

**An Opinion as to the Soundness of the Research
Underlying the Decisions Made by Cabinet to
Terminate *The Northlander* and to Divest the
Ontario Northland Transportation Commission**

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1. Background

The decisions made by Cabinet to terminate *The Northlander* and to divest the Ontario Northland Transportation Commission (ONTC) are a matter of concern to a number of individuals, enterprises, and institutions, including Transport Action Canada and Transport Action Ontario. The ONR-ONTC Research Task Force was created by Transport Action Canada and Transport Action Ontario to examine the research behind the decisions by Cabinet.

The mission of the ONR-ONTC Research Task Force is to examine the studies and other productions undertaken by the Government of Ontario through the Ministry of Northern Development and Mines (MNDM), as well as any other agencies or agents of the Government of Ontario, and to present:

1. An inventory of the provided studies and other productions containing evidence, advisories, recommendations, opinions, analyses, etc., underlying the decisions made by Cabinet to terminate *The Northlander* and to divest the Ontario Northland Transportation Commission.
2. An opinion as to the soundness of the research undertaken; and
3. An opinion as to the extent to which the decisions by Cabinet to terminate *The Northlander* and divest the Ontario Northland Transportation Commission are based upon, supported by, justified by, or are otherwise derived from methodologically sound research.

The first phase of the Task Force mission was completed in January, 2013. The results of that work are presented in ten reports which were initially posted on the [Transport Action Ontario](#), [Transport Action Canada](#), and [Wellar Consulting Inc.](#) websites, and have subsequently been downloaded and posted on additional websites. The body of documentation to this point in the project includes:

- One report describing the design for obtaining details about and access to pertinent studies and other productions;
- Eight reports describing the results of communications sent to Rick Bartolucci, Minister of Northern Development and Mines, and to the seven candidates (Eric Hoskins, Gerard Kennedy, Glen Murray, Sandra Pupatello, Charles Sousa, Harinder Takhar, and Kathleen Wynne) for the position of Leader, Liberal Party of Ontario; and
- A summary report on the results of the communications seeking details about and access to the studies and other productions involved in Cabinet deliberations about the fates of *The Northlander* and the Ontario Northland Transportation Commission.

It was anticipated that there could be several stages to the Task Force mission, and that the initial request for materials should focus on study domains.

Subsequent requests could then be directed at research issues, questions, etc., arising from the review of materials provided as a result of the domain-focused inquiries.

The following section from [ONR-ONTC Research Task Force Interim Report 1: Requests for Details About and Access to Studies Behind the Decisions to Terminate *The Northlander* and Divest the Ontario Northland Transportation Commission](#) outlines the approach taken in the quest to obtain details about and access to the studies and other productions considered by Cabinet during its deliberations regarding the fates of *The Northlander* and the Ontario Northland Transportation Commission.

Study Domains

The study domains selected for this project are grouped into two classes, those involving regional impacts associated with the termination and divestment decisions, and those involving Ontario Northland Railway passenger and freight infrastructure, operations, and service, and the ONTC as an entity.

The domains selected for the first round are similar to those which have been in the development literature from at least the 1960s, so the domains are not only ‘tried-and-true’, but they do not require MNDM or other government agency to be at the leading edge of research in order to provide the requested materials.

Moreover, and based on the development literature for Canada and internationally, each domain is a pertinent subject for analysis by those advising members of Cabinet on the termination and divestment issues.

*And, further in that vein, they are pertinent subjects for consideration by members of Cabinet when deciding whether, when, how, under what conditions, etc., to terminate *The Northlander* or divest the ONTC. It is recalled that members of Cabinet are first and foremost MPPs (Members of Provincial Parliament), and all of them have experience with making promises, giving commitments, etc., in a variety of domains, including those that did, could have, or should have received consideration during the deliberations about terminating *The Northlander* or divesting the Ontario Northland Transportation Commission.*

The domains selected for regional impact assessments are as follows:

1. *Economic*
2. *Economic development*
3. *Transportation infrastructure construction and maintenance*
4. *Municipal tax base*
5. *Financial*
6. *Social*
7. *Employment*
8. *Environment*
9. *Energy*
10. *Public safety*
11. *Industrial development*
12. *Accessibility/mobility of area residents*
13. *Health/medical infrastructure/services*

For the ONR/ONTC component of the research program the focus in the initial round is on rail freight and rail passenger infrastructure and services, and the timelines are a 50-year historical timeline (1962-2012), and a 25-year projective timeline (2013-2038).

