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**Standing Committee on
Government Agencies**

Intended appointments

**Comité permanent des
organismes gouvernementaux**

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2nd Session
42nd Parliament
Tuesday 5 April 2022

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Mardi 5 avril 2022

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Tuesday 5 April 2022

Mardi 5 avril 2022

The committee met at 0900 in committee room 2.

The Vice-Chair (Mr. Aris Babikian): Good morning. We are here to conduct a meeting of the Standing Committee on Government Agencies. As always, please wait to be recognized by myself before speaking. All questions and comments will need to go through the Chair. The Clerk has distributed all the committee documents via SharePoint. If you require a hard copy, please let her know. Any questions? No?

SUBCOMMITTEE REPORT

The Vice-Chair (Mr. Aris Babikian): I understand there is a motion for a subcommittee report.

Mr. John Yakabuski: Yes, there is, Chair.

The Vice-Chair (Mr. Aris Babikian): MPP Yakabuski, please go ahead.

Mr. John Yakabuski: I move adoption of the subcommittee report on intended appointments dated Thursday, March 31, on the order-in-council certificate dated March 25, 2022.

The Vice-Chair (Mr. Aris Babikian): Any comments? Any questions? Seeing none, I will put the question. All in favour, please raise your hand. Any opposition? I see none. The subcommittee report is carried.

INTENDED APPOINTMENTS

MR. KEVAN COWAN

Review of intended appointment, selected by official opposition party: Kevan Cowan, intended appointee as director, Ontario Securities Commission.

The Vice-Chair (Mr. Aris Babikian): Now we will move to our next item on the agenda: the review of intended appointments.

Mr. Cowan, good morning. As you may be aware, you have the opportunity, should you decide to do so, to make an initial statement. Following this, there will be questions from members of the committee. With the 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 government side.

Please state your name for Hansard and for the record. After that, you can start your statement, if you wish to do so.

Mr. Kevan Cowan: Thank you, Chair. My name is Kevan Cowan. It must be a sign of the pandemic times that being here two weeks in a row is the most exciting thing that has happened to me this year.

The other thing I wanted to mention is that I was actually invited to address my appointment to the Animal Care Review Board. I know very little about animals and don't have a pet, so I'm hoping I'm really here to talk about securities regulation.

All kidding aside, thank you for the opportunity to be here today. I am pleased and excited to be appointed to the board of the Ontario Securities Commission. It is a transformational time for Ontario's internationally respected securities regulator. The forces of globalization, innovation and creative disruption are transforming capital markets. Healthy and thriving Ontario capital markets delivering excellence in investor protection and in capital formation are vital to Ontario and Canada's competitiveness.

It is my privilege and pleasure to serve and assist the OSC to the very best of my ability at this critical time.

My financial services career includes the practice of securities law as a partner in a major Canadian law firm, the leadership as president of both of Canada's principal stock exchanges, and senior leadership roles in securities regulation.

My leadership experience includes organizations undergoing significant transformation, growth and disruption, as well as successfully facing new competition, opening new domestic markets and international markets, launching new products, transforming from not-for-profit to for-profit service cultures, merging geographic cultures, integrating acquisitions and overseeing large technology deployments.

More specifically, my capital markets experience spans the entire spectrum of capital markets and capital formation, from the most junior businesses to the most senior companies.

For example, as president of the TSX Venture Exchange, I work closely with our team to build and maintain the world's most successful stock exchange for junior companies. The foundation of the TSX Venture Exchange's success is constant attention to and a careful balance between policies that both protect investors and enable access to capital. My experience at the TSX Venture Exchange is directly relevant to the mandate of the Ontario Securities Commission.

Moving to the Toronto Stock Exchange: As president of TSX Markets, I was responsible for all TMX Group stock exchanges, including the Toronto Stock Exchange, the TSX Venture Exchange, and both the Alpha and Select alternative trading platforms. As the premier stock exchange for Canada's senior public companies, the Toronto Stock Exchange is at the forefront of innovation and disruption—including increased market competition, the electrification of trading, the advent of multiple market high-frequency trading, international expansion, and record years of capital raising by TSX-listed companies. All of these experiences that I had at the Toronto Stock Exchange are, again, directly relevant to the mandate of the Ontario Securities Commission.

