

WHO'S IN CHARGE?

The Impact of Agencies, Boards & Commissions on Public Accountability & Service Delivery

Proceedings from Social Planning Toronto's 2011 Research & Policy Forum

February 24th, 2011

Metro Hall, Toronto, Ontario

Organized & Hosted by Social Planning Toronto & the City of Toronto

Table of Contents

Forum Overview and Objectives.....	4
Session 1: <i>Setting the Context</i>	6
Session 2: <i>The International Experience</i>	7
Session 3: <i>Perspectives on ‘Agencification’</i>	10
Session 4: <i>Knowing your ABCs</i>	
Group A) Health (Local Health Integration Networks).....	18
Group B) Transit (Metrolinx).....	22
Group C) Police & Public Safety.....	25
Group D) Urban/Municipal Planning (Ontario Municipal Board).....	33
Session 5: <i>Snapshots of Additional ABCs</i>	37
Session 6: <i>Final reflections and the City Experience</i>	40
Speakers’ Biographies.....	42

Acknowledgements

Social Planning Toronto would like to extend our gratitude to the following individuals and organizations who contributed in making our event possible:

John Campey
Celia Denov
Bryan Evans
Lesley Johnston
Harvey Low
Mary Micallef
Alan Meisner
Maria Serrano
Navjeet Sidhu
Jeremy Tudor-Price

Panel Moderators

Diane Dyson
Tam Goossen
Christopher Hume
Fana Seife
Winston Tinglin
Effie Vlachoyannacos

Students/Volunteers

Dennis Cadenas
Kelly Clarke
Navina Dey
Kristin Guité
Zainab Habib
Robin Kaufman
Nkiwane Nomathemba
Jeff Roulston

Social Planning Toronto would also like to acknowledge the ongoing financial support provided by the City of Toronto and United Way Toronto.

WHO'S IN CHARGE?

The Impact of Agencies, Boards & Commissions on Public Accountability & Service Delivery

On February 24th, 2011, Social Planning Toronto (SPT), in collaboration with the City of Toronto, hosted our annual Research & Policy forum entitled, *Who's in Charge? The impact of agencies, boards and commissions on public accountability and service delivery.*

Forum Overview & Objectives

Since the late 1970s, a transformative shift has taken place in how governments manage and administer public services in many democratic countries around the world. Influenced by neo-liberal ideologies, governments have been increasingly under pressure to reduce their size and control over public services. Governments were declared “too big” and “too bureaucratic” to be able to properly and promptly deliver services transparently and flexibly. Governments were encouraged to adopt private sector management models to enhance the efficiency of service-delivery and the effectiveness of services/programs. One central result of this has been the creation of hundreds of decentralized and quasi-autonomous government agencies, boards and commissions (ABCs) to manage and administer public services. According to the Ontario Public Appointments Secretariat, there are approximately 630 of these agencies, boards and commissions operating in the province (<http://www.pas.gov.on.ca/scripts/en/Home.asp>). The City of Toronto has over seventy such agencies (<http://www.toronto.ca/abcc/directory-alphabetical.htm>).

The objective of the forum was to invite key experts, academics, community advocates and policymakers to engage in a critical discussion on the proliferation of arm's length government agencies, boards and commissions in Canada, Ontario and Toronto. We discussed the impacts of ABCs on public accountability and service delivery by exploring their roles and responsibilities in the specific policy areas of health, transit, public safety and security and urban/municipal planning. These organizations – entities such as the Local Health Integration Networks, Metrolinx, Ontario Municipal Board, and the Ontario Civilian Police Commission – have considerable authority over public services, however, very little is known about how they function, their mandate or how decisions are made. Our intention was to explore some of the key issues regarding accountability and service delivery that have emerged within these domains.

The forum agenda was as follows:

- **Welcome:** Celia Denov (Board Chair, SPT)
- **Session 1:** *Setting the Context*, John Campey (Executive Director, SPT)
- **Session 2:** *The International Experience*, Colin Talbot (University of Manchester)
- **Session 3:** *Perspectives on 'Agencification'*, Hon. Jean Augustine (Ontario Fairness Commissioner), Pamela Bryant (University of Toronto), David Siegel (Brock University)
- **Session 4:** *Knowing your ABCs (breakout groups)*

Group A) Health (Local Health Integration Networks): Raymond Applebaum (C.E.O., Peel Senior Link), Scott Dudgeon (Chair, The Change Foundation), Mark Hundert (National Director, Hay Group Health Care Consulting), Natalie Mehra (Director, Ontario Health Coalition).

Group B) Transit (Metrolinx): John Howe (Vice President Investment Strategy and Project Evaluation, Metrolinx), Shelly Gordon (Researcher, Canadian Union of Public Employees), Franz Hartmann (Executive Director, Toronto Environmental Alliance), Steve Munro (Transit Advocate).

Group C) Police & Public Safety: Cathy Boxer-Byrd (Senior Advisor, Ontario Civilian Police Commission), Alok Mukherjee (Chair, Toronto Police Services Board), Mariana Valverde (University of Toronto), Anna Willats (Toronto Police Accountability Coalition).

Group D) Urban/Municipal Planning (Ontario Municipal Board): Michael Gottheil (Chair, Ontario Municipal Board), Andrew Sancton (University of Western Ontario), Michael Shapcott (The Wellesley Institute).

- **Session 5:** *Breakout Report Backs & Snapshots of Additional ABCs*, John Macintyre (Build Toronto), Peggy Nash (Invest Toronto).
- **Session 6:** *Final reflections and the City Experience*, Shirley Hoy (Toronto Lands Corporation).

Full videos of presentations from our plenary sessions, along with PowerPoint slides, are available on our website: www.socialplanningtoronto.org.

Session 1: *Setting the Context*

John Campey (Executive Director, SPT)

- John Campey began the day by discussing the importance and relevance of agencies, boards, & commissions to both the community and public sector. It is an important issue however, not one which people believe to be necessarily urgent.
- This is an issue which is critical to our work as a social planning council. The policy areas we look to making an impact on, as an organization and a sector, are increasingly less involved in traditional policy processes. For example, in dealing with City Hall and city policy, you know where the lines of accountability are and how you can impact on them (i.e. the deputation process). It is fairly straightforward as to how we can influence policymaking. This goes the same for Queen's Park and Ottawa. We know how it works, how to impact policy processes, and who we need to talk to within the bureaucracy. However, this is now becoming less evident.
- In many policy areas, like health, transit, planning, inclusionary zoning, work has been devolved to quasi-autonomous arm's length government bodies instead of traditional government. It is therefore unclear how civil society can influence decision-making and policy within organizations such as the Ontario Municipal Board, Metrolinx, and the Local Health Integration Networks. Organizations such as these have proliferated dramatically over the years. The provincial government has even announced an initiative to reduce the number of these bodies.
- The goal of this forum is to broadly analyze and engage in a discussion on ABCs, how these bodies work and their impacts on communities, individuals, civil society and other levels of government. We want to discuss ways on how to influence decisions made through these organizations, the mechanisms of public input, and identify "best practices" in terms of accountability and more effective public engagement. These organizations are essentially tools which can be both positive and negative.

Session 2: *The International Experience*

Colin Talbot (University of Manchester)

Background

- In the United Kingdom (UK), agencies, boards and commissions are referred to as the *QUAGOs* (quasi-autonomous government organizations) but are more popularly known as *QUANGOs* (quasi-autonomous non-governmental organisations).
- During the late 1980s, the country witnessed a large wave of creation of these bodies called “Executive Agencies”. The creation of these organizations became an ‘international fashion.’ The new UK coalition government is currently looking at getting rid of many of them (dubbed “The Bonfire of the QUANGOS”). Nine-hundred of these bodies have been reviewed at the national level; 150 have been abolished or amalgamated or absorbed into larger government departments. The UK government claimed they would save five hundred million British pounds per year, but are not disclosing how much they are actually saving at all. In the short term, it is possibly costing them more.

Overview

- *QUANGOs* have been part of public administration in most countries for many years and they are unlikely to go away. They will continue to stay despite government claims to reduce their numbers.
- A common myth in public administration is that all governments were at one time organized in bureaus and ministries and run by civil servants and ministers. Most countries have had some degree of arm’s length bodies set up to do various parts of government activity. Most have also had waves of creation, reformation, abolishment or change, but despite it all, they have not gone away and remain an important part of public administration.
- It is an area that is very much under-researched, and there is little understanding of why they exist and what their functions are. Internationally, in the last two decades, there has been a fashion/trend towards “agencification” (i.e. taking chunks of central government and putting them out into some sort of arm’s length bodies).
- The Swedish Model: The Swedish government operates largely through agencies that are accountable to various central ministries but are arm’s length of them. In 1968, a delegation from the UK (The Fulton Commission) went to Sweden to examine the Swedish model and recommend using a similar model in the UK. In response, the UK imposed the Swedish model in their colony of Hong Kong as an experiment in 1971.
- The big wave of agencification, however, started in 1988, initiated by Margaret Thatcher. In 1988, the government released the “Next Steps: Improving Management in Government” report, which began the process of having 85% of British civil service working in about 140 executive agencies. These agencies were characterized by:
 - having a chief executive which reported directly to the minister,
 - a constitutional document (a framework document), and
 - key performance indicators.

- This movement in public administration caught on and spread to many other countries. It was seen as a good thing. However, there were no established evaluation processes in place to monitor whether the changes produced positive outcomes.

Why continue using ABCs?

- One primary reason as to why ABCs are still in existence is political; for example, to “keep the ruler’s hands out of the till” (i.e. the creation of arm’s length tax collection agencies to have a taxation system that was not under the direct control of politicians).
- Another example is policing. These are areas where you do not want politicians having operational decision-making powers, but rather, to have it in the hands of independent officials who do not have a political bias in decision-making. Public administration must be seen autonomous from the individual wishes of politicians.
- There are also managerial reasons for wanting to have autonomous agencies. One reason is organizations are more focused on the job to be done. Single departments and ministries are often not flexible enough to manage multiple functions and responsibilities through a single unified structure. Smaller units could concentrate on a specific type of task and become an expert on it. Managers could also have more control internally over their personnel and finances.

Problems with ABCs

A number of potential problems may arise with ABCs:

- Who is responsible when things go wrong? There are often accountability confusions.
- Limited autonomy.
- Excessive focus. Some agencies are so focused on one area that they fail to take into account the ‘bigger picture’ of what they were doing. There are also problems in terms of coordination across other government bodies.
- Gaming Performance: Managers make sure all the numbers are fulfilled without making sure the job is done.
- Regulatory agencies may end up getting too close to people they are regulating. They end up adopting the values of the people they are regulating. This happened in the financial sector recently.
- Parent departments also pose problems for some agencies. Most ministries find it difficult to let agencies have more of an ‘adult’ status. In the public sector, there is a multiplicity of relationships with these organizations. This creates problems. When a new Minister comes in, there may be a change in how a particular government department deals with these agencies.
- Performance Regime: Who steers? Is it the Minister, Deputy Minister or Parliament? When it comes to agencies, it seems there is no single parent.

Conclusion

- There are often cycles of opinions as to whether agencies are a good or bad thing. In most countries though, they persist over time, and we must find ways of living with them more effectively. We must simplify our relationships with these types of arm's length bodies, perhaps looking at private sector models. While there are many agencies, there is little coordination amongst them. There should be a particular relationship model which should be followed.

Discussion and Q&A

- Many have observed that ABCs do not respond to the people/ tax payers who are essentially paying for these agencies. It is vital for them to engage people who need their services. There is need to refocus on customers. Focus has been on designing the agencies and their performance appraisals and not on what they were meant to do.
- ABCs should be adapted to suit local conditions. Agencies are sometimes too centralized. For example, the tax system disadvantages some people. There is need to restructure the system so that it can capture the realities of women, people of colour, immigrants, etc.
- **Comment:** The problem with addressing accountability as far as agencies are concerned is that there is too much focus on financial issues. This reduces people to taxpayers, not citizens. The agencies were set up to be arms-length bodies, free of political meddling. However, governments also determine who sits on ABC boards.
- **A:** It is true that political appointments remain an issue. In the U.S., there are checks and balances which help to curb abuses. In Tanzania, appointments are open to abuse. In Jamaica, however, the political landscape is different in the sense that there exists a civic culture which puts the system under scrutiny. Tanzania has no such culture. It takes years to audit these agencies. There is need, therefore, to reform these agencies in order to suit local contexts.