The domain of interest involves studies and/or reports, internal and external, as to what was done, what could have been done or be done, and what should have been done or be done to maintain and/or increase rail freight activity and rail passenger activity for the historical period (1962-2012) and the projective period (2013-2038).

Based on the learned literature, consultations with experts, and my experience in government and academe, all the study domains in Section 4 of Interim Report 1 are candidates for consideration by Cabinet during its deliberations about the fates of *The Northlander* and the Ontario Northland Transportation Commission. And, the timeframes are appropriate for the initial phase of the inquiry.

As a result, the communications to Rick Bartolucci, Minister of Northern Development and Mines, and to the seven candidates (Eric Hoskins, Gerard Kennedy, Glen Murray, Sandra Pupatello, Charles Sousa, Harinder Takhar, and Kathleen Wynne) for the position of Leader, Liberal Party of Ontario requested details about and access to studies and productions which could reasonably be expected to have been considered by Cabinet during its deliberations.

The eight reports on the communications to Bartolucci *et al* contain the responses received from each person contacted. It is emphasized that R. Bartolucci, E. Hoskins, G. Murray, C.Sousa, H. Takhar, and K. Wynne were in Cabinet when the termination and divestment decisions were made, and would therefore have files and first-hand knowledge of the studies and other productions considered during deliberations.

The summary report, [Inventory of the Provided Studies and Other Productions Containing Evidence, Advisories, Recommendations, Opinions, Analyses, etc., Underlying the Decisions Made by Cabinet to Terminate *The Northlander* and to Divest the Ontario Northland Transportation Commission](#), is a compilation of the studies and other productions provided to us by Bartolucci *et al*, and completes the first phase of the Task Force's mission.

In the next section, I describe the inventory of reports and other productions provided to the Task Force as a result of communications to Rick Bartolucci, Minister of Northern Development and Mines, and to the seven candidates (Eric Hoskins, Gerard Kennedy, Glen Murray, Sandra Pupatello, Charles Sousa, Harinder Takhar, and Kathleen Wynne) for the position of Leader, Liberal Party of Ontario. As per the research design, the inventory is the basis by which Task Force members evaluations are merged to form a group opinion on the soundness of the research underlying each study or other kind of production used in Cabinet deliberations and decisions.

2. Inventory of Provided Reports and Other Productions

The report, *Inventory of the Provided Studies and Other Productions Containing Evidence, Advisories, Recommendations, Opinions, Analyses, etc., Underlying the Decisions Made by Cabinet to Terminate *The Northlander* and to Divest the Ontario Northland Transportation Commission*, describes the results of communications to Bartolucci, *et al*, as follows (from page 9).

“Twenty (20) emails were sent to Rick Bartolucci, Minister of Northern Development and Mines, and four (4) original and fourteen (14) copied emails to each of the candidates for the position of leader, Liberal Party of Ontario (Eric Hoskins, Gerard Kennedy, Glen Murray Sandra Pupatello, Charles Sousa, Harinder Takhar, and Kathleen Wynne).

The net result of the extended and detailed quest for public studies and other productions is that it did not yield any information about, much less achieve access to any study or any other production containing evidence, advisories, recommendations, opinions, analyses, etc., underlying the decisions made by Cabinet to terminate *The Northlander* and to divest the Ontario Northland Transportation Commission.”

Or, to re-phrase, we did not learn about nor did we gain access to any study or other production that was prepared for Cabinet, sent to Cabinet, considered by Cabinet, discussed by Cabinet, tabled by Cabinet, rejected by Cabinet, reviewed by Cabinet, debated by Cabinet, voted on by Cabinet, or otherwise associated with Cabinet

deliberations and decisions regarding the disposition of *The Northlander* and the Ontario Northland Transportation Commission.