Most recently, I led the national effort to develop and advance the framework for a pan-Canadian securities regulator. As chief executive officer of the Capital Markets Authority Implementation Organization, I worked with our team on behalf of nine Canadian governments to build the organizational and operational structure for the proposed pan-Canadian securities regulator. In addition to our dedicated staff, our team included dozens of representatives from the participating securities regulatory authorities right across the country, from British Columbia to Ontario to Nova Scotia and Newfoundland. Through this work, I developed a very close understanding of the operations of securities regulators across the country, built relationships at the participating authorities, and gained new insights into the nature and opportunities for co-operative securities regulation in Canada, all of which is a critical element in advancing the Ontario Securities Commission's regulatory policies, operations and priorities.

Other career roles that I've had include serving as a member of the board of directors of the Investment Industry Regulatory Organization of Canada, also known as IIROC, and I was also chair of the board of the Toronto Financial Services Alliance, now known as Toronto Finance International.

In all my career roles, I have had extensive experience in capital markets policy development, something that is central to the Ontario Securities Commission's work. Examples of my policy development experience include central roles in the "right sizing" of the US Sarbanes-Oxley legislation for Canada and the rules and regulatory regime for the proportionate regulation of both very small junior businesses as well as very senior public company issuers and private markets issuers. I've also been involved in the regulation of high frequency and dark trading, and critical matters, including overseeing the introduction at the TSX of new director election policies, including, finally, majority voting for board members after many years of debate.

I have been a guest speaker at dozens of financial conferences, both domestically and internationally, and that includes conferences, events and sessions hosted by securities regulators, stock exchanges and industry groups in the United States, the United Kingdom, Mexico, South America, Australia and China.

In summary, my experience covers multiple facets of capital markets and securities regulation. I have worked on the so-called "both sides of the street," in both business and regulatory roles. And I have also worked at all ends of the capital markets spectrum—again, from the smallest businesses to the largest companies. I believe this experience makes me well-suited to make a meaningful contribution to the work of the Ontario Securities Commission.

Thank you for your time.

The Vice-Chair (Mr. Aris Babikian): Thank you, Mr. Cowan.

Now we will move to the questioning, and we will start with the official opposition. MPP Burch.

Mr. Jeff Burch: Thanks for being here, Mr. Cowan. It was a pleasure to meet you last time. We're all grateful that the government has been able to finally organize itself so that we can actually have a meeting. I hope they'll send you some gas money or something for both of your trips.

I have a couple of standard questions that we ask, as the official opposition, all the candidates. We see that you've made donations in the past to the Progressive Conservative Party of Ontario. Can you let us know what kind of donations those were?

Mr. Kevan Cowan: As of this morning, it sounds like I might be looking at at least 5.7 cents a litre less for my gas money getting here—so maybe a slight break on the government expense reimbursement.

Yes, I have, over the course of my career, made donations, actually—full disclosure—to both the Progressive Conservatives and the Liberal Party. In all of those cases, it was related to areas I was very focused on and areas where I thought the people in question or the parties in question were advancing policy proposals that I felt would be very helpful; for example, the Canadian capital markets, which is very close to my heart.

0910

Mr. Jeff Burch: Have you been approached by anyone from the Progressive Conservative government asking you to run for this position in the past?

Mr. Kevan Cowan: No. I have had conversations with MPPs, I think, from all parties, including the NDP. As mentioned, I've attended and spoken at dozens of conferences throughout my career, and I was always fascinated by and did anything I could to speak to members of all political parties—again, including the NDP, the Liberals, and the Progressive Conservatives.

Mr. Jeff Burch: Moving to your qualifications: One of the things I thought was really positive—and you mentioned it in your speech—is that you have experience both on the business and the regulatory side. What do you feel that allows you to bring to this position?

