned?

Mr. Joseph Tascona: Yes, I sought it out myself. To be honest, I did make an inquiry to the Attorney General's office to make sure that my application was up to speed and whatever, because I had applied for that other position for legal aid and I wanted to see if I needed to update it. It was just basically for instruction because I know I have to go through Tribunals Ontario, the public appointments process, so I just wanted to make sure that what was in the system was good.

Mr. Taras Natyshak: Do you maintain any personal relationships with the Attorney General's office, the Attorney General himself or staff within the office or any other officials?

Mr. Joseph Tascona: No.

Mr. Taras Natyshak: Mr. Tascona, I don't know if you followed the appointments process since the new government took—well, they're not so much the new government anymore; two years old, I think. They're old enough to take off the training wheels. But this committee has been struck since the government took power, and we've seen a disturbing pattern since that time whereby the vast majority of government appointees and nominations have a direct link to the Progressive Conservative Party of Ontario, either by being ardent supporters or ex-politicians or failed candidates. Somewhere along the line, we've been able to find a link—and party donors—to the government.

As a litigator and as someone who is about to serve on the Human Rights Tribunal, I wonder what emphasis you put on striking a balance, not only in the courts, but also in this tribunal? What would you say about the fact that upwards of 95% of the appointees that we've seen before this committee have some direct link to the government, in terms of their impartiality or their political leanings? Do you think that that's an appropriate balance for our tribunals and government agencies?

Mr. Joseph Tascona: Well, the only thing I can comment on, sir, is having gone through the process and what's required under section 14 of the adjudication—

The Chair (Mr. John Vanthof): Ms. Martin?

Mrs. Robin Martin: Point of order, Chair. I'm not sure that's an appropriate question for the witness. The witness is here about his appointment, not to make comments about the process or how many people from which background are being nominated or appointed to various positions. The witness is here to tell us about his experience for his position.

The Chair (Mr. John Vanthof): I would like to say that I don't think that's a point of order. The witness was prepared to answer that question and his opinion, as for his intended appointment, is worthwhile to listen to, so I'd like to continue.

I believe the witness was answering a question. Thank you.

Mr. Joseph Tascona: Can you hear me?

The Chair (Mr. John Vanthof): Yes.

Mr. Joseph Tascona: I muted; sorry.

Well, having gone through the process—and I've never done that before—and the requirements and that, it's a fairly stringent process. I can't comment on what's been going on. I don't follow it. All I know is I was on this committee before. Certainly, when the Liberals were in power, there were links in that regard, but I don't think you're going to get to this level, to get in front of you, unless you're qualified, based on what my experience is and what's required under the act. I'm comfortable with what I've gone through, and frankly, it's quite stringent. I wouldn't be here if I wasn't qualified but that act is—I don't know if you've reviewed that act. It's quite a comprehensive act in terms of what's required and what the tribunal is required to do. That's all I can really say about that.

0930

Mr. Taras Natyshak: There's no doubt that the tribunal is an important component of our justice system overall. My question to you was, with your background as a litigator, what emphasis do you put on impartiality, a broad approach to the law and a balanced approach ideologically? We know that a person's ideological bent can make its way into the justice system and into society. If we see the decks being stacked—you alluded to the Liberals doing that previously. What ramifications does that have on the impartiality of the system? If you're not concerned about it, I wonder if that's a red flag for us.

Mr. Joseph Tascona: I didn't say that. Impartiality is really important [*inaudible*] whether in the court system—I've dealt with judges and tribunal adjudicators and whatever. There are constraints with respect to dealing with people who would for whatever reason not follow the rules or decide that they're going to interpret the law and the facts in a way that goes to their bent. There are checks and balances. I've been in the Court of Appeal and other levels in terms of dealing with appeals, and those are the checks and balances that you have. That's why these tribunals are all reviewable. I don't think you can get carried away there.

As a lawyer who has practised as long as I have, I think anyone who would bring an ideology into their decision-making really is lacking. You have to be impartial with respect to your decision-making. You've got to be impassionate.

If I was strictly a lawyer who just represented companies and whatever, obviously I would be viewed [*inaudible*] I say definitely have an ideologue [*inaudible*]. In labour law, that's the way it works. You're either a union lawyer or you're a company lawyer in that regard.

I've always been sort of a hybrid. I'm very comfortable with where I am in terms of respecting the law and whatever. To me, it's an offence not to be impartial.