Consequently, at the time of this writing (February, 2013) the Task Force does not have any provided studies and other productions containing evidence, advisories, recommendations, independent expert opinions, independent expert analyses, etc., underlying the decisions made by Cabinet to terminate *The Northlander* and to divest the Ontario Northland Transportation Commission.

Further, in addition to not having any provided studies or other productions which are identified as “Cabinet material”, we have not been able to locate Cabinet material studies or other productions which are posted on government agency websites, and are identified as Cabinet material used in deliberations and decisions regarding *The Northlander* and the Ontario Northland Transportation Commission.

Moreover, communications with a variety of academic, advocacy, and public interest groups came up blank in terms of anyone having access to or knowing about Cabinet material reports and other productions related to *Northlander* or ONTC matters.

The bottom line in regard to compiling the inventory is that elected members (MPPs) of the governing party were asked for Cabinet material reports and other productions, government websites were searched for Cabinet material reports and other productions, and members of a variety of academic, advocacy, and public interest groups were contacted for their insights and feedback regarding the existence of Cabinet material reports and other productions, all to no avail. That is, we have been unable to obtain details about or access to any studies or other productions to use as the basis for deriving an opinion as to the soundness of the research underlying the cabinet decisions.

In the absence, therefore, of being provided or locating Cabinet material studies or other productions associated with the decisions to terminate *The Northlander* and to divest the Ontario Northland Transportation Commission, it appears appropriate to assume that no such studies or productions exist.

And, by extension, it follows that it is appropriate to assume Cabinet made its decisions to terminate *The Northlander* and to divest the Ontario Northland Transportation Commission based on something other than research-based studies and productions.

As a potential check on the assumptions, an extra task was added to the Task Force scope of work. The report, [Elements of Applications Requesting the Information and](#)

[Privacy Commissioner, Province of Ontario, to Assist in Obtaining Access to Records Used in the Decisions by Cabinet to Terminate *The Northlander* and to Divest the Ontario Northland Transportation Commission](#), presents a number of grounds for Transport Action and other groups or individuals to request the Information and Privacy Commissioner to assist in either obtaining access to the pertinent materials, or receiving official confirmation that the requested materials do not exist.

For the present, we are proceeding on the understanding that no studies or productions exist. And, if the truth of the matter is otherwise, then that truth can be demonstrated by the requested studies and productions being made available in the manner specified in the report, ONR-ONTC Research Task Force Interim Report 1: Requests for Details About and Access to Studies Behind the Decisions to Terminate *The Northlander* and Divest the Ontario Northland Transportation Commission.

3. A Selection of Non-Methodological Decision Tools that Could Have Been Used by Cabinet in Its Decision to Terminate *The Northlander* and to Divest the Ontario Northland Transportation Commission

The original design of this project is based on the premise that Task Force members have access to actual studies or other productions. With those materials in hand, the Task Force team can compare and contrast the domains and research methods and techniques that are used to the domains and research methods and techniques that could be used, and should be used, in the studies or other productions.

However, since we do not have access to any actual studies or other productions considered by Cabinet, the original project design needs to be put on hold. Which could be temporary. That is, if the situation changes and actual studies or other productions become available, and circumstances permit, then current and perhaps additional Task Force members could be asked for their contributions to the “soundness” question.

In the meantime, we are faced with a puzzler that requires an answer. On the one hand we know that two decisions were taken by Cabinet, and on the other hand we have no evidence that any methodologically designed research studies or other productions were provided to Cabinet to assist members make informed, empirically-grounded, and substantively-demonstrable decisions about the disposition of either *The Northlander* or the Ontario Northland Transportation Commission.

How then, or by what means, did Cabinet arrive at the two decisions? Fortunately, and as the reader may be aware, discussions along this line were part of a previous research project in 2009 which was undertaken for Transport Canada on the topic,

Methodologies for Identifying and Ranking Sustainable Transport Practices in Urban Regions.

