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of Ontario



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**Official Report
of Debates
(Hansard)**

A-3

**Journal
des débats
(Hansard)**

A-3

**Standing Committee on
Government Agencies**

Intended appointments

2nd Session
42nd Parliament
Tuesday 2 November 2021

**Comité permanent des
organismes gouvernementaux**

Nominations prévues

2^e session
42^e législature
Mardi 2 novembre 2021

Chair: Gilles Bisson
Clerk: Tanzima Khan

Président : Gilles Bisson
Greffière : Tanzima Khan

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON GOVERNMENT AGENCIES

COMITÉ PERMANENT DES ORGANISMES GOUVERNEMENTAUX

Tuesday 2 November 2021

Mardi 2 novembre 2021

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

SUBCOMMITTEE REPORT

The Chair (Mr. Gilles Bisson): The committee will come to order. This is the Standing Committee on Government Agencies, meeting today, November 2. We're going to start the day by dealing with a motion from the subcommittee. I think, Mr. Yakabuski, you have the motion.

Mr. John Yakabuski: Yes, I do, Chair. I move adoption of the subcommittee report on intended appointments dated Thursday, October 28, 2021, on the order-in-council certificate dated October 22, 2021.

The Chair (Mr. Gilles Bisson): With that, is there any discussion in regard to the motion? No discussion. All those in favour? Turn on your cameras, if you could. Anybody opposed? Carried.

INTENDED APPOINTMENTS

MS. GINA SACCOCCIO BRANNAN

Review of intended appointment, selected by official opposition party: Gina Saccoccio Brannan, intended appointee as member, Metropolitan Toronto Convention Centre Corp.

The Chair (Mr. Gilles Bisson): We'll go to the next order of business, which is we're going to complete the review that we were doing last week. We have with us Gina Saccoccio Brannan.

We were with the official opposition, and I believe you have about five minutes left. Mr. Burch, if you want, you can take that time. You have the floor.

Mr. Jeff Burch: Thank you very much, Chair. Good morning, Ms. Brannan. I do have a couple of questions. I'm going to start off just with a few that are basic questions that we ask everyone regarding their association with the governing party.

Are you currently or have you ever been a member of the Progressive Conservative Party of Ontario?

Ms. Gina Saccoccio Brannan: I am a present member and I have been a member in the past.

Mr. Jeff Burch: Great, thank you. Are you currently or have you ever been a member of the Conservative Party of Canada?

Ms. Gina Saccoccio Brannan: I have been a member of the Conservative Party of Canada. I don't know if my

membership is actually up to date presently. It may be; it may not be. I haven't checked it lately.

Mr. Jeff Burch: Okay, thank you. Have you ever acted on behalf of either the PC Party or the Conservative Party as a volunteer or an employee?

Ms. Gina Saccoccio Brannan: Not as an employee, but—let me back up. Not as an employee, but on retainer as counsel—

The Chair (Mr. Gilles Bisson): One second. We have a point of order from Mrs. Martin.

Before we start, I will ask you to identify yourself and say where you're at.

Mrs. Robin Martin: Thank you, Chair. It's MPP Martin. I'm here at Queen's Park, in Toronto.

The Chair (Mr. Gilles Bisson): Okay. You have a point of order?

Mrs. Robin Martin: Yes. Chair, the witness has already answered all of these questions. She already gave, I think, eight minutes or so of her answers to the opposition. So we've already gone through all of these questions, and she's being asked the same questions again.

The Chair (Mr. Gilles Bisson): Any member can ask questions, and they can repeat their questions if they want.

Mr. Burch, you have the floor.

Mr. Jeff Burch: Thank you, sir.

Can you confirm that you have donated upwards of \$5,000 to the federal and provincial Conservative parties?

Ms. Gina Saccoccio Brannan: I don't think it's \$5,000. If you put them all together, maybe, over years, from 2015 to date. I don't have it in front of me right now, but I provided Ms. Stiles with the amounts I had donated to the provincial party. I think there are about three or four amounts. They certainly didn't amount to \$5,000.

Mr. Jeff Burch: Okay. Thank you for that. Obviously the tourism industry in Ontario has been drastically impacted by COVID. What specific challenges do you feel the convention centre will face going forward? Both challenges faced during the current stage and what challenges it will face post-pandemic, when all the rules have been lifted.

Ms. Gina Saccoccio Brannan: The current challenge they have right now is like all industries in hospitality, food and beverage, and that is being able to bring back their employees. A lot of employees have moved on to different things; a lot of individuals have reinvented themselves and left the food and beverage and hospitality industry. So that's going to be a significant challenge.

