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Assembly  
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**Official Report  
of Debates  
(Hansard)**

A-27

**Journal  
des débats  
(Hansard)**

A-27

**Standing Committee on  
Government Agencies**

Intended appointments

1<sup>st</sup> Session  
42<sup>nd</sup> Parliament  
Tuesday 3 March 2020

**Comité permanent des  
organismes gouvernementaux**

Nominations prévues

1<sup>re</sup> session  
42<sup>e</sup> législature  
Mardi 3 mars 2020

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Chair: John Vanthof  
Clerk: Jocelyn McCauley

Président : John Vanthof  
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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

## STANDING COMMITTEE ON GOVERNMENT AGENCIES

## COMITÉ PERMANENT DES ORGANISMES GOUVERNEMENTAUX

Tuesday 3 March 2020

Mardi 3 mars 2020

*The committee met at 0900 in committee room 1.*

**The Chair (Mr. John Vanthof):** I'd like to call this meeting to order. Good morning, everyone.

### SUBCOMMITTEE REPORT

**The Chair (Mr. John Vanthof):** The first item of business is a subcommittee report dated February 27, 2020. We have all seen the report in advance, so I could I please have a motion? Mr. Natyshak.

**Mr. Taras Natyshak:** I move adoption of the subcommittee report on intended appointments dated Thursday, February 27, 2020, on the order-in-council certificate dated February 21, 2020.

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

### INTENDED APPOINTMENTS

#### MR. EDWARD THEN

Review of intended appointment, selected by official opposition party: Edward Then, intended appointee as member, Death Investigation Oversight Council.

**The Chair (Mr. John Vanthof):** Our next item of business is a review of intended appointments. First, we have the honourable Edward Then, nominated as a member of the Death Investigation Oversight Council. He is appearing this morning via teleconference.

Good morning, Mr. Then.

**Mr. Edward Then:** Good morning, sir.

**The Chair (Mr. John Vanthof):** Hi. My name is John Vanthof. I'm the Chair of the committee. Because it's a teleconference, when the members ask a question, we're going to ask if they could provide a brief description—because we can't see face to face. It would be much nicer if you knew who you were talking to. Is that okay with you?

**Mr. Edward Then:** Oh, by all means. Thank you.

**The Chair (Mr. John Vanthof):** Okay. As you may be aware, you have the opportunity, should you choose to do so, to make an initial statement. Following this, there will be questions from members of the committee. With that questioning, we will start with the official opposition, followed by the government, with 15 minutes allocated to each recognized party. Any time you take for your statement will be deducted from the time allotted to the government.

Those are the instructions. The floor is yours, sir. Welcome.

**Mr. Edward Then:** Thank you very much.

To the members of the standing committee, I want to thank you for giving me the opportunity to discuss my career and qualifications. I hope to provide you with some insight into how I can make a positive contribution to the important work of the Death Investigation Oversight Council.

Please accept my thanks for accommodating me by teleconference this morning. I am currently on my family vacation in Florida and very much appreciate your consideration in allowing me more time with my family.

By way of background, I was called to the bar in 1972 after obtaining my law degree from U of T. I spent the next 17 years as crown counsel of the special prosecution and appeals branch of the Ministry of the Attorney General.

I was honoured to be named Queen's Counsel in 1982. As counsel, I represented the crown in the Court of Appeal on hundreds of appeals and on several special prosecutions. Also, I have appeared in the Supreme Court of Canada as counsel for the crown on 13 occasions. From 1984 to 1989, I served as director of this branch. I was appointed to the Supreme Court of Ontario trial division in 1989. It's now called the Superior Court of Justice. In April 2019, I retired in accordance with the mandatory retirement policy.

As a trial judge, I was primarily engaged in criminal cases. I have tried approximately 25 to 30 murder cases over the years. Also, I have been very active in the Divisional Court, which is an appellate court, sitting on panels of three that hear appeals or judicial reviews of decisions of the myriad administrative tribunals governed by the statutes of Ontario, as well as decisions of single judges of the Superior Court.