Session 3: Perspectives on 'Agencification'

Hon. Jean Augustine (Ontario Fairness Commissioner)

The Honourable Jean Augustine described the role of the Ontario Office of the Fairness Commissioner.

- Since mid-1980s Ontarians have been discussing the question of access to professions and trades for newcomers.
- Over 40% of Canadian immigrants settle in Ontario.
- Competition for educated professionals is intense. They are encouraged to come to Canada through the point system. Yet, immigrants often don't work within their professions and are forced to work in jobs for which they are over-qualified.
- Many immigrants encounter obstacles in obtaining certification and licenses to practice their occupations within Ontario.
- In 2006, the Ontario government introduced the "Fair Access to Regulated Professions" Act. That law states that regulated professions must have registration and licenses in practices that are transparent, objective, impartial and fair. It covers 40 professions including engineering, medicine, and dentistry.
- The bill passed with support of the three political parties.
- This allowed the establishment of the Ontario Office of the Fairness Commissioner (OFC). It is setup as an arm's length regulatory agency of the Ontario government. The OFC is independent from the Government and also independent from the regulatory bodies. That means the OFC makes decisions which limit or promote certain practices. The mandate of the Commissioner is to ensure that regulatory bodies provide fair access to professions.
- The Commissioner is an Order-in-Council Appointee (i.e. appointed on recommendation of the Ontario Premier). The recruitment process was managed by Queen's Park – Public Appointments Secretariat.
- Ms. Augustine is a part-time commissioner. The office budget is \$1.6 million a year. She has hired 12 staff members who are not civil servants.
- The Commissioner must report to the government and public every year to see how well the law is working and make recommendations for action. The OFC Annual Report is tabled in the House. The OFC must be open, transparent, and accountable to the public.
- On routine matters, such as human resource policies, procurement policies and administrative issues, the Ontario government guidelines apply to the OFC (for example, the OFC could not contract out unless approved first by the Government).
- The above point is spelled out in the Memorandum of Understanding between the Ministry of Citizenship and Immigration and the OFC. It also spells out what the responsibility, relationship and expectations are between the Minister of CIC and the OFC. These agreements are mechanisms to ensure accountability.

Values of OFC:

- Innovate – first office of its kind on Canada and possibly in the world.
 - There are now similar operations of this kind in:
 - Manitoba (Fairness Commissioner)
 - Nova Scotia (Review Officer)
 - Quebec (Complaints Commissioner)
- The purpose of the OFC is to “shape a vision for the future. That is easier and faster in a small organization.”
- Advise and critique regulators and government policies.
 - The regulatory body exists by statute.
 - To create fair registration, both the regulator and government play a part.
- Focus on long-term systemic change.
- Fair access to professions requires:
 - Engagement, patience, and persuasion.
 - The OFC’s role is to work towards institutional change independent of the four-year election cycle.

Challenges faced by the OFC:

- Maintaining OFC’s independence requires vigilance.
- Reporting to the public and continuing to work in their best interest.
- Shouldering burden of public expectations. The OFC has no legislative mandate to assess credentials or advocate on people’s behalf.
- Restricted by resources provided by government. \$1.6M is not sufficient to do the work required. Funds need to be judiciously managed.

Final remarks around the OFC:

- The OFC was setup by a law that has wide public support.
- The OFC mandate is clearly defined.
- The role is narrow but long-term.
- The OFC’s independence serves the public interest.

Pamela Bryant (University of Toronto)

- Pamela was formerly part of the Ontario Public Service (OPS). She will draw upon policy work that underlies thinking of delivery new public service models.
- Would first question the “proliferation” of ABCs in existence. This is not a helpful perspective. Rather, would be more useful to ask if agency mandates are still appropriate and if ‘agencification’ is a way for the future.

- Regarding the number of Ontario ABCs: there are currently 630 agencies listed online on the Public Appointment Secretariat website, but only a third (200-250) are agencies to which the Ontario government appoints all or the majority of members through the Public Order in Council process. The number of agencies has been relatively stable but the constituent mix changes.
- These are all arm's length bodies with clearly defined accountability relationships to government, stakeholders and the public (at least on paper). Arguably, these agencies and their boards are the ones we might expect to come under the most scrutiny in terms of how they are held to account in the discharge of their responsibilities.
- What do ABCs do? There are three types of ABCs. They are:
 - Operational
 - Deliver services for minimal or no cost to users (e.g.: Education Quality and Accountability Office).
 - Enterprise Agencies – Delivering services in a commercial manner (ex: LCBO).
 - Regulatory and Adjudicative
 - Independent decision-making function (eg. Ontario Securities Commission, distinct from quasi-judicial adjudicative agencies such as Ontario Human Rights Tribunal).
 - Advisory Agencies
 - Setup to provide governments with specialized advice.
 - Tend to come and go because mandates are time limited (e.g. Accessibility Standards Advisory Council).
- In terms of accountability, when things go wrong, both the agency and its sponsoring minister can get into trouble.
- Why are ABCs created?
 - ABCs are all public purpose organizations, very seldom created on a whim. There is generally a strong policy rationale for governments to delegate authority to an arm's length agency.
 - Mandates of agencies are established by statute.
 - Public has a vested interest in understanding how well, or not, they function.
- Ontario's recent focus on good governance in the agency sector is a means to strengthening accountability:
 - Agency governance tools are now available online. They include:
 - Position descriptions for Board Chairs and members – helps to guide people in these positions and the public appointments process.
 - Tools on core-competencies – more or less the same as above.

- Tools for Codes of Conduct.
- These accountability mechanisms go beyond the traditional Memorandum of Understanding (MOU) and annual reports. These tools are a positive step forward in that they translate key public service values into concrete expectations as to how a board will act. Such values include: transparency, efficiency, effectiveness, value for money, etc.
- Not all agencies are on the same learning path. Some have comprehensive sets of practices that are known. Others are still in development and need pushing and prodding to advance them on the accountability and governance path.
- New Public Sector Delivery Models: Experiences can be shared between the community sector and the ABC sector and shared back to government around taking good governance to the next level and how to build effective relationships with stakeholders and civil society.
- New Governance Models of Delivery is distinct from New Public Management, as it:
 - Focuses on the citizen or client.
 - Harnesses new technologies and new ways of governing to foster new relationships between services and clients.
- Concluding challenge: The ABC sector and the community sector are the ideal places for innovation. You have the advantage of scale. You're not so large that it's hard to see what might work, and not that small that lessons and practices are not relevant in other settings. What kind of tools can you suggest that will help improve accountability in this emerging world of shared governance?

David Siegel (Brock University)

- Will be speaking on the local government perspective and using the Niagara Parks Commission as a case study example.
- As a political scientist, you would expect to approach these issues with a lens of accountability. We need to ensure proper accountability of ABCs. My bias is that you need to put as much authority in the hands of elected people as possible. This is where the lines of accountability ought to flow from. Things should be directly controlled by an elected body.
- An ancillary function around accountability that people rarely discuss is "Understand-ability" (i.e. the general public can't hold bodies accountable if they can't understand what is going on). We usually introduce complications in ABCs. Are members of the general public able to understand the relationships between various bodies? Do they understand who is responsible for delivering services or where to go to talk if they are unhappy with their services?
- We are concerned about the democratic deficit, i.e. low voter turnout, lower citizen engagement, etc. A part of that problem is that people are confused about who delivers what and who is responsible for various kinds of services.
- In regards to special purpose bodies (ABCs), local governments should be as responsible for as much as possible. Advocates for ABCs must prove why the same can't be done within the

local council/government framework. Too often the argument has gone in the other direction.

- One fundamental problem is that many arm's length local bodies are created by provincial legislation and, even though local governments fund these organizations, they essentially do not get a say in their operation. Local governments should be able to have some control over the bodies they fund.
- One classic example of where ABCs create difficulties is police services commissions. There is a really good argument about why governments should not have political control over the day-to-day activities of the police services. There needs to be some insulation between political decision-making and daily police service activities. However, this has been somehow interpreted as meaning local governments should have no control over the budget or human resources of the police services.
- An example of where there are good arguments for ABCs is when there is a geographic imperative in some way, for example, conservation authorities and watersheds, where they may extend into multiple local governments.
- On improving the relationships between bodies and local governments: if have to have an ABC, it should be accountable to one lead government. Problems arise with bodies like police services boards that see themselves accountable to a number of different organizations.
- Local governments also need to be much more careful about how they appoint people to ABCs. There is too much political bargaining. Get the right people in the right spots. Interview in order to appoint the right people.
- Memorandums of Understandings are important tools, but can be difficult in cases where local ABCs function under provincial legislation.
- At over 100 years old, the Niagara Parks Commission (NPC) is one of the oldest ABCs. It is also one of the oldest practitioners of the New Public Administration model.
- One of the big things the NPC does is sells rights for the Niagara River, i.e. it charges Ontario Power Generation and Canadian Mohawk for the water they take off the Niagara River to run their turbines. This generates a lot of money which NPC invests into the parks system, gardens, bicycle paths, etc.
- NPC also licenses certain concessions, such as the Maid of the Mist.
- Licensing is where they have gotten into trouble. You have an arm's length special purpose body that is self-funding. For instance, Maid of the Mist is one area they have run into trouble because private enterprise (*Ripley's Believe it or Not*) thought they operate the facility just as well.
- The problem this illustrates is that ABCs are expected to do a variety of things. The NPC is expected to make money and be self-funding. If they are a business agency then you expect them to behave one way, but if they are a government agency they are expected to act in a different way. The role of these agencies then becomes unclear. People who run these agencies do not know what to do. Are they expected to maximize profit or act like a government agency? The NPC is now struggling with this idea of when you have an arm's length body that is self-funding; it can create a sense of ownership on the part of the members of the commission. They have tended to forget the public interest and have acted instead like "good business people."

Discussion and Q&A

Q: At the Provincial level, is the appointment process properly reflecting the diversity of our society as well as in the overall hiring process – where is employment equity fitting in?

A: Jean: In terms of procedures for appointments within the OPS, I would imagine they follow the Ontario Public Service Diversity Objectives and Policies. As someone concerned with this issue, I am always looking at what is happening in terms of gender and diversity, etc. We must follow our diversity rules and policies. As for agency hiring, we look at existing legislation, what do we need and how to find the talents and skills to properly reflect the diversity of the province.

Pamela: Public Appointments processes have been opened up considerably at the Provincial level. Core-competencies have opened up the eyes of those who make appointments to makes sure ABC jobs are representative of the population. The Maytree Foundation, through their Diversity Leadership Initiative, is making huge in-roads, however things take time.

Q: What are the realities on the ground and specific outputs of these departments? The government is spending millions on these agencies; however, what have been the results of their work and what are the statistics saying?

A: Jean: One of the things the OFC did last year was to develop an online survey. It was kept for about three months, and it asked individuals to tell us their experience, their international training, how long they have been in the province, their experiences with the regulatory bodies, what difficulties they have encountered, etc. 3,700 people responded to the survey and 3-5 focus groups were conducted. That documentation is available, and it is instructing our work. Data is available on the OFC website for each profession. Many of the regulatory bodies themselves also keep such data.

Q: Given that ABCs have such diverse applications to the average person on the street, why do these positions continue to be appointed positions rather than elected? Furthermore, since ABCs are supposedly responsive to the needs of the average person, why are they so complicated to them?

