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(Hansard)**

A-36

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(Hansard)**

A-36

**Standing Committee on
Government Agencies**

Intended appointments

1st Session
42nd Parliament

Tuesday 1 December 2020

**Comité permanent des
organismes gouvernementaux**

Nominations prévues

1^{re} session
42^e législature

Mardi 1^{er} décembre 2020

Chair: John Vanthof
Clerk: Julia Douglas

Président : 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 1 December 2020

Mardi 1^{er} décembre 2020

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

The Chair (Mr. John Vanthof): Good morning, everyone. Now that my mike is on, 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 Tangri.

Before I continue, I'd just like to recognize a couple of members so they can identify that they are indeed the member and in Ontario. I'll start with MPP Stiles.

Ms. Marit Stiles: Hi. It's MPP Stiles here. I'm in my office at Queen's Park.

The Chair (Mr. John Vanthof): Thank you. MPP Coe?

Interjection.

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

Mr. Lorne Coe: Good morning, Chair. I'm in my office at Queen's Park.

The Chair (Mr. John Vanthof): Thank you. MPP Nicholls?

Mr. Rick Nicholls: Good morning, Chair. It is Rick Nicholls, and I am here in my office at Queen's Park.

The Chair (Mr. John Vanthof): Thank you. We have the following members participating remotely, and I'll just go by the screen: MPP Miller, MPP Pang, MPP Stiles, MPP Coe, MPP Nicholls and MPP Natyshak.

Interjection.

The Chair (Mr. John Vanthof): Did I miss someone? MPP Bouma? I don't see him—oh, there you are. 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 REPORT

The Chair (Mr. John Vanthof): Our first item of business is the subcommittee report dated November 26, 2020. We have all seen the report in advance, so could I please have a motion? MPP Tangri.

Failure of sound system.

Mr. Rick Nicholls: Chair, do we have anyone from our side sitting there?

The Chair (Mr. John Vanthof): Yes, you do. We're having some mike issues.

Mr. Rick Nicholls: Oh. All right. Thank you.

The Chair (Mr. John Vanthof): Thank you, MPP Nicholls.

Mrs. Nina Tangri: There we go. Thank you, Chair. I move adoption of the subcommittee report on intended appointments dated Thursday, November 26, 2020, on the order-in-council certificates dated November 20, 2020.

The Chair (Mr. John Vanthof): Is there any further discussion? Seeing none, I will call a vote. All those in favour? Opposed? That is carried.

INTENDED APPOINTMENTS

MS. NATALKA FALCOMER

Review of intended appointment, selected by official opposition party: Natalka Falcomer, intended appointee as member, Ontario Trillium Foundation board of directors.

The Chair (Mr. John Vanthof): Next on the agenda is review of intended appointments. We will now move to our review of intended appointments. First, we have Natalka Falcomer, nominated as member of the Ontario Trillium Foundation board of directors. Welcome.

Ms. Natalka Falcomer: Thank you.

The Chair (Mr. John Vanthof): 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.

Once again, welcome, and the floor is yours.

Ms. Natalka Falcomer: Thank you. I would like to put forward a brief statement. I believe that you all have a package outlining the "who" and "what" about me, so I'll be brief about who I am, and I'll get to the "why," because, as I understand, that is not only really important but why we're all here.

Briefly, I'm a lawyer. I straddle both Bay Street and main street. I worked at Parkdale Community Legal Services, and I actually also produced and co-hosted a

legal call-in show in Toronto with a goal of democratizing access to justice and access to legal information. I have volunteered for numerous organizations, mostly in the real estate space. In my current executive role, I've helped raise awareness of various shelter foundations, and during COVID-19, I've also worked with a lot of other different organizations to truly improve a very difficult situation for many of us.

You also may know, because it may be in the package in front of you, if you had a chance to review it, I most recently served on Minister Thompson's job recovery task force, which is why I'm actually here today.

I'm leaving out a bunch, but again, we're not here to hear me recite my CV, so I would love to just bring us to my "why," if I may proceed?

The Chair (Mr. John Vanthof): Go ahead.

Ms. Natalka Falcomer: Thank you.

We're only beginning to understand the destructive nature of COVID-19 and the way this pandemic will transform how we work and live together. Right now, virtually, half of us are in our homes while the other half are in the Legislature. However, what we do understand today is that we need people who have demonstrated discretion, knowledge and integrity throughout their career to come to the table and to help.

During this time of uncertainty and difficulty, I've already been playing a very small role in combatting the very big obstacles faced by front-line workers, business owners, renters and homeowners. In fact, such involvement and passion for finding solutions to hard problems has been consistent throughout my life, and it is what brings me here today.

During my most recent volunteer work on the job recovery task force that I just mentioned, I bore witness to the havoc that was wreaked on our neighbours. I also bore witness to the resilience and the power an advocate can have to protect our most vulnerable, to lessen the blow of an economic recession and to breathe life back into our communities and economy. This experience, along with this seemingly never-ending pandemic, made me realize that help will continue to be needed long after hugs and handshakes are no longer on hold.

I would like to emphasize that we are in uncertain times today, but the values I've held throughout my career—discretion, knowledge and integrity—remain unchanged. With these values in mind, along with my first-hand experience finding solutions to tough problems, it's why I believe that the Ontario Trillium Foundation, and working with them, is needed more than ever to empower the very organizations that, if given the opportunity, will save communities, will save businesses and, most importantly, will save lives. Thank you very much.

The Chair (Mr. John Vanthof): Thank you. Before we start the questioning from the government, MPP Cuzzetto, could you identify that you are the member and that you are in Ontario?

Mr. Rudy Cuzzetto: Yes, I am MPP Rudy Cuzzetto and I'm here at Queen's Park.

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

The questioning will start with the government. Ms. Tangri?