From 2007 to 2013, I served as the regional senior judge for the Toronto region, which is comprised of approximately 90 judges. The regional senior judge has the delegated authority of the Chief Justice of Ontario to assign cases and to administer the region in order to ensure quality justice on the part not only of judges, but also to devise policies to enable staff to provide speedy and accessible justice for the citizens of Toronto.

As a former judge, I have observed how powerful the expert evidence of pathologists is in determining the end outcome in certain cases and, accordingly, it is in my view crucial that our forensic pathologists be held to the highest

standard in order to avoid a miscarriage of justice. I believe that I have the experience and the determination to make sure that the standard is maintained and enhanced.

Also, given my experience as regional senior judge in Toronto, I believe I can significantly contribute to the functions of the DIOC.

I've come to understand that the Auditor General has identified a number of issues pertaining to the operation of the DIOC, as well as the coroner's system, as well as the forensic pathologist, which should be addressed. At this point, without going into specifics, these are all issues with which I have become generally familiar during my tenure as part of the executive of my court.

With that, I want to thank you for your attention, and I'm prepared to answer any questions you may have. Thank you very much.

**The Chair (Mr. John Vanthof):** Thank you very much sir. Our first round of questioning will come from the official opposition. Our first questioner will be Mr. Natyshak.

**Mr. Taras Natyshak:** Good morning, Justice Then. Thank you so much for joining us.

**Mr. Edward Then:** Well, thank you, sir.

**Mr. Taras Natyshak:** Justice Then, my name is Taras Natyshak. I'm the opposition NDP critic for ethics and accountability. I have a couple of questions here for you—pretty straightforward.

Were you approached to apply for this position, and if so, by whom?

**Mr. Edward Then:** Yes, I was, in fact. I was approached by the current chair of the DIOC.

**Mr. Taras Natyshak:** What is that person's name, just for the record? Do you know?

**Mr. Edward Then:** It was Ms. Christine McGoey.

**Mr. Taras Natyshak:** Had you expressed any motivation or any inclination to serving on a board prior to being approached?

**Mr. Edward Then:** Yes. As I indicated, I retired in April and I had an occasion in the course of social conversations to mention that I wanted to do some part-time work in terms of an area that I have a great interest in. She mentioned that there might be an opportunity to do so on the DIOC. As a result of that, I applied for the appointment. I thought it would be a way to perhaps give back in terms of some of the experiences that I had had.

**Mr. Taras Natyshak:** Fair enough. Thanks for your years of service and your work on behalf of the province throughout your distinguished career. We appreciate you and you wanting to serve in other capacities.

A question around the recent closure of the Hamilton forensic pathology unit—are you aware of that situation, the recent closure of that unit?

**Mr. Edward Then:** Yes. I can tell you that in terms of trying to prepare myself somewhat for this interview, I thought it would be appropriate generally to become familiar with some of the, perhaps, outstanding issues that the office is facing. One of them, of course, is this situation with respect to the Hamilton closures, so I have some general knowledge about it, certainly.

**Mr. Taras Natyshak:** Excellent. So in relation to that, do you think that the staff at that unit would be able to carry out effective, transparent and accountable work by merging their operations with the Toronto unit?

**Mr. Edward Then:** Well, I'm not exactly sure that I can address the nitty-gritty of that, in terms of what they can or cannot do.

Let me just address that the Auditor General—and I have read that report in preparation—made the observation that there should have been consultation with the DIOC before the closure took place, and I certainly think that that is a valid point to make. I think that if the decision is made on the basis that there wouldn't be any impairment, shall we say, of public safety, whether it's matters of staffing or anything else, then that's fine and dandy. But I obviously agree that there should have been some prior consultation.

**Mr. Taras Natyshak:** Well, in light of the Auditor General's comments on the situation, do you think and believe it's incumbent and/or prudent for the Ontario government to investigate why the decision was made to shutter the Hamilton unit?

**0910**

**Mr. Edward Then:** It's an interesting question. I'm not sure—are the reasons for doing so a matter of public record at this point? I don't know.

**Mr. Taras Natyshak:** No, not at this point.

**Mr. Edward Then:** No. Well, I don't know whether I would go so far as to say that the decision should be investigated, but I think that, quite frankly, at least the DIOC point of view—and that was what I was most concerned with, because obviously I'm applying to be a member of an oversight committee. I would have thought that at a minimum, DIOC should have been consulted with respect to what seems to be a fairly significant change in policy.