A: David: Things would work better with fewer ABCs so people could know where the points of accountability are with their local council. We would start going backwards if we started having elections for these bodies because it would add to the confusion. I would like to see more responsibility given to the elected municipal councils. Councils frequently shirk their responsibilities because they say ‘we have a special purpose body that does that so don’t come to me about it’. They should be responsible for providing the service and responsible for the ABC.

Pamela: As for the 'heady' aspect, I was referring to all the new jargon laden service-delivery models that are being talked about now. The community sector can play a big role in helping translate what is happening in the sector to the average member of the public, for example, how delivery is changing, how funding is changing, where things are going off the rails, etc. You have to focus on the areas of public policy and service delivery you are interested in and do your best by going to events like these or going to the agency websites, to try to put the pieces together.

Q: In terms of setting up agencies that really don't have the teeth to make decisive change quickly, how do we then create 'the teeth' these bodies need to make change? (For example, the Ontario Securities Commission has not successfully tried and convicted white collar crimes in the past 50 years vs. in the U.S.). Second question is around the politicization of ABCs. Board members, commissioners, etc. have a political master. What is the balance between the independence of the board member or commissioner and the government, so that you can create the dialogue moving forward and be more than just a representative or a mouth piece for government, but rather an effective decision maker?

A: Jean: Firstly, the legislation does have some teeth to it, in that it has non-compliance measures such as fining a regulatory body. Remember, the OFC is still young – in its 3rd year. So they couldn't start out, open the office and start fining people. You can't make accusations without first having the evidence. First, we had to find out what was happening with the regulatory bodies' registration processes and also needed to hear from the applicants themselves. We can now start the work of looking into non-compliance. The OFC now has ability to use the teeth of the legislation. Furthermore, as a decision-maker, we must ensure that decisions are not counter to the values and ethics of society, and we must ensure that we work through proper government processes (for example working within legislative guidelines, etc.) to maintain the independence of the commission. At this point in time, the Ministry of Citizenship and Immigration has not tried to interfere, simply because it is all new. We are not ready to push non-compliance as of yet because bodies will push back, legally, if we go beyond the legislation allowed to the OFC.

Pamela: Agency mandates are hammered out through a political and legislative process. Often mandates get augmented or reduced when going through the process of bringing a piece of legislation into effect. Most new agencies now have a sunset review provision (i.e. every 5 years mandates need to be looked at). Most governments do an agency review when they come in. The heads of ABCs can always sit down with the Minister to get the tools they need to do their job. The strongest part of the agency system is the adjudicative side, because they are quasi-judicial agencies, they do have the oversight of the courts in terms of the quality of the decisions they make, regardless of how politicized their appointees may or may not be.

Q: In regards to overcoming red tape, what can we do to give more discretion at the service-level for employees to implement policies and reducing individuals having to go through many bureaucratic hoops?

A: Pamela: It's a big problem whether you're talking about operation of government departments or ABCs. I don't know that there is a one-size fits all approach. Certainly there have been many attempts to streamline.

Q: The OFC ensures that regulated professions have transparent, objective, impartial and fair registration practices. What are the benchmarks? How is it assessed if these practices are objective, transparent, and impartial?

A: Jean: This would take a lot of time to answer, but we can discuss it during the break. This information is also laid out on our website. This was really the first question we asked when we took the legislation: what is it to be fair, impartial and objective as we look at the registration practices? A number of regulatory bodies have made changes to their registration procedures as a result of the test of fairness and impartiality.

Q: In regards to judicial oversight, courts and tribunals also have appointees and they have been notoriously poor at addressing issues of equity -- particularly race-based equity. Are there any learning outcomes from the ABCs that would be of valuable and can be transferable or adaptable? Are there any opportunities for cross-fertilization?

A: Pamela: Tribunals would be separate from the court system. Both the courts and the administrative justice agencies are in the business of dispensing justice. They do understand due process and try to be inclusive in the kinds of rules and regulations they devise and they try to understand the "customer" that's before them. So how they interact with the public could be transferable to some of the other agencies that have been talked about.

Wrap-Up

Winston: At least three things have been consistently coming up during our discussions. First is accountability. Two, all panelists have spoken about the relationship between the citizens/residents and these institutions. That's an aspect of accountability, but it's also important in that there is an issue around knowledge, or access to knowledge, and understanding how these agencies operate. The third point is around how agencies are in transition, in that they are at different points in a long path towards better accountability and connectedness with the public. How then do you accelerate the pace of change? What are the mechanisms that exist for making change happen, and how can agencies be more proactive in the process? Those are the three themes that have come to the surface.

Session 4: Knowing your ABCs (breakout groups)

Group A) Health (Local Health Integration Networks)

Mark Hundert (National Director, Hay Group Health Care Consulting)

- Mark Hundert provided a brief backgrounder on the origins and development of the LHINs. Prior to the LHINs, healthcare in Ontario was managed via “District Health Councils”. The Ministry of Health oversaw health policy development and implementation. The Minister would receive his/her directions from the Premier.
- Inevitably, the Premier and the world of politics would get into the way of healthcare and healthcare service delivery. Thus, the LHINs came to be, acting as a local health system manager which included funding duties and performance-based evaluations.
- The LHINs would be in charge of leading local health system integration and service coordination throughout Ontario. The LHINs were to be more: patient focused, economically efficient, involved with stakeholders, transparent and community oriented. In addition, the LHINs were to integrate health systems all over Ontario, create and foster a culture of partnership and equality, engage the community, and overall, it was to be a “good idea.”
- The LHINs went from concept to development and introduction in just 18 months.
- Every facility under the LHINs would sign an accountability contract, making them liable for any issues. The LHINs contracted The Hay Group to investigate the performance of each agency, usually followed up with an evaluation. However, no real penalties or firings are employed when breaches of contract occur. Failure is tolerated since there is no real measurement mechanisms in place or penalties imposed when issues arise.
- Due to the nature of contracts, the LHINs and the Ministry of Health and Long Term Care are not held accountable for the agencies within the LHINs. Rather, the agencies operating under the LHINs get scrutinized.
- Maturity, which was supposed to have been reached by 2007, meant that the LHINs would get funding decision-making powers in order to run the operations of health services in Ontario. But that is simply not the case. Nothing happens within the LHINs unless the Ministry approves of it. Even then, the Minister must take it up with the Premier. Although the Minister is supposed to make decisions, often times, the caucus and Premier get in the way. They usually set out an agenda or platform of their own in order to maintain power, or gain votes for an upcoming election. The LHINs say that they have the power to act on what they see fit, but that is not always the case. This results in health services being negatively affected.
- The LHINs focus too much on integration and not enough on health, especially in smaller communities.

Raymond Applebaum (C.E.O., Peel Senior Link)

- Having in the past worked in the Mississauga-Halton LHIN, I am more positive and optimistic about the work of LHINs and their potential.

- The greatest accomplishment of the LHINs has been that they have levelled the playing field, if not the overall outcomes of health for some populations. The 'Aging At Home Strategy' chronicled in a Toronto Star series is just one example of the positive work coming out of the LHINs.
- The LHINs have integrated many agencies and organizations, which has created more connectivity and inclusiveness than ever before.
- However, meeting accountability levels has been a major concern for the agency. There are no accountability measures in place at the government level to ensure proper penalties for the failure to provide standard health services for all Ontarians. The Ministry of Health requires that the LHINs sign a three-year contract that makes the agency liable for any and all issues concerning health administration. This effectively means that the government takes no accountability for any problems while not handing out penalties to ensure quality service is delivered for Ontarians.
- Half of the hospitals operating in Ontario are running deficits, which is illegal. The Premier has taken control of the Ministry of Health (and the LHINs) in the following areas: wait times, beds in hospitals for acute services, ER, and long-term home care.
- Tracking and information measures for non-profits are close to non-existent. These organizations do not have enough money, resources, or training to properly track information to inform the Ministry about the real health care needs in Ontario.

Natalie Mehra (Director, Ontario Health Coalition)

- Natalie Mehra explained that LHINs do not operate effectively or provide adequate health services (it is more of a command and control structure). The LHINs have the power to restructure and organize services to facilitate the needs of Ontarians.
- There have been many shortcomings to the way the LHINs are managed (more precisely driven) by the Ministry of Health and their operations.
- Ministers have powers to impose their will on the LHINs and to restructure or take down non-profit entities as they wish. This means that politicians and politics get into the way of identifying which services are being implemented and which organizations get to facilitate delivery of those services.
- Geography is also a problem. Due to the huge landmass of Ontario, distance is a very important issue in connecting local communities with health services (usually allocated in bigger urban sites). The LHIN that includes Scarborough stretches all the way to Algonquin Park. Besides distance, there is also nothing in common with the areas within many regions of the LHINs. For example, Scarborough has the TTC, but Algonquin does not even have a public transportation service, nor do they have the same population or the same health concerns and needs. Boundaries are also a problem. Due to their abstract nature, the boundaries separate many services from each other -- one service in one city and the other in the same city.
- The LHINs are undemocratic. They wanted to cut hospital beds even though the people using those beds had nowhere to go. If you needed a certain health service before, sometimes you would have to go one hour away to get it within your LHIN. Now you may have to go three or five.

- The LHINs also makes it very easy for the province to contract out its health services; it is basically made to be the purchaser of hospital services from private companies. This means that it runs the risk of privatizing Ontario's health care system, which could result in a complete loss of accountability, higher service fees, and a lower standard of health coverage and adequate service delivery (such as health care in the United States).
- There is very little public access to information. The public cannot gain access to documents. After six years of LHINs management, we still do not have a patient-centred system, and there are still 10,000 people on waiting lists for homecare. As of December 2010's report, there have not been any improvements in the Ontario health care system under the LHINs. For that reason, and for many others, structural change of the current health care system in Ontario is required.

Scott Dudgeon (Chair, The Change Foundation)

- In the mid-1990s, all the provinces regionalized their healthcare systems. The Ontario government was under pressure to regionalize the health care system. As a result, the Ministry of Health started to create and map out the LHINs.
- The people appointed to this task were civic-minded individuals. But that's not enough – we need robust performance management around meaningful measures for those responsible for planning and leading regional/local health care, and real accountability requires that those measures/responsibilities be met by the leadership if they are to remain in their positions.
- Integration by itself is insufficient. The focus should be to invest in the local and not solely on regional integration. More clarity in governance is necessary.
- Public administration brings political accountability – which is preferable to shareholder accountability as in the US.
- The LHINs must have the authority to make restructuring decisions in order to make better sense of regions. Having regions with municipalities and communities that are far away from each other, or that do not have the same needs and proper transportation services that link them together, means they should not be integrated into one region. The current regions should be revised.
- The Ministry has to back off and let the LHINs do what they need to do in order to provide better health services. Politicians should not interfere with health care delivery for their own partisan goals of becoming (re)elected or maintaining power.
- Public health authorities must connect with the LHINs in order to tie up loose ends and create a more holistic health care system.

Discussion and Q&A

Q: How do we address socio-economic health inequality?

A: Scott: Most of our services are available to everyone because we're not paying for healthcare, but the barriers are still there. The LHINs are more concerned with who they fund than with what services they provide.

Raymond: Unfortunately, agencies usually only collect data that the LHINs require them to in order to ensure their continued funding. So we've lost our vision and ability to track these questions. [LHINs are working to improve data collection, however.]