Mrs. Nina Tangri: Good morning, Ms. Falcomer. Thank you for joining us. Ms. Falcomer, thank you for your opening remarks. That certainly helps frame your qualifications. Can you share with us, with the committee, why you believe you are well suited to meet the expectations of the Ontario Trillium Foundation?

0910

Ms. Natalka Falcomer: Certainly. I have the hard skills that come with being a lawyer, so that lens is quite useful when it comes to understanding the setbacks that those organizations that are applying for grants will be faced with. There certainly is that hard-skill component.

But I believe it is the soft skills that are actually more valuable. Here are a couple of examples: In my current role, I work with a brokerage. I am entrenched in various communities outside of Toronto. Being a part of those communities, volunteering with them, actually raising funds for various organizations within those smaller communities, you get to really have that lens, that broader lens, as to what is important for those communities, which is quite different for Toronto versus Hamilton versus Barrie and so on and so forth. It is that broader lens along with the fact that I've been on various committees and various organizations—so I understand the process of being part of a foundation and the need for higher ethics in order for everyone to be held accountable. It's one of the reasons why I believe I would be valuable to the Ontario Trillium Foundation.

Mrs. Nina Tangri: Thank you, Ms. Falcomer. I'll pass it on to MPP Pang.

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

Mr. Billy Pang: Ms. Falcomer, your résumé is quite impressive. You walked through your career path that took you from being a manager to an executive VP. Can you highlight decision points in your career that helped you grow and how you might apply those lessons learned to the Trillium Foundation?

Ms. Natalka Falcomer: Certainly. I was thinking long and hard about this, and I believe that the trajectory of my career has not been so much laser-focused and decision-driven, but rather on luck, but luck defined differently than how we both understand it or how most people understand it. I define luck as preparation meeting opportunity along with something else, and that is good mentorship.

My career has been a product of working hard, finding opportunities and seeking those that know more than I do in order to make good decisions. Why is that important? That is important because the very organizations that would be applying to the Ontario Trillium Foundation—and as I understand, there are some hard metrics to see that they're actually progressing, that the government and the grants that are provided are actually providing real outcomes. It requires that. It requires people that not only have preparation, but also the ability to provide the

coaching and the support to those organizations for them to be able to meet those particular metrics. Thank you.

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

Mr. Will Bouma: Thank you, Chair. Through you: Thank you, Ms. Falcomer, for joining us today. It continually strikes me, as we sit through these hearings, the deep pool of talent of people who are willing to take time out of their busy, busy lives in order to volunteer for the people of Ontario. Thank you for being here, because your résumé speaks for itself.

My understanding is that as part of the screening process, you were interviewed by a senior executive from the Ontario Trillium Foundation. I was wondering if you'd be able to share with us some of the things that were talked about and just where the direction of that conversation went.

Ms. Natalka Falcomer: Certainly. I look back at my notes, as us lawyers do, and I believe it occurred on September 17 at 3 p.m., if memory serves me well. The conversation actually focused on the nature of the goals and the values of the Ontario Trillium Foundation. Different committees as well were discussed at quite some length. The variety of opportunities to work and volunteer on the foundation were a part of that conversation.

We also discussed timing, as well as responsibilities and time commitments. My memory is a bit hazy on exactly which committees were discussed in greater detail, but certainly, from that lens, getting familiar with the value systems of the foundation, the programs that are available, the grants that are available and so on is what we discussed.

Mr. Will Bouma: Thank you. I'll turn it over to my colleagues. I appreciate you being here.

Ms. Natalka Falcomer: Thank you.

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

Mr. Norman Miller: First of all, thank you for volunteering. I know that, as you mentioned, you're a VP at Chestnut Park, and it's a well-recognized brokerage, but I'm more interested in hearing about Groundworks, which I believe you started. Can you share with the committee how the goals of Groundworks and the Trillium Foundation might be somewhat aligned?

Ms. Natalka Falcomer: Certainly, and thank you for the question. Groundworks is a simplified legal service, a legal platform that's very specifically for small businesses. Commercial tenants are predominantly what I focus on as a result of that's where the backbone of our economy happens to be. It's small business owners. It's not the big guys.

The origins of Groundworks actually stem from Parkdale Community Legal Services. It's where I discovered this one thing: The very poor, which is \$30,000 or less, if memory serves me well—this is going back a couple of years, more than a couple—were able to access legal aid. That is a very small population. Think about it: \$30,000 for a household. That means each person would be making \$15,000, and let's say they have children. That's when they qualify for legal aid. But there's a huge gap in the middle that cannot afford or get access to legal

information. Forget access to justice. That's a whole other—I can't promise justice, but I can at least promise information.

The idea behind Groundworks is quite simple, and actually, that's why I started Toronto Speaks: Legal Advice, which is a legal call-in show. The whole middle section needs access to reasonably priced, easily translatable, easily digestible legal information. So what I wanted to do was have a big impact by delivering a legal service that's not billable by hours—we have flat rates etc.—and it's translated into what you actually need. It's geared towards supporting the small business owners.

Why is that important and how does that align with the Ontario Trillium Foundation? It's quite clear to me. The Ontario Trillium Foundation has several buckets in which they invest: lifestyle, active communities and so on. The reality is that these different buckets serve our small communities similar to how Groundworks aims to serve the smaller community member, not the big box, not the big guys, but rather the smaller people that make up those communities, because as the Ontario Trillium Foundation recognizes and as I recognize, it is the little initiatives, it's the small ones that really have a larger cumulative impact.

Mr. Norman Miller: Thank you for that. I'll pass it on to MPP Nicholls.

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

Mr. Rick Nicholls: Good morning, Ms. Falcomer. Thanks for being with us this morning. I can tell that from your answers you're a cut-to-the-chase person. I love it.

You talked about the soft skills. I used to teach a lot of soft skills training back prior to politics and I used to say that the soft skills are in fact the hardest skills to learn. I'm sure you would agree with me with that.