Mr. Taras Natyshak: That is refreshing. I appreciate you expanding on that.

One of the checks and balances that we have outside of this process is, in fact, this committee, and our ability as members to ask those difficult questions around impartiality. And take our word for it—or don't take our word for it; look at the transcripts of Hansard, which I'm sure you are well familiar with—the vast majority of the appointments that this government has total control over have been ideologically driven. That should concern you; I hope it does. I hope you do review some other appointments that have happened in the past. We don't see a balance being struck across the broad purview of government agencies and tribunals. I trust that your experience and the direction and emphasis you're going to bring to the tribunal will change that direction.

I appreciate you appearing before committee. I have no further questions. I wish you well. Thanks so much, Mr. Tascona.

The Chair (Mr. John Vanthof): That concludes the questions from the opposition.

I would like to switch to the government now. Mr. Nicholls.

Mr. Rick Nicholls: Good morning, Mr. Tascona. It's nice to have you here with us this morning to answer a few questions that we will have for you.

I see that your background is with Ford Motor Co. Back in my days prior to politics, I was one of the national trainers for Ford Motor Co, so it's refreshing to see somebody with a similar background. Also, I've served six years as a Deputy Speaker. So we have some common ground, to some degree. That's Carnegie coming out of me.

I have a couple of questions for you. In part, you've answered them already, because you did state that you have applied for other positions, one of them being, I believe, at legal aid. But we want to talk about this particular position.

I'm all about motivation and motivating people, and of course, people have their own individual reasons or motivations for wanting to do things. My question to you is very simple: What was your primary motivation for applying for this particular position?

Mr. Joseph Tascona: Well, I strongly believe in human rights, but at this stage of my career—when I started out, I was a lawyer with WeirFoulds and we had two tremendous litigators who would be called the hired guns on Bay Street: Mac Austin and Jim Carthy. When I was there as a junior, they were about to move into the bench. It was just an advancement in their career, having always been doing litigation, to be on the other side.

I have done some labour arbitrations sitting as a panel member and that, so I saw this as a great opportunity to balance out my legal career in terms of being able to sit on and decide cases, as opposed to always arguing. This is an area, human rights, that I feel strongly about, and that's why I want to be on it.

Mr. Rick Nicholls: Very good. Well, thank you very much for that. I'm going to pass it on to one of my other colleagues.

The Chair (Mr. John Vanthof): Ms. Tangri.

Mrs. Nina Tangri: Good morning, Mr. Tascona. Welcome to the committee.

As you can understand and appreciate, the Human Rights Tribunal must be fair and impartial. Can you tell us a little bit how your previous work experience can assist you to be a fair adjudicator?

Mr. Joseph Tascona: I think in terms of that, you're always mindful when you're litigating with respect to showing respect for the person who's going to decide the case, and also the opposition.

I have had experience with respect to self-represented litigants. You have to really respect your duty to make sure that there is a fair hearing. I understand the process and I understand that you have to be honest in terms of presenting the facts and also honest in terms of making sure everybody is aware of the law so you get a fair hearing. So I've got experience in terms of how hearings are run, what's not kosher and what is kosher in terms of a fair hearing. That's sort of prepared me in terms of dealing with this.

I dealt with the Human Rights Tribunal before it was the Human Rights Tribunal. It was a totally different process in those days, because there were full investigations before you even got into a hearing, whereas now we move right into mediation—which I like. I really think mediation is the way to go. It's where we're moving in the civil system, and then into the hearing. I think it's evolved and can still evolve more in terms of how we can get fair hearings and ensure everybody gets properly represented at the tribunal.

Mrs. Nina Tangri: Thank you very much. I'll pass it on to my colleague.

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

Mr. Lorne Coe: Thank you, Chair, and through you, welcome, sir, to the committee. You know that the Human Rights Tribunal has a high case of clients right now, but can you tell us and share with the committee about your experience managing heavy caseloads?

Mr. Joseph Tascona: Basically, you have to be organized. I always use a tickler system if I'm getting into litigation, in terms of the steps that have to be taken. It's all about time management. You learn that from driving, too, in terms of time management. If you're a good organizer in terms of doing that—I've been doing that for a number of years—I think that's something that's important.

Certainly, with the tribunal, their process is very schedule-oriented with respect to the application going in, the response coming out, the reply, and then getting into mediation. So you know the schedule, and then the challenge when you have to deal with a hearing. You have to be very organized in terms of being able to do that.