Group B) Transit (Metrolinx)

John Howe (Vice President Investment Strategy and Project Evaluation, Metrolinx)

- Metrolinx was created in 2006 in order to integrate the transport delivery system within the region. It is still a young and evolving agency. The work done by Metrolinx transcends geographic lines.
- Our region is the fastest growing in North America. Therefore, there is a need to invest in our transport system to address traffic congestion during the rush hour which has a major impact on work place productivity.
- Traffic congestion has an impact on our GDP as it stalls economic growth. The annual cost of congestion has been placed at \$15 billion. Each year 26,000 jobs/year are not being created because of lost time.
- If things remain the same, commuter times are expected to increase to 109 minutes by 2031.
- Metrolinx, in a bid to address congestion and other issues, designed the 'Big Move Plan'. This plan will expand the transportation/transit network system for people who are within a 2km radius of the transit network from 42% to 81%. This plan will reduce commuting time from 82 minutes a day to 77 minutes a day.
- The 'Big Move Plan' also has a personal benefit to citizens. Currently, an average of two cars is owned per household. Our regional transportation plan will ensure that reliance on cars as means of transport will be reduced.
- The agency's transit master plan is to be completed in 25 years at a cost of \$50 billion.
- Added travel time saved would equal five days – what would you do with five extra days?
- Metrolinx is proud of the Regional Transportation Plan (RTP) that will have environmental, social and economic benefits.
- The plan will also ensure that the project is financed in a sustainable way.
- Metrolinx is working collaboratively with all levels of government to make sure that the project gets funded. The Ontario government and the Federal government have already made a commitment of \$14 billion. There is need for \$2 billion per year over the next 25 years for the plan to remain sustainable.
- The Metrolinx Investment Strategy Report is due out in 2013.
- By 2013, the Metrolinx Investment Strategy will include rapid transit services, cutbacks in commuter times, and create an environmentally friendly transportation system. It will also examine different funding sources for the project. The system can still be environmentally and globally competitive.

Steven Munro (Transit Advocate)

- Metrolinx has a commuter traffic focus similar to the GO system.
- More riders using the TTC outside of peak hours.
- TTC riders outnumber GO riders.

- It is sad that Metrolinx and the Big Move Project have become vulnerable to attacks by Municipal officials. The current Mayor does not care about public transit (TTC).
- It is also interesting that Metrolinx does not engage the public on its Big Move Project. Social Planning Toronto should be commended for organizing a meeting which addresses an important issue which directly impacts people it works with.
- The major problem faced by Metrolinx is that of funding. The \$2 billion a year is not adequate enough to fund this project. In order to operate every day, \$4 billion is needed *every year* (long term cost). There is a need to increase funding.
- Metrolinx is not engaging ordinary people who are impacted by their service. It should engage the public on revenue sources, such as, taxes.
- Metrolinx is not interested in local service – people think in terms of clusters of people (for example communities in Rexdale) – local clusters matter.
- How do you consider/engage people to be willing to pay taxes for services?
- The province has not helped by shelling out spending.
- Metrolinx does not focus on the TTC, which is an essential service for everyday commuters. It does not fund local transit.
- It also does not engage the public nor does it facilitate public deputations. Discussions take place privately.
- The province needs to be prepared to provide quality service to Toronto or downgrade to a level of service that is acceptable in Burlington.

Franz Hartmann (Executive Director, Toronto Environmental Alliance)

- When developing policies, important items to consider include:
 - The process of developing policies is just as important as the outcomes.
 - Do the ends justify the means?
 - Is it necessary to destroy democracy to achieve an outcome?
- The healthiest ecosystems are the ones that have diversity. Organisms existing in such a scenario do not die because they co-exist. What Metrolinx does not do has an economic, social, and environmental impact. If we don't get it right, the next generation will be doomed to smog, congestion, etc.
- Created in 2006, Metrolinx was designed to get rid of politicians and replace them with an appointed board. Board members are appointed by the Minister of Transportation. Originally, two people on the board of directors were appointed by the province and then there were nine regional people – they were replaced with appointed experts (private citizens). The board is not made of experts in transit, but experts in business and finance – not many in transportation.
- This process disengages citizens. Citizens can only hope that during the next election, influential, elected officials will be willing to appoint a board that is accountable to the public.
- Currently there is no provision/allowance for the public to speak or attend Metrolinx meetings.

- The board is accountable to the Minister of Transportation, who in turn is accountable to the Premier. This system was selected because they wanted to leave politics (and the bickering which comes with it) out of agencies.
- It is interesting that the experts who are in charge of the agencies do not have the experience of carrying the public's interests. Cutbacks to Metrolinx show that we are dealing with a Mayor who has no Council mandate.
- Is it really true that politics has been taken out of transit? The Premier urged Metrolinx to work with the new Mayor. This is because of the impending election. The Premier is understandably reluctant to oppose someone who was "elected by the people". This is a case where Metrolinx, as an agency, is meeting the needs of two white men.
- Transit has been reduced to a trivial issue. It is however, not a trivial issue. It has serious environmental concerns attached to it. It is now questionable if they really understand the whole concept of transit. They have hijacked the whole system and have taken away accountability.

Shelly Gordon (Researcher, Canadian Union of Public Employees)

- There is a difference between elected and unelected bodies. However, does this really make any difference if we have dictators who impose their will on others? People, in general, have conflicting interests. Therefore, to be elected, officials have to address these various interests.
- Municipal Council is not the highest form of democracy, but is the most wonderful form of democracy. It addresses local issues which local people are facing. Multiple processes go into the institution, such as elections and open meetings.
- Municipalities are required to have open meetings. There are only five reasons to go into camera.
- Municipalities are transparent because the public has a right to information. Meeting minutes are public information.
- By contrast, meeting minutes from Metrolinx meetings are unavailable or are out-dated. There is no public transparency.
- Metrolinx only allows others to come to meetings if the chair has approved it. People who come in are seen as bad or representing interest groups.
- Metrolinx is going ahead with a diesel train project despite political and community opposition to the idea. The City's medical officer of health has also said that it would be harmful to the public's health.

Discussion and Q&A

Q: How does an elected Mayor criticize the work done by Metrolinx? Is the Mayor waging a war against transit?

A: It is important to have democratically elected people in office. It is vital to realize that politics cannot be taken out of transit. People have to approve the process. An elected board brings to it a lot of benefits.

Group C) Police & Public Safety

Cathy Boxer-Byrd (Senior Advisor, Ontario Civilian Police Commission)

- Brief history of Ontario Civilian Police Commission (OCPC): Civilian oversight has been in existence in Ontario since 1962 with the creation of the Ontario Police Commission. They have changed names throughout the years due to legislative changes.
- In 1997, the government provided the commission with oversight of public complaints against the police until October 2009. After a significant review, it was decided that more oversight of the public complaints process and more independence was required. They went back to what was in place in the 1990s.
- Two other oversight agencies operate in Ontario: the Special Investigations Unit and the newly created Office of the Independent Review Director.
- The OCPC has very broad powers and authority. OCPC is at arms-length of the Ministry of Community Safety and Correctional Services. There is a full-time chair and seven part-time members. The Chair is appointed through the Public Appointments Secretariat.
- Appointments to the OCPC are two year appointments with option of renewals (maximum of 10 years).
- The OCPC legislative authority is found in the Police Services Act and the Inter-Provincial Policing Act from 2009.
- OCPC powers are quite varied and wide-ranging.
- OCPC is not in the business of public complaints against the police any longer (since 2009).
- Overview of legislative responsibilities:
 - Investigative powers: can investigate conduct or performance of duties of police officers, chiefs or deputy chiefs of police, special constables, municipal law enforcement officers or police services board members. They can also look into the administration of a municipal police force (under section 25).
 - The role of the OCPC under section 25 is discretionary, not mandatory. Most of the issues that come before the OCPC are by way of application. We are reactive as opposed to proactive. We receive an application and we act upon it (depending on the section of the legislation).
 - Section 39 deals with budget disputes between a police services board and a municipality. This is, however, seldom invoked. Most disputes are settled in the 11th hour. Though, there may be more frequent disputes due to current economic climate.
 - Police restructuring applications are also dealt with. For example, some municipalities may not have the infrastructure to support their police services. There are options available for these municipalities in terms of how they provide their policing. OCPC would look at applications to ensure that adequate and effective policing is going to be provided to a municipality.
 - Section 47 talks about a police services' responsibility to accommodate individuals who are members of a police service who are discharged or retired

when there are allegations that a disability renders them incapable of performing their essential duties.

- In terms of police discipline, police chiefs are responsible for the discipline of officers in the first instance, hearings take place at the local level, and there is a right of appeal to the commission on those matters. Public complainants can also play a role in this process at the local level or appeals to the commission. The process, however, can be intimidating for members of the public due to its very formal, quasi-judicial nature. The Commission recognizes this and has created a pamphlet for unrepresented members of the public who are appealing to the commission, providing information on all the necessary steps during a proceeding.
- The commission also has some responsibility in the appointments of First Nations constables.
- Although the commission does not have oversight of the public complaints process anymore, we have a small responsibility in terms of the management of internal complaints (used to be called 'chief complaints'). These are cases when a chief decides that, after having received some information, they want to investigate one of their officers.
- In 2009, the new Interprovincial Policing Act came into effect. This deals with cross-border policing matters. There are many joint-force operations that occur across the province. The commission can investigate officer conduct issues and discipline can be imposed by their employer.
- The commission is part of the bigger structure that articulates the responsibilities of the different parties in terms of policing in the province and accountability in terms of civilian oversight of policing.

Alok Mukherjee (Chair, Toronto Police Services Board)

- In Ontario, municipal policing operates under a system of civilian oversight. The intent of a civilian oversight scheme is to ensure we have a form of professional policing that is governed and overseen by representatives of the community. It is one that meets certain common standards of adequacy and effectiveness across the province and that is free from direct and overt political control.
- The Police Services Act lays out the framework under which the Toronto Police Services Board operates. According to Section 31 of the Act, the Board is responsible for the provision of adequate and effective police services.
- The board is responsible for establishing policy, determining the services, objectives and priorities (in consultation with the Chief), appointing the Chief and Deputy Chief, and establishing guidelines for the processing of complaints.
- As the employer, the Board has a key role in labour relations and negotiates collective agreements with police associations.

- The Board is also responsible for the police budget of the Police Services. The Board establishes operating and capital budgets and submits estimates to City Council each year.
- Once every three years, the Board is required to develop a business plan for the police services in consultation with the chief and the public.
- The size of a police services board is based on the population of the municipality. The Toronto Police Services Board has seven members (the largest in the province). Of the seven, three are members of the public appointed by the province; city council appoints the other four members: the mayor, two councillors and a resident of the city also appointed by city council.
- The Board governs the police services on behalf of the public. In general terms, the role of the Board is to oversee the provision of police services including law enforcement and crime prevention.
- The Chief of Police is responsible for daily policing and most operational matters.
- The Board monitors the Chief's performance and has the power to direct him/her. The Police Services Act is based on the relational model. The line separating policy from operation is neither thick nor fixed. The two parties (the chief and board) work together best when there is a relationship based on negotiation.
- There are certain instances when the Board must exercise its formal authority over the Chief. It is only in exceptional situations a Board should use its full authority. This model of governance, using a civilian board, has the potential to provide efficiency, effectiveness, cost-savings, transparency and facilitated public engagement and input in the delivery of police services.
- Only limited issues are dealt with through confidential meetings. With those exceptions, all deliberations are in public, all decisions are made in public and all policies are established in public.
- In developing significant policy, business plan or budget, community input is actively sought.
- A centralized system of policing would not be able to be so consultative or transparent.
- There are also formal mechanisms that hold the delivery of police services accountable to the people they serve. The Board's day-to-day operations do not require a great deal of interactions with other ABCs such as the Ontario Civilian Police Commission (OCPC). However, the Board, like all boards across the province, is ultimately accountable to the OCPC.
- The Office of the Independent Police Review Director (OIPRD) is responsible for overseeing the administration of all the complaints made by the public about police in Ontario. The OIPRD has the goal of providing an objective, impartial office to accept, process, and oversee the investigation of public complaints against Ontario's police. OCPC and OIPRD are but two of the formal mechanisms through which the board are held publicly accountable.
- From time to time, the Board is faced with challenges in terms of service delivery, public accountability and transparency. An example of this would be the Toronto G20 summit.