You also talked about luck. Of course, I have a saying that luck favours the prepared mind. And you're very prepared this morning, so thank you for that as well. Can you just speak to perhaps some of the other volunteer experiences that you've had throughout your career and what these experiences will bring to the Trillium Foundation?

Ms. Natalka Falcomer: Absolutely. I'll laser into something that I've been doing for about seven or so years. I was at first a provincial member and now I'm a national board member of the Real Estate Institute of Canada. The relevance is as follows: The Real Estate Institute of Canada recognizes that there are various professions within the real estate umbrella that don't have strong guidelines and don't have strong metrics to determine how the public is being served properly. For example, property managers etc., there aren't really strong regulatory systems around that. This institute came into place—it's been around for, oh my gosh, I would say 60 years or so, if not more, with the goal of creating ethics, standards and regulation around the various professions that fall underneath the real estate umbrella.

I have been serving on the national committee for well over a year now. The reason why that's been relevant and I would say most applicable to the Ontario Trillium Foundation is that (1) I've been trained to be a board

member, so I've actually received that formal training; and then (2) I've worked with an organization that emphasizes ethics, transparency and impact. So I also understand what it is to work on a board that is a non-profit board aiming for large goals; the mechanics of that, of course; and the soft skills, as you mentioned, MPP Nicholls, with respect to actually being able to navigate the various opinions on how to get to that particular goal and those aims.

0920

Mr. Rick Nicholls: Well, that's quite the response, and we really appreciate that. It helps us to get to know you even better and hopefully recommend you to be part of this, of the Trillium Foundation.

How much time do we have left, Chair?

The Chair (Mr. John Vanthof): Forty-five seconds.

Mr. Rick Nicholls: Forty-five seconds. Well, then, being an efficient individual, we will not ask any further questions and we will turn it over to the official opposition.

Ms. Natalka Falcomer: Thank you so much.

Mr. Rick Nicholls: Thank you.

The Chair (Mr. John Vanthof): The next round of questioning will indeed come from the official opposition. Ms. Stiles.

Ms. Marit Stiles: Thank you, Ms. Falcomer, for joining us this morning. I don't know where you're located, but it's a snowy day here in Toronto.

We have had a number of appointments over the last two years by this government that have been quite partisan in nature, and so part of this process—as you can imagine, I'm sure—is that we do have to provide as much transparency and accountability as possible. So certainly in my role as one of the members of the official opposition, I have some questions that we ask everybody who appears here. I hope you will understand. We're trying to also just shed some light, and also just encourage the government to, as much as possible, pick really great candidates and not make any of those decisions based on partisan connections.

Obviously, you sound very keen and well prepared for this meeting, so thank you very much for that. First of all, let's start with: Did anybody ask you to apply for this position, and if so, who?

Interjection.

Ms. Marit Stiles: I think she's muted; somebody has to unmute her.

Ms. Natalka Falcomer: Perfect. There you go. You don't want to hear my response?

The Chair (Mr. John Vanthof): Apologies.

Ms. Natalka Falcomer: No, I totally appreciate and completely appreciate the process, MPP Stiles, so no offence ever taken. I understand, and I also am an advocate to make sure that processes are done properly.

How this all came about: I actually applied on—I have the website up right now—the Public Appointments Secretariat. I filled in the profile because after I worked on the job recovery task force, I was enamoured, absolutely enamoured, with how important it is to have advocates for the public on these various organizations.

As a result of that, Tim Hudak was the person—he's the president of OREA—who appointed me to that or suggested I be on that committee. I reached out to him and said, "Okay, how can I get involved? There was a mention about getting involved. What can I do?" He said, "Well, the only thing that you can really do is actually go on to the website. You have to create a profile," and that became it.

So I did that, and then I also checked off quite a few opportunities that were present, so I expressed interest in the Trillium Foundation. That was one of them. Then, following that, around August 7—I believe it was August 7—I got an email from Michael Sparling with respect to the opportunity, and then it started the whole process.

Ms. Marit Stiles: I believe that you mentioned, and it's not unusual for people to apply for a number of different options—

Ms. Natalka Falcomer: I did, yes.

Ms. Marit Stiles: Were you contacted about any of the other ones as well, or is this the only one you got?

Ms. Natalka Falcomer: No, I was, and this one actually trumped the other opportunity with the licensing tribunal. I just felt that the Ontario Trillium Foundation was much more in line with the goals that I have, as well as my experience with the job recovery task force. It just made more sense.

Ms. Marit Stiles: Thank you. Can you confirm, then: Tim Hudak, who is not the leader of the Conservative Party anymore and is working with OREA—

Ms. Natalka Falcomer: Yes.

Ms. Marit Stiles: It was his idea, and he got you involved you in the committee, as well, with Minister Thompson. Is that right?

Ms. Natalka Falcomer: Correct, because I was a public speaker at OREA during their conferences, and that's how we connected.

Ms. Marit Stiles: And you've donated in the past to the Conservative Party, the provincial party. Is that correct?

Ms. Natalka Falcomer: Correct, as well as the Liberal Party. I want everywhere.

Ms. Marit Stiles: Okay. And that was in 2019, I'm aware, but were there other years when you donated as well?

Ms. Natalka Falcomer: Give me a moment. I don't want to answer incorrectly or untruthfully.

Ms. Marit Stiles: I'll be impressed if you can remember every single one, I can tell you.

Ms. Natalka Falcomer: There may have been two. I only distinctly recall one, and that's when I represented Chestnut Park at the [inaudible] dinner. There could have been two, though, so I don't want to say there was only one, strictly. Prior to that, I donated to Yvan Baker's campaign as well.

Ms. Marit Stiles: Okay. And are you currently or have you ever been a member of the Progressive Conservative Party of Ontario?

Ms. Natalka Falcomer: No.

