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**Assemblée législative  
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**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Wednesday 17 October 2001**

**Mercredi 17 octobre 2001**

Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY  
OF ONTARIO

Wednesday 17 October 2001

ASSEMBLÉE LÉGISLATIVE  
DE L'ONTARIO

Mercredi 17 octobre 2001

*The House met at 1330.  
Prayers.*

MEMBERS' STATEMENTS

FRANK CLAIR STADIUM

**Mr Richard Patten (Ottawa Centre):** Yesterday I was in my riding attending an announcement for which many in the capital city of Canada have been waiting five years. On July 1 next year, the refurbished Frank Clair Stadium will once again ring to the sounds of CFL football. Pro football is back in Ottawa.

In addition to the return of football to Ottawa, the CFL announced yesterday that they will play host to the 2004 Grey Cup. Many football fans will recall that when we last hosted the Grey Cup, in 1988, it pumped close to \$20 million into the local economy. So there's an excellent economic spinoff. Many hard-working small businesses will benefit, as will hundreds of students in my riding, who will gain part-time employment during the season and in the run-up to the festivities of Grey Cup Week in 2004.

Earlier this week I had the pleasure of meeting with the ownership group in my home a few blocks away from the stadium and was very impressed with their dedication, their keen sense of business and their long-term commitment to returning a winning product to Ottawa. As the new owner, Brad Watters, said, "Ottawa has proven to me that it should never have lost the team in the first place."

I know that members from all sides of the House, including my friends from Toronto and Hamilton, look forward to having a competitive Ottawa team in the CFL again. Football is back.

ROBERT BALDWIN DAY

**Mr Doug Galt (Northumberland):** A few years ago I tabled a bill for the recognition of a Robert Baldwin Day to honour a great Ontarian who did much to create the legislative process that we depend on today.

Mr Baldwin's accomplishments include the creation of responsible government where power depends on the will of elected representatives. He also argued for the creation of municipal government in Canada so that local concerns could be dealt with at a local level. These are

but two achievements that have had a profound and lasting impact on Ontario.

Unfortunately, not many Ontarians are aware of what Robert Baldwin accomplished. This is why I was pleased to see that in the latest issue of the Canadian Parliamentary Review there is an article written by a former staff member of mine arguing in detail the merits of such a recognition. All politicians can agree that our staff go beyond the call of duty.

I want to recognize Andrew Redden and his efforts to make all Ontarians aware of their history through the establishment of a Robert Baldwin Day. I wish him well in his quest and hope that Ontario will one day honour this great man and the achievements that he has accomplished.

GOVERNMENT COMMITMENTS

**Mr Ernie Parsons (Prince Edward-Hastings):** My statement is to the 50 or so leadership hopefuls on the other side of the House. I thought this might be a good opportunity to go through the Progressive Conservative Party's Blueprint and tick off what's been done and what hasn't been done so that the new leader would know where to move.

The one commitment in there, the Ontarians With Disabilities Act, you can tick "not done." It's been six and a half years—still nothing.

The strong commitment in here to agriculture: well, in fact we've seen a 45% cut rather than—so you may want to tick off that that's not done yet.

There was a commitment to have peace in our schools. That's not done yet. That's something still to work on.

There was a commitment to home care and to strengthen the access centres. That one's not done yet. That's a goal for you to work on.

A moratorium on labour laws, it said. That's not been done yet.

Full public consultation on all legislation: you may want to back up. That's not done yet.

Safer schools: you got rid of principals, you got rid of secretaries, you got rid of custodians, so that's not done yet. You need to work on that.

Going to solve the hospital problems with more doctors and more nurses: not done yet. When you get a chance, you may want to look at hiring some nurses and doctors here.

Downloading would be revenue-neutral: well, you've done the downloading part, but the revenue-neutral is not done yet. So you need to work on finishing that.

There was a commitment to affordable housing in Ontario. That's not done yet either, so maybe tick that one too.

A commitment that there would be no hungry or homeless children in Ontario: that's not done yet.

#### MIKE HARRIS'S LEADERSHIP

**Mr Bert Johnson (Perth-Middlesex):** I have a serious statement. I rise today on behalf of the constituents of Perth-Middlesex to thank Premier Harris for his visionary and bold leadership of the province of Ontario.

Governing a province as diverse as Ontario requires strong leadership and Premier Harris has provided just that. Governing is about implementing a plan and a policy agenda, but also recognizing the significance of these decisions for future generations. Premier Harris is keenly aware of this. He has persevered and stood by his convictions to ensure that hard-working Ontario taxpayers were receiving good government and a good return on their tax dollar.

Premier Harris knows the importance of having a strong and prosperous economy that allows us to pay for and make investments in health care, education, and the programs and services that Ontarians rely on. His exemplary leadership also helped our province eliminate an \$11-billion deficit and realize three consecutive balanced budgets.

I also want to express my sincere appreciation to the Premier for his interest in and commitment to the issues and challenges facing rural Ontario. Furthermore, I want to thank him for his support of Ontario's farmers and agri-food industry.

Since June 1995 Premier Harris has built a solid foundation of policies that have made and will continue to make Ontario the best place to live, work, invest and raise a family.

On behalf of my constituents, please accept our best wishes and congratulations on a job well done.

#### STUDENTS WITH SPECIAL NEEDS

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** Day after day, I hear from the parents of special-needs students whose support services have been reduced or eliminated. These desperate parents know their child needs assistance, and the government's own required independent assessment has objectively confirmed this reality. Yet this year alone, after identifying the need for over 1,000 education assistants, funding was provided to meet the needs of but 431 students—another promise spoken, promise broken.

Now more than 500 education assistants short, the Hamilton board has been forced to close 20 special

education classes and to warehouse—yes, warehouse—students for whom no help is available.

What a shameful indictment of a government which spends millions advertising how it is putting kids first.

1340

Mr Speaker, let me tell this House about two young seven-year-old girls from my riding, Emily Carey and Carleigh Dunbar. Both children are medically fragile. They live complex and difficult lives. At the start of this school year, their parents were told their assistance was being dropped from full-time to half-time.

We know that there are many more Emilys and Carleighs within the school board in Hamilton and elsewhere who need special assistance. As a result of this appalling situation, I will tomorrow, God willing, be introducing a new private member's bill entitled Carleigh and Emily's Law. When passed, the new position of special education advocate will be created. This person will have the power to review all provisions of special education and its funding throughout Ontario and, importantly, to make recommendations to this Legislative Assembly—in short, to act like an ombudsman, but with one primary objective: meeting the special education needs of vulnerable children throughout Ontario.

#### EDUCATION

**Mr Rosario Marchese (Trinity-Spadina):** I want to spend a whole minute and a half trying to help the Minister of Education, because that's the kind of guy I am. I tried to do that yesterday and I'm going to do it again today, because this is an opportunity—we have a leadership campaign—for the Minister of Education to say to the Minister of Finance, "Enough is enough. We don't want the Minister of Education to be run by remote control by the Minister of Finance. It's got to stop."

She's got to begin to show some leadership.

*Interjections.*

**Mr Marchese:** Boys, please. She has to show some leadership and begin to advocate on behalf of the educational system, and do that on her own. She needs my help, and that's why I'm telling her that this is a wonderful opportunity to say that we are going to start investing in our educational system, that we can't afford these cuts, these massive \$2.3-billion cuts to the elementary and secondary educational system, because it's hurting our children. We want the war to end, because only by having teachers on your side will you then have the parents and students on your side in order to get the educational outcomes you want.

That's what she's got to do. She's got to send a clear message to the Minister of Finance and others that she's finally taking charge and she's finally going to invest in our educational system. I'm going to be there to help her as she does that.

GREAT BLUE HERON  
CHARITY CASINO STAFF

**Mr John O'Toole (Durham):** I rise in the House to pay tribute to four of my constituents who are staff members of the Great Blue Heron Charity Casino in my riding of Durham. These dedicated staff members, in their quick response, helped save two lives this past summer.

The Great Blue Heron staff members who provided assistance included Angela Higgins, Keith Heaton, Robert Donahoe and Jason Hawkins. Time does not permit me to explain all the details; however, these four staff members rescued a customer who was found without vital signs while in the casino on August 3. On August 4, they also administered first aid to a customer who was found unresponsive outside the building. The casino staff used CPR and automated external defibrillators to restore vital signs, and of course called 911. A number of other casino workers and passersby also gave assistance.

The quick response of this knowledgeable staff deserves recognition. Locations such as the Great Blue Heron Charity Casino in Scugog township have a very large number of visitors each day. It is reassuring to know that lifesaving medical equipment is available on those rare occasions when patrons are in need of assistance. It is my understanding that automated external defibrillators are at all gaming locations in Ontario. Most importantly, there are trained staff members to use them.

Shift manager Andy Wilson tells me that this experience has changed the lives of those involved. An event like this brings fear and stress, but also a true sense of pride in helping our neighbours. I think it's appropriate that we recognize Great Blue Heron and its staff for their contribution as citizens in the case of an emergency.

ACQUIRED BRAIN INJURIES

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** Timothy Shaver is a 24-year-old man who sustained a traumatic brain injury in 1994. As a result, he has become explosive, aggressive and violent. Timothy spent four years in a rehabilitation program in Texas and was repatriated to Ontario in the summer of 1999. Since his return home, he has been in and out of rehabilitation programs and psychiatric hospitals in both St Catharines and Thunder Bay.

The brain injury support services of northern Ontario have been doing everything possible within their resources to provide support for Timothy, but he simply requires care well beyond what they are able to provide. Last January, Timothy set fire to his residence in an attempt at suicide. The psychiatric hospital would not admit him, so he was charged with arson. That way he could at least be kept safe in jail.

Timothy is still in jail today, but on October 22 he will have served his sentence and will be released into the community. Every effort has been made to find a place

for Timothy to go. The brain injury services in London, Hamilton and Thunder Bay have all been involved, along with St Thomas, Penetanguishene and Lakehead psychiatric hospitals. All agree that if Timothy is released into the community, he will be a danger to himself or to others, yet as of today there is no place for Timothy to go.

The problem is that the mental health system does not feel that they're responsible for Timothy because he has an acquired brain injury, not a mental illness. The problem for Timothy and for all of us is that he needs at this point to be in a secure psychiatric unit, not in a jail cell and not on his own in the community.

My colleague and I wrote to the Minister of Health on October 9, asking him to intervene to ensure that an appropriate place is found for Timothy. The minister must act immediately to ensure that the mental health system is there for Timothy when he is released from jail on Monday and that he is not going to be a danger to himself or to others in the community.

**Mr George Smitherman (Toronto Centre-Rosedale):** On a point of order, Mr Speaker: I'd invite all members to join with me in offering a warm welcome to the guys from St Michael's Choir School in the great riding of Toronto Centre-Rosedale.

YORKWOOD LEARNING CENTRE

**Mrs Tina R. Molinari (Thornhill):** It is my privilege to speak in the House today about the official opening of a special learning centre in my riding of Thornhill. The Yorkwood Learning Centre is a private school for children with learning disabilities, communication disorders, language delays and ADD. The centre's co-operative learning philosophy promotes academic achievement, while encouraging students to explore their individuality in an environment of discovery and self-esteem.

The efforts of the centre's teachers work toward the development of the child as a whole. Teachers incorporate much more into the curriculum and emphasize the teaching of life skills, social skills and emotional and behavioural skills.

The Yorkwood Learning Centre is the only one of its kind in York region, and many of the students come from other areas, including Woodbridge and Aurora, to receive the vital education and services the centre provides.

It was a pleasure to attend the official opening of the centre last Friday to meet the students, parents and teachers. Judging by the many smiles on the faces of the children who attend the centre, Yorkwood is providing a positive environment for children with learning challenges to help overcome their obstacles.

It is truly an honour to have the Yorkwood Learning Centre in my riding of Thornhill, and I would like to congratulate all those involved in making the centre a success.

## VISITORS

**The Speaker (Hon Gary Carr):** Just before we begin, we have some honoured guests in the Speaker's gallery. We have members of the Consular Spouses Association of Toronto. Please join me in welcoming our honoured special guests.

## INTRODUCTION OF BILLS

## 1205458 ONTARIO LTD. ACT, 2001

Mr Levac moved first reading of the following bill:  
Bill Pr23, An Act to revive 1205458 Ontario Ltd.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

Pursuant to standing order 84, this bill stands referred to the standing committee on regulations and private bills.

## ORAL QUESTIONS

MINISTRY OF HEALTH  
AND LONG-TERM CARE STAFF

**Mr Dalton McGuinty (Leader of the Opposition):** My first question today is for the Minister of Health. Recent events show painfully well that threats of bioterrorism, including anthrax, are far too real. Incredibly, at this time of need you have decided to fire the last five scientists at the Ministry of Health with expertise in life-threatening biohazards. These are the very scientists that our province would turn to if a biohazard attack were to occur.

I want you to tell us, Minister, how can you possibly justify firing those people who are standing on guard for our families when it comes to matters of bioterrorism?

1350

**Hon Tony Clement (Minister of Health and Long-Term Care):** The honourable member is incorrect. There has been no firing of lab testing staff. The only staff that have been affected do not perform any testing; they're not even capable, do not have the qualifications to perform lab testing. In fact, we are in the process of hiring three additional laboratory staff and training them in the techniques he is so concerned about.

**Mr McGuinty:** Minister, if you are not aware of the stories that are running in our newspapers, if you're not aware of what Ontario families are talking about, then I would ask you to be fully briefed and understand the heightened level of anxieties when it comes to bioterrorism.

Let me tell you something about the five scientists in your ministry who you are firing. Dr Lo: he's the guy who chaired the 1999 conference on terrorism and the laboratory of the future. Dr Smitka: she's the one who

received the prestigious Amethyst Award from Premier Mike Harris for her groundbreaking work on infectious diseases. Dr Preston: he's the guy who developed the method for fingerprinting E coli 0157, the bacterium made famous by the Walkerton tragedy. Dr Harnett is a noted expert on antibiotic-resistant superbugs, and Dr Stephan Wang is an expert on chemical toxins.