Mr. Lorne Coe: All right. Thank you for your answer, sir, and I'll turn next to one of my colleagues.

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

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Mr. Billy Pang: Mr. Chair, through you to Mr. Tascona: I'd like to thank you for putting your name forward to this application. As you understand, the Human Rights Tribunal of Ontario is assigned jurisdiction under the Human Rights Code to resolve, through mediation or hearing, applications alleging a breach of the code.

I have seen your professional background, experience and passion to serve the community. I also can see that the parties appearing before the Human Rights Tribunal often don't have legal representation, and this can create some challenges. How will you work them with to ensure they have a fair hearing, even if they can't understand the procedural [*inaudible*]?

Mr. Joseph Tascona: Well, in my experience in dealing with that at the court level, and also at the tribunal level, you have an obligation, whether you're the adjudicator or whether you're the lawyer on the other side, if there is a lawyer, to make sure that they understand what their application is about, if there's any confusion; or if you find there's a difficulty with it, to explain that, and give them the opportunity to amend that, if it's appropriate. But certainly, so they don't get frustrated, that you give them the opportunity to understand the process, and as long as they're co-operating, in terms of trying to work through the process—because it is daunting and a challenge to get into this. I've seen it from all sides, in terms of how the application is filled out and how it's approached at mediation. You really have to go the extra mile to make sure that there's a fair hearing, because there's nothing worse than a hearing that is not fair. There's no pride to winning a case when the other side really didn't have an opportunity to present the case fairly. You have to make sure that you take that extra step to make sure that it's a fair process.

Mr. Billy Pang: I would like to pass the next question to my colleague.

The Chair (Mr. John Vanthof): Ms. Martin.

Mrs. Robin Martin: Thank you, Mr. Tascona. It's interesting to hear you talk. I'm a lawyer by background as well, so you've evoked a lot of things for me: the impartiality of the court system and the fairness of it, which is central to what the courts are all about. You've mentioned a tickler system, and you mentioned WeirFoulds as a law firm and the guys getting appointed to the bench that you were there with—all of that brings back a lot of my experience.

But I see from reviewing some of yours that you have many publications with the Industrial Relations Centre at Queen's University. I'm wondering if that work—if you could give us a little bit of information about what you did there and also how you think it might contribute to your work at the Human Rights Tribunal.

Mr. Joseph Tascona: Yes, that was an exciting opportunity. When I went to law school at Queen's, I was always interested in labour relations, so I approached the person, Mr. Wood, who was running the institute. He gave me an opportunity to work there for a summer, and it certainly broadened my perspective in terms of different areas of the

law in terms of doing catalogues and whatever for grievance handling, family matters, which, back then, which was 1980, was sort of leading edge. But it was a great place to work and it gave you an opportunity to really specialize in terms of dealing not just with Ontario but dealing with the entire province and Canada.

Mrs. Robin Martin: I'm going to pass it to my colleague Mr. Bouma.

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

Mr. Will Bouma: Mr. Tascona, it's an honour to meet you today, and it's so great to see someone who spent their entire life in public service and to consider, when many people are thinking about putting their feet up, you're ready to get right back to work in a new role.

I was wondering—you've talked a lot about your professional experience. In the dying seconds here, I was wondering if you could talk a little bit about the other community service, pro bono, volunteering things that you've done that may have helped to prepare you for this role.

Mr. Joseph Tascona: I've been a Barrie Rotarian for over 20 years, in terms of volunteering. I've always been a part of, for example, lawyer referrals which give free legal advice into the area that I am.

I was a member of the Knights of Columbus and volunteered there. I've been a part of different organizations, especially when I was an MPP, and on city council, there isn't an organization that you do not get involved in. So volunteering is very important to me. The only service club I'm active in right now is the Rotary Club in Barrie, but other opportunities come up. As you know, once you've been in public service, you almost automatically lean that way to see if you can get involved.

Mr. Will Bouma: I appreciate that. Is there any time left, Chair?

The Chair (Mr. John Vanthof): Eleven seconds.

Mr. Will Bouma: Thank you again for appearing before us and for your lifetime of service. I very much appreciate it, and it's very good to meet you today. Thank you.

Mr. Joseph Tascona: Thank you.

The Chair (Mr. John Vanthof): That concludes the time allocated. Thank you for your time, sir, and you may step down from the Zoom chair.