I think with respect to the convention centre, given that there's food—I know there are large kitchens there. The food piece is going to be huge. I think the COVID hesitancy is going to be a difficult—well, not difficult. It's going to have to be overcome, both by the people who bring the people to the events but also the employees. You've got a lot of people in a space, and I can tell you personally that I know, having now sat indoors in restaurants, that it takes a little getting used to, so that's going to have to be addressed.

The employee issues are going to be, I think, significant.

Mr. Jeff Burch: Thank you. Do you believe that the government has a role to play in support of organizations like the Toronto convention centre?

Ms. Gina Saccoccio Brannan: Well, with respect to the Toronto convention centre, there's the Metro Toronto Convention Centre legislation, which established this particular agency. This particular agency and the board of this agency, which is appointed by the province, with three members coming, I think, from the city, is an oversight board for HR issues. It deals with the HR policies, and it does the performance review for the CEO, as I understand it. I think the province has a lot invested in this, so they have to have some oversight with respect to the senior management piece. I think that makes sense to me.

Mr. Jeff Burch: Thank you and good luck with your appointment.

That's all I have, Chair.

Ms. Gina Saccoccio Brannan: Thank you, Mr. Burch.

The Chair (Mr. Gilles Bisson): All right. I take it the government already did their rotation? Okay. So we're going to move to this point—before we go to this concurrence, I want to introduce Mr. Babikian. Can you introduce yourself and tell us where you are?

Mr. Aris Babikian: Aris Babikian. I'm here in Queen's Park, in Toronto.

The Chair (Mr. Gilles Bisson): Very good. Just so that members are aware—I'm going to repeat what I said at the beginning—this is now livestreamed. So anything that's happening in this committee is livestreamed.

Somebody is going to move the motion?

Mr. John Yakabuski: I move concurrence in the intended appointment of Gina Saccoccio Brannan, nominated as member of the Metropolitan Toronto Convention Centre Corp.

The Chair (Mr. Gilles Bisson): Is there any discussion on that motion? No discussion. All those in favour? Anybody opposed? That's passed.

We're going to move to our next appointment. We want to thank you very much for joining us this morning.

Ms. Gina Saccoccio Brannan: Thank you.

MS. CAROLINE FLETCHER-DAGENAIS

Review of intended appointment, selected by government party: Caroline Fletcher-Dagenais, intended appointee as vice-chair, Ontario Civilian Police Commission/Ontario Parole Board.

The Chair (Mr. Gilles Bisson): We will now move to our next appointment: Caroline Fletcher-Dagenais, intended appointee as vice-chair, Ontario Civilian Police Commission/Ontario Parole Board. I believe the government is going to start with this one.

Just so you know, you have time to be able to explain who you are and why you're interested in serving on this particular board, and any time you use will be coming from the government's allotted 15 minutes. Please go ahead.

Ms. Caroline Fletcher-Dagenais: All right, committee members. Everyone can hear me all right?

Le Président (M. Gilles Bisson): Mais oui, on t'entend très bien, madame.

Ms. Caroline Fletcher-Dagenais: OK, merci beaucoup.

It is an honour to appear before the members of the standing committee this morning by video and present my background and updated qualifications for heightened roles with the Ontario Parole Board and the Ontario Civilian Police Commission.

Last year, in addressing the committee, I informed members of my academic achievements, including a degree in honours sociology with a legal studies minor from the University of Waterloo and a master's in applied criminology from the University of Ottawa. My academic footing—back in the 1980s, of course—has provided me with a firm basis for professional roles I have assumed in the justice system here in Ontario.

I have extensive experience as an adjudicator, first with the Ontario Parole Board over 22 years ago and as a full-time member there in eastern region, then with the criminal injuries board, where I gained a full understanding of the impact of crimes on victims. These adjudicative roles prepared me for my later work with the Parole Board of Canada and, of course, my present position as a member of the Ontario Parole Board. I have now come full circle over the past two decades.

I will add that my work as a front-line parole and probation officer in Ontario has also proven invaluable to my position as an adjudicator in the criminal justice system. By this, I'm well acquainted with the many correctional facilities, criminal courts, community resources and government agencies and partners across Ontario. I have assessed and addressed the risk of those who commit criminal offences and have been a decision-maker in terms of conditional release and pardons. I have granted and revoked parole and pardons. I have testified in court and authorized arrest warrants for those who have breached conditions. I have managed offenders in the community and rendered risk-based decisions on people, both men and women, some of whom are challenged by mental health, cognitive defects or deficits, or addiction problems. I have authored pre-sentence reports for the courts and reasoned decisions for both federal and provincial parole boards. I understand the legal imperatives of ensuring statutory dates are met in making parole decisions.