These are people employed within your ministry whose job it is to act in a preventive way, to be out there on the leading edge, to identify what is going on in terms of the development of biohazards, particularly in our province. Why, Minister, are you firing these five scientists?

**Hon Mr Clement:** I will state for the record again, we are actually hiring three additional laboratory staff and training them in the techniques, to add to the current staff who are already trained. The honourable member is incorrect, and by repeating what is incorrect, the honourable member is contributing, I'm sure unintentionally, to a fearful situation among our population. I think that is highly irresponsible and I would ask him to retract this kind of line of questioning when he is obviously incorrect and he is obviously contributing to what we are trying to do, which is to make sure that we have the standards and we have the capability to deal with any sort of bioterrorism threat that comes our way.

**Mr McGuinty:** Minister, let me tell you exactly like it is: you are being blinded by your ideology. You think that in all cases the best government is the least government. We believe that our families are entitled to have these five scientists on the job protecting them.

I disagree profoundly with the approach that you are bringing to this issue. Your job right now is to stop shirking your responsibilities, open up your eyes to the real fears being felt for our families and act accordingly. It's not enough to spend a million dollars on newspaper ads.

We have scientists on the job. Their job is to protect us from bioterrorism. They've got 150 years of scientific experience, and you decided to fire them. I ask you on behalf of our families, how can you justify laying these people off?

**Hon Mr Clement:** I'd be happy to put on the record for the third time that when it comes to laboratory examination of these kinds of threats, we are adding staff, not subtracting staff. We are training staff, not firing staff.

If there is any blindness in this House, it is the blindness of his unbridled ambition, which forces him to make up these stories and scare the people of Ontario. That is not the way to govern. That is not the leadership that people expect from aspirants to the chair that our leader, Mike Harris, has so amply filled in his time as Premier.

*Interjections.*

**The Speaker (Hon Gary Carr):** Order. Sorry to interrupt the minister. It is getting a little bit loud in here. I don't know if you've finished, Minister. Are we finished? Sorry.

New question. The leader of the official opposition.

**Mr McGuinty:** I turn to the same minister. Minister, here's a copy of a letter dated December 8, 1998, when you write to Dr Smitka, and you say, "Congratulations on receiving the very prestigious Amethyst Award today. This award recognizes outstanding achievement and promotes values and best practices within the Ontario public service. Your nomination speaks highly of your abilities." You go on at some length. You sign this and you write by hand, "Well done."

Minister, I'm not sure how you got yourself into this fix, but I think the real issue now is, what is the right thing to do? Given the context we find ourselves in, given the heightened anxieties related to bioterrorism, given all the stories that we're hearing day in and day out now about anthrax, how can you justify firing our top five scientists?

**Hon Mr Clement:** I'd be happy to explain this for a fourth time to this House. The people he is referring to have nothing to do with testing; they have nothing to do with laboratory services. They are involved in other services that have nothing to do with the testing that he is so concerned about.

If the honourable member wishes to be concerned about something, he would acknowledge that we are concerned about it. We are adding laboratory testing staff, three more people to the staff to do the very testing that he seems so concerned about. I would encourage him to get his facts straight before asking such questions because what he is doing is creating a problem that does not exist. That is not responsible in these times.

**Mr McGuinty:** I will remind the minister again that he is shirking his responsibilities. There is a difference, Minister, as you well know, between technologists who perform the tests and scientists who are out there creating knowledge so that we understand where the next E coli is coming from and how to deal with it, so that we understand where the next anthrax is coming from and how to deal with it. That is the work that is performed by our scientists. They are on the job here in Ontario within our ministry working at the cutting edge.

I ask you again, understanding the context we find ourselves in, how can you possibly justify firing the five best biohazard scientists we have working for us here today in Ontario?

**Hon Mr Clement:** Let me make it effortlessly simple for the Leader of the Opposition: the very people he is referring to are not even capable, do not have the credentials, are not members of the College of Medical Laboratory Technologists, cannot do the work that he has suggested they do.

I ask the honourable member, check your facts, do the research, be prepared for the leadership responsibilities that you so aspire to, and then you will ask the right questions on behalf of the people of Ontario, which clearly you are not doing right now.

**The Speaker:** Final supplementary.

**Mr McGuinty:** I bring you back to your letter, Minister. In your letter you said, "Today is a very special day for you and one in which we should take great pride.

It is my pleasure to express my sincere congratulations and appreciation. For years to come, Ontarians and Canadians will benefit from your expertise and your professional knowledge."

In another case, we have a picture of the Premier together with one of the people you are firing today.

I'm going to ask you one more time. Let's set everything else aside now, and I want you to think, as minister, somebody who is charged with a specific responsibility when it comes to protecting the health of Ontario families. I want you to do the right thing. I want you to say, "It was a mistake. It was an oversight. I'm not sure how it got to this, but as minister, acting to protect the interests of Ontario families, I'm going to fix it." All you have to do now, Minister, is say, "I'm going to fix it. I will no longer fire these scientists. I will keep them on the job and they will be there to protect Ontario families."

**Hon Mr Clement:** Let me read into the record the previous sentence of my letter, which acknowledges their contribution to research—research, not laboratory testing, not the testing that is being done right now. They are not capable of doing the testing that he is—

*Interjections.*

**The Speaker:** Order. Come to order. Minister?

**Hon Mr Clement:** Let me say this to the honourable member: this government does not have to take a back seat to anyone, this Premier does not have to take a back seat to anyone when it comes to preparing this province for any potential attack, this province for the realities after the September 11 attack. We are proud of our Premier. We are proud that we are leading this country in being prepared. He should do his job, support us, support the preparations, support the kind of leadership that we need in this province, and stop scaring the people of Ontario.

1400

**The Speaker:** New question.

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Premier. We've heard you give speech after speech over the last few weeks, telling the people of Ontario that you want to protect them and ensure their security, but today we learn that your Ministry of Health is going to lay off five scientists who do the dedicated research work, work that can't be done anywhere else, to ensure that Canadians are protected from bioterrorism. How can you go out there in the public and give speeches about protecting Ontario citizens from the threats of terrorism while your government is laying off five scientists who are acknowledged leaders in the fight against bioterrorism?

**Hon Michael D. Harris (Premier):** I think the Minister of Health is doing very well on this question.

**Hon Mr Clement:** I'd be happy to state for the record again that indeed there have been no cuts to testing or other laboratory services that are involved on the front line. In fact, we are adding three laboratory staff, of which we are proud. We have the funds available. We are adding three to the current seven who are in place. That

is the kind of commitment we are making to laboratory testing. That record speaks for itself, and we support that record.

**Mr Hampton:** This Minister of Health is ridiculous. This Minister of Health would have people across Ontario believe that it's all about testing. What about having the knowledgeable scientists who can do the work?

Just one example: one of the scientists whom this government is going to lay off helped identify the very serious strain of E coli that happened at Walkerton. Without this scientist's research and knowledge, it would have taken longer to identify the strain of E coli and it would have taken longer to treat it.

Tell the people of Ontario, Minister, how you justify now getting rid of the scientist who was doing the lead research that identified the strain of E coli that killed seven people and rendered 2,000 ill at Walkerton.

**Hon Mr Clement:** These individuals are not capable of doing the testing he is concerned about. They are not involved in that aspect of laboratory testing; they never have been. They don't have the capability. They don't have the qualifications.

The fact of the matter is, they are not involved in laboratory testing, which is what we are involved in expanding in Ontario to meet the immediate threat and to be sure that the people of Ontario are adequately protected. That is a record that we stand by. We are improving upon that record day by day as we meet the challenge of this particular situation after the attack on September 11. We are proud of that. We are expanding the laboratory testing services, and we will continue to do so.

**Mr Hampton:** I do not believe what I'm hearing. I'll send you over this academic paper, although from your answers I suspect it will go totally above your head. It's an academic paper by one of the scientists who identified the E coli strain at Walkerton. It's an academic paper that addresses that very issue. You ought to have a look at it before you lay off the scientist.

Another little item: a conference put on by Ontario ministry labs in 1999, terrorism and the laboratory of the future. Who organized this conference, which was attended by CSIS and other law enforcement agents? One of the very scientists, Dr Lo, that you now want to lay off. How are you going to make use of testing when the very scientists who can tell you how relevant that testing is are now going to be fired by your government?

**Hon Mr Clement:** Let me assure this House that we do have laboratory scientists, we do have researchers, Health Canada has scientists and researchers, and they are working together, as we speak, to deal with this particular situation in which we find ourselves after the attack on September 11. That work is ongoing. It is continuing. It is being expanded and integrated.

That's the kind of leadership the people expect from Premier Harris and this government as we search for solutions in the wake of the attacks on September 11. We

are proud of the additional resources, we are proud of the focusing of attention in these areas, and it will continue.

**The Speaker:** New question, the leader of the third party.

**Mr Hampton:** Minister, maybe you need to follow some of the events in the United States. It's not just testing that is taking place but it is the very specific research that is taking place to determine where strains of anthrax, for example, could have originated and how they are being turned into spores which can most affect people. It's not about testing; it's about having that scientific knowledge that then can tell you what we do with these tests, what we do with the information we've got and how we most effectively treat people.

Don't you understand that those people up there are the people who have that knowledge and expertise about how to do the research, the relevancy of the tests and how the tests relate to various aspects of bioterrorism? They're the very people your government is firing today. Tell the people of Ontario how you justify that, Minister.

**Hon Mr Clement:** I can assure this House that we are in contact with the Centers for Disease Control in Atlanta; we are in contact with officials, including scientists at Health Canada; our medical officer of health is in contact with these people on a daily basis, and that will continue. So we do have the research capacity in this country, we do have the testing capacity which is being expanded in this province, and that will continue.

The answer to your question is, we have the capacity, we are increasing the capacity. The important thing right now is the testing and we are increasing the capacity in the testing.

**Mr Hampton:** In case the Minister of Health has missed it, the Centers for Disease Control in Atlanta is rather busy these days. In case you missed it, Ontario needs some expertise here in Ontario. We don't want to have to wait until Atlanta says, "Oh, we can address your problem now."

Minister, do the responsible thing. Admit that you made a mistake. Admit that in your desire to cut the budget of the Ministry of Health you have made a mistake. Admit that mistake and tell the people of Ontario that these five dedicated scientists are going to be rehired today.

**Hon Mr Clement:** As I say, the individuals were involved in internal support. They had nothing to do with laboratory testing or the capacity of the laboratories. We have added to the capacity of laboratories and we will continue to monitor that. Our first job is to make sure that as a result of the particular circumstances in which we find ourselves, we test suspicious packages and we ensure that those packages that have to be forwarded on to Health Canada experts in Winnipeg are forwarded on. We are working with Health Canada to make sure that we have the capacity to do that and we are working with Health Canada, quite frankly, to make sure that they do their job and that we do ours and we don't step on each other's toes. That is the commitment of this government. We are focused very much on the tragic events of

September 11 and we have shown the leadership in this province and this country for which we are very proud.

**The Speaker:** New question, the leader of the official opposition.

**Mr McGuinty:** My question is to the Minister of Health. One of the scientists you decided to fire is Dr Preston. E coli 0157, as you know, is better known as the Walkerton strain of E coli. Dr Preston's work was instrumental in zeroing in on the source of the Walkerton outbreak. It served as an important resource for the work of Dr Murray McQuigge and the Walkerton public health unit; indeed, in Dr McQuigge's report he references Dr Preston's work.

You have now had some opportunity to reconsider and to better understand the importance not only of technologists who have to be on the job to protect our families, but also of scientists who are working at the cutting edge in creating new knowledge when it comes to new biohazards. Now that you've had this opportunity, you've had a moment to reflect, do you not believe that it is in the interests of Ontario families that you set aside these firings and that you guarantee Ontario families that these people will remain on the job and act to stand on guard for us against biohazards?

**Hon Mr Clement:** Let me assure this House and the honourable member that biohazards are a continuing concern. It's a concern that we take very seriously. So does the chief medical officer of health. We are testing more and more. We are hiring more testers. We had a situation where internal staff were not needed and, quite frankly, we have to focus in on the testing. We have centres of expertise in this province and this country when it comes to research. That should be acknowledged and supported; I understand that.

But when it comes to our job, our job is testing, safety, identifying hazardous substances from all the range of substances that come into the labs and, in some cases, forwarding them on to Health Canada. That is our job. We are continuing to do our job and we are continuing to enhance our capability to do that job through more resources. So the honourable member is incorrect. We are doing the job that is necessary for Ontario and we will continue to do so.

1410

**Mr McGuinty:** With all due respect, you are not doing your job. Your job is to protect Ontario families. These scientists are the intelligence agents in the war against bioterrorism. That's what they do. You have to understand the difference between technologists and people working at the cutting edge creating knowledge. These people are at the cutting edge. They have a combined 150 years of scientific expertise. They have already proven their value to us.

As the Minister of Health, the individual over there who is charged with the special responsibility of protecting the health and well being of Ontario families, how can you possibly justify letting these people go?

**Hon Mr Clement:** Let me again say for the record that they do not have the qualifications of medical

laboratory technologists; they have never had those qualifications. We are focusing in on increased laboratory testing. That is what our job is. Other parts of Health Canada and Ontario have different jobs, part of which is research, which, incidentally, is mostly funded by the government of Canada. So if the honourable member has a problem, he can go there if he wishes.

I can tell you that I am working with Health Canada and I am working with the federal Minister of Health, because it's important that we integrate each other's services, that we don't duplicate and waste the resources we have and that we ensure those services are there for the people of Ontario and Canada. We will continue to do so.

## PUBLIC LIBRARIES

**Mr Bert Johnson (Perth-Middlesex):** My question is for the Minister of Tourism, Culture and Recreation. Libraries throughout my riding have been celebrating Ontario Public Library Week with special events and programs. I was pleased to host you last spring to visit St Marys Public Library in my riding. You saw first-hand the excellent range of services provided by this community library.

In today's information economy, libraries like the one in St Marys are increasingly expected to provide not only books and research materials but CD-ROMs, videotapes, computer access and much more. Can you tell us how your ministry is helping community libraries respond to these new demands for services?