MR. PAUL STOPCIATI

Review of intended appointment, selected by official opposition party: Paul Stopciati, intended appointee as member, Fire Safety Commission.

The Chair (Mr. John Vanthof): Next we have Paul Stopciati, nominated as a member for the Fire Safety Commission. As you may be aware, sir, 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 that you take in your statement will be deducted from the time allotted to the government.

Welcome, sir, and the floor is yours.

Mr. Paul Stopciati: Thank you very much. Good morning, Mr. Chair and committee members. I would like to thank you for giving me the opportunity to discuss credentials I offer to the Fire Safety Commission. I am always excited to share my accomplishments.

Before I begin, I just want to acknowledge this very special day for my family. It's my mother's 100th birthday.

During the past 15 years, owning a fire safety business enabled me to build relationships with the community, help prevent fires and protect the safety of residents and businesses in my community. It was very important for me to learn the legislation and regulations found in the NFPA standards and the Fire Protection and Prevention Act. I know that my knowledge will benefit my position on the Fire Safety Commission team.

As you can observe from my résumé, I am always involved in my community and chaired many large fundraising activities. One of my major accomplishments was founding the Strokes for Hope Golf Classic, which raised \$300,000 for research in my community for cancer. The many organizations and committees that I was involved in enabled me to meet and interact with many interesting people who had the same goal in life: giving back to their community.

With my experience and knowledge, I wanted to continue these acts of giving back, and 13 months ago, I inquired about serving on the Fire Safety Commission of Ontario. After a vigorous and timely interview process, I am very proud to have followed and completed the requirements: (1) my experience and knowledge or training in the subject matter and legal issues dealt with by the tribunal; (2) aptitude for impartial adjudication; and (3) aptitude for applying adjudicative practices and procedures that may be set out in the tribunal rules.

It is an honour to be considered as a candidate for this prestigious appointment which will educate the public on the importance of fire safety in my community and the province of Ontario.

In January, I was also approached by the Ministry of Health and Long-Term Care, asking me to serve on the Council of the College of Psychologists of Ontario. After reviewing the appointment—it was an honour for me to be considered—I did disclose my application to become a member on the Fire Safety Commission and that my expertise and knowledge was around fire safety. I want to emphasize that the Fire Safety Commission was and remains my first preference.

On April 26, 2020, I was appointed to the council. People who know me know that when I take a position, I give 150%.

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While on the college's council, I was appointed to four committees: the Executive Committee; the ICRC, the Inquiries, Complaints and Reports Committee; the Discipline Committee; and the finance committee. I believe this

appointment has been valuable, as my experience on the ICRC and Discipline Committee provide my valuable background in adjudication, if I get appointed on the Fire Safety Commission. I have a long history of effective time management throughout my career and feel confident in my ability to be effective in both positions.

I would like to thank you, Mr. Chair and committee members, for letting me share my accomplishments. If appointed, I will continue to serve my community and province with the utmost respect. Thank you.

The Chair (Mr. John Vanthof): Thank you very much for your presentation, and congratulations on your mom's birthday.

Mr. Paul Stopciati: Thank you.

The Chair (Mr. John Vanthof): The first round of questions goes to the government. Mr. Pang.

Mr. Billy Pang: Thank you again, Mr. Chair. Through you to Mr. Stopciati, thank you for putting your name forward. I can see your background, experience and passion to serve the community in public safety. As we all know, the function for the Fire Safety Commission is to hear appeals concerning the orders made by the fire marshal or the fire marshal's assistants under the Fire Protection and Prevention Act. What motivated you to apply for this position? Other than what you have said, what other ones have you applied to?

Mr. Paul Stopciati: Well, what really intrigued me about this position is I am very heavily involved in fire safety. Most recently, a friend of mine purchased a retirement home. Basically, there were 30 residents living in there, with a lot of mental illness challenges. His intent was to tear this retirement home down. I said to him, "Listen, it's almost impossible. You have 30 people living in this retirement home, and nowhere to go, with health issues."

I took it upon myself to take over the retirement home—no wages, no salary, nothing—because I felt that these people needed a place to stay. We were getting a lot of feedback from the mayor and from the council: "You can't close it; you can't close it." I said to them, "Listen, give me this challenge. I will make sure that we keep these people safe and sound and that we will hire a good administrator." So he agreed with me.