Ms. Marit Stiles: You mentioned you have worked with Tim Hudak. Was that simply in his capacity at OREA, or was it—

Ms. Natalka Falcomer: Oh yes. In fact, I haven't worked directly with him. I was one of the speakers at the OREA REALITY events. I do a lot of public speaking on the topics of law, negotiations and so on. I believe I spoke on negotiations at the OREA conference.

Ms. Marit Stiles: I just have one other final question. Obviously, the Trillium Foundation supports so many organizations in my community and in communities across, as you mentioned previously. I apologize if you mentioned this and I missed it, but have you ever been involved with any organizations that applied for Trillium Foundation funding?

Ms. Natalka Falcomer: No, not that I'm aware of. I may have raised funds for some of them, but not that I'm aware of.

Ms. Marit Stiles: Okay. I appreciate that. I'm going to see if my colleague MPP Natyshak has any questions.

Ms. Natalka Falcomer: Thank you so much, MPP Stiles.

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

Mr. Taras Natyshak: Thanks so much, Ms. Falcomer, for appearing before us, virtually as it is. It's great to hear your passion for this new position, and we certainly appreciate you taking the time to be with us.

I don't know if you're aware that the government took a good chunk out of the Ontario Trillium Foundation budget in the 2019 budget document. It went from, I believe, \$115 million as a pool of funding down to about \$100 million. Do you have any thoughts on what that type of cut does and what type of message it sends to those organizations that rely on this funding, some organizations as base funding, to deliver some of the important services that you had mentioned in your opening discourse there? What type of message does that send, especially now, given that the need is greater than it ever has been? How will you navigate that as a member of that board?

Ms. Natalka Falcomer: MPP Natyshak, great question. I believe it's \$108 million where the funding stands at this time. COVID-19 truly has made finding solutions and addressing all of the various concerns extremely difficult. I found this to be the case on the job recovery task force. I had the responsibility of simply focusing on one area, real estate in the commercial and residential sector, and how COVID-19 is impacting it and how the various funding from the provincial as well as from the national level was or was not getting to the right hands etc.

My comment to that is just this: Everyone has to be making sacrifices right now. It is an exceptionally difficult time, and we must sprinkle dollars across all sectors. While it is unfortunate that that means taking from here and putting it here, what I do see and what I am hopeful about is that everyone is working together to get to a solution. I find that to be especially true in the commercial real estate world, where landlords and tenants literally—literally—had to ignore the very contracts, the binding agreements they agreed to, in favour of making sacrifices to get through this together. That's what I would respond with.

The Chair (Mr. John Vanthof): Mr. Natyshak? You're on mute.

Mr. Taras Natyshak: Thanks so much, Ms. Falcomer. You mentioned that everyone has to make some sacrifices and that we have to sprinkle that support around. I'm wondering if you might be inclined to support a change in mandate for the Trillium Foundation to identify those organizations that service the most vulnerable first, those who are in anti-poverty initiatives or support for folks with disabilities, rather than just, as you mentioned, sprinkling a little bit everywhere, and try to find where the greatest impact might be. What would your thoughts be on that type of a change in direction, given the challenges of COVID?

0930

Ms. Natalka Falcomer: A couple of things: Being on that job recovery task force, what I was stunned by is how everybody was impacted—nobody wasn't. For example, we had members of the breweries, restaurants etc., and I was stunned as to the complexity that they faced in solving those problems.

With respect to your question, would I support a change in mandate or a change in focus? I believe that I need to further educate myself before making any sort of comment on that. The reason being is because I know and I appreciate that I don't understand the complexities of how the various components in our communities fit together. What I would like to bring to the table, and to any motion that would be put forward, would be a considered and thoughtful approach as opposed to just speaking just to speak on the point. But while I do believe that your question is a very good one, I would have to educate myself a lot more and really understand where we have the gaps and where filling some gaps will have the largest impact. Thank you.

The Chair (Mr. John Vanthof): No further questions from the opposition? Thank you. That concludes our questioning.

Thank you very much for appearing before the committee, Ms. Falcomer. You're welcome to stay on for the rest of the meeting, and have a great day.

Ms. Natalka Falcomer: Wonderful. While I would love to continue to join you all, I have some people to yell at and fingers to point for work. It has been an absolute honour. I really do appreciate everybody's questions. I'm very impressed with not only the questioning, but also the consideration that everybody has given to me today. Thank you again. I do hope to hear from you. If there are any further questions, I believe my contact information has been provided to everyone.

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

Ms. Natalka Falcomer: Have a wonderful day. Stay safe; stay warm. Bye now.

MR. PETER BISHOP

Review of intended appointment, selected by government party: Peter Bishop, intended appointee as member, Social Benefits Tribunal.

The Chair (Mr. John Vanthof): Next, we have Peter Bishop, nominated as a member of the Social Benefits Tribunal. Welcome. 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.

Once again, welcome, sir, and the floor is yours.

Mr. Peter Bishop: Thank you very much. Good morning, Mr. Chair and committee members. Thank you for inviting me to be interviewed to be a member of the Social Benefits Tribunal. I am pleased to sit before this committee and offer my many years of experience as counsel and judge. As evidenced, I have the necessary skills and attributes to render fair and impartial decisions if appointed to this tribunal.

Throughout my career, it has been my responsibility to render decisions in difficult family, criminal, youth and child protection cases. I also understand my duty and responsibility to apply legislation and case law in a fair, impartial and respectful manner.

I completed my high school education in Kingston and graduated in 1971 from Queen's University with an honours bachelor of science degree in physical geography and a minor in geology. I worked in Schefferville, Quebec, for two full seasons as a surveyor in the development and exploration section. It gave me valuable work experience.

The following year, I completed a bachelor of education degree at Queen's. I accepted a teaching position at Red Lake District High School. I taught geography, earth science and geology. I had a very positive teaching experience and won two national teaching awards in 1972 and 1977. I also wrote some curriculum for the Ministry of Education.