Mr. Kevan Cowan: MPP Burch, I really appreciate that question.

I left the practice of law in 1997 to join the Toronto Stock Exchange in a policy-related role. It struck me, from the very first day I was there, that capital markets, as much as many and more than other industries, require constant vigilance every day to balance investor protection and capital formation, making sure that the rules are conducive

to companies raising money but are also protecting investors. I would say that has been the theme of my entire career. The Toronto Stock Exchange uniquely positioned me to be thinking about that every day—especially following 2001 and 2002, when the Toronto Stock Exchange converted from a not-for-profit mutual to a for-profit company but was still a regulator, in effect. We developed and applied all of the listing standards for a company to access public markets. I experienced that at both the TSX Venture Exchange and the Toronto Stock Exchange. I would say that you wake up every day, thinking, “What is the right balance? How do we get it best so that we protect investors but also make it conducive to capital formation?” So I think all of that experience goes directly into the OSC’s mandate.

Mr. Jeff Burch: Thank you. You certainly seem to have excellent qualifications. We wish you all the best in the position.

The Vice-Chair (Mr. Aris Babikian): No further comments from the official opposition?

Mr. Guy Bourgouin: No.

The Vice-Chair (Mr. Aris Babikian): We’ll move to the government side. You have eight minutes and 42 seconds. MPP Yakabuski.

Mr. John Yakabuski: Thank you very much, Chair. I thought we had eight minutes and 47 seconds, but with only eight minutes and 42 seconds, I’m going to have to change the complete strategy on the questions. Thank you for letting me know that. I appreciate it.

Thank you so much, Mr. Cowan, for joining us again today. If I had more time, I’d have a little more to say about last week’s meeting, but I think I’ll let it go for now. But I did want to say, again, thank you for making the second trip in, and I do hope your life gets more exciting after today.

When I look at your qualifications and I listen to you, I marvel, quite frankly, that the opposition, which is always complaining that we don’t have enough people called before this committee, would actually call you before this committee to question you, because I can’t imagine that there would be anybody who would have any questions about your qualifications to sit on this committee.

Nevertheless, you are here, so we do have a couple of questions for you.

I note that you were a member of the expert panel that worked with the Capital Markets Modernization Task-force. It was an exceptionally thorough review, completed in only one year, and I appreciate that it must have been extremely challenging. How do you think the changes anticipated will help to modernize industry regulation?

Mr. Kevan Cowan: Thank you for the question.

Capital markets are very fast-moving, and because, I guess, it involves the money, there’s very heavy investment in technological change, often quite radical and revolutionary change—changes that are great for Canadian investors but bring with them the challenges of regulation keeping up.

I think, with the modernization task force, if you go up to 100,000 feet, where it was really focused, it was, how do we make sure that our regulatory systems and securities

regulations today are relevant for the things happening today? It’s very difficult. Markets move so quickly that constant vigilance is required.

To give you some examples, one of the central proposals was to separate the chair and CEO of the Ontario Securities Commission, something that I think was long overdue. As the organization setting the standard and recommending that companies actually separate their chair and CEO, it was a little unusual that it wasn’t happening at the regulatory body itself. So I think that’s a great development.

Another thing is the separation of the regulatory division and the tribunal. I wouldn’t for a moment cast any negatives on the people who are running the OSC. I have the greatest respect for all of them. I’m very proud to be a part of the team now. But there was a perception challenge with the regulatory division and the tribunal being in the same staff umbrella. People could be concerned that there wasn’t complete separation between those two.

Some other examples would be things like taking advantage of the Internet and online means of transmission for filings. Requiring paper filings, not recognizing that access to an online document equals delivery of that paper document in modern times—I think was something that was very important we get on to the books. So that would be another example of modernization that I think will be helpful for everyone.

Mr. John Yakabuski: At first, I didn’t hear you quite correctly and I thought you said “papal filings,” and I said “Oh, my God, we’ve got to keep track of the Vatican in this too.” But I do thank you for that, sir.