I am well aware of the independent nature of the adjudicator, whose task is to render fair, unbiased and well-written decisions that ably withstand the scrutiny of our courts.

Fairness is a cornerstone of parole hearings and decisions. These core values of my work with the parole board over the last year are sustaining, and also include transparency, accessibility, integrity and independence. I believe I've applied all these principles throughout my professional career.

My work has helped me gain a better understanding of the First Nations, Inuit and Métis peoples. I have applied the Gladue principles in authoring court reports and parole decisions. I've also participated in elder-led Aboriginal circle hearings within correctional settings and, importantly, I'm receptive to all knowledge that improves our understanding of our Aboriginal people and all the diverse members of our province.

During my past mandate with the Parole Board of Canada, I was chosen among my peers to enact the first decision of the new pardons law, subsequently providing training to the members that followed. I'm able to pivot between the different functions of a board member at the federal level, and since my appointment to the Ontario Parole Board last fall, I have adapted to a digital-first framework in moderating parole hearings via teleconference.

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Further, I have assumed heightened responsibilities for the board and have worked collaboratively to advance the effectiveness of the board—and the tribunal; pardon me—particularly in the area of information requirements and risk assessment. I have delivered training to and mentor new board members, focused on the public safety mandate.

All agencies of government have been impacted greatly by the pandemic over the past year and beyond, and I know the members know this. I have worked with my colleagues to ensure the tribunal's mandate is achieved and the protection of the public remains our primary concern. I have and remain ready to adjudicate complex cases. My academic credentials and extensive adjudicating experience in the parole field brings me before the committee today.

I would like to add that throughout my work history of over 30 years, I would interact daily with police officers, or review police reports for risk assessment or to inform the court. I have a good understanding of the important role played by police in society and also respect for those who are on the front lines of justice in our communities. I recognize the crucial importance of police interacting with members of the community in an appropriate and professional way and, by doing so, building and maintaining the trust of members and the community they serve.

So, to conclude, I have a long-standing interest and commitment to the safety of your constituents and all of the people of Ontario. I thank you for giving me [*inaudible*] to present my remarks to the committee this morning.

Le Président (M. Gilles Bisson): Merci beaucoup, madame Fletcher-Dagenais.

M^{me} Caroline Fletcher-Dagenais: Merci.

The Chair (Mr. Gilles Bisson): We're going to start with my friend Mr. Yakabuski.

Mr. John Yakabuski: Thank you very much, Chair, and thank you very much, Ms. Fletcher-Dagenais, for joining us today and also for putting your name forward.

I read over your address and highlighted a couple of things, and what I was really taken by was the respect that you're held within from among your peers, which I think is tremendously important, with the work that you have done and also the fact that they have looked to you for that leadership.

But I underlined one other thing, too, and you talked about it. I just thought it was so important, you understanding the importance of this role and the role that the police play and, "by doing so, building and maintaining the trust of members and the community they serve." It's a very, very important line. I really appreciate that.

I have a couple of quick questions, and I know that my fellow members also have questions. What motivated you to apply for this position? Is this the only one you applied to?

Ms. Caroline Fletcher-Dagenais: Yes. I have not applied to other boards and commissions. I was very happy to go through the process, which took about a year when I first came to the board on this go-round. It's a lot of review that one goes through to become a member of the parole board, of course. You have to achieve tests. You have to have, of course, at least a general knowledge of criminal justice, and the ability to write clear decisions and be fair as an adjudicator.

Throughout the year, I have been adding to my position. I've been delegated authority to assist the associate chair in involving ourselves with some operational policy areas and the like. And because I had come in with a lot of experience as a parole board member and I like teaching and mentoring, they added that to my role. So I have been tasked with doing some of the roles that would be viewed as a vice-chair responsibility.

I engage in the regular meetings of the board, twice weekly, where we bring up any issues of concern that may prove to be problems for the board. We keep in touch that way. I have the great support of my associate chair and colleagues at this board. It was them that encouraged me to apply for this position, because they see what I have been doing over the last year. Thank you.

Mr. John Yakabuski: Thank you very much. And I know that my colleagues have questions as well, Chair.

The Chair (Mr. Gilles Bisson): Okay. Who would like—okay, Mr. Coe; you have the floor.

Mr. Lorne Coe: Thank you, Chair. Through you: Thank you very much for joining us this morning. Having previously served on the Ontario Parole Board, could you please share with the committee members what your observations were in terms of being an effective member of the board?