**Hon Tim Hudak (Minister of Tourism, Culture and Recreation):** I thank the member from Perth-Middlesex for his question. I enjoyed going to St Marys not too long ago to see the great work being done in the member's riding at St Marys Public Library. It's a good question; in fact, it's a great time to announce to the House that this was the launch of Ontario Public Library Week. I was with Joe Spina and Raminder Gill at the Brampton Public Library's Chinguacousy branch yesterday to launch Ontario Public Library Week.

Annually, about \$30 million has been invested by the Mike Harris government into 1,215 libraries across this province, helping to leverage another \$20 million from local partnerships and approximately \$400,000 a year into the library strategic development fund to help with new projects in emerging technologies and innovation in libraries across this province.

**Mr Johnson:** My supplementary is for the Minister of Tourism as well. I know that St Marys library has seen many changes since it was built in 1905, and the addition of computers is certainly one of them. My constituents tell me how important it is to have Internet access at their libraries, whether it's to search for a job, find out about government initiatives, research business information or even read books on line. What is your ministry doing to help community libraries provide this important tool?

**Hon Mr Hudak:** No doubt, libraries have changed significantly since 1905 and the opening of the St Marys branch. In fact, at the St Marys branch, we had a giant

mouse to launch our new round of Internet connectivity grants to communities across the province. In fact, about \$1 million per year from the Mike Harris government goes to 132 community libraries across this province from St Marys to Fort Erie.

I want to express my congratulations to the winner of this year's Ontario Library Achievement Award, the Vaughan Public Library. Congratulations for their award. As well, the Welland Public Library, in partnership with the Wainfleet Township Public Library, won the Mowat award for their digital Web site about the history of the canals in the Niagara Peninsula. Congratulations to all the winners during Ontario Public Library Week.

#### ONTARIO SECURITY FUND PLAN

##### **Mr Dalton McGuinty (Leader of the Opposition):**

My question is to the Premier. Earlier today I released a plan to make Ontario stronger and safer. Unlike the Minister of Health, we believe that it is important for us to act in the better interests of Ontario families and do whatever we can to make sure they're safe.

I am proposing today that we create something new: an Ontario security fund. If we were to dedicate to our security just 10% of the billion dollars that you have promised but not invested yet in capital, we would have \$100 million to pay for projects to make our province safer.

I offer this plan as a constructive proposal to secure our province. Will you act on our plan, Premier?

**Hon Michael D. Harris (Premier):** As always, we appreciate positive suggestions on areas that we can move on. It is a time when I think we need to be (a) calm and (b) working co-operatively together, all parties, all Legislatures in Canada, and with the federal government as well.

The proposal you've put forward doesn't seem to be one that talks about where to spend the money but how to find the money, and let me assure you that there are a couple of concerns. One, your plan also calls for accelerated capital funding in other areas, which, as you know, we have made several announcements on. Second, what we prefer to do is look at programs that are necessary and things that we need to do and then cost them out and allocate the money. I assure you that we will make available every cent required to have the safest province in Canada.

**Mr McGuinty:** I want the Premier to understand that my proposal would not cost the government a single extra cent. I am talking about money that you've already committed to capital projects you have yet to allocate, you have yet to spend. I'm asking, Premier, that you consider setting 10% of that aside.

Let me give you some idea of what we could do with that funding. We're about to require municipalities to update their emergency response plans. I think that's a good idea and we all support that on this side of the House. But that law will be meaningless if those municipalities can't afford to develop those plans and train

their people. I think we should be providing assistance to those municipalities to help develop those plans and train those people.

Provincially, we need to protect locations that are potential targets, like oil and gas pipelines, hydro stations, transportation corridors and public buildings. That's what we could do with the 10% of the capital dollars which you have already committed but which you have yet to spend. I think we should be meeting the special circumstances of the day, and those dictate that we address security issues. That's what I would do with that 10% funding. I ask you again, Premier, what do you think of this plan and why can we not move forward with it?

**Hon Mr Harris:** As I say, I appreciate suggestions. I don't know how I can accelerate capital with those existing funds and then take \$100 million of those funds and reallocate them into other areas. You've given me two conflicting challenges there and, as a number of my caucus have indicated, you identify a pot of money and then you spend it about 35 times, which is like the NDP. They only spend it 34 times.

I appreciate the suggestion. A lot of the programs we're looking at, though, are ongoing programs; we're not just interested in being the safest province for the balance of this fiscal year. Capital is one-time money. What we are looking at is a lot of the programs that I think have to go on beyond this fiscal year. They need to be ongoing programs and there will be ongoing costs. I wouldn't want to dismiss out of hand any suggestion on ways to find money, but I want to assure you that we want to be safe next year too. I don't think it's responsible to put one-time dollars into what are going to have to be ongoing programs so that we can be safe today, next month and next year.

#### FLU IMMUNIZATION

**Mr John O'Toole (Durham):** My question is to the associate Minister of Health and Long-Term Care. I could just reach down and speak to you, but in the interests of the House, Minister, as you know, we are entering the fall season and the weather is getting colder. Clearly, the flu season has begun. Influenza affects a vast number of Ontarians each year and it's not something we as a government take lightly. Thousands become seriously ill each year and influenza could result in death.

**1420**

I think back to the winter of 1999, when the flu had a serious impact on many Ontario citizens. Clinics had long waiting times, emergency rooms were full, and many missed days of work. In fact, it was a very serious problem. The next year, our government moved quickly to lessen the impact of influenza by investing \$38 million and by creating the first ever influenza immunization program in Canada. Every Ontarian had the choice of receiving free flu vaccine.

Minister, on behalf of my residents and constituents—I think of nurses, doctors, daycare workers, the elderly,

people who are vulnerable from other diseases—they need this service. Are we going to—

**The Speaker (Hon Gary Carr):** The member's time is up. Associate Minister of Health.

**Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]):** I would like to thank the hard-working member from Durham for the question. We all know that.

Let me say that our government has pledged to ensure we have a strong health care system in the province. We also pledged to make sure the flu shot is universally accessible to people of the province so that we can keep them healthy. Last year, as the member noted, we started this program and it was a complete success. It moved us toward an even higher quality of health care in the province of Ontario.

The flu shots for this year were started at the beginning of the month, and the vaccines are already available at the health units. So I ask everyone to move forward to get those shots. There are 5.7 million doses available to the people of Ontario, and the government has invested \$44 million in this process. This is just another initiative that the Minister of Health has brought about so that the people of Ontario—

**The Speaker:** I'm afraid the minister's time is up. Supplementary.

**Mr O'Toole:** Minister, you can virtually feel your compassion and commitment to the citizens of Ontario. It's important to understand that we have a sustainable, efficient health care program, not just in my riding of Durham but indeed for all Ontarians. Not only is the flu program a preventive option for the people of Ontario; it also potentially saves lives, time and money. The people of Ontario need to have access to emergency services in a timely fashion. The influenza immunization program will ease pressures on emergency rooms and save lives. As well as the positive impact on people's lives, it will also help our economy. I can't help but think of the influenza program as simply saving lives and helping hard-working Ontarians.

Minister, what further commitments in rolling out this program can I expect in the near future?

**Hon Mrs Johns:** I'd like to thank the member again and just say that the government has further increased the pledge that it made last year by pledging to focus on the workplace as well as people in their homes. The flu is a contagious disease and we know that it causes negative impacts not only at work, in the companies and organizations, but also on employees and on their families at home. So we have to make sure, as we move forward with the immunization, that we work with the business community as well.

A random trial that was done and published by the New England Journal of Medicine showed the cost savings to employees and employers of holding flu clinics. It showed there was a saving of about US\$50 per vaccination for employees. So we urge all citizens in the province and all workplaces to open their doors so that we can ensure the quality of health continues to increase

as we do many health promotion items to protect the people of Ontario.

MINISTRY OF HEALTH  
AND LONG-TERM CARE STAFF

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Premier. I don't think your Minister of Health gets it, so I'm going to ask you to intervene in this. One of the scientists your Minister of Health wants to lay off is an expert in fungi and infectious diseases. In fact, she has designed 15 of the diagnostic tests that your Minister of Health refers to when he says, "We want to do the testing." The very person who has designed 15 of the diagnostic tests which help public health officials determine when there are biohazards present, your government is now going to fire.

Premier, I'm asking you to intervene and overrule your Minister of Health. At this point in time, with the threat of bioterrorism, this is exactly the kind of knowledge and expertise that we want to keep in Ontario and definitely not the kind of expertise and talent to be fired. Will you overrule your Minister of Health?

**Hon Michael D. Harris (Premier):** I would suggest to the leader that, contrary to his assertion, he seems to be the one who doesn't get it. The priority area right now as defined, and working in conjunction with Health Canada, is, as the Minister of Health has outlined to you, all available resources to testing and ensuring that any threat assessments are dealt with as quickly as possible. As the minister has indicated to you, this is the priority area all the experts have identified. In fact, this is the area where hiring is taking place. This is the emphasis that we want: to reassure Canadians, particularly here in the province of Ontario, working co-operatively, that they are as safe as they possibly can be. You just don't seem to get that.

**Mr Hampton:** Premier, I'm going to send over a picture of this scientist, a picture taken with you. This scientist has been recognized internationally for the diagnostic tests that she has designed that allow us to isolate and determine certain biohazards.

But I also want to point out one of the other scientists to you especially. This scientist is Dr Preston. Dr Preston developed the test and the research technique to quickly identify the very E coli bacteria strain that killed people at Walkerton. So the very scientist who developed the test and the research technique so that we could identify the strain and treat people more quickly and save lives, your government is now going to fire.

A lot of people tried to warn you about Walkerton and you didn't listen. Now it's time to listen. Don't fire the very scientist who helped you to respond to Walkerton after mistakes were made initially. Overrule your Minister of Health and ensure that this doesn't happen.

**Hon Mr Harris:** I thank you for the photograph. I'm very proud of all of our public servants, as I said yesterday, and particularly the scientists who have created a number of the tests that now are our emphasis, and now the resources are being put to carry them out.

I thought maybe by way of response I would share with you a quote that I think you and the leader of the official opposition are engaging in. It comes from one of my greatest supporters in Ottawa and it says, "The biggest disease we have to face right now is fear." I think you and the Leader of the Opposition are playing into that. That's my good friend the Honourable Allan Rock, from the Ottawa Citizen, October 10, 2001. I happen to agree with Allan Rock on this.

#### IPPERWASH PROVINCIAL PARK

**Mr Gerry Phillips (Scarborough-Agincourt):** My question is to the Premier; it has to do with the shooting death at Ipperwash. Almost everything that the public was told about that episode turned out not to be true. The First Nations people were not armed. There was evidence of a burial ground. You have said all along that you left it entirely to the OPP. The one note we have on your meeting is that the Attorney General was instructed by the Premier that he desired to remove it within 24 hours.

The park is still closed and we still don't know the truth, Premier, of what happened at Ipperwash. Will you do the right thing and will you commit today to hold a full public inquiry into that shooting death?

**Hon Michael D. Harris (Premier):** I have committed, as you know, to assure you, the George family and all Ontarians that I had no involvement and I continue to do that. There is a matter of a court case. I will be testifying in that court case. This is a matter that is now before a judge, where you want to have it. I'm sure you're not suggesting this judge is not as impartial as any that's there. I didn't initiate this process; somebody else did. But I intend to see it through.

**Mr Phillips:** The George family from the start, Premier, have begged you to not proceed with the civil case and to go to a public inquiry. They have sent you a personal note saying they would drop in an instant the civil case. You would never do this at Walkerton. You wouldn't force the people of Walkerton to take you to court. That's why a public inquiry was called at Walkerton. The same thing should happen here.

The poor George family are being dragged into bankruptcy by you. You have already spent over \$500,000 of taxpayer money fighting them. Again I say to you, this is fundamental to the province of Ontario. Will you do the absolute right thing? Will you, in these dying days of your premiership, finally do the right thing and call a public inquiry into what happened at Ipperwash?

**Hon Mr Harris:** I will continue to do absolutely the right thing in these very active days of my leadership.

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#### COMMUNITY LIVING FUNDING

**Ms Marilyn Mushinski (Scarborough Centre):** My question is for the Minister of Community and Social Services. Earlier this year, on Community Living Day, I spoke of the importance of developmental services in my

community and of the new investments made by our government in the May 2001 budget. Since then, I have been approached by a number of families and individuals in my riding of Scarborough Centre, telling me about the challenges they face and how they need this new money to be spent. They told me that staff recruitment and retention is a major problem. They also speak of the need to expand the number of community living spaces so that they can do more to meet the demand for these spaces.

Clearly, government action is needed on a number of these fronts, Minister. I would like to know what action you have taken to make sure the agencies in the Toronto area can expand their services to help more people.

**Hon John R. Baird (Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs):** The member has been a strong advocate for community living in Ontario, as have a good number of colleagues on all sides of the House. We strongly support the need to do more for people with a developmental disability in our province.

The government announced in the May budget \$55 million of new support, growing to \$197 million a year over the next five years, which is a considerable amount. In fact, it's the biggest investment in supports for people with developmental disabilities. We recognized a whole range of needs, from attracting and retaining top-quality staff to the importance of places to live for people with developmental disabilities, not just as a support for them but as a support for their aging parents.

Some \$7.3 million of this initial investment will go to help find places for people with developmental disabilities to live, and that includes \$1.2 million in the city of Toronto, where it will add five spaces at the Toronto Association for Community Living, a phenomenal group that has a great history of providing supports to community living, as well as five spots at Christian Horizons in the city of Toronto.

**Ms Mushinski:** Thank you for that response, Minister. One issue that comes up in every discussion I have with people who work in this sector is the whole issue of staffing pressures. People in the sector are worried about their ability to provide salaries that will attract and keep staff. The work these people do, we know, is often difficult and often thankless, yet their commitment to serving their clients is second to none. They play a big part in helping them live their lives in the community with dignity. Considering the immense human resource pressures that these agencies face on a daily basis, what action are you taking to help these agencies so that they can continue to provide these vital services?

