

## **THE WALKERTON INQUIRY**



The Honourable Dennis R. O'Connor, Commissioner

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## **LA COMMISSION D'ENQUÊTE WALKERTON**

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### **NOTICE TO PARTIES IN PART 2** **Process for Public Hearings**

The following outlines the process of the public hearings in Part 2 and the role of the parties and the public in Part 2 in proposing recommendations which they would urge the Commissioner to make. The public hearings are scheduled to begin in July.

#### ***Subject matter of the hearings***

A list of subjects to be addressed in Part 2 hearings will be released early next week. Comments on the list of subjects will be welcomed, and should be forwarded to the Commission by May 31, 2001.

#### ***Role and format***

The public hearings will be the culmination of the wide-ranging project of research, writing and expert discussion that has taken place in Part 2.

We currently intend to hold nine public hearings, from July through September. In general, the hearings will last for two days and allow for 12 hours of hearing time. The Commissioner will chair the hearings and they will be open to the public. Transcripts of the hearings will be posted on the Internet.

#### ***Role of the parties***

The Commissioner wants to make the best use of the wide range of expertise and experience that the parties bring to Part 2. He hopes that they will play an active and meaningful role in the public hearings.

We anticipate that most parties will participate in only those hearings which are relevant to their particular expertise or point of view. We anticipate that those parties with the broadest of expertise and perspectives will participate in all of the hearings.

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To participate in a public hearing, parties are requested to make written submissions on the subject matter to be dealt with at the hearing. In most cases, only those parties who make detailed and substantive submissions in advance will be afforded the opportunity to participate in the hearings.

### ***The role of the public***

Members of groups that do not have standing and the public at large will also be able to make written submissions on the subject matter of the hearings, and may be invited to participate in the hearings if the Commissioner feels that their submissions represent a perspective that will be useful to him and will not otherwise be represented by parties with standing.

### ***Written submissions***

Our intent is to make the process of the public hearings as focused and useful as possible to the Commissioner in preparing his final report. As such, we ask that parties and members of the public provide their written submissions no later than two weeks before the respective public hearing.

The written submissions should contain a full and complete list of the recommendations which the party would like the Commissioner to make in the subject area to be addressed at a public hearing. The recommendations should be as detailed and comprehensive as possible.

In general, written submissions will be posted on the Internet ten days before the relevant public hearing. This will give the parties an opportunity to review the proposed recommendations that have been put forward by other parties. It is appropriate for parties to comment on the submissions of other parties as part of their oral presentations at the public hearing.

### ***Conduct of the hearings***

At the public hearings, each party will be given an assigned time period to make submissions to the Commissioner. In order to make the process manageable and focused, there will not be a cross-discussion among the parties. Rather, parties will address and answer questions asked by the Commissioner, Commission counsel, or Commission experts.

One should assume that the Commissioner and his staff are fully versed in the Issue Papers, submissions by parties with standing, and the Rapporteurs' summaries of the expert meeting(s) that are relevant to the public hearing. As such, parties should focus their written and oral submissions on the specifics of and rationale for their proposed recommendations.

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At the end of the scheduled submissions, time may be made available for parties to reply orally to the submissions of other parties, at the discretion of the Commissioner.

It is our intent that, at the completion of each public hearing, the Commissioner should have a full and detailed list of all of the recommendations that the parties in Part 2 would urge him to make.

### ***Role of the Government***

The Government of Ontario is unique as a party in that it will face the question of whether and how to implement the Commissioner's recommendations. As such, it is recognized that the Government plays a unique role in Part 2.

At the public hearings, the Commissioner will at times ask the Government to respond to recommendations that have been put forward. He will ask, in particular, that they use their expertise to comment on recommendations which might prove technically difficult to implement or be otherwise impractical.

### ***Parties with standing in both Parts 1 and 2***

Parties who have standing in both Parts 1 and 2 should use the public hearings in Part 2 as the opportunity to make recommendations relating to safe drinking water that arise from the evidence in Part 1. Thus, they should tie together their engagement in Part 1 and Part 2 to make one set of recommendations on each Part 2 subject. Closing submissions for Part 1, scheduled to take place in August, should deal with issues related to the cause of the water contamination and to the effect, if any, of government policies.

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