While there, there was new legislation that came out in regard to sprinkler systems, so I took it upon myself, being a retirement home, to investigate putting in a sprinkler system. Anyway, to give you some information, I guess, these people are very important to me. They're basically family. I don't spend much time there, because I have a very good registered nurse administrator who I hired and who runs the day-to-day operation.

But I really enjoy public safety; I enjoy the fire safety aspect. A very good friend of mine, who is a Superior Court judge—we were having dinner, back then, and he said, "You know what, Paul? Based on your background, you would be a very good adjudicator. You should look into it." And that's what kind of got me going.

Mr. Billy Pang: Thank you, Mr. Chair. I have no further questions.

The Chair (Mr. John Vanthof): Ms. Tangri.

Mrs. Nina Tangri: Welcome, Mr. Stopciati, and a big happy birthday, of course, to your mom.

Mr. Paul Stopciati: Thank you.

Mrs. Nina Tangri: Just going back to April, where you were appointed to the Council of the College of Psychologists of Ontario, can you share with our committee the work that you've been doing there on the council? What have you learned from that, on processes, and how do you believe that that could help you on this commission?

Mr. Paul Stopciati: I guess, as stated in my background—when I was asked to get on the committee, on the appointment for the long-term care, I was very honoured. I guess, taking a look at my background, I had to apply for the Executive Committee and I had to set out certain standards and my background and a résumé, and I was asked on the executive.

But in the Inquiries, Complaints and Reports Committee, it's very, very interesting. I really enjoy it. Yesterday, I spent all day on Zoom going through training on the HPRO. It was very interesting. So I know that this really helps me and brings me forward to the adjudication portion of fire safety.

Mrs. Nina Tangri: Thank you very much. I'll pass it on to my colleague.

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

Mr. Lorne Coe: Thank you, Chair, and through you: Welcome to the committee, sir. You have a really impressive background, as I read the background information provided to us. I would like you, though, to specifically describe your work in the area of fire protection and what skills and experience you bring to the Fire Safety Commission tribunal. Thank you very much.

Mr. Paul Stopciati: Thank you, sir. Well, you know what? That's a very good question because not too long ago I had to settle a safety plan for our building at the retirement home. I set out the whole safety plan, the evacuation plan, and I had it presented to the fire inspector.

About a week later, the fire inspector came over and approached me and he said, "Do you know what, Paul? You did a fantastic job there. Could you help us help other retirement homes build a safety plan for them? Because you really went out of your way to make sure that people were safe in the building."

So, I have a passion for it, and I know that by learning and by expressing my knowledge to the tribunals I would be an excellent asset to the tribunals in the fire safety section.

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

Mr. Rick Nicholls: Mr. Stopciati, thank you very much for being here. Again, when I heard that it was your mother's 100th birthday—she's loaded with memories, and obviously she's passed a lot of her good judgments along to you as well, sir. So congratulations.

One of the things I like to do when I meet with people is to find that common ground. I see that you've been involved with Heart and Stroke, and Strokes for Hope; I assume that was a golf tournament.

Mr. Paul Stopciati: Yes, it was.

Mr. Rick Nicholls: Back in my riding of Chatham-Kent, I also was heavily involved with Heart and Stroke, and it also ran several golf tournaments. So there we have it: We've got common ground there, although your game is probably a lot better than mine, I might add.

But one of the things when we look for individuals to serve is we look for well-rounded individuals. What I mean by that is that it's not just perhaps the educational requirements that you might fill or your work requirements, but that you're giving back to the community, because I think that's very, very important.

What I would like to ask you, because I know you've been very generous with your time and support, volunteering with numerous community organizations and causes, is, could you share with us perhaps some of the other causes that you've been involved with and why you got involved? And what did you learn from them? Those are some key aspects, I think, when it comes to developing a well-rounded individual like yourself.

Mr. Paul Stopciati: I guess in anything that I do, I always put my right foot forward and I do the 150%, as mentioned.

I was involved with an Ontario Provincial Police Auxiliary unit. I took on the task of doing fundraising for them. Also, based on hours, I think in the eight years that I served as an auxiliary constable, I probably had more hours than some of the full-time uniformed members, so I really devoted my time. We always had activities going on. I remember when one of the chief officers retired, I managed to orchestrate a really nice retirement party for them.

I was in the Rotary Club, and I was involved in the Duck Dash, where we raised thousands of dollars. What else? There were NHL hockey games that I put on—I could go on and on. There are so many that actually I'm forgetting a lot of them. But I've done a lot through the community, and I'm very, very proud to do that.