While in Red Lake, I met my first wife, Glenda, who enrolled in Queen's law, and I followed her into the law program the following year. We returned to Red Lake in 1982 and opened our general practice. I was the barrister and Glenda was the solicitor. My practice included family law, criminal, youth and child protection, and civil litigation. We became intimately involved in the issues that impacted the well-being of our northern community, including Indigenous relations, resource management and the challenges and opportunities of a resource-based economy. As counsel, I've conducted two public inquiries under the Police Services Act dealing with the conduct of different police officers.

We practised together for 12 years until 1994, at which time I was appointed to the Ontario Court (Provincial Division), now the Ontario Court of Justice. My base court was in Dryden, and I had five remote fly-in communities: Weagamow, Kitchenuhmaykoosib Inninuwug, Mishkeegogamang, Wapekeka and Kasabonika. My regular circuit also included five drive-through courts: Dryden, Sioux Lookout, Ignace, Lac Seul and Red Lake.

Promoting awareness and understanding of northern and Indigenous issues has always been a priority for me. I

produced two education videos. The first one was Northern Justice: The Cold Hard Facts, and 10 years later, A Kinder Gentler Northern Justice, both of which have been widely distributed and used in the orientation of the Ontario Provincial Police, justices of the peace, judges, at Queen's University, at least one community college, and other places I visited where I would take a DVD with me.

I was appointed as the northwest regional senior judge and served 1998 to 2004 in that role as the Chief Justice's representative in the northwest region, responsible for managing the region, including scheduling, approval of expenses, education programs and general administrative duties dealing with staff.

In 2006, my spouse passed away and the shared responsibility of raising our two daughters became my sole responsibility. I continued on in that practice and in my presiding as a judge and we continued to reside in Red Lake. I eventually remarried in 2012 and we continue to reside here. I retired as a full-fledged judge in 2017 and took on per diem status, which I continue to do to this day.

I served as a governor on the Confederation College board of governors from 2014 to 2020. I was a member of the governor's committee. I was appointed to the board of the Thunder Bay Regional Health Research Institute in June of this year.

I view being a member of this tribunal as a continuation of my public service, adjudicating cases, deciding issues in a respectful and inclusive way. Many self-represented individuals have appeared before me over the years and I am sensitive to their special needs. I've been well received by Indigenous communities and I'm confident I would bring this experience and knowledge to the adjudicative process of this tribunal. If appointed, I look forward to serving the people of the province of Ontario to the best of my ability, education and experience. Thank you.

The Chair (Mr. John Vanthof): Thank you very much, Mr. Bishop, for your statement. We will start with questions from the official opposition. Mr. Natyshak.

Mr. Taras Natyshak: Thank you so much, Mr. Bishop, for appearing before us this morning. We certainly appreciate you giving us an opportunity to ask a couple of questions. My first question to you is, how do we as members of this committee refer to you as your professional designation? Do we refer to you as Justice Bishop, Judge Bishop? I want to make sure I get it right.

Mr. Peter Bishop: Not in this capacity. I don't appear as a judge; I appear as a member of the public. Peter Bishop or Peter is fine, whatever. Many Indigenous people just call me Bishop. That gets confused with the Catholic church, but that's okay.

Mr. Taras Natyshak: Well, that would be interesting if that was your chosen profession. I appreciate you appearing before us, sir.

I don't know if you're aware of the history of this committee. I certainly know that you're aware of the need and the rationale of this committee. It is for members of the Legislature to vet intended appointees to the various agencies, boards and committees that we have throughout the province. It's an important job. It's one that many

people don't really realize happens on a weekly basis or even throughout the process. But it's one that we've recognized since the new government took over that is fraught with potential conflicts of interest and also, unfortunately, partisan appointments. That's unfortunately what myself and my colleagues in the opposition have found: that, by and large, the vast majority of the members that appear before this committee—and unfortunately we don't get to see a whole lot of members that are appointed, but we've been able to, unfortunately, identify some link, either as partisan connections to the government as partisan Conservatives, either federally or provincially, or former candidates. A lot of times, we're finding people who have donated to the Conservative Party of Ontario.

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It's just one link that has to raise some alarms for us, because we want to see a balance in the makeup of all of the agencies and boards within the province. We want to see people from all walks of life. It's not to say that if you voted Conservative or you were a Conservative or are or donated, that disqualifies you at all. That's not at all what we're saying. What we're saying is, there are lots of folks in the province that we think can play a role here, and we don't see that balance.

That being said, Mr. Bishop, I have to ask you these questions. They're pro forma; they're something we do right off the top. And so, sir, have you yourself ever been a member of the Conservative Party of Ontario or the federal Conservative Party?

Mr. Peter Bishop: No, I have not.

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

Mr. Peter Bishop: No, I have not.

Mr. Taras Natyshak: Have you ever worked as a member of an election campaign or a riding association or held any executive position within a riding association?

Mr. Peter Bishop: No, never.

Mr. Taras Natyshak: And did anyone within the current government, the Premier's office, any ministerial staff or ministers themselves, reach out to you to apply for this position?

Mr. Peter Bishop: No, they didn't. I did it on my own volition.

Mr. Taras Natyshak: I appreciate your candid responses there. I'll tell you, it is very refreshing to hear you answer in the negative to all of those questions, because it's very rare for us as committee members to see someone who not only doesn't have a partisan affiliation but also is qualified to hold this position, and undoubtedly you are.

I'm going to give some time on the clock to my colleague the member for Davenport to get into a little bit of your background in working in the north and some of your experience in working with First Nations. But I really wish you well, and I thank you so much for taking the time to appear before us at committee.

Mr. Peter Bishop: Thank you very much.

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

Ms. Marit Stiles: Thank you very much for joining us this morning. It's a pleasure to see you. I wasn't clear—I'm sorry; I apologize, but I wasn't really sure where you were joining us from. Do you mind me asking?