- The G20 summit raised a number of unique and significant challenges for the police services and the Board in terms of policing practices and governance. As a result, the Board decided it was imperative to take action to try and answer some of the questions that arose in the public domain, specifically around accountability and transparency. As a first step, the Board retained an external expert to develop terms of references that would govern an independent civilian review into matters related to the summit. An inclusive consultative process was used to develop the terms of reference with the community and other police stakeholders.
- Last September, the Board approved the appointment of Justice John Morden to conduct the independent civilian review (IRC). The goal of the IRC is to identify issues and concerns raised by the public and the Board regarding oversight, governance, accountability and transparency as they relate to the multi-jurisdictional model of policing applied to the summit. The work of the IRC is currently ongoing. The Board is hopeful the review will provide important recommendations as it critically assesses issues related to governance, accountability and transparency.

Mariana Valverde (University of Toronto)

- The G20 summit events and failure of police discipline made a lot of people question things. Now is a good time to raise issues about police governance.
- The rules of the game are against the public and do not work in favour of real civilian oversight.
- In terms of civilian oversight in relation to the police, one useful thing is to compare it to civilian oversight with the military. There is strong civilian oversight of the military in all democratic countries, and that's what makes us different from countries such as Libya and Egypt where militaries govern themselves.
- We can learn a lot from the area of the military oversight.
- Every democratic country has a problem in terms of exercising control over those people who have guns and thus a lot of power.
- There is a lot less discretion on the part of military officers on the ground than there is on the police. Military officers also don't have powerful unions that spend a lot of money on skilled lawyers like the police do. That's another rule of the game that weighs things in favour of the police.
- There are two aspects of police governance that we need to be concerned about. One is "after the fact" systems of governance, i.e. complaints-driven or inquiries. For instance, while the Police Services Board is having a review of the G20 events, we have other competing inquiries occurring simultaneously, demonstrating the fragmented, uncoordinated and undemocratic nature of police governance. The average member of the public cannot tell them apart. There are systemic problems in governance. Even if problems are discovered, the arguments will be that the G20 was an unusual situation, the RCMP was running the show not the Toronto police, this won't happen again because we won't have another G20, etc.

- In terms of complaints, people on the ground (those working in these agencies) say there is little cooperation. In fact, there is outright hostility between the professional standards unit, the SIU and the OIPRD. That causes a problem. The OIPRD is a big improvement over the previous system because they have the power to do their own investigations. Before there was a civilian oversight body, but it couldn't investigate anything and it had to rely on the police to find out what documents needed to be produced. The area of third-party complaints are still lacking.
- The OIPRD has been flooded by G20 complaints; they cannot process them because they are understaffed. They have decided to turn over most of the complaints to the police to investigate. It shows the systemic problem that the complaints process is not well-resourced.
- There are also problems with the SIU. The rules of the game are even stacked against the SIU.
- The "after-the-fact" system of governance is quite dysfunctional. The whole idea of asking people who were beaten up by the police, especially those who have previous criminal records, to, then, go complain is quite unrealistic.
- Police services boards have half their members appointed by the province. That might be fine for small towns, but for a city like Toronto, it is an insult to the city. The city knows its policing matters better than the province. It's paternalistic and inappropriate.
- The Boards have responsibility over policy and not operational matters. However, all Chiefs of Police have made sure that 'operational' is defined as widely as possible to prevent real oversight. There has been little pushback from the Board on the crucial question of where is the boundary. The two should not be so sharply separated.

Anna Willats (Toronto Police Accountability Coalition)

- Anna has been presenting and working on issues with the Police Services Board for almost 30 years in Toronto. Her interest in police accountability came out of work with the Toronto Rape Crisis Centre.
- We were constantly confronted with poor police investigations of sexual assaults or dealing with sexual violence perpetuated by police officers and working with survivors of that violence. There were three high profile cases in the 1980s, all involving women named Jane Doe that I was involved in.
- I participated on a task force for two years which formed out of the sexual assaults that were happening during that time. We developed a series of recommendations such as request stops on the TTC as well as other recommendations for the police.
- My experience with the Board has been very activist and community-involved. We were able to accomplish some very good things. We have also had negative experiences such as former Chief Julian Fantino turning his back on me while I was deputing at the Board or Board members not really listening to you at all.
- We have had very progressive people on the Board as well. I have learned to criticize the system rather than the individual.

- The entire oversight system is very complicated, even with all my Board and activist experience, so I can't imagine how the average person could understand it.
- For the average person, the definition of what is operations and what is policy and what does the Board have the right to direct the Chief on, and not, is not engaging.
- There has not been enough pushback on the Chief, or in venturing into the areas of general operations and decisions about operations. The Board can make comments on things such as deployment; not specific comments, however, but the Board can offer an opinion, with public input, about deployment principles and ways to save money.
- In terms of "who's in charge" regarding policing, as a member of the public, you have to say 'we don't really know'. That was most evident during the G20 where it seemed no one was in charge.
- People are becoming cynical. The lack of accountability as most recently evidenced in the SIU story yesterday will cause people to throw up their hands. That kind of cynicism is very bad for the province and Toronto when it comes to talking about policing.
- We see that there are crises in Police Services right across the country. In Toronto, we have examples such as the G20. As well, an average of one person is killed by the police every 2-3 months and has been occurring for quite a while now. Our goal needs to be no people killed by the police. In Orangeville, the investigation of two women murdered with little police response is causing people to question their Police Service. The Durham Chief refused to be searched as he went into an arena carrying a gun. In Ottawa, there are horrific videos of police brutality. More women or people of colour joining the Police Service is not the solution to the problem. The issue is about their attitude towards having control and power and the likelihood of abusing that power. In Vancouver, there is ongoing neglect of missing and murdered Aboriginal women happening for years. Further examples are the RCMP problems with leadership and misuse of Tasers.
- The public needs to see accountability in these cases. Unfortunately, we have too much confusion. We have many agencies and boards with different limitations, and we have the paternalism of the province.
- The public feedback process needs improvement. Currently if you want to give feedback to the Police Services Board, you need to be free during the day, comfortable to go to 40 College Street, check the agenda online to see whether you have a right to comment, need to book a spot to make a deputation, and keep it to no longer than five minutes. There are also limitations about what you can comment on. We need better access and have our voices included.
- In terms of appointment to ABCs, you need to fill out a form to the province online, and most people don't know that.
- We also have to look into the Canada Border Services Agency. Our Police Services increasingly cooperate with the CBSA but who makes them accountable? Non-status residents cannot even access police services. They cannot call the police because if the police discover they are undocumented, they will turn them over to CBSA. There is no accountability for them.
- Recommendations: People need to be educated as to how to give a deputation, people need to understand the policy/operations split and what they are allowed to talk about

and what they are not, they need a course on the Police Services Act, and we need to change the Act itself. It is from the operations that the complaints arise. Board meetings need to be on evenings and weekends when the average person can go. More informal processes for giving feedback are required. Separate agendas are needed because the current agenda is very long. We need a separate meeting for the public to comment. Non-English speakers need to be able to give feedback in their own language. Better notice about meetings and the topics of interest. Orientation sessions should also be developed so that the public can find out and learn how to give feedback to the Police Services Board.

Discussion and Q&A

Q: What is the interplay between expanding municipal police budgets (including the number of officers hired) at the expense of other social programs?

A: Cathy: I am unfamiliar with the budget process at the local level. OCPC does not get involved in that. I can, however, speak to the reduction of the number of officers within a police service. Under current legislation, if you want to reduce the size of your service, there is a requirement for you to get approval from the Commission. When applications are received to reduce service size, the police service board needs to be able to demonstrate to the commission that the reduction will not have an adverse impact on service delivery. In the 22 years of being with the commission, I have no recollection of an application for any GTA Police Service requesting a reduction in service. Decisions are based on applications that we receive.

Alok: What you are raising is partly related to the checkerboard of legislation Mariana and I have talked about. The operative phrase is “adequate and effective policing services.” But there is no objective formula by which you say this number is the optimum ratio of population to police. It’s a political decision. The number was plucked out of thin air. A review of what is the optimum strength is being proposed by the current Budget Chief since it has not been done yet. Numbers are a local decision. Legislation does not dictate this either.

A business plan is required under the Police Services Act (PSA) every three years. We have attempted to develop a business plan by going out into the community, having consultations with young people, First Nations, the elderly, etc. to ask, what the priorities are for your neighbourhoods and to identify objectives. Then we go back and have feedback sessions, and that becomes the basis for the business plan and then the budget. The complicating factor is the power of unions. It is a political factor. Labour relations operate on the basis of who has greater power. There is a history of contract negotiations failure. When you give something away it becomes an entitlement. It is right to focus on the cost of policing in terms of the collective agreement. But there are systemic issues as well -- how do we imagine policing to be? Do they all need to be uniformed with all use-of-force options? When you analyze what an officer does on a daily basis, we don’t need officers who are all armed with guns and Tasers. That kind of discussion needs to happen.

Anna: During my time in Toronto, the functions of officers have grown beyond those defined under the PSA and the core-services that a police service is to provide. When we talked about community policing, what we wanted was more accountability and direct ways to talk to officers. But what happened is that officers have taken on more and more roles, and now officers are in schools for example. We don't need officers in schools, but what Harris did was to take a bunch of helping adults out of schools and replaced them with more expensive officers. It's not a good use of the Service. We have to put the province's feet to the fire because politicians are fond of saying "more officers". However, they will only pay for officers for a brief time and then leave it to the municipalities to fund. We need to have a conversation about what we want police officers to do: who needs to be armed, who needs to have counselling skills, etc? We need to hire officers who have a particular skill set or start hiving off duties and give those roles back to the community (such as social workers, child and youth workers, guidance counsellors, etc). We need a lot more working together. We need less police officers doing what police officers do under the act, and get back to having more community-based policing.

Group D) Urban/Municipal Planning (Ontario Municipal Board)

Michael Gottheil (Chair, Ontario Municipal Board)

- Some ABCs are regulatory, including some that are adjudicative tribunals, who in terms of their function and their processes, are similar to the courts.
- In terms of accountability, if a body is a funding agency, it should be accountable for how it is distributing their funds. If it is adjudicative, it is accountable for its access to justice and that decisions they make are consistent.
- In my view, there are fundamental distinctions in the tribunal sector and in administrative tribunals. Adjudicative will hear applications, for example. The relationship that tribunals have with the government will be different than other agencies will have (i.e. it has to be impartial, free from government interest, accessible, and members must have expertise in the area of planning).
- Tribunals like the OMB are increasingly seen to fall within the sphere of the administrative justice, rather than as a branch of a Ministry.
- They have been taken out of the host Ministry and have been placed within the Ministry of the Attorney General or in another part of the justice system.
- Tribunals must be accountable too, but in different ways.
- Let me move onto the OMB's roles. The OMB operates within three legal realities:
 - The OMB board is a legislative body and not a policy body.
 - It is not a planning board. Municipalities exercise a planning function.

 - The OMB plays a statutory role, hears appeals and is not consistent with provincial planning decisions.

- Today, the board is legislated as an adjudicative body and applies a policy approach. It is not a planning board or commission.
- The OMB is a creature of provincial statute, which the public doesn't appreciate. The legal reality is that when municipal planning takes place, it has to be aligned with provincial requirements.
- Planning in Ontario is a provincially-led regime, not locally-led. It provides broad social and economic policies, and municipal decisions have to be consistent with such policies.
- In any planning regime, there will be a body to which a review decision can be taken.
- We can have a regime where appeals are made to the minister, to the courts, or to a body like the OMB.
- We have to think about things like expertise and accessibility. Is the adjudicative body tailored to this properly?
- Planning decisions have a life beyond political cycles and will have intergenerational impacts.

