

1 to compile and maintain their own gender data. Most firms
2 are now collecting and maintaining such data, even though
3 they do not have to report the results to the Law Society or
4 publicly."

5 I address this in the context of this very
6 important and laudable initiative, that it has, as my
7 colleague, Ms. Potter, pointed out, all the indicia of
8 success. I address it in the context of the gender issue,
9 but I also address it in the larger equity context.

10 I had the honour of sitting on an American
11 Bar Association panel in the summer on the issue of equity
12 initiatives, and the question of whether American firms are
13 suffering from equity exhaustion, given all the various
14 forms of reporting they participate in in respect of their
15 firms, whether it's gender equity issues, race equity
16 issues, or other equity issues. That is, there is a very
17 transparent and large reporting responsibility by the law
18 firms in the U.S.

19 One of the major ways in which they
20 accomplish it is not by making it mandatory, but by creating
21 a form of incentive systems for the firms to report on
22 themselves. By that I mean, for example, there is a
23 compilation of law firms on a hiring system in which those
24 who are candidates seeking to work for the law firms can
25 access how those firms are performing in terms of gender

1 data, in terms of race data.

2 When you try to transpose that to Canada,
3 what you find out is that the same hiring firms that do that
4 for the U.S. have no such race data for Canada and extremely
5 limited equity data for Canada. What we learn in the
6 context of Ontario is that while we right now have a
7 voluntary system that is in only its early years, it occurs
8 to me, Madam Treasurer and Ms. Minor, it occurs to me that
9 what we should be doing is creating incentives to go to the
10 next level, which is an element of transparency, so that
11 those firms that are obviously leaders and obviously doing
12 so well get that added incentive by, for example, creating a
13 means by which they can advertise their data for those
14 seeking to work for firms that have such laudable
15 achievements.

16 I simply point this out because to me it's
17 the next level. We need to be talking about how to make it
18 transparent, how it shouldn't be a source of secrecy or a
19 source of confidentiality. It should be something we're
20 proud of. Thank you.

21 TREASURER PAWLITZA: Thank you, Mr. Falconer.
22 Mr. Anand.

23 MR. ANAND: Thank you, Treasurer. Just in
24 response to Mr. Falconer's comment, I agree entirely with
25 what he has said. I just wanted to say for a matter of