**Hon Mr Baird:** I share the concerns expressed by the honourable member. Obviously attracting and retaining quality staff in this profession is something that's incredibly important. Many agencies around the province were having shifts going unfilled, with huge pressure being put on managers and staff to work considerable amounts of overtime because of lack of support to provide help. In fact, for a good seven or eight years no

additional supports were given to many associations for community living to deal with this staff retention and recruitment challenge.

We are providing a majority of the new funding, some \$31.7 million to 260 of the 400-odd agencies around the province, some with the most incredible needs. That will include about \$3.6 million in the city of Toronto. This is the first part of a five-year investment to help ensure that we revitalize the agencies and their capacity to provide supports to some of our most vulnerable citizens.

#### CONFIDENTIAL INFORMATION

**Mr James J. Bradley (St Catharines):** My question is to the Minister of the Environment. Under the Drive Clean program, your ministry is now providing confidential information about drivers in this province and the vehicles they own, information that could be traced back to identify individual owners, and those drivers are not aware this is the case. We know the Ministry of Transportation sells information to the private sector. We know that the Province of Ontario Savings Office gave a pile of private information about people. Will you now assure the House that you will abandon your plans to sell the information from the Drive Clean program to private companies such as the one in Virginia which wishes to obtain that information and use it for its own purposes to make a profit?

**Hon Elizabeth Witmer (Minister of the Environment):** I certainly appreciate the question that has been placed to me. I would simply indicate to the member opposite that anything that would happen in the future obviously needs to be thoroughly consistent with the practice of ensuring that there would be absolutely no confidential information that would ever, ever be shared with anyone else.

**Mr Bradley:** There has been, in fact, an exercise going on in your ministry which involves this. The minister in charge of privacy and information, Mr Norm Sterling, the Minister of Consumer and Business Services, has indicated he does not think—I think I'm not misquoting him. In his opinion, he wonders whether the information commissioner of the province of Ontario would allow this to happen, and he's developing a new bill to protect the privacy of people.

So I'm asking you if you will totally abandon any efforts on the part of your ministry to sell this information. Clearly your ministry was in the process of negotiating with some American companies, one of them in Virginia.

**Hon Mrs Witmer:** First of all, to the member opposite, I think I need to make it abundantly clear that our ministry is not selling any information. I would also share with you the fact that any information that our government would share at any time would be totally consistent with all of the privacy rules.

#### COMPETITIVE ELECTRICITY MARKET

**Mr Garfield Dunlop (Simcoe North):** My question is for the Minister of Energy. There have been some articles in the papers in the local and provincial media about aggressive marketing by electricity retailers. I'd like to know what the government has put in place to ensure consumer protection measures with respect to electricity restructuring.

**Hon Jim Wilson (Minister of Energy, Science and Technology):** I thank my colleague for the question. It's an important question because some nine million contacts have been made with the people of Ontario by electricity retailers over the last year. We take very seriously complaints that come into the ministry. The Ontario Energy Board, as the regulator, takes very seriously the complaints that come into its office.

I just want to let consumers know: if they're not sure of the pitch or they're not sure of what they are signing, please don't sign anything. If you do sign something and you have second thoughts, there's a 10-day cooling-off period which we built into the law.

I think Jean-Marc Lalonde brought to our attention the other day that in his part of the province, Glengarry-Prescott-Russell, there was a retailer apparently saying, "If you don't sign within 20 minutes, your electricity will be cut off." That's unacceptable, and we encourage people to complain, to call the ministry, to call the Ontario Energy Board, so that we can get to the bottom of these matters.

**Mr Dunlop:** Thank you very much for that response, Minister. Also, how are you educating consumers about these safeguards and helping them to make informed choices in the new competitive market?

**Hon Mr Wilson:** In February 2000, last year, we began a public education campaign. That campaign has been ongoing. If people look in the newspapers, particularly the big Toronto newspapers, there are banner ads that publish the toll-free number where they can get information about electricity restructuring, they can get consumer information that they need to know before dealing with marketers at their doors. Finally, that number can also be used to complain if somebody is not abiding by the code of conduct that's been put in place for good business practices by retailers.

Again, I can't stress enough that people need to bring those complaints forward to us. We sincerely want to deal with concerns that people have. It's a matter of good consumer protection, and this government is committed to it. We have brochures out and we have a mailing coming out in the next couple of months to every household in the province—

**The Speaker (Hon Gary Carr):** The minister's time is up. New question.

#### SITE OF EARLY PARLIAMENT

**Mr Rosario Marchese (Trinity-Spadina):** My question is to the Minister of Culture. Minister, archaeologist Ron Williamson has confirmed that the remains of

Ontario's first Parliament building have been found. Thousands of artifacts have been uncovered, helping to shed light on the cradle of our democracy, yet the site presently houses a truck rental, a car wash and a limousine service. It could be a museum that we could all be proud of, that you could be proud of, a magnet for culture and tourism. Today's special exhibit opens at St James Cathedral, which allows the public to see the artifacts.

1440

Minister, will you buy the site of Ontario's first Parliament so it can be preserved for future generations?

**Hon Tim Hudak (Minister of Tourism, Culture and Recreation):** I appreciate the question from the member opposite. I appreciate his interest in this important historical issue. It's very exciting news recently that strong evidence of the first Parliament site may have been discovered, very strong evidence that is the case, here in the city of Toronto.

I think it's obviously important for my staff and myself as minister to review the report to understand the options that exist and to make sure that we have a good understanding of what exists at the site: what are the remains, what kind of artifacts are there, the condition that is currently there, as well as the businesses that have been on there since the time of the Parliament burning down. Quite a history there; many buildings built on top of it. I think it's important for me as minister to review that report and see what the options are.

**Mr Marchese:** I'm happy that he appreciates my interest, and I'm hoping to interest him in buying this site. What I'm saying to him is that we need to invest in our future, of course, but also in our past.

Montreal has developed an archaeological site into a world-class museum of its history. If Montreal can do it and preserve its history, so can we. And that's what I'm asking you to do.

This is not the first time I have brought this to your attention. I brought it to the attention of the previous minister as well. You know that. I'm saying you can reduce the cost if you work with the private sector and do a land swap with the existing owners.

All I'm saying to you is that you've had plenty of time to review it. Please, act now, buy the site and preserve Ontario's first Parliament.

**Hon Mr Hudak:** Again, I think it's obviously very important to help preserve the heritage, a very proud history, of the province of Ontario. There's no doubt the Mike Harris government is making significant investments in heritage under this government; for example, over \$10 million in the heritage challenge fund throughout this province.

Recently in fact I invested, through the ministry, \$5 million for an open, existing facility at Fort Henry, and I hope the federal government will come through for matching funds at this site owned by the federal government.

I appreciate the member's point. An important point is the price tag. I think we have to keep these in balance in terms of what we can do and what we can't. When you're looking at significant funding to buy the property and take the businesses off the property to build a museum, I think we have to take into context a price tag that's been quoted as more than \$30 million or \$40 million. That's a lot of taxpayers' money. We have to make sure we invest that taxpayers' money where it's going to make the biggest difference.

#### ACCESS TO PROFESSIONS AND TRADES

**Mr Tony Ruprecht (Davenport):** I have a question for the Minister of Training, Colleges and Universities, but since she's not present today, I have to ask the Premier this question.

Mr Premier, as you know, we're trying to attract skilled workers all over the world. In fact, Ontario is scouring the world to try to bring them to Ontario so that they can be part and parcel of our economy. Now, as you know, once they get here to Toronto or in fact to any city of Ontario, they're being denied access to their trades and professions. The door, in short, is shut. As you also know, many of them, when they arrive, are turning out to be taxi drivers, restaurant cleaners and also pizza delivery persons.

My question to you is simply this: your minister made an announcement that she's spending \$12 million to address these issues, but do you know where she made the announcement? At the Yee Hong seniors centre and not in this House.

What we want to know today from you is, what is your policy to your ministers? Should they make—

**The Speaker (Hon Gary Carr):** The member's time is up.

**Hon Michael D. Harris (Premier):** I appreciate the question and I appreciate the member's interest in a very important area, something we have been talking about with a number of people in the ethnic community. On a number of occasions, I have discussed with a number of leaders and those in the ethnic press a very strong concern they brought forward. It's something the minister and our government have been working on. We have to work with the professional bodies that license, whether it be doctors, nurses or accountants, in reciprocal recognition of training and experience in these countries.

So it's something we are pushing. The minister has made an announcement. I'm sorry if you think that making the announcement directly to Ontarians, particularly those in the ethnic community, and telling them exactly what we're doing is wrong. We happen to think that talking directly to Ontarians and listening to them is exactly the way we should govern. But I appreciate the member's interest. It's something he and I have talked about in the past. Perhaps other members of his party should have more interest in this as well.

**Mr Ruprecht:** Now that I know you have an interest in this as well, I'm delighted to hear it. Let me ask you this question: you are aware, of course, that in some instances we were unable to open hospital beds because of a lack of professional nurses. Now, as you know, we're trying to get them back. We're saying to them, "We'll pay you extra money, we'll offer you incentives and bonuses and we'll offer you bridging programs. Please come back because we made a mistake." You know that when you came to office one of the first things you did was to cut the legs from under the nurses. You cut them off and you really fired—do you know how many? You fired hundreds of them. So we're asking you today: are you ready to say that your Common Sense Revolution has made a mistake by firing these nurses, because today we need them back? Please stand in your place and tell us that you've made a mistake because we need these nurses back in Ontario. We can't open our hospital beds.

**Hon Mr Harris:** I know the member would want to know the facts. If you take a five-year Liberal period, a five-year NDP period and a five-year period of our government, there were more nurses let go by hospitals under the Liberals and the NDP than there were by our government. I know that you didn't let them go directly, that it was the hospitals under your watch. Quite frankly, some were actually let go under our watch.

I think we made it very clear in a statement by the former Minister of Health and by the current Minister of Health that this was not the right thing for our hospitals to be doing, under your watch, under the NDP watch and under our watch. That's why we brought forward a significant new nurses' program, working with the RNAO, the Registered Nurses Association of Ontario. I can tell you that we have met our goal of 12,000 new nurses; I think we exceeded that goal. We continue to recruit. Nurses around the world continue to find Ontario a great place to live and work. They continue to be attracted to this jurisdiction.

#### CONSTRUCTION INDUSTRY LABOUR RELATIONS

**Mrs Tina R. Molinari (Thornhill):** My question is for the Minister of Labour. Since 1995 the government has worked hard to improve Ontario's competitiveness through several initiatives, including reforming labour legislation. Some of the businesses in my riding have commented specifically on the one in relation to residential construction. Can you inform the House of the present state of the labour relations climate in Ontario?

**Hon Chris Stockwell (Minister of Labour):** Thank you so much. That was an excellent question. The state of residential construction, specifically in your area of Thornhill, is absolutely fantastic. It's at a state now where I think the superlatives are—you couldn't use any higher words to determine exactly how well it's working. They've got contractual agreements. Their unions are running over years and years and years. The housing

starts are up. The unions that have signed contracts are satisfied. The builders are satisfied.

Actually, by asking that very question, you've given me an opportunity to thank the members of this caucus for bringing in legislation that changed the act, that provided this kind of stability in residential construction. So I would like to thank you and the members of this caucus, because this is the kind of leadership the province of Ontario needs.

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#### PETITIONS

##### AUDIOLOGY SERVICES

**Mr Rick Bartolucci (Sudbury):** This petition, entitled Listen: Our Hearing is Important, is to the Legislative Assembly of Ontario.

"Whereas services delisted by the Harris government now exceed \$100 million in total; and

"Whereas Ontarians depend on audiologists for the provision of qualified hearing assessments and hearing aid prescriptions; and

"Whereas the new Harris government policy will virtually eliminate access to publicly funded audiology assessments across vast regions of Ontario; and

"Whereas this new Harris government policy is virtually impossible to implement in underserved areas like northern Ontario; and

"Whereas this policy will lengthen waiting lists for patients and therefore have a detrimental effect on the health of these Ontarians;

"Therefore, be it resolved that we, the undersigned"—from Sudbury, Coniston, Valley East, Timmins and Cochrane—"petition the Ontario Legislature to demand the Mike Harris government move immediately to permanently fund audiologists directly for the provision of audiology services."

I give this to Jonathan, and I affix my signature, as I am in complete agreement with it.

##### MUNICIPAL TAXATION

**Mr Peter Kormos (Niagara Centre):** I have a petition from thousands of residents of the Cambridge area. It reads:

"To the Legislative Assembly of Ontario:

"Whereas the Legislative Assembly of Ontario has enacted legislation requiring municipal governments to equalize tax rates for industry and commerce to that of residential rates; and

"Whereas residential property owners will thus be burdened with an inappropriate and an inordinately substantial tax increase for the sake of business interests; and

"Whereas industry and commerce, by virtue of their volume of activities and use of services place con-

siderable demand on all municipal services and should thus pay accordingly; and

“Whereas industrial and commercial ratepayers are able to raise the price of goods and services to offset cost increases;

“We, the undersigned, petition the Legislative Assembly of Ontario to provide relief to taxpayers who have been disproportionately affected by this transfer of tax burden from industry to homeowners.”

Thousands of signatures from the Cambridge area; I attach my signature as well, sir.

#### CRUELTY TO ANIMALS

**Ms Marilyn Mushinski (Scarborough Centre):** I have a petition addressed to the Legislative Assembly of Ontario that reads as follows:

“Whereas the Criminal Code of Canada considers animal cruelty to be a property offence; and

“Whereas those who commit crimes against animals currently face light sentences upon conviction; and

“Whereas those who operate puppy mills should, upon conviction, face sentences that are appropriate for the torture and inhumane treatment they have inflicted on puppies under their so-called care;

“Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the Ontario provincial government petition the federal government to move forward with amendments to the cruelty of animal provisions in the Criminal Code as soon as possible.”

I’m pleased to affix my signature to this petition.