**Mr. Taras Natyshak:** One last question within that same context: The Auditor General, of course, released a report that found that the Office of the Chief Coroner of Ontario's forensic pathology services don't have effective processes to demonstrate that their coroners and pathologists consistently conduct high-quality death investigations. In your experience—and now, through your imminent appointment—do you think that the closure of the Hamilton forensic pathology unit will help or harm this situation?

**Mr. Edward Then:** Again, without being privy—and you've raised the point—to the precise reasons why that was done, whether it was done for efficiency reasons, whether it was done for cost reasons, the basis upon which it should have been done, I think, is to make sure that there wouldn't be any compromise of public safety. I don't know whether I can comment further, because I really don't know the facts around it. I understand that what has happened is that the decision has been made to move all of the autopsies from Hamilton to Toronto and that perhaps that is justified on a number of bases, whether it's costs or whether it's because of efficiencies or because of expertise. But without knowing the precise facts, it's very difficult to comment on the merits of all of this.

**Mr. Taras Natyshak:** Fair enough.

Justice Then, I really appreciate you accommodating us here as committee members. We certainly value your testimony and wish you well. During your vacation, hopefully it's nice and sunny and warm there. Thanks so much for joining us. Best wishes in your new role.

**Mr. Edward Then:** Thank you very much. I appreciate your comments. I can tell you that it's a lot warmer here than it is in Toronto.

**Mr. Taras Natyshak:** Don't tell us that. You should tell us it's cold and snowing. Thank you.

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

**Mr. Taras Natyshak:** It does.

**The Chair (Mr. John Vanthof):** We will now switch to the government side, starting with Mr. Bouma.

**Mr. Will Bouma:** This is Will Bouma, the MPP from Brantford–Brant.

After reading through your bio, I would just also like to express my thanks for your years of service to the province of Ontario and for everything that you've done.

With your experience, specifically—I know you touched a little bit on that in your opening statement. But from your experiences and observations of the death regime in Ontario—how that whole system works and is put together—and your interest in getting onto this board, what would you say are some of the challenges that are facing our system?

**Mr. Edward Then:** First of all, let me just speak to my direct experience. In terms of being a trial judge, especially, obviously, in the murder cases, I have heard the testimony of many pathologists, and I will say that I think they maintain a very high standard. I've been impressed with the testimony in court. Having said that, obviously, one of the challenges of anyone serving on the DIOC is to maintain that standard. I understand that the chief pathologist has the responsibility for maintaining that by obtaining the latest information in that field, and I am, as I say, impressed by what I see in court.

I must say that I did review the comments of the Auditor General, and obviously there seems to be room for improvement even in the pathology section having to do with some of the peer review issues, having to do with mistakes that are made and significant errors. So these are—

*Failure of sound system.*

**Mr. Will Bouma:** Hello? Justice Then, are you still there?

**The Chair (Mr. John Vanthof):** Justice Then? We seem to have lost the witness. We will take a pause and see if we can reconnect.

Justice Then, are you there?

**Mr. Edward Then:** Yes, I'm sorry. Somehow we got cut off.

**The Chair (Mr. John Vanthof):** That's okay. We halted the time and you can restart your answer where you left off, please.

**Mr. Edward Then:** I was in the process, I think, of having good things to say about pathologists in court. I

was making the point that there are some valid observations made by the Auditor General in terms of improvement.

I think one of the main things that struck me was that it may be that the DIOC at this point perhaps needs to obtain some improvement in terms of reporting, in terms of key areas, both with respect to pathologists and coroners, because obviously you can't fix what you don't know about. So there are challenges. Also, there are, from my point of view, good things to say about the way the system operates. So I approach the task with an open mind, but really conscious that things can be improved.

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

**Mr. Rick Nicholls:** Good morning, Justice Then. It's an honour to have the opportunity to speak with you. I'm Rick Nicholls. I'm the MPP from Chatham-Kent–Leamington, and I also have an opportunity to occasionally wear the white tabs as I serve as the government Deputy Speaker.

