

New Minister's Task Force to Review Legislation to Prevent Sexual Abuse of Patients

December 16, 2014

Ontario is appointing a task force to review the *Regulated Health Professions Act, 1991*, which governs all regulated health professions in the province, to ensure it is effective in preventing and dealing with the sexual abuse of patients by regulated health professionals.

The scope of the task force's review will include:

- Ways that the current legislation can best ensure that every interaction by patients and witnesses with health regulatory colleges in relation to issues involving sexual abuse and colleges' processes are sensitive, accessible and timely.
- The identification of best practices from leading jurisdictions around the world.

The experts who will form the Minister's task force are:

Marilou McPhedran, Co-Chair of the Minister's Task Force

Human Rights Lawyer and Educator

Marilou McPhedran's work has focused on the promotion of human rights through systemic reform in law, medicine, education and governance in Canada and internationally. She co-founded several widely recognized non-profit systemic change organizations, including the Women's Legal Education and Action Fund (LEAF), which has conducted constitutional equality test cases and interventions for over 28 years; the Metropolitan Action Committee on Violence Against Women and Children (METRAC); the "always open" Gerstein Crisis Centre for homeless discharged psychiatric patients in Toronto; the International Women's Rights Project (University of Victoria Centre for Global Studies) and the Institute for International Women's Rights (University of Winnipeg), both based on her intergenerational models: "evidence based advocacy" and "lived rights." Among her current affiliations, Ms. McPhedran works with the Women, Peace and Security Network-Canada and the academic network of the Women's International League for Peace and Freedom (WILPF) based in The Hague.

Called to the Bar of Ontario in 1978, between 1980 and 1982, Ms. McPhedran was a strategic and legal counsel for the Ad Hoc Committee of Canadian Women on the Constitution - the national grass-roots mobilization that led to strengthened constitutional protections for women, in particular in section 28 of the Canadian Charter of Rights and Freedoms. For her work with the Ad Hoc Committee, Ms. McPhedran was named a member of the Order of Canada in 1985.

In the 1990s, Ms. McPhedran's responsibilities included: Strategic Counsel to the Friends of Women's College Hospital; Chair of the Independent Task Force on Sexual Abuse of Patients (appointed by the College of Physicians and Surgeons of Ontario, 1991), which first proposed a "Zero Tolerance" standard for sexual abuse, since adopted in many jurisdictions including the United Nations; Corporate Director, Healthy City Toronto (City of Toronto, 1992-94); Corporate Director of Health Partnerships and International Liaison at Women's College Hospital (WCH) in

Toronto, where she was responsible for attaining designation of WCH as a World Health Organization Collaborating Centre in Women's Health in the Pan American region (1994-96); Executive Coordinator of the Summit of Women Leaders of the Americas for Mental Health in Washington D.C. and Co-Chair of the International Multidisciplinary Teaching to Promote Women's Health Conference at Women's College Hospital in Toronto (1996), founding Director of the International Women's Rights Project at York University (1997).

In 2000, Ms. McPhedran was appointed by the Minister of Health for Ontario to chair the Special Task force on Sexual Abuse of Patients by Health Professionals in order to review the impact of the Regulated Health Professions Act, and its related codes and policies, in the response of health professionals to situations involving sexual abuse of patients by regulated health professionals in Ontario. Following the task force, Ms. McPhedran directed the National Network on Environments and Women's Health (York University 2001-2003), co-authored the textbook, "Preventing Sexual Abuse of Patients" published in 2004, convened and co-chaired the International Forum on Women's Activism in Constitutional Democratic Reform held in the Parliament Buildings of Canada in 2006. In 2007, she held the Ariel Sallows Chair in International Human Rights at the University of Saskatchewan College of Law and was appointed Chief Commissioner of the Saskatchewan Human Rights Commission. Since 2008, Ms. McPhedran has been a full professor at The University of Winnipeg Global College, where she teaches human rights at the undergraduate and graduate levels and directs the Institute for International Women's Rights.

The Honourable R. Roy McMurtry, Co-Chair of the Minister's Task Force

Former Chief Justice of Ontario

The Honourable R. Roy McMurtry, OC, O. Ont, QC LSM, joined Hull & Hull LLP as senior counsel in September 2014.

Mr. McMurtry practised law as a trial counsel for 17 years before being elected to the Ontario Legislature in 1975. Upon election, he was appointed to the Cabinet of Premier William G. Davis as the Attorney General for Ontario. He was deeply involved in the patriation of the Canadian Constitution and the creation of the Canadian Charter of Rights and Freedoms. During that period he also served four years as the Solicitor General for Ontario.

In 1985, Mr. McMurtry was appointed Canada's High Commissioner (Ambassador) to Great Britain, a post that he held until late 1988. In 1991, he was appointed Associate Chief Justice of the Superior Court and then Chief Justice of that Court in 1994. In February 1996, he was appointed Chief Justice of Ontario, a capacity in which he served for more than 11 years until May 30, 2007.

Most recently, Mr. McMurtry sits on the Board of Governors at York University.

Sheila Macdonald

Educator and Registered Nurse

Sheila Macdonald is the Provincial Coordinator of the Ontario Network of Sexual Assault/Domestic Violence Care and Treatment Centres (SA/DVTC), which links Ontario's 35 hospital-based sexual assault care and treatment centres. She is an adjunct lecture, Faculty of Nursing, at the University of Toronto. In 2012, she received the International Association of Forensic Nurses' Virginia Lynch Pioneer Award.

Ms. Macdonald has been involved in a number of studies of sexual assault care and treatment services. She developed the original proposal for a program of universal HIV post-exposure prophylaxis for Ontario sexual assault survivors and was a co-investigator on the HIV PEP

Study. She was Co-Principle Investigator on a drug facilitated sexual assault in Ontario as well as a client evaluation study, which studied clients' perception of care received at SADVTC services.

She is dedicated to the use of scientific evidence to inform clinical practice in Ontario's SA/DVTCs. With more than 15 years of clinical experience as an on-call nurse, Ms. Macdonald is an avid educator and has taught in the area of sexual assault/domestic violence across Canada, in South Africa, Costa Rica and the United States. She also provided leadership to the development of the Sexual Assault Nurse Examiner (SANE) role in Ontario by authoring the proposal for annual SANE training funding, submitted to the Ministry of Health and Long-Term Care.

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