Mr. Peter Bishop: No, I don't mind. I'm in beautiful downtown Cochenour, which is part of the municipality of Red Lake. It's minus 12 degrees and starting to freeze on the lake.

Ms. Marit Stiles: I have been to Red Lake, many years ago. It was incredibly beautiful. I'm very fortunate. We have a sprinkling of snow here in Toronto and everybody is panicking. I'm sure you have no sympathy for that at all.

I just have a couple of quick questions around the tribunal itself, actually, because we have seen both an increase in the number of applications received by the tribunal over the last few years, but also a processing of fewer and fewer appeals. I assume there are many reasons for this. Some of this, I think we're looking at some cuts by the government which have resulted to some extent in some of these delays. The Ontario Ombudsman, back in the 2019-20 report, noted that the Social Benefits Tribunal delays were a very common topic of complaint to his office. This is not surprising. Certainly we hear this as well, and I think all the MPPs, I'm sure, hear the same. I wondered if you have any thoughts on how the tribunal will be able to deal with this issue going forward.

Mr. Peter Bishop: I think the way to deal with that is to have members who decide in a timely manner—and I've always tried to give a decision within 30 days. I always try and give the hardest decision first, get that out of the way before—the easy ones will take care of themselves [*inaudible*] needed attention. The members that I sit with hopefully have the same modus operandi.

Ms. Marit Stiles: I think that concerns have certainly been raised as well over the last year about the fact that the delay in filling some of these vacancies was an issue, but also that a lot of the appointments in the past have been kind of short and inconsistent, and that there was maybe a little bit too much government control over appointments. I know that's why we ask the questions my colleague Mr. Natyshak asked. The reason why we ask those questions is because we're trying to deal with some of that partisanship, that I can oversee some of these appointment processes.

I really do appreciate your experience, your obvious non-partisanship and professionalism. Hopefully this bodes well going forward in terms of the nature of the reappointment process that's taking place around the tribunal. So hopefully the government has heard some of those concerns and complaints.

I wondered if you wouldn't mind telling me a little bit more—I just found it very interesting to hear you talk about some of your travels and work, particularly in some of the small and remote First Nations communities. If you wouldn't mind just sharing a little bit of your observations about the difficulty of accessing services and support in those communities.

Mr. Peter Bishop: Part of the problem is weather, and that's the only thing that will keep me out of a community.

Often, you have to respect the cultural differences in each community. Each community is different. The politics in Kitchenuhmaykoosib Inninuwug are different than Weagamow or Wapekeka. I ran into [*inaudible*] problems, but they would often ask for an adjournment, and we only go there every two months or every three months or whatever it is. So I would get on the phone and I'd phone the chief, the people in charge or the head councillor, saying, "I can adjourn the court, but there are eight people in custody. I'd really like to just come in and do those eight people so they don't have to sit there for another three months without a decision." And usually using that approach works really well. That's how I try and keep the schedule within the time frame. We're all concerned about delay—the old Askov decision—and now COVID is causing further delay. So that's how I would try and do it, and the politics are so different in each community.

Ms. Marit Stiles: That's interesting.

Mr. Peter Bishop: I developed a personal relationship with the chief and council. Every time I'd go to some of those places, before going to court, I'd go and meet the chief and council in their band office: "Any issues I should know about? Tell me what you're thinking. Is there anybody you'd like to come and be on the justice committee?" You reach out to them that way, and that worked really well.

Ms. Marit Stiles: Well, it's interesting you mentioned—in the midst of the pandemic, I know that the tribunal has been postponing and also rescheduling a lot of the in-person hearings, or all of them, I believe, and they're moving forward with those alternative options, like written and telephone hearings, and adjudicators are working remotely. How are those measures going to affect the way that members of the tribunal perform their duties?

Mr. Peter Bishop: I think it works really well. I have two Zoom meetings with guilty pleas, case conferences, pre-trials this week. It works really well. Where you get into difficulty is if you have to cross-examine a witness. It doesn't work very well because you don't have that flow, you don't see the body language and so on. But for scheduling, guilty pleas, settlement conferences and so on, it works really well.

I've had trials where we've had Zoom pre-pandemic, not post-pandemic. Expert witnesses are easy to have on video or Zoom. As Judge Kinsman said when the one lawyer wanted to call the expert witness, "What did you think he was going to say, something different than in this report?" He was really annoyed that this guy made this fellow travel great distances to come there.

Ms. Marit Stiles: Thank you very much. I appreciate your observations and some of the advice. I also have found Zoom to be quite useful, actually, generally. But it is interesting. I do feel that one of the things, particularly dealing with some of the ODSP issues—in my experience, a lot of ODSP recipients that come to me with issues in our riding are among the most marginalized people you're ever going to meet and have really suffered, and have struggled with the system as a whole as well, long before they came to this place. You have obviously dealt with lots

of vulnerable populations. I just wondered also if you had any thoughts about that issue, and how, as an adjudicator, do you treat those same people with respect and support them through the process?

Mr. Peter Bishop: Well, it's almost impossible to deal with it in the remote communities because of bandwidth in the office, if they have an office and we participate that way in the presence of their lawyer. It's easy to have them participate from the jail because they have video suites, and a lot of people are in custody and want to deal with their cases as soon as possible.

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The real difficulty is people who don't have computers. They're going to have legal aid step in. They go to the legal aid office, which has very good Zoom capabilities.

There, you're back, Ms. Stiles. You went away, or your screen went blank. Were you able to hear me? You're on mute now.

The Chair (Mr. John Vanthof): Does that conclude questions from the official opposition?

Ms. Marit Stiles: Yes. I got muted there again somehow, but I did hear you. Thank you very much. Yes, that's all, thank you.

The Chair (Mr. John Vanthof): With that, we will turn to the government. Ms. Tangri?