Andrew Sancton (University of Western Ontario)

- Andrew explained he is generally unsupportive of the work of the OMB.
- One thing we have to keep in mind here is that the OMB is unique in its power and its authority. I have not found another jurisdiction with the same kind of power. Municipal councils should be in charge of planning decisions.
- Municipal councils are supposed to make the decisions about zoning, but their decisions can be overturned at the OMB for any reason.
- Provinces can get along without municipal boards. Councils can be required to hold “fair hearings”.
- Why should there be some other place after local people decide what they want to do?
- The OMB has survived a number of assaults. Why has it survived?
- Reasons: some citizens feel like they get a chance to present their views which turns into a bit of an OMB industry. The OMB gives a convenient out to avoid being responsible for things they do not want to be responsible for.
- The big winners: land use planners in Ontario. They are more important here than in any other jurisdiction because of the OMB.
- My former PhD student (Dr. Aaron Moore) has a book coming out soon on this subject (you can read some of his work at <http://www.cpsa-acsp.ca/papers-2009/Moore.pdf>)
- I don't see much realistic change coming soon with respect to the OMB.
- An alternative? There is a need for an OMB-like body. It needs to be able to hear disputes between the provincial governments and municipalities about planning issues, but the OMB has much greater authority than that. The scope of this new alternative body should be narrower than the current OMB organization.

Michael Shapcott (The Wellesley Institute)

- Michael has been a witness to many OMB hearings.
- Why do we need the OMB? Municipal councils can and do make decisions that impact greater society and, though they make many decisions with the proper procedures, nevertheless, the results are obnoxious and offensive and need to be checked (or overturned).
- I want to talk about two cases: the City of Toronto shelter by-law and an official plan amendment in the City of Kitchener.
- City of Toronto shelter by-law: Homeless services should be available everywhere, however, council felt that was not feasible. The case was taken to the OMB and half of the offensive stuff got left in and half got chopped off. (Find out more at <http://www.nrchmi.samhsa.gov/ResourceFiles/Documents/1.4%20Ranasinghe%20Valve%20-%20Toronto%20Shelter%20Zoning%20By-law.pdf>)
- Official Plan Amendment (OPA) in the City of Kitchener: Even the most progressive politicians make stupid decisions. The City of Kitchener felt there was “too much supportive housing” in a certain ward. Activists took it to the OMB, and though they did not strike it down, they introduced the parameters needed by the OMB to take into

account the Provincial Policy Statement (**PPS**) and planning law. It also introduced the need to include human rights considerations. (Read more about this here <https://www.omb.gov.on.ca/e-decisions/pl050611-jan-14-2010.pdf>)

- The OMB has to do a better job of understanding human rights issues. The OMB is skewed in favour of property owners.
- How can we make the OMB do a better job? The PPS is too vague, too short and doesn't give enough direction. The section on housing does not go beyond a 10-year need. We need more rules and more laws.
- We need an OMB which is more responsive to the realities of the issues on the ground, and the interests of the people already excluded need to be considered more often.
- The province needs to strengthen its provincial policy statements to ensure that municipal councils are not allowed to discriminate or exclude large groups of people. We need an OMB that has policies and guideline that are sensitive to the realities of communities.

Discussion and Q&A

Q: Can the City of Toronto do without the OMB?

A: Moderator, Christopher Hume: The City of Toronto Act can take powers away from the OMB, but because planning is such a hot and difficult issue, the convenience of the OMB is too appealing for local politicians to let it go. The OMB, whether it does good or bad work, ends up becoming the screen.

Gottheil: The Provincial government just implemented a competitive, merit-based process for their appointments to tribunals. Pre-existing criteria include: expertise and specialization. Where the courts are generalist, tribunals are specialists (they can dig in and get the facts).

Q: Is the current regime appropriate? Does it give you proper views of what communities are like? Does it allow for broader policy that a lot of people want to see? You could get rid of the OMB, but it doesn't mean that human rights will flow automatically into municipal decisions.

A: Shapcott: If you look at Toronto now, and you look at what's happening on the ground, we are a city that's horribly divided – poor and rich, racially-divided, healthy and sick. This is not the fault of the OMB, but rather the fault of the local council.

- In 2006, we found that about half of the city didn't even have any social housing.
- We have deferred too much to a small sector of planning.
- We clearly need to have planning rules to produce a city that's good for all of us and not just for some of us.
- The province has to take a much clearer role here since municipalities are only children of the province.
- We need to have a police department for planning.

Andrew: There should be a balance between larger wards and smaller wards.

Comment: Citizens do not really have any say and decisions are totally out of our hands because it's either with the OMB or with municipal councillors.

Boroughs were set up within Montreal. They have final zoning decision making power unless they do something extremely peculiar.

A: Gottheil: I have tried to actively consult with people outside our usual stakeholder list since I first became chair and I have met with a couple of activist groups. They said that what wasn't working for them was the fact that they didn't get to go to OMB hearings. Community planning is the way to go. Only a fraction of planning decisions really goes to the OMB.

Hume: But isn't it so adversarial, where there's a winner and a loser?

Gottheil: Excellent point but the OMB really is meant to be adjudicative, not a planning commission.

Sancton: One ground for appeal could be that municipal council is seen as violating a right with municipal property. I don't think municipal councils should be allowed to engage in exclusionary zoning. No guarantee that PPS is effective.

Shapcott: They went into homeless shelters and asked questions like: "What do you want in an official plan?"

Gottheil: It may be shifting for a long time. When I was first appointed, there had been some room for mediation (especially with my background in labour relations and human rights). I realize that there are people who don't want mediation since they've been there two years at that level – they just want a decision made.

Q: How can the OMB can be improved. Have you spoken to people at provincial level?

A: Shapcott: They met with provincial people to have their English turned into planning language. The new PPS will come out and hopefully they'll be looked at.

Comment: Ward 20 – Adam Vaughn gets an application and then speaks to the developers (if he hasn't said no already. Afterwards he'll set up a meeting with activists in the area and they may ask for certain considerations to be made. He makes it very clear that if you don't negotiate with the residents, it's not going to go through.

Session 5: *Snapshots of Additional ABCs*

Peggy Nash (Invest Toronto)

- There are two labour representatives on the Invest Toronto Board. Invest Toronto is an agency dedicated to seeking investment from private companies to come to Toronto and add that investment here to create jobs, add to our tax base, support our social programs and strengthen our city. We, as labour reps, see this as a way to job creation in the private sector, especially with the loss of thousands of good-paying manufacturing jobs in the city.
- The goal of our agency is to attract Canadian and international businesses to come and invest in our city. Invest Toronto provides information and helps businesses navigate through the various hoops they have to go through and help to facilitate decision-making (i.e. one-stop shopping).
- Invest Toronto has worked hard in developing their website since it is the first place businesses go to obtain relevant investment information.
- They also help businesses connect with experts at all three levels of government more easily. Additionally, they assist with site location and selection and hook businesses up with other businesses in their respective sector.
- Invest Toronto was incorporated in 2008.
- The Board consists of volunteers. Board members consist of labour reps, academics and industry reps.
- The only permanent board members are the mayor (Chair), the Chair of the Economic Development Committee at City Council, and vice-chair appointed by City Council.
- Guidelines for Invest Toronto were developed from various studies conducted by the City.
- Publications released by Invest Toronto include: fact sheets, brochures, social media, flyers, advertising and a website.
- Invest Toronto staff spend resources to have meetings with potential investors. They will meet with the Department of Foreign Affairs and the Ontario Marketing Agency and get as many contacts as possible, then go abroad and try to seek out companies and persuade them to do business with Toronto.
- One example is KPMG which chose Toronto as its home for its global resource centre. The company looked at the many strengths of the City including our business environment, our status as a financial centre, a sound economy, strong banking system, a good social and physical environment, social programs, availability of office space and accessibility to infrastructure (including transit).
- Toronto is also attractive to businesses due to our geographic location and access to markets.
- Toronto's economy is the engine of the whole country. Our economy in Toronto and the GTA is larger than British Columbia.
- We have a highly educated workforce, a large pool of skilled workers and highly developed postsecondary centres and overall good quality of life. We are also one of the most connected (online) places in the world.

- We do not, as board members, go out on trade delegations. Our job is to advise staff and set the framework for the agency.

John Macintyre (Build Toronto)

- The City of Toronto is the sole shareholder of Build Toronto (as well as Invest Toronto).
- The organization grew out of the same reports Peggy Nash from Invest Toronto mentioned, that were conducted by the City looking at the city's fiscal and economic health. The City looked at various options on how to structure the investment/promotion work (Invest Toronto) and the real-estate/development work (Build Toronto). Both Boards often collaborate and work closely together.
- Build Toronto was incorporated in November 2008 and the Board were appointed in April 2009. The CEO was appointed in June 2009. A formal launch took place mid-2010.
- The mission of Build Toronto is to be the primary developer and manager of City real estate assets and create a new model for city building that centers on achieving the city's economic, environmental and social goals. It works to develop and sell properties to achieve the financial and city building returns, and to act at arms-length independently from the city, but in a publicly accountable and entrepreneurial fashion.
- We're really the City's development and real-estate company.
- One of the tenants' of the original start-up strategy is around financial returns. The City has a portfolio of real-estate that is in excess of 7,000 pieces of property that had a value (in 2008) of \$17 billion dollars. The conclusion was that it wasn't being as managed as effectively as it could have been. There were many parcels of vacant land that had been sitting idle for many years.
- We have a financial mandate, but we also do it in a way that encourages and engages both the private and public sector. We also want to ensure the development of employment opportunities (maintaining the focus of employment zones and nodes of employment), playing a role in neighbourhood regeneration and provide affordable housing opportunities.
- We have a board of 12 members. Eight are professional real estate advisors, we have a labour representative, and four appointed City Councillors.
- John went over the organization's model of how they approach development (graphic available in PowerPoint slides). We tend to group our projects into one of these four quadrants. Those on the lower financial value and lower city building value are a number of locations that we have that are smaller remnant sites, not transit connected, or may have environmental issues. Our goal is to get those on the marketplace and sold (i.e. get some economic activity happening on them). If we go up the value chain, we have a number of sites that are very well located; they have high marketability and market attraction, but are not individually catalytic kind of developments. Those sites we try to extract value from (i.e. get the zoning in place, work with a partner, get the value up and sell it). On the other axis around city building, there are a number of sites that are within key official planned policy zones, where there are opportunities in a community to kick-start many good developments. The high financial value and high city

building value sites is where we would like to focus on in the long-term. These sites are transit-connected, have employment nodes right above subway stations, opportunities to be a catalyst for other development, job-creation, etc.

- We have an active stakeholder framework. We work with many different organizations in various sectors: city agencies, boards and commissions, the real estate sector, financial services, public sector, non-profit, and community partners. Whenever we go into a community where we are proposing a development, we have a strong public consultation program. We get out and meet with stakeholders, community leaders and citizen groups, and we work hard to ensure we come up with development scenarios that extract financial value but also have the buy-in and involvement with the local community.
- [John went over a map consisting of 31 properties across the city that Build Toronto is working on. He provided some background information on some selected sites (see PowerPoint slides).]
- In conclusion, we have a procurement strategy, we use a roster system for all our proposal calls, and that enables us to get stuff out into the marketplace quickly. We are very focused around joint ventures – we are not going to develop stuff on our own, but rather partner with other private sector developers.
- Around affordable housing, the board has approved a strategy to develop 1,000 units of affordable housing over the next 5 years. We have just completed an agreement with Habitat for Humanity for the first chunk of those units. We are not in the business of owning or operating affordable housing, but we work closely with the City's Affordable Housing Office.