With the Chair’s indulgence, I’d like to pass this on to MPP Martin.

The Vice-Chair (Mr. Aris Babikian): MPP Martin, go ahead.

Mrs. Robin Martin: You spent many years working with the Capital Markets Authority Implementation Organization, as you related to us, and despite the pause on activities to create a single securities regulator. I was wondering if could tell us about what insights you gained from working with Canada’s other securities regulators. I know you mentioned the operations and building relationships. Maybe go a bit more into that.

Mr. Kevan Cowan: As many of you, I’m sure, know, the quest for a pan-Canadian or national securities regulator actually goes back to 1935, when the Royal Commission on Price Spreads in the federal Parliament referred to this as something desirable.

Fast-forward, and all these decades later, we are the only developed country without a national securities commission, but under the Canadian Constitution, as we all know, it’s something that’s very difficult. So, in the meantime, we have to do everything we can to have the best collaborative regulation across the country, because we want to be building a single capital and liquidity pool and not having provinces necessarily competing with each other when we should be competing with the globe.

I think my experience in working on behalf of nine governments and dealing with all the security commissions across Canada has given me some experience to

understand how the other ones work and what are the best ways to find collaboration. All of that is really about having the mechanisms of constant communication, constant back-and-forth, and forums so that people can move ahead quickly. The Canadian Securities Administrators is doing this to the best of their ability. Ontario is in a very unique position, because it's by far the largest securities commission and capital market in Canada, and I think it continues to lead the way in terms of trying to find ways to collaborate to have things move more quickly. And I have some unique experience in that regard.

Mrs. Robin Martin: Chair, MPP Miller has the next question.

The Vice-Chair (Mr. Aris Babikian): MPP Miller, go ahead.

Mr. Norman Miller: Thank you for coming back again, Mr. Cowan.

You're already a commissioner at the OSC. Can you explain the process following the result of your first appointment and the changes at the OSC that require you to be here as a new appointee?

Mr. Kevan Cowan: Yes. I'm learning a lot about the government process, because I've actually attended several securities commissions meetings and have already been appointed.

As best as I understand it, because the OSC is going through some very significant changes coming out of the modernization task force—separation of chair and CEO; separation of regulatory division and tribunal, as we have discussed—this, I think, starts the 30-day process again to have people come in and address the committee, which, again, I'm very happy to do. But I have been attending meetings.

I should also mention that under the previous Liberal government, I was asked to be a commissioner several years ago, and at that time I respectfully declined, because I went to work on the pan-Canadian securities commission project.

Mr. Norman Miller: Thanks. I'll pass it on to MPP Pang.

The Vice-Chair (Mr. Aris Babikian): MPP Pang.
0920

Mr. Billy Pang: Good morning, Mr. Cowan. You mentioned the work that you initiated at the TSX to encourage capital formation, and this is one of the new mandated priorities of the commission. Can you provide some commentary on how that was accomplished at TSX and on what the commission can do to begin this important work?

Mr. Kevan Cowan: Sure. Again, going to a very high level, I would say the most significant thing we did was build a two-tier exchange system. Many years ago, we separated the capital markets into junior and senior companies, reflected by the Toronto Stock Exchange and the TSX Venture Exchange, which at that time was a brand new platform. The idea was to cover the complete waterfront, from the smallest business to the largest senior public issuer, and recognizing that those companies should have so-called proportionate regulation—that we shouldn't apply the same standards of a Toronto Stock

Exchange company to a young business that's just looking to get its feet off the ground. So the rules of the TSX Venture Exchange were completely rewritten to be proportionate to smaller companies. One of the biggest things we did, which I mentioned in my opening statement, was resist the knee-jerk reaction to just follow the Sarbanes-Oxley Act in the United States—because, on average, even Toronto Stock Exchange companies are much smaller than US public companies. Applying that same level of—you would basically bury companies in paperwork. So that proportionate regulation, I think, was probably the most central thing we did in the big picture.