#### COMMUNITY CARE ACCESS CENTRES

**Mrs Sandra Pupatello (Windsor West):** “To the Legislative Assembly of Ontario:

“Whereas the Mike Harris government promised to institute patient-based budgeting for health care services in the 1995 Common Sense Revolution; and

“Whereas community care access centres now face a collective shortfall of over \$175 million due to a funding rollback by the provincial government; and

“Whereas due to this funding rollback, community care access centres have cut back on home care services affecting many sick and elderly Ontarians; and

“Whereas these cuts in services are forcing Ontarians into more expensive long-term-care facilities or back into hospital;

“We, the undersigned, petition the Legislative Assembly of Ontario to immediately lift the funding freeze for home care services, so as to ensure that community care access centres can provide the services that Ontario’s working families need.”

I submit this on behalf of the many people of Scarborough.

#### CRUELTY TO ANIMALS

**Mr Garfield Dunlop (Simcoe North):** “To the Legislative Assembly of Ontario:

“Whereas the Criminal Code of Canada considers animal cruelty to be a property offence; and

“Whereas those who commit crimes against animals currently face light sentences upon conviction; and

“Whereas those who operate puppy mills should, upon conviction, face sentences that are appropriate for the torture and inhumane treatment they inflicted on puppies under their so-called care,

“Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the Ontario provincial government petition the federal government to move forward with amendments to the cruelty of animal provisions in the Criminal Code as soon as possible.”

I would like to sign my name to that as well.

#### COMMUNITY CARE ACCESS CENTRES

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** “To the Legislative Assembly of Ontario:

“Whereas the Mike Harris government promised to institute patient-based budgeting for health care services in the 1995 Common Sense Revolution; and

“Whereas community care access centres now face a collective shortfall of \$175 million due to a funding rollback by the provincial government; and

“Whereas due to this funding rollback, CCACs have cut back on home care services, affecting many sick and elderly Ontarians; and

“Whereas these cuts in services are forcing Ontarians to more expensive long-term care facilities or back into the hospital,

“We, the undersigned, petition the Legislative Assembly of Ontario to immediately lift the funding freeze for home care services so as to ensure that community care access centres can provide the services that Ontario’s working families need.”

I will affix my signature to this petition.

#### CENTRES D’ACCÈS AUX SOINS COMMUNAUTAIRES

#### COMMUNITY CARE ACCESS CENTRES

**M<sup>me</sup> Claudette Boyer (Ottawa-Vanier):** « Attendu que dans la Révolution du bon sens de 1995, Mike Harris a promis d’instituer des pratiques budgétaires axées sur les patients dans le secteur des soins de santé ; and

“Whereas community care access centres now face a collective shortfall of \$175 million due to a funding freeze by the provincial government;

« Attendu qu’en raison de ce manque à gagner de leur financement, les CASC ont dû réduire les services de soins à domicile, ce qui a des répercussions sur bon

nombre d'Ontariens et d'Ontariennes malades et âgés ; and

“Whereas these cuts in services are mostly in home-making services, forcing Ontarians into more expensive long-term-care facilities or back into hospital,

« Nous, soussignés, demandons à l'Assemblée législative de l'Ontario d'instituer immédiatement des pratiques budgétaires réellement axées sur les patients dans le domaine des soins de santé, et cela inclut les soins à domicile, de telle sorte que les familles des travailleurs et travailleuses en Ontario puissent avoir accès aux services de soins de santé dont ils ont besoin. »

It is my pleasure to sign this petition, along with my people from Ottawa-Vanier.

#### ONTARIO PUBLIC SERVICE

**Mr Pat Hoy (Chatham-Kent Essex):** “To the Legislative Assembly of Ontario:

“Whereas the November 2000 announcement of massive privatization of the Ministry of Transportation services will have a significant detrimental effect on citizen road safety, confidentiality of citizens' information and on the economy of Ontario; and

“Whereas the employees of the Ministry of Transportation are recognized in writing by the provincial government to have provided excellent service on the government's behalf; and

“Whereas the government of Ontario is taking away the livelihood and decreasing the standard of living of thousands of employees and families by its actions both directly and indirectly through spinoff effects; and

“Whereas citizens of Ontario are entitled to safe roads, consistency of driver testing and competent inspection of trucks, school buses and vehicles carrying dangerous goods; and

“Whereas communities continue to need to retain decent-paying jobs if they are to maintain viability and vibrancy; and

“Whereas we taxpayers have entrusted the provincial government with the maintenance of public safety with an apolitical and efficient public service, a service free of profiteering and protected from conflicts of interests; and

“Whereas privatization is an abdication of such policy,

“We, the undersigned, petition the Legislative Assembly of Ontario to place a moratorium on all further privatization and to restore and promote public service as being of significant value in our society.”

I have signed this petition.

#### CRUELTY TO ANIMALS

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** I have a petition to the Legislative Assembly of Ontario:

“Whereas the Criminal Code of Canada considers animal cruelty to be a property offence; and

“Whereas those who commit crimes against animals currently face light sentences upon conviction; and

“Whereas those who operate puppy mills should, upon conviction, face sentences that are appropriate for the torture and inhumane treatment they have inflicted on puppies under their so-called care,

“Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the Ontario provincial government petition the federal government to move forward with amendments to the cruelty of animal provisions in the Criminal Code as soon as possible.”

1500

#### COMMUNITY CARE ACCESS CENTRES

**Mr Ernie Parsons (Prince Edward-Hastings):** I have a petition to the Legislative Assembly of Ontario:

“Whereas the Mike Harris government promised to institute patient-based budgeting for health care services in the 1995 Common Sense Revolution; and

“Whereas community care access centres (CCACs) now face a collective shortfall of up to \$175 million due to a funding freeze by the provincial government; and

“Whereas due to this funding shortfall, CCACs have cut back on home care services affecting many sick and elderly Ontarians; and

“Whereas these cuts in services are mostly in homemaking services, forcing Ontarians into more expensive long-term-care facilities or back into hospital;

“We, the undersigned, petition the Legislative Assembly of Ontario to immediately institute real patient-based budgeting for health care services, including home care, so as to ensure that working families in Ontario can access the health care services they need.”

I'm pleased to add my signature to this.

#### AUDIOLOGY SERVICES

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** Today I present petitions from the following communities: Paris, St George, Brant county, Brantford, Grimsby, Toronto, Vineland, Burlington, Orillia, Washago, Dundas, Arthur, Waterdown, Freelon, Elmira, Clifford and St Thomas—1,000 signatures received in the last two days.

“Whereas services delisted by the Harris government now exceed \$100 million in total;

“Whereas Ontarians depend on audiologists for the provision of qualified hearing assessments and hearing aid prescriptions;

“Whereas the new Harris government policy will virtually eliminate access to publicly funded audiology assessments across vast regions of Ontario; and

“Whereas this new Harris government policy is virtually impossible to implement in underserved areas across Ontario;

“Whereas this policy will lengthen waiting lists for patients and therefore have a detrimental effect on the health of these Ontarians;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to permanently fund audiologists directly for the provision of audiology services."

We're getting about 1,000 signatures a day on this petition.

#### PODIATRIC SERVICES

**Mr David Caplan (Don Valley East):** I have a petition entitled "Foot Care is Not a Luxury." It is to the Legislative Assembly of Ontario.

"Whereas services delisted by the Harris government now exceed \$100 million in total;

"Whereas Ontarians depend on podiatrists for relief from painful foot conditions;

"Whereas new Harris government policy will virtually eliminate access to publicly funded podiatry across vast regions of Ontario;

"Whereas this new Harris government policy is virtually impossible to implement in underserved areas across" this great province of "Ontario;

"Whereas this policy will lengthen waiting lists for patients and therefore have a detrimental effect on the health of these Ontarians;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to cancel the delisting of podiatric services."

I agree with this petition.

#### AUDIOLOGY SERVICES

**Mr Gilles Bisson (Timmins-James Bay):** I have a petition here, if I can find it. Can you believe I grabbed the wrong folder, Mr Speaker? There it is; got it. I knew it was here.

I have a petition here signed by a great number of people from the communities of the Timmins, Cochrane and Iroquois Falls area. It is written as follows:

"Whereas services delisted by the Harris government now exceed \$100 million in total;

"Whereas Ontarians depend on audiologists for the provision of qualified hearing assessments and hearing aid prescriptions;

"Whereas the new Harris government policy will virtually eliminate access to publicly funded audiology assessments across vast regions of Ontario;

"Whereas this new Harris government policy is virtually impossible to implement in underserved areas across Ontario;

"Whereas this policy will lengthen waiting lists for patients and therefore have a detrimental effect on the health of these Ontarians;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government"—we're going to have to change that from the Mike Harris government to the new one—

"move immediately to permanently fund audiologists directly for the provision of audiology services."

I affix my signature to that petition.

#### SOCIAL AUDIT

**Mr Michael Gravelle (Thunder Bay-Superior North):** I have a petition sent to me by the Lakehead Social Planning Council calling on the province to conduct a social audit.

"To the Legislative Assembly of Ontario:

"Whereas the Mike Harris government has undertaken a massive reform of the way social service programs are managed and delivered in this province; and

"Whereas the government's language, actions and policies over the last six years have reinforced the worst kind of stereotypes about people on social assistance without offering Ontarians any proof that the policies they've put in place are meeting the needs of those whose circumstances have forced them to seek temporary assistance from Ontario's social safety net; and

"Whereas this government when challenged on how well their Ontario Works programs are working, points to welfare caseload numbers as their one and only measurement of success or failure; and

"Whereas a social audit would determine how this government's policies are impacting on low-income children and families and allow for enhancements to improve the well-being, employability and economic security of individuals and families in need;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to demand that the government of Ontario conduct a social audit of its Ontario Works program."

I'll be doing a private member's resolution tomorrow morning calling for this in the House, and I'm very pleased to sign this petition as well.

#### OHIP SERVICES

**Mr Gilles Bisson (Timmins-James Bay):** So many petitions. Same subject but a different petition, this time from this community in around Kapuskasing, and it reads as follows:

"Whereas the Harris government's decision to delist hearing aid evaluation and re-evaluation from OHIP coverage will lead to untreated hearing losses; and

"Whereas these restriction will cut off access to diagnostic hearing tests, especially in geographic regions of the province already experiencing difficulties due to shortages of specialty physicians; and

"Whereas OHIP will no longer cover the cost of miscellaneous therapeutic procedures, including physical therapy and therapeutic exercises; and

"Whereas services no longer covered by OHIP may include thermal therapy, ultrasound therapy, hydrotherapy, massage therapy, electrotherapy, magneto-therapy, nerve therapy stimulation and biofeedback; and

“Whereas one of the few publicly covered alternatives includes hospital outpatient clinics where waiting lists for such services are up to six months long; and

“Whereas delisting these services will have detrimental effects on the health of all Ontarians, especially seniors, children, hearing-impaired people and industrial workers; and

“Whereas the government has already delisted \$100 million worth of OHIP services,

“We, the undersigned, petition the Legislative Assembly of Ontario to immediately restore OHIP coverage for these delisted services.”

I affix my signature to that petition.

## ORDERS OF THE DAY

### FOOD SAFETY AND QUALITY ACT, 2001

#### LOI DE 2001 SUR LA QUALITÉ ET LA SALUBRITÉ DES ALIMENTS

Resuming the debate adjourned on October 9, 2001, on the motion for second reading of Bill 87, An Act to regulate food quality and safety and to make complementary amendments and repeals to other Acts / Projet de loi 87, Loi visant à réglementer la qualité et la salubrité des aliments, à apporter des modifications complémentaires à d'autres lois et à en abroger d'autres.

**The Speaker (Hon Gary Carr):** Pursuant to the order of the House dated October 15, 2001, I'm now required to put the question.

Mr Coburn has moved second reading of Bill 87, An Act to regulate food quality and safety and to make complementary amendments and repeals to other Acts. Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say “aye.”

All those opposed will please say “nay.”

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1508 to 1513.*

**The Speaker:** Will members kindly take their seats, please.

All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

#### Ayes

Arnott, Ted	Jackson, Cameron	Sampson, Rob
Baird, John R.	Johns, Helen	Snobelen, John
Barrett, Toby	Johnson, Bert	Spina, Joseph
Beaubien, Marcel	Kells, Morley	Sterling, Norman W.
Clark, Brad	Klees, Frank	Stewart, R. Gary
Clement, Tony	Martiniuk, Gerry	Stockwell, Chris
Coburn, Brian	Maves, Bart	Tascona, Joseph N.
Dunlop, Garfield	Mazzilli, Frank	Tilson, David
Ecker, Janet	Miller, Norm	Tsubouchi, David H.
Elliott, Brenda	Molinari, Tina R.	Turnbull, David
Galt, Doug	Munro, Julia	Wettlaufer, Wayne
Gill, Raminder	Mushinski, Marilyn	Wilson, Jim

Hardeman, Ernie  
Harris, Michael D.  
Hodgson, Chris  
Hudak, Tim

Newman, Dan  
O'Toole, John  
Ouellette, Jerry J.  
Runciman, Robert W.

Witmer, Elizabeth  
Wood, Bob  
Young, David

**The Speaker:** All those opposed to the motion will please rise one at a time and be recognized by the Clerk.

#### Nays

Agostino, Dominic  
Bartolucci, Rick  
Bisson, Gilles  
Boyer, Claudette  
Bradley, James J.  
Brown, Michael A.  
Bryant, Michael  
Caplan, David  
Churley, Marilyn  
Colle, Mike  
Crozier, Bruce  
Di Cocco, Caroline  
Dombrowsky, Leona

Duncan, Dwight  
Gerretsen, John  
Gravelle, Michael  
Hampton, Howard  
Hoy, Pat  
Kennedy, Gerard  
Kormos, Peter  
Kwinter, Monte  
Lalonde, Jean-Marc  
Marchese, Rosario  
Martel, Shelley  
Martin, Tony

McGuinty, Dalton  
McLeod, Lyn  
McMeekin, Ted  
Parsons, Ernie  
Patten, Richard  
Peters, Steve  
Phillips, Gerry  
Prue, Michael  
Pupatello, Sandra  
Ramsay, David  
Ruprecht, Tony  
Smitherman, George

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 47; the nays are 37.