Ten reports were published during that project, and two reports of direct pertinence here are titled, [Methods and Techniques that Could be Used in Making Decisions about Identifying, Adopting, or Implementing Sustainable Transport Practices](#), and [Sampler of Commentaries on Methods and Techniques that Could be Used in Making Decisions about Identifying, Adopting, or Implementing Sustainable Transport Practices](#).

Table 2 from the first report is reproduced because it contains a number of methods and techniques which can be used in decision making, some of which do and some of which do not involve methodologically designed research procedures and operations.

Table 2. A Selection of Methods and Techniques that Could Be Used to Assist in Making Decisions about Identifying, Adopting, and Implementing Sustainable Transport Practices

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|----------------------------------|--------------------------------|
| 1. Anatomical Sourcing | 22. Life-Cycle Analysis |
| 2. Attitudinal Surveys | 23. Modelling |
| 3. Authority | 24. Normative Delphi Technique |
| 4. Brainstorming | 25. NIMBY Strategy |
| 5. Charrette | 26. Open House |
| 6. Committee Approach | 27. Opinion Polls |
| 7. Common Sense | 28. Optimization Techniques |
| 8. Comparative Analysis | 29. Panel Evaluation |
| 9. Copycat/Follow the Leader | 30. Pilot Study |
| 10. Cost-Benefit Analysis | 31. Policy Delphi Technique |
| 11. Cost-Effectiveness Analysis | 32. Pre-Test |
| 12. Counterfoil Research | 33. Referenda |
| 13. Cross-Impact Analysis | 34. Roundtables |
| 14. Econometric Analysis | 35. Scaling |
| 15. Focus Groups | 36. Simulation |
| 16. Follow the Money | 37. Squeaky Wheel |
| 17. Forecasting Delphi Technique | 38. Surveys |
| 18. Highest and Best Use | 39. Trial Run |
| 19. Impact Assessment | 40. Walking Security Index |
| 20. Indicators | 41. Workshops |
| 21. Indexing | 42. YIMBY Strategy |

Source: Barry Wellar, 2009. [Methods and Techniques that Could be Used in Making Decisions about Identifying, Adopting, or Implementing Sustainable Transport Practices](#).

Methods and techniques which fall into the non-methodological research class include the following, in alphabetical order:

1. Anatomical Sourcing
3. Authority
6. Committee Approach
7. Common Sense
25. NIMBY Strategy
37. Squeaky Wheel
42. YIMBY Strategy

Anyone wanting to know more about any of these non-methodological approaches to decision-making can find descriptions and discussions in such sources as the cited Transport Canada project reports, as well as by entering the terms in Google and following the results posted for numerous sites.

Further, those and other approaches to decision-making which have nothing to do with methods and techniques used in methodologically designed research are often implicitly imbedded in statements made by elected officials, including proclamations, newspaper columns, interviews, campaign materials, and media releases.

The common feature of these approaches, and the reason that they could be used by Cabinet to make decisions about the disposition of either *The Northlander* or the Ontario Northland Transportation Commission, is that using them does not require any research methodology training, skills, experience, expertise, etc., involving qualitative, quantitative, or visualization research procedures.

Rather, the decisions are based on personal preferences, arbitrary notions, idiosyncrasies, ideologies, private motivations, fears, hopes, likes, dislikes, friendships, animosities, aspirations, favoritism, inhibitions, predilections, biases, prejudices, irritations, jealousies, personal experiences, revelations, spiritual encounters, traditions, intuition, and any other way of arriving at a decision which is outside the purview of analytical tests for characteristics such as validity, reliability, reproducibility, generality, replicability, explicability, predictability, causality, consistency, evaluability, comparability, and representativeness of the research inputs, processes or procedures, and outputs.

One or more of the named non-methodological tools of decision making could have been used by Cabinet, and/or one or more other non-methodological tools of decision making could have been used but, when all is said and done, an ineluctable finding as to the basis of Cabinet's decision process in my opinion is this:

If Cabinet did not base its decisions regarding the disposition of *The Northlander* and the Ontario Northland Transportation Commission on the results of methodologically designed research studies and other productions, then the decisions were based on one or more non-methodological means of making decisions.