Bringing it back to your question on the Ontario Securities Commission, Ontario has always had the luxury of having the largest capital market in Canada, and therefore having the ability to regulate the larger public company issuers—

The Vice-Chair (Mr. Aris Babikian): Thank you, Mr. Cowan. Your time is up.

Mr. Kevan Cowan: —and also junior companies.

The Vice-Chair (Mr. Aris Babikian): Thank you for coming and sharing your expertise with us. You're free to leave. The Clerk will contact you to brief you on the rest of the process.

Mr. Kevan Cowan: Thank you all very much for your time.

MR. EDGAR-ANDRE MONTIGNY

Review of intended appointment, selected by government party: Edgar-Andre Montigny, intended appointee as member, Animal Care Review Board.

The Vice-Chair (Mr. Aris Babikian): Now we'll move to our second witness. I would like to call Mr. Edgar-Andre Montigny.

Good morning, Mr. Montigny. You have an opportunity to make an opening statement. Any time you spend on your opening statement will be deducted from the government time allotted. After your initial statement, we will go to the questioning portion.

Please go ahead and state your name for the official record, Hansard.

Mr. Edgar-Andre Montigny: I'm Edgar-Andre Montigny. Good day. I wish to thank the committee for offering me this opportunity. I'd certainly be very honoured to be appointed to the Animal Care Review Board. I think, from the last tribunal—we're definitely looking at two very, very different bodies and a very different role. The main reason this interests me is that it does allow me to combine a number of, I guess, lines of work that have come up in my career. All my previous activities certainly have helped give me some experience that I think will be quite useful and practical in this role.

I've had a double career. I started off as an academic. I started teaching Canadian history and public policy at various universities. I think we're all aware that academic life in the 1990s wasn't exactly an easy path, so that turned me towards how I could take those skills from academia, and I realized my policy work in the abstract—I was much

more anxious to do something a little more hands-on. Rather than looking and analyzing the past, I thought maybe I could contribute to the future. So I went off to law school to see if I could take those skills and background and make them work in a much more practical, immediate way. So I have the background with teaching.

I went to the community legal aid clinic system early in my career. In fact, it was my work on a board for a community legal aid clinic that—again, interested in poverty law and other issues. So it was my work on that board that convinced me that becoming a lawyer in the clinic system was probably a very effective way to take my interests and turn them into some practical impact—and, of course, there's all of the professional experience that leads me to think that a role at a tribunal would be something that I could not only perform very well at, but would be very satisfying.

This particular tribunal: I realize that I do have a long-standing role with various people who have been in the animal protection area, nothing too official, but in the sense that it just is another layer of satisfaction—that if I'm going to serve on a board, I can also do my bit to ensure that animal protection is promoted in this province.

Where I think I can make the best contribution to a tribunal is actually more in the area of administrative law. I perhaps did it backwards, but I started off clerking for the Superior Court, particularly the Divisional Court. My early experiences were all trying to figure out and—preparing my memos for the court, as to whether the proper administrative law procedures had been followed, whether the tribunal had met their obligation, since the Divisional Court focuses on appeals from various boards and tribunals. So before I ever appeared before a tribunal as a lawyer or sat on a tribunal as an adjudicator, I had my experience at Divisional Court, basically watching the judges analyze and critique the decisions and actions of various boards and tribunals. So before I ever started to have any personal experience, I already had the experience of seeing what can go wrong and what was recommended to make sure that their decisions were more judgment-proof. That also gave me a good start.

From there, that role got me interested in administrative law. I started my volunteer work with the Ontario Bar Association, but particularly the administrative law section. I started that in about 2002. At various times, I had to step back from that role, but I've been active with that section of the OBA ever since, so a good 20 years now. I've been chair a number of times, and the other role I've taken on is in their continuing professional development. I guess with my background as a teacher, I took quite enthusiastically to the role of organizing—well, first identifying what issues are out there in the administrative law community that either need training, need discussion or advocacy, and arranging and organizing speakers for public professional development sessions on whatever those key issues were. For the last 20 years, I think that's my main contribution to the administrative law section at the OBA—to ensure that we could promote education and promote organizing groups among the profession to help

advocate for whatever reforms the community felt were necessary.