**The Speaker:** I declare the motion carried. Pursuant to the order of the House dated October 15, 2001, the bill is ordered referred to the standing committee on justice and social policy.

### IMPROVING CUSTOMER SERVICE FOR ROAD USERS ACT, 2001

#### LOI DE 2001 SUR L'AMÉLIORATION DES SERVICES À LA CLIENTÈLE OFFERTS AUX USAGERS DE LA ROUTE

Resuming the debate adjourned on October 3, 2001, on the motion for second reading of Bill 65, An Act to permit the Minister of Transportation to delegate to persons in the private sector powers and duties and responsibilities to deliver services relating to road user programs / Projet de loi 65, Loi permettant au ministre des Transports de déléguer à des personnes du secteur privé des pouvoirs, des fonctions et des responsabilités pour fournir des services liés aux programmes à l'intention des usagers de la route.

**The Speaker (Hon Gary Carr):** Pursuant to the order of the House dated October 16, 2001, I'm now required to put the question.

Mr Turnbull has moved second reading of Bill 65, An Act to permit the Minister of Transportation to delegate to persons in the private sector powers and duties and responsibilities to deliver services relating to road user programs.

Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say “aye.”

All those opposed will please say “nay.”

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1518 to 1523.*

**The Speaker:** All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

#### Ayes

Arnott, Ted	Jackson, Cameron	Sampson, Rob
Baird, John R.	Johns, Helen	Snobelen, John
Barrett, Toby	Johnson, Bert	Spina, Joseph
Beaubien, Marcel	Kells, Morley	Sterling, Norman W.
Clark, Brad	Klees, Frank	Stewart, R. Gary
Clement, Tony	Martiniuk, Gerry	Stockwell, Chris
Coburn, Brian	Maves, Bart	Tascona, Joseph N.
Dunlop, Garfield	Mazzilli, Frank	Tilson, David
Ecker, Janet	Miller, Norm	Tsubouchi, David H.
Elliott, Brenda	Molinari, Tina R.	Turnbull, David
Galt, Doug	Munro, Julia	Wettlaufer, Wayne
Gill, Raminder	Mushinski, Marilyn	Wilson, Jim
Hardeman, Ernie	Newman, Dan	Witmer, Elizabeth
Harris, Michael D.	O'Toole, John	Wood, Bob
Hodgson, Chris	Ouellette, Jerry J.	Young, David
Hudak, Tim	Runciman, Robert W.	

**The Speaker:** All those opposed to the motion will please rise one at a time and be recognized by the Clerk.

#### Nays

Agostino, Dominic	Dombrowsky, Leona	McGuinty, Dalton
Bartolucci, Rick	Duncan, Dwight	McLeod, Lyn
Bisson, Gilles	Gerretsen, John	McMeekin, Ted
Boyer, Claudette	Gravelle, Michael	Parsons, Ernie
Bradley, James J.	Hoy, Pat	Patten, Richard
Brown, Michael A.	Kennedy, Gerard	Peters, Steve
Bryant, Michael	Kormos, Peter	Phillips, Gerry
Caplan, David	Kwinter, Monte	Prue, Michael
Churley, Marilyn	Lalonde, Jean-Marc	Pupatello, Sandra
Colle, Mike	Marchese, Rosario	Ramsay, David
Crozier, Bruce	Martel, Shelley	Ruprecht, Tony
Di Cocco, Caroline	Martin, Tony	Smitherman, George

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 47; the nays are 36.

**The Speaker:** I declare the motion carried. Pursuant to the order of the House, the bill is ordered for third reading.

### ORDER OF BUSINESS

**Hon Janet Ecker (Minister of Education, Government House Leader):** I would like to ask for unanimous consent to move a motion regarding the terms of this afternoon's debate.

**The Speaker (Hon Gary Carr):** Is there unanimous consent? Agreed.

**Hon Mrs Ecker:** I move that when G69 is called at orders of the day this afternoon:

That the remainder of the sessional day shall be spent debating the bill, at which time the Speaker shall put the question without further debate or amendment; and

That the vote may be deferred;

That, at the conclusion of the second reading stage of the bill, the bill shall be referred to the standing committee on justice and social policy;

That the standing committee on justice and social policy shall be authorized to meet in Toronto for one day for clause-by-clause consideration of the bill;

That the standing committee on justice and social policy shall report the bill back to the House not later than November 22, 2001.

**The Speaker:** Mrs Ecker moves that when G69 is called at orders of the day this afternoon—

**Interjection:** Dispense.

**The Speaker:** Dispensed.

Is it the pleasure of the House that the motion carry? Carried.

### PROHIBITING PROFITING FROM RECOUNTING CRIMES ACT, 2001 LOI DE 2001 INTERDISANT LES GAINS TIRÉS DU RÉCIT D'ACTES CRIMINELS

Resuming the debate adjourned on October 11, 2001 on the motion for second reading of Bill 69, An Act to protect victims by prohibiting profiting from recounting of crime / Projet de loi 69, Loi visant à protéger les victimes en interdisant les gains tirés du récit d'actes criminels.

**The Speaker (Hon Gary Carr):** Further debate?

**Mr Peter Kormos (Niagara Centre):** On a point of order, Mr Speaker: I stand to be corrected, but if I recall, I had just completed the leadoff and it would seem that the opportunity should now be put to members for their opportunity to pose questions and put comments.

**The Speaker:** The member is absolutely correct. It's questions and comments on the debate of the member for Niagara Centre.

**Mr James J. Bradley (St Catharines):** I listened with a good deal of interest to the member's discussion of the proceeds of crime legislation, and recognize that once again we need financial resources on the part of this government to be able to implement the provisions of this bill. The member sees a lot of flaws in it. I listened to his dissertation the other day, which was highly legalistic in certain parts, as it should be, and he discussed it in many aspects. But one of the things we find with all of this legislation is that it may look good on paper, but the government does not have the financial resources to be able to implement the provisions of the bill because the government is busy giving a \$2.2-billion tax cut to the corporations in this province, thereby depriving Ontario's representatives from having the necessary financial resources to implement this legislation.

It's similar to questions in the House today, if I can draw an analogy that I know the member would want me to. Here we have the Ministry of Health firing five of its top scientists today in order to save money. What is it saving that money for? It's saving that money so it can give money to corporations, a \$2.2-billion tax cut—a tax gift to the corporations of this province. Therefore, we're firing—at least the Minister of Health, the Honourable Tony Clement, is—five of the top scientists who could help us deal with the bioterrorism threat in Ontario.

I know if the member from Niagara Centre had been aware of that at that time, he would have incorporated that as part of his personal remarks on this piece of legislation.

1530

**Mr Gilles Bisson (Timmins-James Bay):** That proves that the member for St Catharines is never stuck for words.

With regard to the speech made by my good friend Peter Kormos, our justice critic on this particular bill, I just wanted to bring back one of the points he made, and I think it's a very important one. If you remember, there was a gentleman of this assembly by the name of Cam Jackson who introduced a bill in this House in the time of Bob Rae's government that basically dealt with this issue. It basically said that if someone is out there trying to make money by writing a book about their criminal activities, the money should at least go to the victims and the family of the victims directly, in order to make sure that nobody really profits out of this, so that the person who writes the book makes no money. If any money is made, it shouldn't go to the government but it should go directly to the victim or the victim's family.

I just want to read into the record what Cam Jackson said at the time about the then Premier: "I cannot tell you how very pleased I am that the Premier has assisted in allowing Ontario to be the very first province in Canada to take this initiative and to show that leadership." Who was he talking about? He was talking about Bob Rae. I know my good friend Peter Kormos would want me to mention that. Then he goes on to say, "I want to thank my leader, Mike Harris, who has consistently supported me," concerning my advocacy for victims' rights in the province of Ontario on this particular issue.

I think it's rather interesting that we now find ourselves in the situation where Mr Jackson's Premier has introduced a bill that effectively guts his bill, because the bill we now have before us basically does away with the Cam Jackson bill and says that if any profits are made by the writing of a book, the money may go to the victim or anyone that the government chooses should get the money. In other words, they can direct it to general revenue or wherever they want.

My point would be that it's a sorry day for Mr Jackson now that the Premier has decided to override his bill by introducing a government bill that basically guts his.

**Hon David Young (Attorney General, minister responsible for native affairs):** I appreciate having an opportunity to respond to what the member opposite had to say, both today and on the earlier day that this important bill was debated in this assembly. Let's be clear: Mr Jackson's bill represented a very innovative and, frankly, unprecedented step forward on behalf of victims across this province. He is to be applauded, as he was at the time, for what he did.

My friends on the other side of this Legislature appear to have the impression that regardless of what bill is tabled by the government, they must be against it, even if it's an improvement and another step down the road that

helps victims. Let me explain to the members opposite, if they'd care to listen for just a moment about a bill that really shouldn't be the subject matter of partisan party politics, that this bill provides for enhanced enforcement, and it has a broader group of individuals who are obliged to report this activity. The activity we're talking about—let's be really clear—is people—publishers, media, television, radio—assisting criminals in the revictimization of victims, the recanting, the retelling of horrific stories and making money off it. This bill will stop that.

It will include a larger group of people who are obliged to report. It will include mechanisms that will allow for enforcement. It will preclude and remove the necessity of victims and their families having to fund court cases, which is the case now if this bill doesn't pass, and live through the experience of the court case, again being revictimized. Surely the members opposite can put aside their petty parochial partisan politics long enough to help a larger group of victims. That's what this is about, and they should stand and say they're in favour of that or they're against it.

**The Speaker:** Further questions and comments?

**Mr Dominic Agostino (Hamilton East):** First of all, I listened with interest to Mr Bisson's comments. I'm just not quite sure if Mr Kormos probably felt the same warm and fuzzy feeling about Cam Jackson's endorsement of Bob Rae as many of us have here in the House, but I'll let them debate that.

When it comes to the bill, basically what you've done here is modify the existing legislation that is in place. Really it doesn't add a great deal to what was already there. We talked about Cam Jackson's bill; we've talked about the work that the NDP has done. Basically this legislation was introduced already. They finally decided to bring it back in this session.

It's part of the government's ongoing attempt to pretend that they're tough on crime and tough on criminals in this province, when the real record shows the total opposite of that when you look at their dismal failure when it comes to dealing with domestic violence, when you look at their record on gun control. This is a government that believes a gun registry is a bad thing. This is a government that believes that it's not in the best interests of Ontarians to have some control and a registry, an idea of who has weapons where in the province of Ontario. This is a government that allowed 12-year-old kids to go hunting and have hunting guns. So when you look at their track record when it comes to violence and crime, it really is all talk.

Let me say to you, Speaker, the real effort on crime control has been coming from this side of the House. It's been bills introduced by Michael Bryant on replica guns. It's been bills introduced by Rick Bartolucci on prostitution that the government has finally seen the light to adopt. So we're certainly not going to take any lectures from that side of the House on being tough on crime.

Frankly, this government likes to talk the talk when it comes to being tough on crime. They don't put the resources into it. We have fewer police officers on the

streets today than we did when this government took office in 1995. That is the reality. That is the record of this government that pounds its chest and says, "We're tough on crime." If you look at their record, it's a dismal record. They're not tough on crime. They're great at spinning a line but they're certainly not walking the walk when it comes to resources, money and support that's out there to fight crime.

**Mr Kormos:** The Attorney General, with incredible petulance, stands up and tries laying this line on the Legislature that if you're not with them, somehow you're for the forces of evil and you're there with the criminals and the bad guys and the rapists and the murderers. I say, look, Attorney General, understand that in this Parliament there's got to be debate. Your members may not want to participate in the debate. We are, in the New Democratic Party, feeling compelled to participate in this debate.

The reality is that the Jackson bill encompasses a broader range of crimes in terms of the people whose recounting of those crimes would result in the proceeds being seized. The reality is that the purpose of this type of legislation, first of all, is to create a disincentive for the criminal from recounting that crime. Two, we understand that the Jackson bill, 1994, has not been utilized once in any recorded or observed or noted occasion. Three, it should be designed, as the Jackson bill is, to ensure that any proceeds obtained by the criminal in the recounting of his crime flow directly to that criminal's victims. This bill does the very specific opposite.

I've indicated to you from the very beginning that of course we agree with the concept that criminals shouldn't profit from the recounting of crime. I've told you from the very beginning that we believe very much that victims should be the beneficiaries of any profits that should be paid to a criminal for the recounting of his or her crime. That's why we supported and believed in the Jackson bill in 1994 and that's why, when I indicated to you last week our position on this bill, I indicated that we support the philosophy very much that victims should get those proceeds. That's why we insist that the bill that should be before this Legislature is the Jackson bill for amendments, if you indeed feel it has shortcomings.

We're not going to collaborate with you in any fraud upon the public about this government's commitment to victims, because this government has been betrayed as having no commitment to victims in this province; witness Judge Day's ruling on this government's Victims' Bill of Rights. This government's position is a fraud.

**The Speaker:** Further debate?

**Mr Steve Peters (Elgin-Middlesex-London):** The opening comment that I would like to make is that the Attorney General just alluded to the fact of partisanship being played with this bill. I want to go on the record in the beginning to say that the Liberal Party is not playing partisan politics with this piece of legislation that's in front of us today, that we are supporting this bill. Unfortunately, it's something we don't see often enough

in this Legislature: legislation being introduced that does have support from the opposition.

**1540**

First and foremost, I think we need to say that crime does not pay and should not pay, and that it's incumbent on every one of us in this Legislature to do everything we possibly can to ensure that in no way, shape or form can anybody who commits a criminal act in some way profit from that. We need too to do everything in our power to ensure that we are there supporting the victims of crime and do everything we can so that we don't put roadblocks in front of them, that we do work toward assisting them.

We've seen instances in this province where individuals have wanted to profit from crimes, and we need to ensure that doesn't happen. What is troubling about the piece of legislation we have in front of us this evening is that we don't recognize the efforts of the Honourable Mr Jackson in 1994 with a private member's piece of legislation that received unanimous support of this Legislature. The legislation that Mr Jackson put forward was a law that would prohibit criminals from profiting from recounting their crimes. It's interesting, though, that that is, and was, a prohibition that already existed in common law.