I truly believe that what you receive, you should be giving back. I still do that today. I see people in the retirement home that have nothing. They live day by day with nothing. And I thank God that I can buy them a pair of shoes or a sweater or a jacket and make their life happy also. So I hope, when it comes to the fundraising—I paid my dues in fundraising and I'm very, very proud of it and I'm very excited about it, because I am fortunate. I was brought up very well by my parents. I thought, "Some people are less fortunate. Why not share?" That's what I've been doing.

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Mr. Rick Nicholls: Thank you very much. How much time do we have left, Chair?

The Chair (Mr. John Vanthof): A minute and 20 seconds.

Mr. Rick Nicholls: A minute and 20 seconds. I'll turn it over to MPP Robin Martin.

The Chair (Mr. John Vanthof): Ms. Martin?

Mrs. Robin Martin: Thank you very much, Chair, and thank you, Mr. Stopciati. I imagine that's how you say it.

Mr. Paul Stopciati: That's right. Yes, very good.

Mrs. Robin Martin: And congratulations again for your mother. That's wonderful. You obviously have good genes. We should all be so lucky, to live to 100.

I'm just interested in your experiences, especially your experiences on the importance of fire safety and maybe educating the public—educating people, perhaps, in the retirement home about the importance of fire safety. You said that the inspectors or the people you worked with—maybe the fire marshal, I don't know—loved your plan and wanted you to share that kind of planning. How do you think that has prepared you for this role?

Mr. Paul Stopciati: Very much it has prepared me due to the fact they had to go into the legislation, into the prevention and protection act. The NFPA standards was a key document. It really brought a level of knowledge in regard to the safety and the importance of saving people's lives.

There are a lot of sections like—even while I was waiting to be appointed, I went through the act many, many times, reviewing. Then I also second-guess myself. I sometimes make some decisions that maybe I thought—

The Chair (Mr. John Vanthof): Ms. Stopciati, I hate to do this but we're on a very tough timeline. We'd like to get this done by 10:15. So I'm going to switch it over to the official opposition. My apologies for that.

Ms. Stiles.

Ms. Marit Stiles: We can start with MPP Natyshak.

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

Mr. Taras Natyshak: Yes, there we go.

The Chair (Mr. John Vanthof): Yes, we can hear you, sir.

Mr. Taras Natyshak: Thank you very much, Chair. Welcome, Mr. Stopciati. We extend, on the part of the official opposition, our best wishes to your mom on her 100th birthday. That's so remarkable.

Mr. Paul Stopciati: Thank you.

Mr. Taras Natyshak: We can only hope. I hope you celebrate with her in whatever way you can.

Mr. Stopciati, I'm bound to ask a couple of potentially uncomfortable questions, but I beg your indulgence on them. Sir, have you ever been a candidate for the Progressive Conservative Party of Ontario?

Mr. Paul Stopciati: No, I haven't, sir.

Mr. Taras Natyshak: Have you ever donated to the Progressive Conservative Party of Ontario?

Mr. Paul Stopciati: Yes, I have—to the Ontario.

Mr. Taras Natyshak: How recently? Do you recall that?

Mr. Paul Stopciati: I believe it was a couple of hundred dollars in 2020, and maybe around \$1,000 in 2019.

Mr. Taras Natyshak: And have you ever acted as a member of a riding association in any capacity?

Mr. Paul Stopciati: No, I haven't, sir.

Mr. Taras Natyshak: Did anyone within the Ontario Progressive Conservative Party, either current members, MPPs, ministers or their employees, their staff members, reach out to you to entice you to apply for this position?

Mr. Paul Stopciati: No, they haven't, sir.

Mr. Taras Natyshak: Are you currently a sitting member of the ICRC?

Mr. Paul Stopciati: Yes, I am.

Mr. Taras Natyshak: And you believe you have the time on your hands to be able to balance two agencies?

Mr. Paul Stopciati: Yes, I do, sir. I'm very, very strict on time management. Actually, when [*inaudible*] first came out, I was a senior manager with Nabob Foods at the time.

I've always managed to set my time and I've never had a problem. I'm up at 5 o'clock every morning. I go to the gym for an hour, and then I proceed with my day. Everything fits in very nicely. My wife is happy and my son is happy. Everybody is fine.

Mr. Taras Natyshak: I'm a little bit envious of your time management skills. I wish it was that easy. Sir, are you retired?