That has also extended, from that role, to being appointed to the Toronto Licensing Tribunal—there, of course, trying to put what I've learned into practice as an adjudicator. That certainly was a very valuable role. I greatly enjoy the work I do with that tribunal. It's mainly looking at licences for tow trucks and taxi drivers. So it's perhaps not the most exciting material on the face of it, but at the same time, it has involved us in a number of issues where the interpretation of the law and statute has become an issue, where it's not always as straightforward as it may appear.

The other place where I think we have made good progress and where I think I have made a good contribution is in making the tribunal as accessible as possible, both through information exchange as well as our processes. Another thing that I think was quite valuable and very informative for me is, we just finished about a year-and-a-half process of going through our bylaws in great detail, one by one, and looking at each one—and not only whether there had been any previous urges to reform but, of course, in light of COVID and the complete transformation of our tribunal from in-person to online, whatever changes that entailed.

So both with the tribunal process and adjusting to this new format—as well as my role at the OBA helping tribunals and members adjust as a whole, offering information sessions on how online should work and what we should do to make it function the most effectively. So that role on that and going through the bylaws at that time, I think, also has prepared me quite well. We went through almost anything that could possibly arise at the tribunal and how the bylaws could address it in the fairest way.

0930

My legal career started, as I said, within the legal aid clinic and particularly at ARCH Disability Law Centre, where I was for seven years. Where I found that that experience has allowed me to make a contribution to the tribunal is, of course, that I was well trained in every aspect of accommodation for various disabilities, as well as just accessibility—everything from using plain language on our documents and websites, and again, all of the organization for how to put information on a page. It's not just the language but the whole look of the page that makes things accessible for people with various disabilities. I think I have been able to make many useful comments to the tribunal on how to make itself more accessible, how to better serve people with disabilities, and how, in general, to make all of our processes much more understandable.

I think I can bring all that background experience, all those skills to the Animal Care Review Board, and I certainly look forward to playing whatever role I can on that tribunal to make sure it functions effectively.

The Vice-Chair (Mr. Aris Babikian): Thank you, Mr. Montigny.

Now we'll move to the government side to start the questioning. The government side has six minutes and 13 seconds.

Mr. John Yakabuski: I appreciate your precision, Chair.

Thank you very much, Mr. Montigny, for joining us again—

The Vice-Chair (Mr. Aris Babikian): MPP Yakabuski, go ahead and start.

Mr. John Yakabuski: My apologies. You're so precise that I forgot to let you introduce me.

Thank you very much, Mr. Montigny, for joining us again this morning. I really appreciate your statement—the background and the varied experiences throughout life, and your academic and professional career as well. I think that bodes very well for you, as an adjudicator.

We have a few questions here, but we won't get to them all.

You've been recommended for an appointment to the Animal Care Review Board, in addition to the Fire Safety Commission. Do you foresee any caseload issues that may arise from being appointed to more than one tribunal? I can see that you're a high-energy guy and you don't mind taking on a workload, but we do need to ask you that question anyway.

Mr. Edgar-Andre Montigny: I wouldn't be opposed, but I'm not aware of the second appointment.

Mr. John Yakabuski: Okay. Well, in that case, sir, I'm going to pass the questioning on to my colleague MPP Oosterhoff.

The Vice-Chair (Mr. Aris Babikian): MPP Oosterhoff, the floor is yours.

Mr. Sam Oosterhoff: Mr. Montigny, I'd like to thank you for coming before the committee today.

What do you think an effective member of the Animal Care Review Board brings to the table? What would you believe is necessary to be an effective member of such a board?

Mr. Edgar-Andre Montigny: It's always easier to answer that question after I've been on the board and have a little bit more idea of how that particular board functions in detail.