Ms. Caroline Fletcher-Dagenais: Well, of course, I mentioned at the outset that it's been over 20 years for me since coming back to the board, so it does give me a vantage point, Mr. Coe, to understand what changes have occurred. For example, when I first made the application to the portal, parole board members were attending at the

jail and conducting their meetings with the offenders at the federal level. Of course, there might be victims in the room and other observers. Provincially, there's a lot of material, of course.

I would suggest that the biggest change I've seen is in the technology. Years ago, I would enter the parole room with my own cassette player and tape the hearings and so on and so forth. We are doing that now. We're taping the hearings, and we're also moving to a video conference presentation. I do have the benefit of participating in video hearings with all parties at the federal level. So a huge change I've seen is in the technology, and the board can benefit from that in a lot of ways, because I've seen that there are more people participating in the hearings if they just can call in. Before, of course, as you can imagine, if you were a victim of crime, you might have been a little bit more reticent about attending a jail. People normally do not like to be in a jail setting. With the ability to do it over the phone, I find that we're receiving more input from the victim community.

But I do see a lot of similarities from back in the day. Of course, the Corrections and Conditional Release Act has not changed in a wholesale manner. It's a long act; it's a very comprehensive act. That is still in place, but I see that the decisions that we're writing are a lot more reasoned and full than from 20-odd years ago. We're attuned to the issues, and we have to address all the important issues in the decisions that we give as a matter of fairness.

Mr. Lorne Coe: Thank you very much for that response.

Through you, Chair, to MPP Sandhu.

The Chair (Mr. Gilles Bisson): Mr. Sandhu, go ahead.

Mr. Amarjot Sandhu: Thank you, Ms. Fletcher, for your brief presentation and for putting your name forward for this new role. My question is, what sort of engagement do you have in your community: volunteer work etc.? What have you learned from it, and how will it inform your work on the OCPC?

Ms. Caroline Fletcher-Dagenais: I've been in the same community for over 30 years. It's a small franco-phone community east of Ottawa. But I was born in Toronto, raised in Oakville and have always been active in my off-time work, away from the board and what I do now, including when I was a parole/probation officer. I think it's important to have a balance in your life.

When my two sons played hockey, I was very much involved in the local arenas. I've been involved civically, and now, a lot of my free time is taken up. My parents are both elderly. They're in their own home, but they do have some challenges. So I've been spending a lot of time getting support for them in place, being with them and taking advantage of some of the community resources in the neighbouring communities, with my folks. A lot of time was spent with my children as they were growing up in the community and now, following that, with my folks. But I like to be community-engaged. I think it gives you the benefit of understanding who you are, where you work and what the people are all about.

The Chair (Mr. Gilles Bisson): Next question? No? Anybody else? You still have three minutes left. Mr. Babikian?

Mr. Aris Babikian: Mr. Chair, through you to Ms. Dagenais: Good morning, Ms. Dagenais. Thank you for coming and sharing your expertise with us.

COVID presented some significant challenges for operating OCPC, in particular with in-person hearings. How do you think the Ontario Parole Board has adapted, and do you expect OCPC to have made similar changes? Do you have concerns about not being able to conduct in-person hearings?

Ms. Caroline Fletcher-Dagenais: I would suggest that about a year ago I may have answered the question a little differently. But I have engaged in teleconference and video hearings, and I find they can be very effective.

As a risk assessor, I had a whole career where it was necessary for me to interview people who were in front of me. I still like to engage in a hearing to at least confirm, clarify or even emphasize file material. A hearing is very important, so we cannot forgo the hearing process.

0920

If technology allows us, as it has this morning, to achieve what we need to achieve and be mindful of the mandate and what they have to do at that agency—these issues are very important. It's important that everyone is heard, and sometimes the technology can be even more effective because it can place everybody, for example, around the room, even though we're seeing around the screen here. And arguably, if we're able to do it for Aboriginal circle hearings in a parole context, I believe we can move it forward to that tribunal and take advantage of the technology we have.

The Chair (Mr. Gilles Bisson): You have about a minute left. Mr. Babikian?

Okay, Mrs. Martin.

Mrs. Robin Martin: You've had a wide range of professional experiences. I'm wondering if you could just share how those have prepared you for your work with the OCPC.

Ms. Caroline Fletcher-Dagenais: Yes, I have a wide range, but it's definitely after I received, first, my undergraduate degree that signalled to me and signalled to others that I was passionate about justice issues and the law. I parlayed that later in life as a parole probation officer and again as a parole board member. I find that I'm better at the job I do because I've had that experience.

The Chair (Mr. Gilles Bisson): You have 10 seconds.