Session 6: Final reflections and the City Experience

Shirley Hoy (Toronto Lands Corporation)

- The forum poses a very important question around the governing structure of ABCs and public accountability and service-delivery. I have been asked to discuss my experience with ABCs during my time working at the City as City Manager.
- Every order of government has ABCs. There are specific advantages of this particular government structure.
- These are some of the qualities governments look for in an ABC:
 1. A focused mandate.
 2. The ability to attract and retain specific skills and experience that are relevant to that focused mandate.
 3. If an ABC works well, it should also facilitate effective and efficient service-delivery. It should, at the end of the day, streamline bureaucracy. That's why governments often create an ABC.
 4. An ABC should help enhance public trust, public engagement and improve customer service.
 5. An ABC should provide a level of independence from the political government structure (in the City's case, independence from city council), so that you do not get political interference in the day to day activities of that particular service area that has been put under an ABC.
- The actual results and experiences have been very mixed. If you look at what is reported in the media, there have been cases where ABC's do not work well. Why is that the case?
- In my opinion, ABCs do not work when the fundamentals of good governance are missing. They become a disaster when there is a lack of clarity as to who is in charge. Fuzziness in the mandate results in lack of respect and trust between the political decision-makers, the public and the board of an ABC.
- As well, final budget approval authority resides with City Council in the case of municipal ABCs. So there is always tension between Council and the special purpose board.
- The other issue, in regards to the Toronto experience, was that since amalgamation the pattern of staffing increases from 1998 to 2008 was one where there were constant decreases in the staffing of basic municipal services. But there were significant increases in provincially cost-shared programs, such as shelter programs being downloaded to the city. When you look at the staffing increases going to the ABCs but decreases in the directly operated municipal services, then you turn to the budget numbers themselves. In the last 10 years, the percentage of property tax revenues being spent in the ABCs kept growing, to the point when in 2008, over 70% of property taxes were spent on emergency services, transit and provincially mandated programs.
- Three examples of Boards I worked with between 1998 and 2008: Toronto Public Health, Toronto Public Library and TTC. In my view, the Public Health and Library Boards

have worked well, but the TTC has been very problematic. This goes back to my earlier point around good governance in ABCs. At the Public Health Board, of the 13 board members, seven members are citizens and six are councillors. On the Library's 13 member Board, eight are citizen members and five are councillors. At the TTC, the board has nine councillors. I use the Public Library as a real success story that worked well after amalgamation. Because it was removed from the day-to-day political problems we have at City departments, they were allowed to work with board members to focus on restructuring their mandate, restructuring their administrative system, going out into the community, using the expertise of their citizen members to do public engagement, providing good services and looking at innovative ways of service delivery. They were also measuring what they were doing. The system is now one of the top three library systems in the world.

- The three major reasons why the TTC is not working well is:
 1. Their mandate is fuzzy. They need to make clear whether they have policy authority or service delivery authority.
 2. They do not have the required expertise when looking at innovation. The Board needs to add some specific expertise to help them determine ways of dealing with some of the policy and service issues.
 3. The TTC is a service where there is really important interconnection to transportation services. Because transportation services are a directly delivered municipal service, when you have councillors on it, they tend to mix up their role of overseeing a direct operation of a City department with an ABC. Major rethinking on part of the TTC is required. You either bring it in as a division of the bureaucracy, or if you're going to still use a separate special purpose body like a commission, you have to be very clear as to what its mandate is and how far it can go and not get into major policy issues.
- In conclusion, don't think just because a body is an ABC, that it means you don't have public accountability. It is really important to see an ABC as a governance structure. If it is set-up well, it can deliver public service very effectively.
- What is required are four major items for success:
 1. There has to be a clear Memorandum of Understanding (MOU) between Council and the Board that is set up. In that MOU, Council needs to set out very clearly, the roles and responsibilities of not just the Board, but of the Chair and staff, and its relationship to the senior bureaucrats and officials at the City.
 2. There should be a requirement for formalized regular reports to Council by the Board and the Board Chair.
 3. On both sides, there should be a "no surprise" policy adopted. To manage any major change, whether in policy direction change or financial change, there should not be surprises that people read about in the media.
 4. Since City council is the primary shareholder of ABCs, Board members and Chairs should be well briefed and oriented to the strategic directions of the Mayor and City Council.

Speakers' Biographies

Session Two

Colin Talbot

Colin's main area of expertise is in public services and public management reform. He has recently completed major international comparative studies on the creation of arms-length agencies (for the UK government and ESRC); of the use of performance reporting systems (for the National Audit Office); and of budget participation and scrutiny systems (for the Scottish Parliament). Colin has advised Parliamentary Committees on performance and public spending issues for the Treasury, Public Administration and Welsh Affairs Committees.

Colin has advised a wide range of international public sector organisations and/or carried out research in countries as diverse as Canada, Jamaica, Mexico, Tanzania, India, Bangladesh, Japan, Hong Kong, Malta and Sweden and spoken at conferences and seminars in over two dozen countries.

Colin has had an unconventional career — he left school at 16 and worked in various jobs before going to Manchester University as an undergraduate at 21. After Manchester, he worked in a variety of mainly public sector posts before completing an MSc in Public Sector Management at Southbank University (with Distinction) and then becoming a senior lecturer in 1990 at Southbank. He completed a PhD at the London School of Economics before becoming Chair of Public Policy and Management at Glamorgan University in 1995 and Chair of Public Policy at Nottingham in 2003 and now Chair of Public Policy and Management at Manchester Business School.

Session Three

Hon. Jean Augustine

Hon. Jean Augustine was appointed as the first Fairness Commissioner for Ontario in March 2007. She cares passionately about education and the challenges faced by newcomers to the province. Ms. Augustine was born in Grenada and came to Canada in 1960. She attended the University of Toronto, where she earned Bachelor of Arts and master of education degrees. She became an elementary school principal with the Metropolitan Separate School Board in Toronto. From 1988 until 1993, she was chair of the Metro Toronto Housing Authority. Ms. Augustine was the first African-Canadian woman to be elected to the House of Commons. She was elected in the riding of Etobicoke-Lakeshore in 1993 and sat in Parliament until 2006. During this time, she served as minister of state for multiculturalism and the status of women, sat on several standing committees, and was a deputy Speaker. She also played a major role as parliamentary secretary to the prime minister.

She has shared her expertise and enthusiasm with others as a member of several community boards, including those of York University, the Hospital for Sick Children, the Donwood Institute and Harbourfront Corporation. She is former national president of the Congress of Black Women of Canada. Every year, she makes a better future for young women through the Jean Augustine Scholarship, a fund that helps single mothers attend George Brown College and Centennial College in Toronto. In 2007, she was chair of the Ontario Bicentenary Commemorative Committee on the Abolition of the Slave Trade Act. Ms. Augustine has donated her archival and parliamentary materials to York University's Faculty of Education, thus creating the opportunity to establish an innovative academic position, the Jean Augustine Chair in Education in the New Urban Environment. She has been honoured by many organizations for her leadership and community involvement and has been awarded honorary doctor of laws degrees by the University of Toronto, the University of Guelph and McGill University. In December 2009, she was appointed as a Member of the Order of Canada.

Pamela Bryant

Pam is a Fellow, Senior Advisor and Senior Lecturer in the School of Public Policy and Governance, University of Toronto. Seconded by the University from the Ontario Public Service in 2005 to establish, with two leading scholars, the new School, Pam is now fully involved in the development of its Master of Public Policy program, in building relationships with governments, business and the educational and not for profit sectors, and in teaching. She brings to the School more than thirty years' experience in policy development, implementation and service delivery, beginning her career in England, as a planner with the London Borough of Islington, working on housing policy issues.

Pam joined the Ontario Public Service in 1978 and advanced through senior leadership positions culminating in the role of Deputy Minister, Citizenship and Immigration and Deputy Minister Responsible for Women's Issues and for Seniors, where she played an instrumental role in policy and legislation to improve outcomes for immigrants, for persons with disabilities and for women and children. Prior to that, she served as Assistant Deputy Minister in Management Board Secretariat, the Ontario Children's Secretariat, the Ministry of Community and Social Services and the Ministry of Citizenship and Immigration. In the community, Pam is Chair of the Board, Fred Victor and immediate past Chair of the Seaton House Family Health Team, both organizations addressing problems of urban poverty, homelessness, addiction and mental health. Pam holds an Honours Bachelor of Arts in Sociology (McMaster University) and a Master of Science in Urban and Regional Planning (University of Toronto). She is a member of the Institute of Public Administration of Canada, co-leads one of its international projects and has been inducted into the McMaster Alumni Hall of Fame.

David Siegel

David Siegel is Professor of Political Science at Brock University and Director of the University's new Niagara Community Observatory. The mission of the Observatory is to work in partnership with the Niagara community to produce evidence-based research on current issues in the local area. He has held a number of administrative positions at Brock including Dean of the Faculty of

Social Sciences; Associate Vice-President, Academic; Acting Dean of Student Affairs; and Chair of the Department of Political Science. He has written extensively in the areas of public administration and local government. He is co-author of *Public Administration in Canada; Evolution, Revolution, Amalgamation: Restructuring in Three Ontario Municipalities*, and *Service in the Field: The Real World of Front-Line Public Servants*, and co-editor of *Urban Policy Issues*. He has also written articles in the *Canadian Journal of Political Science*, *Canadian Journal of Regional Science*, *Canadian Journal of Urban Research*, *Canadian Public Administration*, and *Municipal World*. He has a Ph.D. in Political Science from the University of Toronto and an M.A. in Public Administration from Carleton. He is also a Certified General Accountant.

Session Four: Health

Raymond Applebaum

Since graduating from the Ryerson School of Social Work, Raymond has worked in the Health & Community Support Service sector for three and a half decades, primarily with seniors' and persons with a physical disability. His career involves working with federal and provincial governments in health & social services; business owner of an independent consulting firm serving local, provincial, and national non-profits/private sector businesses, and municipal and regional government clients; managed several local, provincial and national non-profit charitable organizations in the development and delivery of human services; Humber College – Gerontology Professor, Seneca College, Family Studies, and guest lecturer University of Toronto, Health Promotion & Policy; and volunteer for numerous organizations, e.g. Ontario Community Support Association Board of Directors; United Way of Kitchener-Waterloo and Area Board of Directors, Allocations Committee Chair; President, Older Adult Centres' Association of Ontario and United Generations Ontario; and Chair, Peel Advisory Working Group on Older Adults' Housing.

Raymond continues his career developing effective partnerships and integrated care services, innovative programs, system enhancements, and collaborates to best serve the needs of the community. These efforts continue through the creation and development of Metamorphosis in the Central West and Mississauga Halton LHINs. Raymond was seconded by the Ontario Community Support Association to prepare the Assisted Living in Supportive Housing: Case for Program Expansion August, 2007. Founding member of Community Door; facilitating the development of the Seniors' Health Research Transfer Network (SHRTN) GTA Implementation Committee; and ASSIST health system model co-chair, Steering Committee, MH LHIN.

Scott Dudgeon

Scott Dudgeon is the Chair of The Change Foundation, a policy think tank intent on changing the health-care debate, practice and experience in Ontario. The Foundation draws on his extensive experience as a health-care leader and on his dedication to improving the health of vulnerable populations and the quality of the health-care system. In recent years, he served as the Chief Executive Officer of the Alzheimer Society of Canada and executive director of the Canadian Collaborative Mental Health Initiative. He has also held positions as executive director of the Toronto District Health Council and has taken on a variety of health-care board

and executive roles. He now works as a health policy consultant, serving clients in the health-care and charitable sectors.

Mark Hundert

Over the past thirty years, Mr. Hundert's career has been devoted exclusively to health care consulting. He specializes in the planning, analysis, improvement, management and governance of health care services. He has conducted literally hundreds of major consulting assignments for health care clients across North America. Prior to joining Hay Group, Mr. Hundert was the Principal of Hundert & Associates, National Director of Health Care and Social Services consulting for Peat Marwick (Peat Marwick Medicus) and President of Medicus Canada. He received a B.A.Sc. in Industrial Engineering from the University of Toronto and a M.S. in Operations Research from Northwestern University. He is a member of the Canadian College of Health Services Executives (CHE), and Professional Engineers Ontario. He serves on the Boards of Bloorview Kids Rehab and Anaphylaxis Canada, on the editorial board of "Health Management Forum", on the editorial advisory board of "Law and Governance" and as a reviewer for the "Australian Health Review". Mr. Hundert received the 2008 Engineering Medal for Management from the Ontario Society of Professional Engineers and Professional Engineers Ontario.

Natalie Mehra

Natalie Mehra is the director of the Ontario Health Coalition -- an organization encompassing more than 50 local chapters and more than 400 member organizations. She has dedicated the past decade to building this social movement to safeguard universal public health care.