Mrs. Nina Tangri: Good morning, Mr. Bishop. Mr. Bishop, I have two quick questions. First, very quickly, can you let us know if you have ever donated to any other political party, whether in elections through Ontario or Canada?

Mr. Peter Bishop: No, I have not.

Mrs. Nina Tangri: Thank you very much.

The Social Benefits Tribunal is a critical and important tribunal, but often a person's community work gives us an insight to those who serve on these tribunals. Could you tell us about your work in the community; for example, your volunteer work?

Mr. Peter Bishop: The volunteer work is somewhat limited as a judge. I sat on the chief judge's ethics committee and a lot of judges would want to sit on fundraising projects, which puts them into a difficult situation if there's a conflict. So since I've become a judge, I haven't been involved much in the community here, but I have volunteered. I sat on Confederation College for six years as a governor, and I was a member of the ethics committee. We would rule on ethics, governance and how the board should rule. We don't get into the weeds; that's up to the president and the CEO. We provided direction to the administrative body.

My other community involvement is through the regional health research institute. I've just—I've only attended about three meetings. That deals with research which is really important in developing isotopes and other things. We give governance. The board really supports the research that the doctors and the physicians and the people in Thunder Bay regional hospital are doing.

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

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

Mr. Will Bouma: Thank you, Mr. Chair. Through you, thank you, Mr. Bishop, for appearing before committee this morning from Red Lake. I quickly Googled and I realized that I can drive to Florida faster than I can drive to Red Lake from my office here in Toronto.

It struck me again today the calibre of candidates who come before this committee. I guess I have to take issue with some of the comments that were mentioned by the opposition members in their statements that, in this committee, we see candidates rife with cronyism and political insiders, because I have yet to see that in any of the candidates who have come before our committee.

But, anyway, moving on: I wanted to ask you, COVID has presented some significant challenges for operating the Social Benefits Tribunal, in particular with in-person hearings. I was wondering how you would think, in your lifetime of service, the Social Benefits Tribunal can adapt. I'm just wondering if you have any concerns about not being able to conduct in-person hearings, with the benefits of Zoom. I know you touched on that before, but I was wondering if you could go into that a little bit more. Thank you.

Mr. Peter Bishop: In-person hearings are much superior to Zoom. We've retrofitted the courts. I live in Red Lake and there is actually a court here, and they came and they put up all of these plastic or Plexiglas barriers. They've got signage; they've got arrows. I'm very confident with those steps that have been taken, and wearing masks and washing your hands with industrial-grade disinfectant, every step that I go. Don't use it if you've got cuts on your hand. We can have in-person hearings, because the courts have—

Failure of sound system.

Mr. Peter Bishop: —and I have a high degree of responsibility. The lawyers appreciate that. They've commented on that several times when I go there.

Mr. Will Bouma: Good. Thank you very much. I'll turn it over to MPP Pang.

Mr. Peter Bishop: All right. Thank you.

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

Mr. Billy Pang: Thank you, Mr. Bishop. Nice to meet you here. I'm very impressed by your résumé and your experience. As you may know, the Social Benefits Tribunal has high case volumes. How will you ensure that you stay on top of the workload and deliver your decisions within the standard processing times?

Mr. Peter Bishop: Sorry, your voice was garbled a bit. Could you repeat the question?

Mr. Billy Pang: Okay, let me repeat my question: The Social Benefits Tribunal has high case volumes. How do you ensure that you stay on top of the workload and deliver your decisions within the standard processing times?

Mr. Peter Bishop: You get up early, and if you get backlogged, you start working harder. That's what I've done in the past. In my circuit, I drove 600 to 1,200 kilometres every week and I flew that much as well. So you work on the weekends, you work in the morning—I work better in the morning than at night—and you'd have to keep on top.

You set priorities. I tell people—after I've heard the evidence, I say, "I'll have a decision within the week, or 30 days at the most." So I set parameters on myself. I've only been let down a couple of times, not because of my inability, but the documents couldn't get there, the transcripts couldn't get there, and you have a duty to tell them. That's how I used to do it when I was a full-time judge.

Mr. Billy Pang: So having said that you wake up early, my curiosity—how many hours do you sleep every day?

Mr. Peter Bishop: I don't know. It depends on the day, but I'm usually up by 6:00, 6:30 in the morning, Central Time; you're on Eastern Time. For example, this morning started at 8:30 my time, but that's okay. If you start early, you finish early, usually.

Mr. Billy Pang: Sure. Okay, thank you very much. I will pass the time to MPP Nicholls.

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

Mr. Rick Nicholls: Chair, how much time do I have left?

The Chair (Mr. John Vanthof): Three minutes and 30 seconds.

Mr. Rick Nicholls: That's more than enough, believe me. That's so long. Maybe we could get Judge Bishop to throw us a couple of jokes along the way as well. I love your sense of humour by the way, Mr. Bishop. It's very refreshing to know that, and again, I love your cut-to-the-chase responses as well.

You've had a wide range of professional experiences in your career, and I'm sure you would agree with that. I really like your style about how you would go before the bands before in fact there was a court hearing and find out from them what they are thinking, what they are doing, what would you like to see out of this and get some insight into the people that would be before you. I really like that. I think that's actually an excellent way of conducting business, especially in the north.

Could you share with us just how your experiences have actually prepared you for your work with the Social Benefits Tribunal? Take your time; it's okay.

Mr. Peter Bishop: All right. Well, I have a lot of self-represented people come before me and many of them have mental problems, social problems, domestic problems. You don't know how they are—

Interruption.

Mr. Peter Bishop: Sorry, somebody dialed—I'll turn that off. You don't know—

The Chair (Mr. John Vanthof): Uh-oh. Can you hear us, Mr. Bishop?

Mr. Rick Nicholls: It must be really cold up there; he's frozen.

The Chair (Mr. John Vanthof): As a northerner, I don't appreciate that joke.