4. An Opinion as to the Soundness of Using Non-Methodological Decision Tools in Deciding the Fate of *The Northlander* and to Divest the Ontario Northland Transportation Commission

There are three parts to my opinion regarding the soundness of using non-methodological decision tools in deciding the fate of *The Northlander* and the Ontario Northland Transportation Commission, and two of them are presented above in the second-last paragraph in Section 3.

First, in terms of making sound public policy decisions involving any of the thirteen (13) study domains identified in Section 1, or the rail freight and rail passenger infrastructure and services identified in Section 1, it is difficult for me to imagine a more unsound way of making those decisions than to base them on the personal preferences, arbitrary notions, idiosyncrasies, ideologies, private motivations, fears, hopes, likes, dislikes, friendships, animosities, aspirations, favoritism, inhibitions, predilections, biases, prejudices, irritations, jealousies, personal experiences, revelations, spiritual encounters, traditions, or intuition of members of a provincial Cabinet under any circumstances, but especially when the government of the day is under huge political and media pressure on a number of fronts.

Second, in terms of making sound public policy decisions involving any of the thirteen (13) study domains identified in Section 1, or the rail freight and rail passenger infrastructure and services identified in Section 1, it is difficult for me to imagine a more unsound way of engaging in deliberations and making decisions than doing so without ensuring that when challenges, questions, issues, etc., arise during and after the deliberations and decisions, it can be demonstrated to the satisfaction of the affected individuals, businesses, and other entities, as well as the media, advocacy groups, and public interest groups, that the deliberations and decisions were subjected to a battery of analytical tests for characteristics such as validity, reliability, reproducibility, generality, replicability, explicability, predictability, causality, consistency, evaluability, comparability, and representativeness, and passed the tests in ways and at levels that satisfy methodological design standards.

The third comment about the soundness of the research underlying the decisions made by Cabinet to terminate *The Northlander* and to divest the Ontario Northland Transportation Commission, draws on my policy research experiences and numerous discussions with others who have held research and policy research positions, and/or consulting appointments in municipal, provincial/state, and federal/central governments.

That is, whenever the bases of deliberations and decisions are deemed to be sound because the methodology behind the deliberations and decisions is rated as sound by researchers with the proper credentials, elected officials are only too eager to make the materials used in their deliberations widely available, to attend and have staff attend public meetings “at the drop of a hat” to discuss the why’s behind the how’s behind the what’s, and to invite debate about the scientific merit of the decisions made.

In the case of the deliberations and decisions regarding *The Northlander* and the Ontario Northland Transportation Commission, however, no signal of any kind has been observed, read about, brought to our attention, etc., to suggest that there is much if any interest on the part of elected or appointed provincial officials to receive or publicly take credit for how the deliberations were conducted, or how the decisions were reached.

There could be several reasons to account for reluctance to be closely associated with *The Northlander* and the Ontario Northland Transportation Commission affair. However, after many days of work on this file, including hundreds of communications with government officials and ordinary citizens, the overriding reason that comes to my mind as most likely to account for the “hot potato” factor is that the deliberation and decision processes simply cannot stand up to analytical scrutiny. As a result, the inclination appears to be to keep a low profile, and hope that the matter will just go away before a Task Force, Commission of Inquiry, or public interest group comes along and starts asking really hard questions about the (un)soundness of deliberations and decisions.

5. Conclusion

It is my opinion that the deliberations and the decisions underlying the fate of *The Northlander* and the Ontario Northland Transportation Commission (ONTC) were not based on methodologically designed research procedures, and that the non-methodological approaches which must have been followed by Cabinet are demonstrably unsound as the basis for decisions regarding the future of rail freight and rail passenger infrastructure and services in Northeastern Ontario and, by extension, the impact of those rail- and ONTC-related decisions on regional development opportunities and challenges in Northeastern Ontario.