**Mr. Edward Then:** Thank you very much. It's a pleasure, I must say, to speak to all of you. Thank you.

**Mr. Rick Nicholls:** Well, thank you, sir.

One of the functions of the DIOC is, of course, a public complaints process. As such, issues can be very sensitive, as I'm sure you're very aware. What would be your style in dispute resolution when interacting with fellow council members or other relevant parties on those very sensitive issues?

**Mr. Edward Then:** I think that's a good question. When I was a judge, I quickly came to realize that, in every dispute, unfortunately, there has got to be a winner and a loser. Similarly, in terms of complaints, the complainant cannot always be successful. But what is crucial, in my opinion, is that in each situation there has to be a full and fair hearing provided to all parties. In particular, clear and reasonable reasons must be provided to the unsuccessful party.

**0920**

My way of dealing with complaints—or with any kind of a dispute, really—is to make sure that, at the end of the day, the party that is unsuccessful can go away from the situation and say, “You know, I may have lost, but I was heard.”

I realized that when you're getting complaints involving the death of a loved one, many of these people are in a state of grief and perhaps even anger. And then, as you say, it's particularly important to be sensitive and to have some degree of empathy with respect to the emotions that these people are feeling.

But as I say, what I've learned over the years is that no matter who it is that is unsuccessful when they're in court or by way of a complaint—I was used to having to deal with some of these when I was the regional senior judge—the key to it all is to make sure that you provide people with a full and fair hearing, so that they go away from this thinking, “Well, I might have lost, but they care, they heard me, and that's the way it goes.” So I guess my style is to try to approach complaints with that attitude and to try to have my fellow councillors—or people that are with

me on a committee, or whatever it is that constitutes the complaints committee—adopt the same attitude.

**Mr. Rick Nicholls:** Very good. Well, thank you very much, sir, for your comments. I'll turn it over to one of my colleagues.

**The Chair (Mr. John Vanthof):** Mr. Cuzzetto.

**Mr. Rudy Cuzzetto:** Thank you, Chair, and thank you, Justice. Then, I want to thank you as well for being the regional senior judge for Toronto for many years.

What are your thoughts on the current governance system of the forensic pathology in this province of Ontario?

**Mr. Edward Then:** Well, I know, again, that there is some controversy, I guess, with respect to this because, as the Auditor General has pointed out, the DIOC does not have the power to enforce its recommendations. She also points out that the DIOC does not receive reports with respect to key aspects of their operations. So, in theory, clearly it appears to me that the duty of oversight is diminished if the recommendations of the DIOC can be ignored either by the ministry or by the respective chiefs.

But I approach this by saying that, again, I'm not sure how this observation stands up as a practical matter, because I really don't know how or to what extent either the ministry or the chief coroner and chief pathologist respond to the recommendations of the DIOC which pertain to them. If the DIOC recommendations are routinely accepted, then the power to enforce recommendations would not appear to need to be a matter of urgency, at least. Even if the recommendations of the DIOC are rejected by the chiefs, it's still open for the ministry to overrule them and implement the recommendations. So in terms of where the DIOC stands as the oversight body, I'm not exactly sure what it is that I can say about governance because I don't know, as a practical matter, what happens to these recommendations.

Now, I do understand, after looking at some of the material, that many of the recommendations are in fact implemented and that the ministry, I think, has even gone to the extent of making legislative changes based on recommendations. So without being a member of that body and having full information, I'm reluctant to make a firm comment about governance. To me, it's an issue that I think I'd need to have fuller information about. I also gather that these recommendations or what happens to them are not matters of public knowledge. I'm in a bit of a quandary as to express a firm opinion.

One thing I would like to say is that I do take to heart one of the observations of the Auditor General, and that is that the chiefs be required to report with respect to key areas of their operation; because as I think I indicated earlier, it's really difficult to exercise even an advisory function, much less an oversight function, when you don't know, because there isn't any reporting in key areas where the problems are.

In terms of governance, I don't really know how I can elaborate much more than what I've said, perhaps. I think I understand the difficulties, but at the moment, I'm not sure I can come up with any kind of a firm answer as to

where the DIOC stands in the scheme of things. One thing I am sure of, though, is that there should be a dedication to making sure that the province is served the administration of justice and that the coroners serve the general task of public safety. How that precisely is to be done: I think I would need further information.