Mr. Paul Stopciati: Yes, pretty well semi-retired. My fire service business has been bought. The people have been taking chunks of it. I've been dedicating more time to public service right now.

Mr. Taras Natyshak: So your source of income is through your fire service business?

Mr. Paul Stopciati: Yes.

Mr. Taras Natyshak: And you maintain some ownership of that, of residual shares?

Mr. Paul Stopciati: Yes, I do. Yes.

Mr. Taras Natyshak: If you don't mind: Are you a majority shareholder of that company?

Mr. Paul Stopciati: Yes, I am.

Mr. Taras Natyshak: So undoubtedly you have experience in this realm. What does beg the question is, is there potentially a conflict of interest between your private business ownership and its involvement in fire services, and the regulatory regime under which your business would be governed? Have you talked to anyone about what potential conflicts of interest might exist with you as an appointed member to the Fire Safety Commission?

Mr. Paul Stopciati: Yes, sir. If I get appointed, I will remove myself from my business.

Mr. Taras Natyshak: There's no real obligation for you to do that. So you're saying that absent your involvement, if you were to maintain involvement in your business, you would be in a conflict of interest? Is that what you're alluding to?

Mr. Paul Stopciati: No.

Mr. Taras Natyshak: But just to be safe, you're going to abdicate your role and sell your shares off?

Mr. Paul Stopciati: That's right, yes.

Mr. Taras Natyshak: Is it a family member who has purchased your business?

Mr. Paul Stopciati: No, it's a competition.

Mr. Taras Natyshak: A private company—

Mr. Paul Stopciati: A private company, yes.

Mr. Taras Natyshak: —is now a minority shareholder in your business?

Mr. Paul Stopciati: Yes.

Mr. Taras Natyshak: Okay. Well, that does raise a couple of red flags, unfortunately, Mr. Stopciati. It's our

responsibility as members of this Legislature and of this committee to identify any potential red flags, because, frankly, the safety of Ontarians is at risk here. We have to ensure that the motivations of every member of this agency—I do not doubt that your intentions are good and pure, given your background, but you have to understand that it's important for us to identify where potential conflicts of interest lie.

I would say that at this very moment, your involvement and your ownership of a company that may benefit from a change of the regulation, in one way or another that is unseen or unforeseen, puts you in a potential conflict of interest. I would urge you to contact legislative officials. We will do our due diligence on our side to make sure that there isn't. We hope that there isn't, but I would urge you to do the same on your side, either speaking with legal representation or someone else, because there's too much at risk. I'm sure you can understand that.

Mr. Paul Stopciati: Sir, I don't think that there's any conflict of interest. The fire service that I provide is basically the hood and duct cleaning of establishments, whether it's government buildings or restaurants. It's basically the overhead grease hoods. What we do is we clean and maintain them and make sure that they're safe for the public.

Mr. Taras Natyshak: Yes, I understand that, and I understand it's an important job and an important component of fire safety, although you are governed by the regulations that you will now potentially be a sitting member of—in my opinion, that puts you clearly in conflict of interest. I wish it weren't so, but I would urge you to, again—don't take my word on it—get a legal opinion on it.

It may be that we ask the Clerk of our committee to do so for us on our behalf, because I know my colleagues on the government side would not want to endanger the integrity of the Fire Safety Commission—nor your reputation, sir—to put you in a place where your motivations might be in question whether they are pure or not. Those are just the hard questions that we have to ask in this committee, and I'm sure you can understand that.

I'll leave it at that, and I'll pass any remainder of the time to my colleague Ms. Stiles.

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

Ms. Marit Stiles: Thank you so much for appearing here today, Mr. Stopciati. As my colleague said, happy birthday to your mom. That's quite extraordinary.

Mr. Paul Stopciati: Thank you very much.

Ms. Marit Stiles: My colleague has asked most of the questions I had had as well. I did want to go back a little bit to some of your—thank you very much for being so open and transparent about your political contributions. Have you ever attended any Progressive Conservative Party of Ontario or other political conventions?

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Mr. Paul Stopciati: Yes, I have. I attended the Premier's dinner in Toronto.

Ms. Marit Stiles: Okay. And when was that?

Mr. Paul Stopciati: It was last year.

Ms. Marit Stiles: In 2019?

Mr. Paul Stopciati: Yes.