In general, certainly, I think it doesn't really matter what board you're on, in the sense that obviously some content expertise is valuable in certain tribunals more so than others, as an absolute requirement—but I think the best thing is in the process, is in ensuring that the tribunal functions effectively. You have to know the process, and you have to know the bylaws and make sure that everything operates the way it should. The other things, certainly—the interpretation of the law, the facts. You have to have those analytical skills in order to make sense of the evidence and to come to a decision. But those are all skills that can be developed, that can be acquired and applied to a variety of tribunals.

So I think it's ensuring the issues of fairness and accessibility—making sure that everyone appearing before the tribunal understands what's expected of them and understands what their rights and obligations are, and that the adjudicators understand the process and make sure everything is done as scrupulously as possible. I think if you have ensured that everything is done properly and you're aware of what the processes are and what the rules of administrative law are, the content, though important, is

secondary to just making sure that everything functions as it should, so that in every situation, you can ensure that everybody had the best chance and was heard and feels that the process listened to them, and that the result, whether they agree with it or not—you have to ensure the process allowed them to feel that they at least got treated fairly, and that they can accept, even if they might not agree with it, that everything was done properly, so that the outcome is at least acceptable.

Mr. Sam Oosterhoff: Thank you. I'm going to turn it over to my colleague MPP Miller.

The Vice-Chair (Mr. Aris Babikian): MPP Miller, go ahead.

Mr. Norman Miller: Thank you, Mr. Montigny, for putting your name forward for the Animal Care Review Board.

I'm just wondering about what sort of engagement you have in your community—volunteer work, that sort of thing. What have you learned from it, and how will that inform your work on the Animal Care Review Board?

Mr. Edgar-Andre Montigny: I can't say I've had any volunteer work that was actually directly involved with animals. I certainly have friends who are very active with various groups, so I hear about things second-hand. Again, I think the board deals much more with larger animals, rather than pets, cats and dogs, which is where I have most of my experience—but again, I think it's with the process, with the idea of what is fair.

In my other volunteer activities, certainly, I've done enough with issues—like Lawyers Feed the Hungry. I've volunteered on boards for legal aid clinics—as well as my professional volunteer activities at the Ontario Bar Association or the Canadian Bar Association. St. Mike's has a community project where we prepare wills, powers of attorney and other things for low-income people with small estates, mainly just to give them the assurance of knowing that things have been dealt with. Preparing the documents is usually beyond them.

Of course, all of those activities with marginalized or low-income communities or people with disabilities, where it affects my professional activities is ensuring that—again, not everybody can be dealt with in the same way, so, certainly, being much more aware of the kinds of hurdles or barriers people from certain populations face, although it might not seem to be an obvious link. But once you get a further understanding of all the barriers, you can see that there are some usually very subtle and easy ways to make processes far more accessible and far more understandable for people. So I think all of my volunteer activities have given me different perspectives on what different populations need, what they see as the barriers. Sometimes it's just pure information—they just don't have access to the information that would make them feel comfortable. I spend a lot of time trying to understand where people are coming from and to see, if there are any problems, what it is about how we're dealing with them that has created those.

Volunteer activities are the best way to get a wide range of experience—and even if I don't know the answers, at least it has all made me sensitive to the question.

The Vice-Chair (Mr. Aris Babikian): The government side's time is up now.

We'll move to the opposition. You have 15 minutes. MPP Bourgouin.

Mr. Guy Bourgouin: Thank you, Chair.

Avec un nom comme—with a name like Edgar-Andre Montigny, do you speak French?

M. Edgar-Andre Montigny: Je parle français, mais pas parfaitement.

M. Guy Bourgouin: Mais je crois qu'il est assez bon pour que je vous pose une couple de questions en français, si vous me le permettez, parce que j'aime toujours essayer de poser quelques questions. Mais sentez-vous confortable de répondre en anglais, monsieur Montigny.

M. Edgar-Andre Montigny: Je peux lire. Je peux lire tout en français, mais pour parler, ma grammaire—c'est beaucoup d'erreurs.