I hope that that is helpful to some extent. I just find myself at a bit of a disadvantage in discussing governance when I'm not sure as to precisely what the situation is as to these recommendations that the DIOC makes.

**Mr. Rudy Cuzzetto:** Thank you.

**The Chair (Mr. John Vanthof):** That was very helpful. Unfortunately, our time for questioning is up.

The decision on your appointment will be made at the end of the meeting. I'd like to thank you very much, Justice, for taking the time out of your vacation to give us a very thoughtful presentation.

**Mr. Edward Then:** Well, thank you very much. Once again, I appreciate very much your accommodating me in the circumstances. I appreciate the nature of your questions, so thank you.

**The Chair (Mr. John Vanthof):** Have a great day, sir.

**Mr. Edward Then:** Bye bye. Thank you.

#### MR. PETER McSHERRY

Review of intended appointment, selected by official opposition party: Peter McSherry, intended appointee as member, Guelph Police Services Board.

**The Chair (Mr. John Vanthof):** Next, we have Mr. Peter McSherry, nominated as member of the Guelph Police Services Board. Would you please come forward, sir. Welcome.

As you may be aware, you have the opportunity, should you choose to do so, to make an initial statement. Following this, there will be questions from members of the committee. With that questioning, we will start with the government, followed by the official opposition, with 15 minutes allocated to each recognized party. Any time you take in your statement will be deducted from the time allotted to the government. The floor is yours, sir.

**Mr. Peter McSherry:** Good morning, Chair and members of the committee. First, I must start by expressing my gratitude for being nominated for the position at the Guelph Police Services Board. I am also grateful to this committee for your consideration of my application for appointment to this position.

As you may see from my application, I have practised law in Guelph for approximately 23 years. In my practice, I have had the privilege of representing people through the trials and tribulations of their lives. I have assisted people in seeking justice in their employment matters, whether that be before courts, human rights tribunals or through other negotiations. I've also had the honour of helping people buy and sell their homes, both establishing themselves and rebuilding themselves after adversity; and in dealing with estate matters. In short, I've had the honour of being a trusted adviser for regular people when they are facing challenging and hard times.



You will also see from my application that I have maintained a commitment to volunteer in the Guelph community. I am active in the leadership of service clubs, first with the Kiwanis Club of Guelph, serving as secretary and then president, and currently at the Rotary Club of Guelph, where I am on the board of directors and have been involved extensively in committee work.

**0930**

I have been involved in organizations that provide services to those with disabilities, first with the Guelph Wellington Association for Community Living, and then with Torchlight Services as both a board member and as their secretary. Currently, I am the secretary and a board member for Bracelet of Hope, which provides foster care to AIDS orphans in Lesotho, Africa, and we are also setting up the establishment of mobile health units.

I look forward to the opportunity to make a positive contribution to the Guelph Police Services Board and to the city of Guelph.

**The Chair (Mr. John Vanthof):** Thank you. The first round of questioning will go to the government. Mr. Pang.

**Mr. Billy Pang:** Mr. McSherry, it's nice to meet you. Thank you for putting your name forward, and thank you for your decades of contribution to the community and law services.

The government of Ontario passed the Comprehensive Ontario Police Services Act, the new policing legislation, in 2019. Are you familiar with any of the upcoming changes that will change policing in Ontario?

**Mr. Peter McSherry:** I have reviewed the legislation and the changes, and I'm aware that there's going to be an obligation for the boards to engage in diversity training and other changes, yes.

**Mr. Billy Pang:** Is that the only thing?

**Mr. Peter McSherry:** It's not the only thing. There are other matters.

**Mr. Billy Pang:** Which changes were most eye-catching to you?

**Mr. Peter McSherry:** I think the obligations with respect to diversity training are probably the most significant for the board level, and also the complaints investigations as well.

**The Chair (Mr. John Vanthof):** Do you have a further question, Mr. Pang?

Next, Ms. Tangri, please.

**Mrs. Nina Tangri:** Thank you for joining us, Mr. McSherry. Employment law and human rights are among your practice areas, and one of the most important roles of a police services board is providing good governance. How would these experiences assist you as a member of the police services board?