Ms. Marit Stiles: Okay, thank you for that. But you mentioned earlier that at those Conservative events nothing was discussed with regard to potential appointments?

Interjection.

Ms. Marit Stiles: Okay. You're shaking your head, so I assume—you might want to just say yes or no into the record.

Mr. Paul Stopciati: No.

Ms. Marit Stiles: Okay. I had another question, because I really did find it interesting, your comments about your work in the retirement residence, but I just wanted to make sure I was clear. Do you own the retirement residence? It says you're a general manager in the application, but I just want to make sure that we understand, because you do have a lot of responsibilities, if you are appointed to this agency and then you have the other agency. I do appreciate you do sound like you're a very organized individual, but I just wanted to make sure that I understood a little bit more about that background as well.

Mr. Paul Stopciati: No, I do not own it, and I don't really spend that much time in it. As I mentioned earlier, I probably attend the premises for maybe a half an hour a day just to make sure that everything is going fine, but I will be removing myself because I do have an excellent administrator who is a registered nurse, and we have PSWs looking after the operation and we are making a profit. When we took it over, there were basically people dying in the entrance and the place was going down, and I made sure I cleaned that all up and did the best I could to have a happy place for these people to live. So I will be removing myself from that position.

Ms. Marit Stiles: And that is a volunteer position, is it?

Mr. Paul Stopciati: Yes, it is. I was just helping a friend, yes.

Ms. Marit Stiles: It's not so much a question: I do want to just reiterate some of my colleague Mr. Natyshak's concerns, which I also noted, that you have this—and I appreciate you explaining a little bit more about the nature of the business you run, your fire protection service business, because that did jump out at me as well as a potential for conflict of interest. I'm wondering if you've sought any additional legal advice, perhaps, on that issue of the conflict.

Mr. Paul Stopciati: Yes, I have. I'm not really involved with the day-to-day operation. Basically—

The Chair (Mr. John Vanthof): We have a point of order, Mr. Stopciati. Mrs. Martin.

Mrs. Robin Martin: I'm sorry to interrupt, Chair, but already Mr. Natyshak was going on about this. I believe that Tribunals Ontario reviews these appointments and that any conflict of interest would have been considered through that process in the interview and in addressing any conflicts. I don't know that it's relevant to bring it up here. Obviously, Mr. Stopciati has already discussed any potential conflict with Tribunals Ontario, which is an

independent organization, and they felt that it was not a conflict, otherwise he wouldn't be in the seat.

The Chair (Mr. John Vanthof): Thank you for your point of order, but this is a questioning session, and the members, as long as it's relevant to the position, should be able to ask the question.

Ms. Marit Stiles: Thank you, Mr. Chair. I would simply add that that is absolutely our role, I would say, Mrs. Martin. It is absolutely our role to ask those questions. They are the critical questions and it's the critical role of all of us as members of this committee. I would assume, and I wouldn't be surprised if members of the government had raised those questions, because I know it jumped out at me when I reviewed the materials yesterday, and I also believe that Mr. Stopciati doesn't want to be put in that position either, I'm sure, 100%. It is absolutely our responsibility, and I'm sure Mr. Stopciati appreciates that.

Sorry, Mr. Stopciati, you were interrupted there by Mrs. Martin. Do you want to continue what you were saying?

Mr. Paul Stopciati: Yes, I did get some legal advice, and I don't speak to the fire department daily or with the

fire marshal's office. I haven't in the last 15 years, other than doing a service for the community, and I'm helping to prevent fires, and there's no need to have any interaction with the fire marshal's office or the authority having jurisdiction, which is the local fire department.

Ms. Marit Stiles: Right. Hopefully, there is no conflict, but I do think Mr. Natyshak is right, that there does appear to be some question around that. The fact that some of the things that you would be doing as a member of this agency are confirming or potentially amending or rescinding inspection orders, or ordering a review of an order of the fire marshal, authoring an inspector to have the work required under an order completed—

The Chair (Mr. John Vanthof): Excuse me, Ms. Stiles. The time is 10:15, and this committee cannot operate past 10:15.

I thank you, Mr. Stopciati.

Next week, first thing on our agenda, we will vote on the two concurrences.

Thank you for your time at the committee. Adjourned.

The committee adjourned at 1015.

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Chair / Président

Mr. John Vanthof (Timiskaming–Cochrane ND)

Vice-Chair / Vice-Président

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Mr. Will Bouma (Brantford–Brant PC)

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