Why would we rework a piece of legislation that is already on the books and have in front of us this Bill 69 when something was already on the books? We could have had the opportunity as legislators, if the government felt there was a need to improve on the legislation that had been unanimously agreed to in this Legislature in 1994—if there were improvements to be made, why wouldn't the government come forth with amendments? That's the responsible thing to do for any one of us in this Legislature; that if there is something wrong with a piece of legislation, amendments come forward. Given the demonstration of the support for that legislation in 1994, had there been amendments come forward to help strengthen that legislation, they would have received support in this Legislature.

We need to recognize some of the issues that victims face in this province. Prior to my arrival in the Legislature, we saw the introduction and the passage of the Victims' Bill of Rights that was introduced by this government. But what we saw is that unfortunately it was a piece of legislation that was put forward but was toothless. It didn't serve the purpose that it was intended to. It was pointed out very clearly in 1999 by Mr Justice Day of the Ontario Court, who described the Victims' Bill of Rights as follows: "The act is a statement of principle and social policy, beguilingly clothed in the language of legislation. It does not establish any statutory rights for the victims of crime."

So how can an initiative that is put forward in 1996—and the intent is that this legislation is going to help support the Victims' Bill of Rights, when the Victims' Bill of Rights doesn't stand up in the eyes of the court.

I think it's a government we see that over and over again likes to profess their support for law and order and their support for the security of the public. But I want it

to be known that Dalton McGuinty and the Liberal Party feel the same way, that we need to do everything we can to ensure the security of the people of this province and do everything we can to support individuals who are victims of crime.

I can relate to a couple of situations in my own constituency where families who are victims of crime have not received the support of this government. I can cite a case that I've raised in this Legislature on previous occasions, the situation of a constituent of mine named Brian Crocker, who was shot in the chest. The individual who perpetrated that crime was found not criminally responsible and was placed in a forensic institution.

But the issue, how this government failed the Crocker family, is just mind-boggling. First, the government supports bringing this individual back to an institution that's located less than two kilometres from their home, the Crocker family being given very little input—actually no input—into the decision-making process. But fortunately, in raising the issue in the Legislature, the Crockers didn't have to endure the fact that the individual responsible would be back in their own backyard.

But now again, the Crockers are having to fight. The Crockers, as victims, are having to fight a bureaucracy where a decision is made to move the perpetrator of the crime from one institution to another. Do the Crockers receive notice? Do the victims receive notice of this transfer of the individual? No, they don't. So I cite one case where victims of crime have been let down by this government.

There's another situation in my own riding. I spoke as recently as last week with a lady by the name of Helen Jacklin. Helen is the daughter of the former Premier of this province, Mitch Hepburn. Helen's family faced a terrible tragedy well over 25 years ago. What has been extremely disappointing, from my perspective, and sad for this family, is that for 25 years they have tried to stay on top of the issue and make sure that they would have the opportunity to have some input into what was going to happen to the individual who committed those crimes, where that individual was going to go. It has been a constant struggle for the Jacklin family. It's a struggle that still continues to this day, the Jacklins trying to fight this situation. I believe it's either today or tomorrow that Mrs Jacklin is going to be appearing before a committee to express the frustration that her family has faced for the past 25 years in dealing with this criminal and the lack of input that they have had as a family.

**1550**

But I think it's important to recognize too that the Liberal Party and Dalton McGuinty have made it clear that we will stand up for victims in this province. Dalton demonstrated that almost a year ago, on October 11, 2000, when, through his persistent lobbying efforts, he forced the government to give four families who were victims of the Ottawa transport shooting \$100,000. The government had initially refused to make these payments, but through the tenacity and persistence of Dalton

McGuinty, who is prepared to stand up for people, the government reversed its decision.

I think too you look at the efforts of Rick Bartolucci. Rick, our member from Sudbury, with the full support of Dalton McGuinty and the Liberal caucus, has done everything in his power to introduce legislation to protect children from sexual predators. Bartolucci's efforts are to be commended.

I think what I'm trying to demonstrate here is that as much as we hear a government stand up and say how tough they are on crime and law and order, in the majority of cases it's fluff. We are prepared to stand up for real people and look out for the interests of real people.

When you look at some of the issues that are going on in this province right now—and there are many issues of individuals who are facing extreme hardship as a result of the decision-making of this government—the Liberals have been there to stand up for them.

I want to cite a case that has come up in my own backyard right now, where there are a number of victims, young children and adults, as a result of a decision made by the board of governors of the London Health Sciences Centre. As a result of the funding cuts and the stress this government has put on the hospital, the hospital board has made a decision to cancel 18 programs. And what is this government doing? They're taking away programs in their own backyard and are going to force families and children to travel to Hamilton or Toronto. Yet we see as recently as today a young family who tried to go to Toronto and to Hamilton for pediatric services and couldn't do it. Do you know where they had to get those services? They went to London. I draw the parallels that these families and children are victims of mismanagement by this government.

I think there are other victims of initiatives that have been put forth by this government and forced on to the London Health Sciences Centre, where you have a heart replacement program that is state-of-the-art—we witnessed ground-breaking efforts in London—and this program is being cut, a program that actually makes the hospital money. We see another program, the endovascular surgical aneurysm program, that is being cut, and, again, more victims as a result of the actions of this government. This is a program that has saved countless lives, yet this government chooses to cut it; a program, unfortunately, that was misrepresented in the presentation to the board of governors.

We see another decision dealing with the burn unit. We're seeing the burn unit closed at the hospital. We saw the tragedy of a young lady this past summer from the Kincardine area who was burned in a fire, yet there was no room, no bed for her in London, no bed for her in Toronto, no bed for her in Hamilton, and we had to send her to Rochester, New York, yet we want to cut out this program in London. I think that is extremely short-sighted. I urge the Minister of Health and my colleagues on the opposite side who represent London—I urge all those members who represent at least 10 counties in southwestern Ontario—to start to speak up for these

victims and ask why these programs are being cut. These programs are being cut because of this government.

I want it known that Dalton McGuinty is extremely concerned about what's going on. That's why Dalton is going to London tomorrow, first, to meet with the hospital officials, but then to sit down and talk to the real victims, the people who have to deal with these things on a day-to-day basis, and that's the families and the children. Then he's going to meet with the doctors. Obviously, when this decision is made at a hospital in London, they don't listen to the doctors. They actually have gag orders placed on them, but what we've witnessed is doctors speaking up, doctors speaking out because they know this is an irresponsible decision that has been made, a decision made without all the facts being placed in front of the board members. I want it known that McGuinty and the Liberal Party are going to stand up for these people in London.

One of the things we've seen lacking in this province is the resources being put into the Victims' Bill of Rights and the resources put forth for the police services, to ensure that individuals don't profit from a crime they've committed. The initiatives on this are good, and had they amended Mr Jackson's legislation, we could have seen many more positive things. All we're seeing in this legislation is streamlining a process to get money back to the victims. A victim will no longer have to launch a civil proceeding to get access to money paid to a convicted offender for recounting his crime. What is positive here is that the government will be responsible for acting on the victim's behalf. That's a good step. I urge the government to ensure the resources are put there for families. It's of extreme importance to have those resources there.

As we see with so many pieces of legislation in this place, we don't have the regulations in front of us. I understand that process, but I would hope that the government would consult with victims when this legislation is passed, and it will be passed by this Legislature, and that there is input into the development of the regulations.

This is a non-partisan bill. There are some issues we're going to take exception to, of course. That's healthy in a democracy. But we recognize that we need to do everything we can to help victims of crime in this province, and this piece of legislation is a step forward. It is a piece of legislation that I will be supporting. It's also important to put on the record that we will continue to advocate for victims in this province. We need to continue to do everything we can to support victims in this province. I can assure you that Dalton McGuinty and the Liberal Party will be there to offer that support for victims.

**The Acting Speaker (Mr Bert Johnson):** Comments and questions?

1600

**Ms Shelley Martel (Nickel Belt):** I want to reinforce our own concern that what we should be doing here today in this House is amending the Jackson bill. Instead we are here with a government that's trying to pretend

it's doing something for victims through this bill when this government is not.

I have heard the minister and some of the backbenchers on more than one occasion now trying to tell the viewing public that in fact their bill somehow guarantees that victims of crime would get proceeds from documents, books etc published by criminals. I want to point out again that that is not true, and go right to the heart of the legislation itself.

If you go to the Jackson bill, under section 6, "Payment to victim," it says very clearly, "The public guardian and trustee shall pay the amount necessary to satisfy the award of judgment and costs in accordance with this section," and further on, with respect to additional funds that might flow, they flow to the victim as well. Again it says, "If the public guardian and trustee receives additional money under section 2 after making a payment under this section, the public guardian and trustee shall pay the additional money to that victim...."

Look at the government bill under the section "Payments out of account." It says, "... if money is deposited in an account under subsection (1) in respect of a designated crime, the Minister of Finance may make payments out of the account..." It doesn't say "shall," it doesn't say how much, but "may." It's up to him. With respect to additional funds, it also says in this section that additional funds may be used for "such other purposes as are prescribed by the regulations." There are no guarantees that a single dime would go to a victim under the government's legislation, and that is a fact. That is why we are opposed, because the Jackson bill does at least that: it gets the money to the victims, where it should be going.

**Mr David Tilson (Dufferin-Peel-Wellington-Grey):**

I would like to respond to the member for Elgin-Middlesex-London. He gave his support for the bill, although it appears it is reluctant support. He spent much time indicating his support for his leader and how wonderful his leader is, and I guess he's free to do that. He indicated how wonderful the member for Sudbury is, and I guess he's free to do that.

The issue of this bill—and it's a shame he didn't spend more time on the bill. To give credit to the NDP, I must say that at least they are dealing with the topic. I don't agree with what they say, but at least they're dealing with the topic.

Just to remind the member what this bill is about, it's to act as a deterrent for people who have committed serious crimes from writing about them or giving interviews about them or making movies about them and securing a profit from them. That's what it's all about: simply as a deterrent to stop them from doing that. I believe this bill will do that.

We've all heard of very serious crimes, and some of the other members have referred to those crimes. We're not going to refer to those individuals as well, because they shouldn't be referred to. They should be forever forgotten as to the terrible crimes they have committed and they shouldn't be given credit for anything. The

purpose of this bill is to stop these people from entering into a contract with any literary or media description where they would recall the crime and receive a benefit from that—documents that were used that may relate to the crime, they can't do that; any interviews with the convicted person about her crime, they can't do that; any appearance on a television or radio show by a convicted person, they can't do that either. That's what this bill is all about. I'm glad the Liberals are supporting it and I hope—

**The Acting Speaker:** Thank you. Comments and questions.

**Mr David Caplan (Don Valley East):** I want to congratulate the member for Elgin-Middlesex-London for his comments. I think he expressed things exceedingly well when he indicated that Bill 69 is yet another piece of legislation designed to make the people of Ontario believe that something is happening when in fact it follows the same pattern as other such bills.

I would cite, for example, the case of the so-called Victims' Bill of Rights. The Victims' Bill of Rights was a very interesting piece of legislation brought in by then-Attorney General Charles Harnick. When victims went to the courts to try to claim those rights, the government sent their lawyers in. Their lawyers argued that the Victims' Bill of Rights has no rights for victims, and in fact the court upheld the view of the government lawyers that that was so. Justice Day, in his 1999 decision, wrote the following: "The act"—referring to the Victims' Bill of Rights—"is a statement of principle and social policy, beguilingly clothed in the language of legislation." "Beguilingly" means an attempt to deceive. "It does not establish any statutory rights for the victims of crime," which was the line of argument that government lawyers paid for and sent by the Attorney General to the courts argued, and the courts agreed.

I think the member for Elgin-Middlesex-London points out very clearly that Bill 69 is another attempt to demonstrate that certain action will be taken when in fact it won't. This legislation, and especially subsection 9(3), which is permissive as opposed to prescriptive to allow the Attorney General to collect proceeds of crime and distribute them to victims, is way off base.

**Mr Kormos:** I have already spoken to the bill, so I only have two minutes to introduce Tony Martin, the member for Sault Ste Marie, who is going to be speaking next to this bill during the course of this debate. Tony Martin, I tell you, is going to address this from his very unique perspective as an advocate for some of the poorest people in this province.

Look, let's make something very clear. Nobody in this Legislature is condemning the principle of a criminal not being able to profit from his or her crime. What we're saying, though, is that if we're going to address it, let's do it right.

I say the right beginning was in 1994, when the NDP government passed the Cam Jackson bill, a Conservative backbench private member's bill of the day. That's one that covers all crimes, not just the designated crimes of

the Attorney General's Bill 69—one big distinction; two, that ensures that the victim has first crack at those proceeds, those profits that a criminal might enjoy as a result of recounting his or her crime. The government's bill leaves it to the discretion of the government. The minister "may" use the proceeds of a given crime to compensate that victim, another victim or no victims at all. We find that a repugnant proposition. We find that a proposition that trivializes victims, that betrays once again this government's abandonment of real victims' rights, and also a bill that simply doesn't understand the issues.

The Jackson bill hasn't been utilized once. That doesn't mean it shouldn't be there. The Jackson bill should be improved upon. The Jackson bill is the right foundation to develop a proper compensatory scheme for victims whose perpetrators profit from that crime. We will not be supporting Bill 69 because it repeals the Jackson bill; it kills the Jackson bill. That's plain wrong.

**The Acting Speaker:** The member's time has expired. The member for Elgin-Middlesex-London has two minutes to respond.

The Chair recognizes the member for Sault Ste Marie on a point of order.

**Mr Tony Martin (Sault Ste Marie):** I was just inquiring, Speaker, as to the presence of quorum in the House.

**The Acting Speaker:** Would you check and see if there's a quorum present.

**Clerk Assistant (Ms Deborah Deller):** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**Clerk Assistant:** A quorum is now present, Speaker.

**The Acting Speaker:** Thank you. The member for Elgin-Middlesex-London has two minutes to respond.

**Mr Peters:** I'd like to take this opportunity to thank the member for Nickel Belt, the member for Dufferin-Peel-Wellington-Grey, the member for Don Valley East and the member for Niagara Centre for their comments.