0940

M. Guy Bourgouin: Vous faites beaucoup d'erreurs. Mais écoute, ceci dit, ma première question, ce serait : avez-vous fait des donations au Parti conservateur dans le passé?

M. Edgar-Andre Montigny: Une contribution politique?

M. Guy Bourgouin: Oui.

M. Edgar-Andre Montigny: Non.

M. Guy Bourgouin: Vous n'avez pas. OK, bien. Aussi—

Interjection.

M. Guy Bourgouin: Hein?

Mr. John Yakabuski: I could translate that into English: No.

Mr. Guy Bourgouin: That's pretty good French.

Ceci dit, écoute, c'est une batterie de questions que je veux vous poser qu'on pose à tous les candidats. La prochaine, ça va être : avez-vous été approché par quelqu'un du gouvernement pour faire partie de cet appointement?

M. Edgar-Andre Montigny: Non.

M. Guy Bourgouin: Non. Tu comprends ça aussi en français?

Mr. John Yakabuski: No.

Laughter.

M. Guy Bourgouin: Mais ça va sans dire, monsieur Montigny, que vos qualifications et votre expérience, je pense, avec le tribunal ou autre—vous êtes très qualifié pour faire ce travail-là. Mais ma question va aller surtout—qu'est-ce que, du mieux que vous pouvez nous l'expliquer, toutes ces belles expériences-là de la vie puis où vous êtes aujourd'hui vont amener à cette position où vous avez été appointé sur le comité? Ou sur le conseil, je devrais dire.

Mr. Edgar-Andre Montigny: I got lost a little.

Mr. Guy Bourgouin: Okay, let me do it in English.

Mr. Edgar-Andre Montigny: Sorry.

Mr. Guy Bourgouin: There's no doubt about your qualifications and your experience with the tribunal and everything that you said in your intro. What do you think your experience will bring in a positive way to your appointment on the board?

Mr. Edgar-Andre Montigny: I guess for detail I'll respond in English and spare people my horrible grammar.

I think what I bring is a solid background in administrative law, procedures and practices, and a good background in disability and accommodation issues. Those are skills that apply to almost any tribunal. Of course, the more I learn the details of the tribunal, the better I can be at handling the specific issues for this tribunal, but I certainly think that my background allows me to step into almost any tribunal position. It's a matter of learning the legislation and the interpretation, which only comes with experience, and applying it in the tribunal session, but I think having that background allows you to do it easily and properly.

M. Guy Bourgouin: Merci, monsieur Montigny. Je vous souhaite le meilleur, puis aussi la meilleure expérience. Je sais que vous allez amener beaucoup au conseil. Je vous souhaite le meilleur des succès.

The Vice-Chair (Mr. Aris Babikian): No more questions? Okay.

Thank you very much, Mr. Montigny for coming and enlightening us with your background and your work. You are free to leave.

Now we will move to consider the intended appointment of Mr. Cowan as director of the Ontario Securities Commission. Any concurrence? MPP Yakabuski.

Mr. John Yakabuski: I move concurrence in the intended appointment of Kevan Cowan, nominated as director of the Ontario Securities Commission.

The Vice-Chair (Mr. Aris Babikian): Any questions? Any comments? I see none, so I'm going to put the question. All in favour, please raise your hand. Any opposition? I see none. The concurrence is carried.

Now we'll move to our next concurrence: the appointment of Mr. Edgar-Andre Montigny, nominated as member of the Animal Care Review Board.

MPP Yakabuski, go ahead.

Mr. John Yakabuski: I move concurrence in the intended appointment of Edgar-Andre Montigny, nominated as member of the Animal Care Review Board.

The Vice-Chair (Mr. Aris Babikian): Any questions? Any comments? I see none, so I'm going to put the question. All in favour, please raise your hand. Any opposition? I see none. The concurrence is carried.

That concludes our agenda for the day. Thank you very much. Have a nice day.

The committee adjourned at 0945.

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