**Mr. Peter McSherry:** Well, I think practising employment law has given me good insight into the need for accommodation. Quite frankly, I think a big concern currently is going to be the mental health of the officers. We have well-trained officers, but they work under adverse conditions. I think it's going to be very difficult for our officers to provide the service that we expect and for them to be as respectful as possible to the citizens if we

don't look out for their mental health. If we treat them poorly or have them in working conditions that are not as respectful as they could be, it will be very difficult for them to turn around and treat the general public, under the stressful circumstances that they meet them in, in the manner that we would like to see and expect.

**Mrs. Nina Tangri:** Thank you.

**The Chair (Mr. John Vanthof):** Mr. Cuzzetto.

**Mr. Rudy Cuzzetto:** Thank you for being here today. I noticed that you're the director of the Rotary Club of Guelph. It tells me that you're very involved in your community, and I find that very important. I look at myself—I was involved at the Mississauga Canoe Club; the ratepayers' association, the beautification, education and the security committees; as well as the parent council for over 15 years.

Can you tell me—your involvement in your community—what causes are very important to you?

**Mr. Peter McSherry:** I certainly believe that the work that Rotary does with supporting youth at risk is very important. We work with Indigenous communities a lot with water. We also deal with foreign aid, too, in providing services, certainly, to Africa and India, and helping make sure that people have access to clean water and medications, and literacy is a very important aspect.

We also, quite frankly, have started a major project recently that's an offshoot of my Rotary Club, which is Food4Kids, which is looking after children who live in the Guelph area, certainly, who don't have enough food, and making sure that they have food to be able to function properly at school, and moving into making sure that they actually can have food available for them on the weekends, so that they come back to school ready to learn.

**Mr. Rudy Cuzzetto:** Thank you very much for that.

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

**Mr. Lorne Coe:** Thank you, Chair, and through you, welcome, sir, and thank you very much for being here today and for your delegation. Based on your practical experience, which is quite vast, and also coupled with your volunteer experience in the community, and the police services board, in particular, what contributions would you like to make to the board?

**Mr. Peter McSherry:** I am going to be very interested in how the officers are treated, looking out for the mental health of the officers to make sure that they are in a position to be the most effective to our community. I think that's perhaps what would come from my employment law perspective.

I think the other aspect of it that is going on in Guelph is that you see a community that has grown dramatically in size in the 23 years that I've been in the community, since I started practising law, which has brought in a lot of people from outside the area. I think it's important that police services, as well as any other service, make new contacts with the new entrants to the city and the new groups that are coming through, and reflects the changing demographics and diversity of the community. I think that's very important, to make sure that that always remains front and foremost at the police services board.

**Mr. Lorne Coe:** Thank you, sir, for that answer.

**The Chair (Mr. John Vanthof):** That's concludes the government questioning. Thank you. We will now switch to the official opposition. Mr. Natyshak.

**Mr. Taras Natyshak:** Good morning, Mr. McSherry. Thanks for being here. A couple of pretty straightforward questions: Were you approached to apply for this position? If so, by whom?

**Mr. Peter McSherry:** No, I wasn't. Over the years, I have been directed by certain people, but not for any particular position—people suggesting that if you're looking to give back and work with your community that you should go to the Ontario appointments website and put your name forward. But not for any particular position.

**Mr. Taras Natyshak:** So you felt that for this appointment specifically, the time was right, and you did the research on this on your own and through your own volition applied for it?

**Mr. Peter McSherry:** Correct.

**Mr. Taras Natyshak:** Have you now or have you ever been a member of the PC Party of Ontario or the Conservative Party of Canada?

**Mr. Peter McSherry:** Well, a lot of telemarketers seem to believe that I am a member of the federal party right now, so I'm going to go with a yes on that one, and I believe that I am currently a member of the provincial party, as well.

**Mr. Taras Natyshak:** So yes, you are a member of both?

**Mr. Peter McSherry:** I believe so, yes.

**Mr. Taras Natyshak:** Okay. Have you ever made any financial contributions to the PC Party of Ontario?

**Mr. Peter McSherry:** I have.

**Mr. Taras Natyshak:** Have you ever sought out a candidacy or a nomination, and have you run as a candidate for the PC Party of Ontario?