Ms. Caroline Fletcher-Dagenais: I've worked with offenders in the community and made decisions based on all the key information that's provided. I feel it's made me a better adjudicator now.

The Chair (Mr. Gilles Bisson): Thank you very much. Now we're going to go to Mr. Burch. The official opposition has 15 minutes. Mr. Burch.

Mr. Jeff Burch: Thank you, Ms. Fletcher-Dagenais, for your presentation, and good morning. I just want to start out with a few standard questions, regarding your connection to the governing party. Were you approached by anyone to apply for this position, and if so, by who?

Ms. Caroline Fletcher-Dagenais: No, I wasn't approached. I learned of it on my regular workday. But I was encouraged by my colleagues to put my name forward.

Mr. Jeff Burch: Okay. Have you ever donated or been a member of the Progressive Conservative Party of Ontario?

Ms. Caroline Fletcher-Dagenais: Yes, but it was years ago. I'm no longer a member of any political party.

Mr. Jeff Burch: Okay. Do you believe that your connection to the PC Party is the reason you're appointed to two organizations?

Ms. Caroline Fletcher-Dagenais: No, I do not.

Mr. Jeff Burch: Okay, thank you very much.

Ms. Caroline Fletcher-Dagenais: I will follow through and say that I went through the entire portal process. It was a long one. I was very happy to compete and write tests and be accountable for who I am because I believe, as you all believe, that that will be important to know that your board members, your adjudicators have the education and background to do the job.

Mr. Jeff Burch: Well, you're obviously very well qualified.

Are you concerned about issues of systemic racism in Ontario's judicial system? And do you think that there is a role for the parole board to play in addressing those issues?

Ms. Caroline Fletcher-Dagenais: I think there's a role to play for every citizen in the country and the province. I strongly believe there's a role to play for an adjudicator. The benefit of the last year is I've managed to update all my training in the area of the Human Rights Code and accessibility issues. I have worked dealing with these issues on the day-to-day, and it's something that I carry with me every day.

I said to the committee the last time I spoke that I think it's incumbent on everyone, certainly in the role of an adjudicator or an executive with a tribunal, that you are attuned to these issues and that you make your proceedings accessible and that you respond to the queries of the public. I believe I take it with me every day, and everyone should.

Mr. Jeff Burch: How do you feel that your experience dealing with Aboriginal issues will help you in your position?

Ms. Caroline Fletcher-Dagenais: Thank you, yes. I had more experience with the Aboriginal population and particularly the Inuit population here in Ottawa, because when they say they come down south, initially I thought down south might have meant Florida, but I soon realized what it means to the northern people. It means coming into our cities in the south of, for example, Ontario to receive services.

I've worked collaboratively with resource providers in the community. I have relied on the advice of elders to guide me in the past. I've worked collaboratively with the elders and, of course, managed individuals in the community who required services and supports that the community provides. I'm familiar with the friendship system and, of course, the Gladue principles that we apply, where applicable, on the cases that we see.

Mr. Jeff Burch: Can you highlight once again your experience in dealing with mental health issues and how that can help in your position?

Ms. Caroline Fletcher-Dagenais: People are aware that sometimes people who have mental health challenges do end up in the criminal justice system. I think, as a people, we want to make sure that they get the treatment they need to make change in their life. So often with these cases, and as an adjudicator, you must adjust the way you ask questions. You must be aware of who's in front of you and get the information and understand. For example, if someone has a cognitive deficit or they can't read or write, you're trying to ask your questions very plainly and clearly so that you can communicate. It's something that we deal with on occasion. We have vulnerable populations, of course. I've dealt with them inside and in the community.

Mr. Jeff Burch: I wish you the best of luck in your position.

That's all I have, Chair.

The Chair (Mr. Gilles Bisson): No further questions from the official opposition.

We'll move to the concurrence on this particular appointment.

Mr. John Yakabuski: I move concurrence in the intended appointment of Caroline Fletcher-Dagenais, nominated as vice-chair of the Ontario Civilian Police Commission/Ontario Parole Board.

The Chair (Mr. Gilles Bisson): On the concurrence, is there anybody who has any questions? Seeing none, we'll move to the vote. All those in favour, please signify. All those opposed, please signify. Carried.

You're appointed.

Merci beaucoup, madame, pour votre temps ce matin.

M^{me} Caroline Fletcher-Dagenais: Merci. Bonjour, tout le monde.

Le Président (M. Gilles Bisson): Bonjour. À la prochaine.

Does anybody have anything else they want to raise as an order of business before we adjourn? Okay.

Seeing that we don't have any other appointments to deal with, this committee is now adjourned.

The committee adjourned at 0927.

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