Natalie has served as a board member of human rights, arts, health, advocacy, disability and women's rights organizations. She served as the Executive Director of the Epilepsy Association in Kingston, Brockville and Area. She has extensive experience as a community organizer, committed to building and coordinating democratic citizen's engagement in issues related to equity, social justice and social solidarity. Natalie has authored numerous reports, articles and essays on health care, politics and non-profit governance. She sits on the board of directors of the Canadian Health Coalition and has spearheaded several national campaigns to protect and improve public health care for all in Canada.

Session Four: Transit

Shelly Gordon

Shelly Gordon works for the Canadian Union of Public Employees and is the researcher for the municipal sector, the electricity sector and libraries in Ontario. She lives in Parkdale about 1 1/2 blocks from the rail line which is proposed to link Pearson Airport and Union Station.

Franz Hartmann

Franz Hartmann is the executive director of the Toronto Environmental Alliance (TEA), a Toronto-based advocacy group determined to build a green Toronto. He has been active in green issues since 1990, when he first volunteered at TEA. In 1998, after eight years of studying and participating in urban environmental politics in Toronto, he received his PhD in Environmental Politics from York University. The same year, he also became the environmental advisor to Councillor Jack Layton. Since then, Franz has been involved in advocating green energy, smog and waste management, and green economy solutions at the municipal and federal levels. Highlights include helping write the City of Toronto's first ever Environmental Plan and helping develop a Kyoto Implementation Strategy for Canada. Franz has extensive background in the climate change and smog files. Over the years, he has taught at the University of Toronto's Centre for the Environment.

John Howe

John Howe is Vice President, Investment Strategy and Project Evaluation, at Metrolinx. John has been instrumental in the start-up phase of Metrolinx, including the implementation of the organization's first annual and five-year capital plans and project evaluation frameworks. John's current priorities include performing Benefits Case Analysis (BCA) evaluation work on the Metrolinx top 15 project priorities, and advancing the case for affordable, dedicated and sustainable revenue and financial tools to implement the \$50 billion Metrolinx transportation plan.

John has 20 years of infrastructure policy and planning experience. John's career has spanned a range of Ontario government ministries and agencies, including the Ministry of Public Infrastructure Renewal (PIR), Ontario Superbuild Corporation, Ontario Jobs and Investment Board (OJIB), and the Ministry of Transportation (MTO). In his previous roles, John negotiated and implemented federal-provincial-municipal infrastructure funding agreements, led the creation of the Toronto Waterfront Revitalization Corporation, managed the provincial government's transportation capital budget portfolio, and supported the development of a 25-year economic prosperity plan for Ontario. John was appointed to the Greater Toronto Marketing Alliance (GTMA) Board of Directors in 2010. John has a Masters degree in Public Policy and Administration from Carleton University. In addition, he has completed the Queen's University Public Policy Executive and Niagara Institute Leadership Development Program.

Steve Munro

Steve Munro was born in the City of Toronto, and is a long-time advocate for the improvement of public transit. For nearly four decades, from the 1972 fight to save streetcars through to Transit City, Steve has been part of the city's political scene. Evolving from an activist to a respected commentator on transit issues, Steve won the Jane Jacobs Prize in 2005 as an "unsung hero" for his work. Steve is a columnist for Spacing magazine, and his transit blog recently celebrated its fifth birthday. Retirement from a career in Information Technology in

2009 gave Steve more time for attending interminable meetings at City Hall, writing and indulging his passion for live music and theatre.

Session Four: Police & Public Safety

Cathy E. Boxer-Byrd

Cathy Boxer-Byrd has been with the Ontario Public Service for 31 years. All of her service has been with the Ministry of Community Safety and Correctional Services (formerly Solicitor General) in the area of policing. She was appointed the Senior Advisor to the Ontario Civilian Police Commission on November 1, 2000. She is currently responsible for providing advice and making recommendations to the Commission on the exercise of its mandate. Cathy is also responsible for ensuring that the Commission members are advised of new concepts developing in the area of policing and civilian oversight of police services in both Ontario and other jurisdictions. As well, she is the Commission's liaison with the Ministry of Community Safety, OACP, PAO, OAPSB and other agencies and commissions at the provincial, federal and international level concerned with civilian oversight of the police. Previously she was the Registrar at the Commission with responsibility for the effective management of hearings before the Commission. As well, she served as the Executive Assistant to the Chair. Prior to that, she held a variety of positions within the Ministry, most notably the Ontario Police College.

Alok Mukherjee

Alok Mukherjee has been Chair of the Toronto Police Services Board since September 2005. As President of the Ontario Association of Police Boards, Dr. Mukherjee is actively involved in efforts to promote community-based policing under civilian oversight provincially and nationally. He is frequently called upon to speak on policing issues to a variety of audiences. He brings a unique perspective to law enforcement issues from his experiences in a highly multicultural and multiracial environment. Dr. Mukherjee has worked as an educator and a consultant. He has written extensively in a variety of areas including diversity and inclusivity, employment equity for racially visible and aboriginal people, and anti-racist education.

Dr. Mukherjee has held several public appointments, including membership on the Toronto District School Board Safe and Compassionate School Taskforce and the Ontario Civilian Commission on Police Services, and has served as Vice Chair and Acting Chief Commissioner of the Ontario Human Rights Commission. Dr. Mukherjee has received several awards for his volunteer activities.

Mariana Valverde

Mariana Valverde was heavily involved in feminist, gay, and Latin American solidarity community activities for many years. For the past decade she has led a largely academic life, and is currently the Director of the University of Toronto Centre for Criminology. She is the author of twelve books and numerous scholarly articles and is a Fellow of the Royal Society of Canada.

Anna Willats

Anna Willats has been an activist working on social justice issues, particularly violence against women and police accountability, since 1982 in Toronto. She is currently a professor in the Assaulted Women's and Children's Counsellor/Advocate Program at George Brown College. In addition, she coordinates an innovative program for survivors of violence who want to find work in skilled trades and non-traditional occupations, and has worked with others to develop leadership skills curriculum and best practices for teaching adults who have faced many barriers such as violence, incarceration, mental health diagnoses, and poverty. Anna was a founding member of the Committee to Stop Targeted Policing (active from 1998 to 2003) and the Toronto Police Accountability Coalition (2001 - present).

Session Four: Urban/Municipal Planning

Michael Gottheil

Mr. Gottheil is the Executive Chair of the Environment and Land Tribunals Ontario, the province's first cluster of tribunals and a key element in Ontario's administrative justice reform initiative. As Executive Chair, Mr. Gottheil has been designated Chair of each of the cluster's five constituent tribunals (the Assessment Review Board, Board of Negotiation, the Conservation Review Board, the Environmental Review Tribunal, and the Ontario Municipal Board) and is responsible for the quality and accessibility of the adjudicative services they provide. He comes to this position from the Human Rights Tribunal of Ontario, where, as Chair from 2005 until his recent appointment, he led a fundamental transformation of Ontario's human rights system. Mr. Gottheil is a graduate of Osgoode Hall Law School and was called to the Bar of Ontario in 1987.

After working as in-house counsel for two national trade unions, in 1991 he co-founded the Ottawa law firm of Engelmann Gottheil, where he practiced administrative law, focusing primarily on labour, employment and human rights. Mr. Gottheil has also held the positions of part-time professor at Algonquin College and the University of Ottawa Law School. He is known as a tribunal chair who is committed to not just the theory, but to putting into practice, core values such as fairness, accessibility, effective and alternative dispute resolution procedures, high quality, principled and consistent decision-making, and enhancing the expertise of adjudicators and the tribunal as a whole. He is a firm believer in the importance of tribunal independence, accountability, meaningful stakeholder engagement, and excellence in all that is done by tribunals.

Andrew Sancton

Andrew is a native of Montreal, received his doctoral degree in Politics from Oxford University in 1978. Most of his academic career has been spent at the University of Western Ontario in London, where he is a Professor in the Department of Political Science. He was Chair of the Department from 2000 until 2005. He was for many years director of the Department's Local Government Program, which offers undergraduate and graduate education in public administration for municipal managers. Professor Sancton is the author of *The Limits of*

Boundaries: Why City-regions Cannot be Self-governing, one of five books shortlisted for the Donner Prize for the best book in Canadian public policy in 2008. He is also co-editor (with Robert Young) of *Foundations of Governance: Municipal Governance in Canada's Provinces*, published in 2009. His latest book, *Canadian Local Government: An Urban Perspective* is to be published by Oxford University Press in April 2011.

Michael Shapcott

Michael Shapcott is Director of Affordable Housing and Social Innovation at the Wellesley Institute, an independent, non-profit research and policy dedicated to advancing urban health. Michael has worked extensively in Toronto, in many parts of Canada, nationally and internationally on social innovation, the non-profit sector, civic engagement, housing and housing rights, poverty, social exclusion, urban health and health equity. He leads the Wellesley Institute's housing and homelessness practice and co-leads the Wellesley Institute's social innovation practice. He has appeared as an expert witness at the Ontario Municipal Board, and has participated in a number of OMB appeals.

Session Five

John A. Macintyre

John Macintyre has more than three decades of government and business experience, holding senior policy and operational roles in both the amalgamated City of Toronto and the former City of Etobicoke. John was also a Vice-President of the Toronto Economic Development Corporation for almost four years and was the Acting CEO of Invest Toronto during the start-up phase. John is a graduate of York University with a Bachelor of Arts Degree and is currently enrolled in the Chartered Director Program.

Mr. Macintyre is very active in the Toronto community as a director for the Toronto Blue Jays Charitable Foundation, a cabinet chair for the Juvenile Diabetes Research Foundation and is the Ontario Chair for the Governor General's Canadian Leadership Conference. He is also former chair of Parks and Recreation Ontario and a former member of the Toronto Grant Review Team for the Ontario Trillium Foundation.

As Senior Vice-President, Corporate Affairs of Build Toronto, John is responsible for a range of corporate leadership functions including Human Resources, Communications, Public Affairs, Stakeholder and Industry Liaison, Procurement and Legal and Corporate Governance functions.

Peggy Nash

Peggy Nash is senior Canadian Auto Workers negotiator, bargaining mainly with the manufacturing, transportation and service sectors of the union. She has negotiated groundbreaking provisions on human rights and women's programs, and has championed these concerns in the union and in the community. Nash has been a member of the Invest Toronto Board, appointed by former Mayor David Miller, since its inception, and is a member of the record-setting Toronto United Way fundraising cabinet committee. She is former Member of Parliament during which time she was a voice for the City of Toronto in Ottawa, calling for more

transit investment, better support for newcomers and the cultural sector, and urging more attention to job creation. In 2009, Nash was a recipient of the YWCA Woman of Distinction Award.

Session Six

Shirley Hoy

Ms. Hoy's public service career has spanned more than 25 years. Ms. Hoy's career in municipal public service began in 1980 with the former Metro Toronto government Department of Community Services. From 1988 to 1996, Ms. Hoy served at various levels of municipal government and the Provincial Government. In 1993, Ms. Hoy became the Assistant Deputy Minister of Operations and Chief Executive Officer of the Ontario Housing Corporation in the Ontario Ministry of Housing. From 1996 to 2001, Ms. Hoy held numerous posts in municipal government, all associated with community services and the complex components associated with these services.

Ms. Hoy was appointed Toronto's City Manager in June 2001, where she managed the Toronto Public Service for the City of Toronto, the 6th largest government in Canada. Ms. Hoy's key responsibilities included the control and management of all human, fiscal and physical resources of the City and providing advice and support to the Mayor and Council in developing and implementing policies, plans and programs of Council. Ms. Hoy was appointed Chief Executive Officer for the Toronto Lands Corporation on January 5, 2009, a position she currently holds. Ms. Hoy holds a Bachelor of Arts and a Master of Social Work from the University of Toronto and a Master of Public Administration from Queen's University. She continues to serve in many volunteer roles with the University of Toronto, The Learning Partnership and other community organizations and Boards.