**Mr. Peter McSherry:** I have never run as a candidate for the PC Party of Ontario. I made some preliminary inquiries years ago, but nothing ever came of it.

**Mr. Taras Natyshak:** Preliminary like you inquired about how to become a candidate or put your name on a list of potential candidates kind of thing?

**Mr. Peter McSherry:** Yes.

**Mr. Taras Natyshak:** Okay. Are you Peter McSherry of Guelph, Ontario? Did you write an editorial in 2012 to the Toronto Sun around the issue of the use of force during arrests? Do you recall doing that?

**Mr. Peter McSherry:** That doesn't sound like something I would have written. There is another McSherry family in Guelph. I actually live in Cambridge.

**Mr. Taras Natyshak:** Oh, you live in Cambridge.

**Mr. Peter McSherry:** My residential address would be Cambridge. That doesn't sound like something—

**Mr. Taras Natyshak:** Have you ever written an editorial to any publication on any policing matters?

**Mr. Peter McSherry:** No, I can't think that I would have.

**Mr. Taras Natyshak:** Have you ever publicized anything around policing?

**Mr. Peter McSherry:** I have a blog on my website that is primarily through an employment law lens, so it's possible that some of those may have touched on it.

**Mr. Taras Natyshak:** On policing itself?

**Mr. Peter McSherry:** In the human resources aspects of policing. It wouldn't have been on the criminal aspect of policing. That's not something that I would have written about.

**Mr. Taras Natyshak:** Do you have any experience or any training in the use-of-force continuum and how it's applied throughout the province, during arrests? Do you have any thoughts on any reforms that have been presented around the incidents of excessive use of force?

**Mr. Peter McSherry:** That is not an area of expertise, for myself. I was not planning on coming to this board as a legal mind. The police services hire other people to train them in those things.

**Mr. Taras Natyshak:** Your legal mind, your legal training, will be an asset, of course, to the police services board, I would imagine, so we'll lean on you a little bit. By and large, these might be issues that you may have to deal with throughout your tenure as a board member, and I'm sure your experience will serve you well.

I don't have any further questions.

**The Chair (Mr. John Vanthof):** No further questions from the opposition? Thank you.

That concludes the questions. You may step down, sir. Thank you for taking the time to come today.

We will now consider the intended appointment of the honourable Edward Then, member of the Death Investigation Oversight Council. Mr. Coe.

**Mr. Lorne Coe:** I move concurrence in the intended appointment of the honourable Edward Then, nominated as member of the Death Investigation Oversight Council.

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

We will now consider the intended appointment of Peter McSherry, member of the Guelph Police Services Board. Mr. Coe.

**Mr. Lorne Coe:** I move concurrence in the intended appointment of Peter A. McSherry, nominated as member of the Guelph Police Services Board.

**The Chair (Mr. John Vanthof):** Concurrence in the appointment has been moved by Mr. Coe. Any further discussion? Seeing none, I would like to call a vote. All those in favour? Opposed? That also carries.

That concludes our meeting. The meeting is adjourned.

*The committee adjourned at 0942.*



## **STANDING COMMITTEE ON GOVERNMENT AGENCIES**

### **Chair / Président**

Mr. John Vanthof (Timiskaming–Cochrane ND)

### **Vice-Chair / Vice-Président**

Mr. Taras Natyshak (Essex ND)

Mr. Will Bouma (Brantford–Brant PC)

Mr. Lorne Coe (Whitby PC)

Mr. Rudy Cuzzetto (Mississauga–Lakeshore PC)

Mr. Taras Natyshak (Essex ND)

Mr. Rick Nicholls (Chatham-Kent–Leamington PC)

Mr. Billy Pang (Markham–Unionville PC)

Ms. Marit Stiles (Davenport ND)

Mrs. Nina Tangri (Mississauga–Streetsville PC)

Mr. John Vanthof (Timiskaming–Cochrane ND)

### **Substitutions / Membres remplaçants**

Mr. Jeff Burch (Niagara Centre / Niagara-Centre ND)

### **Clerk pro tem / Greffier par intérim**

Mr. Eric Rennie

### **Staff / Personnel**

Ms. Lauren Warner, research officer,  
Research Services