Mr. Rick Nicholls: That's right, you are from the north, John. That's right, I forgot about that. Oh gosh.

I know [*inaudible*] got a lot of snow down in Essex there last night. You did? Oh gosh.

I assume our clock is still running, Chair?

The Chair (Mr. John Vanthof): No, we paused it.

Mr. Rick Nicholls: Oh you have? Okay, thank you.

The Chair (Mr. John Vanthof): Trying to reconnect.
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Mr. Rick Nicholls: Do you find, John, that in the north, Internet, Zoom and phone calls run on the same bandwidth?

The Chair (Mr. John Vanthof): Oh, he's back.

Mr. Peter Bishop: I guess so. I don't know. I'm not technically advanced. Something happened there and I lost the connection.

[*Inaudible*] you've heard what I said or not, but we're back on now.

Mr. Rick Nicholls: Would you like me to re-ask the question?

The Chair (Mr. John Vanthof): Oh, he's frozen again.

Mr. Peter Bishop: —and so you have to give them an opportunity [*inaudible*] themselves and not [*inaudible*].

The Chair (Mr. John Vanthof): Mr. Bishop, could you turn your video off? That might make the audio better, if you can hear me.

Can you hear us, Mr. Bishop?

Mr. Rick Nicholls: Was it something I said?

The Chair (Mr. John Vanthof): Be careful.

Mr. Rick Nicholls: There he is. Oh, unmute.

Mr. Peter Bishop: There. All right.

So he was very upset that psychiatrists weren't listening to him. Nobody was listening to him. I said, "Well, I want to listen" to him. But he started to take his clothes off. He got right down to his underwear, and I said, "Whoa. We've got rules here. You can't be here in your underwear, and I really want to hear what you're saying." So he started putting his clothes back on. He says, "Okay. I'll do that if you listen to me." The court just couldn't believe that he'd listen to a voice of reason. I said, "I think I can help you, but you have to speak in a clear and cogent way and not yell or rant about everybody else." So we resolved that for that particular time, but he couldn't get the mental health resources that he needed.

Are you still on, Mr. Nicholls?

Mr. Rick Nicholls: Yes, sir. Yes, I am.

Mr. Peter Bishop: Okay. I can tell you, I have so many human interest stories—the first time I went to Big Trout Lake, also known as Kitchenuhmaykoosib Inninuwug, I knew that the chief did not want a provincial judge; he wanted a federal judge because he's governed by the Indian Act. I said, "Well, I'm not going to cause any trouble. I'm just going to go do my job." So I did my job, and I noticed there was this elderly lady sitting there. She spoke Oji-Cree, and somebody was always translating for her. At lunchtime, I went over and I gave her a lunch. We had bagged lunches. I told her about what we're trying to do and we respect the community and so on and so forth. I had no idea that she was the grandmother of the chief. The next time I went there, the chief came to see me. He

says, "My grandmother told me you're a good guy. I've got to co-operate. Welcome aboard. What do you need?"

You have no idea who you're affecting or what you're doing, but as long as you treat people in a respectful way—she came to court every time there was court, and we had a good relationship. I had court services put an extra lunch on for her every time.

Mr. Rick Nicholls: Oh, wow. That's incredible.

How much time do we have left, Chair?

The Chair (Mr. John Vanthof): That concludes the time allotted.

Mr. Rick Nicholls: Thank you very much, Mr. Bishop.

The Chair (Mr. John Vanthof): Thank you very much, Mr. Bishop.

Mr. Peter Bishop: All right. We'll disconnect.

The Chair (Mr. John Vanthof): We will now consider the intended appointment of Natalka Falcomer, nominated as member of the Ontario Trillium Foundation board of directors. Ms. Tangri?

Mrs. Nina Tangri: I move concurrence in the intended appointment of Natalka Falcomer, nominated as member of the Ontario Trillium Foundation board of directors.

The Chair (Mr. John Vanthof): Concurrence in the appointment has been moved by Ms. Tangri. Any discussion? Seeing none, I'd like to call for a vote. All those in favour, please raise your hand. Thank you. All those opposed? That carries.

Next, we will now consider the intended appointment of Peter Bishop, nominated as member—oh, Mr. Natyshak? Do you have a point of order, Mr. Natyshak?

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

The Chair (Mr. John Vanthof): Yes, okay.

We will now consider the intended appointment of Peter Bishop, nominated as member of the Social Benefits Tribunal. Ms. Tangri.

Mrs. Nina Tangri: I move concurrence in the intended appointment of Peter Bishop, nominated as member of the Social Benefits Tribunal.

The Chair (Mr. John Vanthof): Concurrence in the appointment has been moved by Ms. Tangri. Any further discussion? There will be a recorded vote.

Ayes

Bouma, Coe, Cuzzetto, Norman Miller, Natyshak, Nicholls, Pang, Stiles, Tangri.

The Chair (Mr. John Vanthof): It carries unanimously.

Any further business? Seeing none, that concludes our meeting. Meeting adjourned.

The committee adjourned at 1008.

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Chair / Président

Mr. John Vanthof (Timiskaming–Cochrane ND)

Vice-Chair / Vice-Président

Mr. Taras Natyshak (Essex ND)

Mr. Will Bouma (Brantford–Brant PC)

Mr. Lorne Coe (Whitby PC)

Mrs. Robin Martin (Eglinton–Lawrence PC)

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)

Ms. Marit Stiles (Davenport ND)

Mrs. Nina Tangri (Mississauga–Streetsville PC)

Mr. John Vanthof (Timiskaming–Cochrane ND)

Substitutions / Membres remplaçants

Mr. Rudy Cuzzetto (Mississauga–Lakeshore PC)

Clerk pro tem / Greffière par intérim

Ms. Tanzima Khan

Staff / Personnel

Ms. Lauren Warner, research officer,
Research Services