I would just like to say in particular to the member for Dufferin-Peel-Wellington-Grey that our support for this legislation isn't reluctant. What we do question is why the government wouldn't have amended Mr Jackson's 1994 legislation to strengthen that legislation and make it better and then, more importantly, let this House deal with real pieces of legislation that are going to be in the best interests of the citizens of Ontario. Better yet, let's have that discussion around this legislative chamber as to how we can better find resources to help victims of crime in this province.

**1610**

It's interesting to note, unless something has changed, that we have a government, at least in my understanding, that is not even going to speak to this legislation. They should be speaking up for victims of crime in this province, but they're going to let the legislation ride the way that it is. Let's hear some true-life stories of how your members are going to speak up for victims of crime in this province.

I'd like to go on record as saying I don't have a problem mentioning the name of my leader in this Legislature, because I'm proud of the work Dalton McGuinty has done in this province in standing up for victims of crime. I want to assure you that McGuinty and every member of this Liberal caucus here are going to continue to stand up to keep this government accountable.

**The Acting Speaker:** The member's time has expired. Further debate?

**Mr Ernie Parsons (Prince Edward-Hastings):** One of the difficulties of speaking to this bill, as has been mentioned by the previous two speakers, is the title, An Act to protect victims by prohibiting profiting from recounting of crime. Certainly we agree with that. The reality of the bill, though, is that it really doesn't accomplish much for victims that isn't already there. From this government's viewpoint, the interest is not in the wording in the bill; the interest is the publicity that comes with that title. That's a good political title to sell out on the streets. They appear to be doing something for victims, but there really is no dramatic change within this bill.

Certainly the bill is right in theory, and certainly I'm pleased to support the bill, but one doesn't have to be a rocket scientist, if there is such a thing any more, to realize—

**Interjection:** They would have fired them.

**Mr Parsons:** Yes, this government would have fired them, though there is some understanding on my part that this government is committed to a space program and pledges to have the first person on the sun by 2002.

Now, with this bill, I agree that it is wrong in any way, shape or form to have criminals, to have offenders, to have abusers profit from the proceeds of their crime. Indeed, I do struggle personally at times with even the publishing of some of these things that have happened. I certainly don't favour censorship, but I struggle at times where the line is between informing the public and the downside of it actually inciting individuals to take and copy and to repeat that crime or to use a similar method for a crime. So I have some personal struggles with the practice of giving every piece of information to the public on every crime, because unfortunately history, particularly recent history, has shown us that there are some susceptible and weak individuals who will latch on to a crime, want the publicity that came with the original offender and want to replicate it. I think that's very unfortunate, and there needs to be some way to deal with that.

But the province itself has had a very poor track record of dealing with victims of abuse. I'm thinking particularly of children. I look at the Dionne quintuplets and all of the money that was made by this province, by the Ontario government at that time, off these young women who were obviously victimized, were treated as a sideshow, were put on display. Everyone received money except them. In fact, a trust fund that was set up for them was, by and large, used by the government rather than by

them. Yet when it came time for justice on that, when it came time for them to receive some of the compensation and some of the money back they're entitled to, unfortunately, it was only the wide publicity that resulted in their seeing any justice, because this government fought and opposed them getting a fair settlement for all they had been put through. So that removes for me, in some sense, the right of this government to be an example.

Another black mark that exists for this province has been the numerous residential schools that have existed within Ontario. We have seen them for a multitude of reasons. We have seen them because of individuals who are deaf, individuals who are blind, and we have seen them because of individuals who were a different culture from us. I think of the First Nations, where we took children from their parents in the very naive and wrong belief that to make them part of our culture was to make them better, when in fact we now know better. That constitutes, for me, abuse of children. I think of the numerous Indian children who were forced to go through the schools that the province operated, where it appears that the primary reason for it was to attempt to get rid of their culture, and where we now recognize our obligation was to reinforce their culture.

But the one issue that is very close to my heart right now is the issue of how this government has protected victims of abuse at schools for the deaf. Within my community is Sir James Whitney School for the Deaf. It has operated under various names over the years. It was the only school for the deaf at one time in all of Ontario. So the children were brought, literally by plane or by train or by bus, from all over Ontario to attend this school. Some were able to go home on the weekends, but the vast majority actually stayed there, sometimes for a whole semester, from September to Christmas, and then would be able to return home.

These schools were staffed by wonderful individuals, by and large, who did a great job of providing these children with the skills that were required so they could communicate with each other and in theory communicate with the rest of society, although I think we as a society have done a very poor job of making ourselves open to communicating back with them. Unfortunately, because the people who work at these schools are humans, there was a time when some of them abused the children; not significant numbers, but they abused the children.

It became apparent in approximately 1994 or 1995 that there was a large number of victims in this province, of varying age, but by and large children who had been at Sir James Whitney quite some years ago. They had been abused in various forms, and this government was made aware of that.

Now, obviously there should be nothing of greater importance to a government than to protect the most vulnerable citizens. I would suggest you could not find much more vulnerable citizens than these deaf individuals.

Now, they responded by setting up a process. We love that word “process.” Once we start talking about a process, the problem is half solved; unfortunately, that’s not true. But from the government viewpoint, put in place a process and everything is going to be hunky-dory fine.

This process provided for compensation up to a total of \$8 million. Where that number came from, no one seems to know. Was it an arbitrary number selected because that happened to fit within the budget? I suspect that’s the case, but we really don’t know.

They then set up a process so that people who believed they were victims at that school could file a claim for compensation. Now, they did that, at least those who knew about it did that. Because you see, because Sir James Whitney was a school that served all of the province, the people who were potential victims were not only all over Ontario but indeed had moved to various parts of the world. So there was some difficulty for them to find out that in fact this process existed.

For the students at the school for the deaf, I naively believed at one time that with the sign language, they were simply taking English and translating it into a hand motion. The reality is that it is quite a diverse and separate language. Significant numbers of people who are deaf and graduated from our schools for the deaf are illiterate in English. That should be our shame.

So for an individual who is deaf, an announcement on the radio that there is a process meant absolutely nothing, the ability to read it in the newspaper meant absolutely nothing. But there still may have been a way to communicate to them. However, for some reason, this government chose to not even so much as issue a press release on this program for victims of crime; not even a press release. A government that normally announces a sod-turning 18 different times didn’t put out as much as one press release on it.

In the process they set up to deal with the victims at the school for the deaf, you would think they would call it something like the “compensation for the deaf” process. No, they called it the “alternate dispute resolution” process. I don’t know what that means, and I almost suspect that it was intended that anyone reading that wouldn’t know exactly what it means. So many of the victims were never aware of their eligibility to submit a claim.

#### 1620

Here’s how the process worked for those who did submit the claim: if they submitted the claim, it went to an individual who made a decision as to how much compensation they should receive. You would think—a normal person would think—that when a claim was submitted saying that Mr X, Ms Y or whatever number of individuals committed this act, one of things they would do would be to go investigate and determine whether there in fact was validity to that story. Because sometimes people don’t remember an incident right. Sometimes people say things that aren’t true. That’s the reality of humans. So you would think that when they submitted the claim, part of the process would involve

meeting with the person who was named—the accused—and hearing their version of the story, and then determining whether there should be further investigation or not.

Did that happen? No, not in many, many cases. In many cases, a cheque was written to the individual; the arbitrator decided this abuse was worth X dollars and they were sent a cheque. The person named as having committed the act forfeited any opportunity to give their version, to clear their name, to present in any way a case saying, “I didn’t do it.”

The process provided for people who were potentially, and I believe in some cases are, totally innocent to be named, and the letter that went with the cheque said that the government accepted the responsibility for that act that Mr X committed. Mr X wasn’t even aware that there was a settlement being made in his name and had no opportunity to defend himself. Surely, the principle that one is innocent until proven guilty should have been in place on this. But no, this government did nothing to protect the rights of the innocent in this case.

As if that’s not bad enough, there are other cases where individuals in fact were charged and convicted for abuse of a particular victim. That victim submitted a claim, and the government said, “That may be the case, but we won’t even accept your claim because, although we didn’t advertise it publicly, December 1999 was the cut-off date. So it doesn’t matter what happened to you; we’re not going to accept your claim,” which is intriguing to me because there is no statute of limitations on child abuse, particularly child sexual abuse. There’s no limitation on prosecuting it, but there was a very short-term limitation imposed on compensation for being a victim. Although these people may have been victimized by staff at the schools, the government ultimately was responsible for that school and ultimately was responsible for doing the right thing. They decided to duck it in this case, and simply said to the victims, “Certainly your case is valid, but we’re not going to pay it because it’s after that date; and we spent all of the \$8 million.” Again, I will reiterate: why is the total compensation worth \$8 million? The compensation should be based on what’s fair and what’s just.

We have a grave injustice done, potentially, to former staff members of the Sir James Whitney school, and we have a grave injustice done to individuals who are genuine victims but have had no opportunity to make a claim because—they say justice grinds slowly. Well, sometimes justice stops altogether when it gets to be December 1999 and the government doesn’t want to carry a liability into the books for next year. That’s the case at Sir James Whitney. However, the province operates two other schools for the deaf. They operate E.C. Drury school and they operate Robarts school in London. There were cases of abuse documented there. By “documented” I mean the courts convicted individuals for abuse of children. The province said, “We don’t have a program to deal with abuse at these other two schools.” So although there has been a crime

committed, the only group profiting from that crime, unfortunately, is the government, by their refusal to open up a process for what has happened at these other two schools. We know there are victims because there have been criminal convictions, obviously.

The reaction out of this government has been—and I would almost say flippantly—“Sue me.” So there are presently over 125 civil suits against this province to try to force the government to acknowledge that it had responsibility.

Try to imagine being a parent of one of these children: the struggle of adapting to the fact that they were deaf, the things that you’ve had to do within your own home and your own family, and the absolute concern that then arose when these children left their home to go and reside in a residential school. When our oldest son first went to university, I didn’t like driving him to university and leaving him there. You worry. It doesn’t matter what the age is, you worry about your children. For these families, the worry they must have had when their children went off to these residential schools—and maybe they wouldn’t see them for another four months. But they had the assurance of the government that, “We will look after them. We will assume not just the parenting role but a superparenting role. We will be the best parents and we will protect your children.” Well, they didn’t. Oh, they did in most cases, and I acknowledge that. Again, I express appreciation to the great staff that worked in these schools. But some of them did evil things, and the government that is responsible for protecting these children is also liable when they fail to live up to their duties.

But this government has chosen to profit from crime, so the only winner out of this is probably going to be the lawyers who are going to fight this. I fail to understand the difference between a child being abused at Sir James Whitney and a child being abused at E.C. Drury. Why a process—mind you, a bad process but a process—at one school and nothing at the other two?

I think it is a shame that a government that purports it wants to protect victims, a government that purports it wants to protect children, has absolutely turned its back on individuals. It isn’t just the money involved. In the settlements that were made in some of the cases there was an agreement in writing from the government that they would provide counselling to these victims. Counselling may not seem like a big deal to you and me. We can go to any Yellow Pages in the phone book and find a counsellor. For an individual who is deaf, who has had a traumatic experience and needs counselling, they need to find one of two things. They need to find a counsellor who can interpret and understand American Sign Language. That’s difficult. There are not many counsellors in Ontario who are also able to interpret in American Sign Language. The other option for the victim who requires counselling is to hire an interpreter to take with them to the counselling session. That’s not as good because they’re going to be talking about some details they probably don’t want to share with a third party.

Nevertheless, the only other recourse, failing the counsellor who can do the interpretation themselves, is to bring an interpreter with them. That costs money.

Many blind individuals—pardon me, not blind but deaf individuals; blind also in Ontario—receive Ontario disability support payments that give them at the very most about \$11,000 a year. Try and take that money and pay for accommodation, pay for food, pay for clothing and also at the same time pay for an interpreter for this counselling. They can’t do it. So the government, to its credit, said, as part of the settlement, “We’ll provide you with counselling in one form or another.” They signed that. That was part of the agreement. Once the agreements were all signed and everything was settled, the Ministry of Education said, “No, we’re not going to do it. We’re just simply not going to do it.” So there hasn’t been one minute of counselling provided, although the government has pledged in writing, in a settlement with victims, to provide it; they’ve refused to.

So here’s a bill that says the government is interested in protecting victims, making sure people don’t profit from it. The government is profiting from what it has done to these deaf victims across Ontario. Surely, if there is any sense of justice, they would reopen the issue—reopen it across all of Ontario—to give the people this government assumed a parenting role for what they’re entitled to. For most of us, the vast majority of people—and I can speak for myself. I don’t truly understand the trauma of being abused. I don’t know what it feels like, and I thank goodness for my parents that I don’t know that. But I’ve worked with individuals—we have foster children—who have been traumatized by the experience. They have lost their childhood and there need to be things done to help them get back on track and overcome the horrendous act.

#### 1630

I say again that Bill 69 has a wonderful title. It is an act that needs to have a lot more teeth in it. There probably are better ways to do it. It’s an act, though, that I’ll support because it does no harm. It’s not going to hurt anybody. Sometimes that’s a crowning achievement for this government, and I’m pleased when they pass bills that aren’t going to hurt anyone. That’s maybe the best way to describe its success for me when a piece of legislation comes in, because with some of the acts, I look at them and try to determine how many people will actually get hurt. This one’s a nice, harmless one. Everyone agrees with it. We need more teeth in it. This one really simply reiterates civil rights that already exist.

As to whether it will ever get exercised, well, a government that forces abused, deaf individuals to go to court rather than doing the right thing—this goes along with it, that they’re going to take and force people into court, in all likelihood in a civil manner. I’m not sure this will ever be used. I wish it were useful. I hope it’s useful. I hope it works.

I’ll be supporting the bill, but I certainly hope the government pays some heed to what I’ve spoken about and says, “We not only want a glitzy title; we want to

genuinely solve the problems of the victims in this province.”

**The Acting Speaker:** Comments and questions?

**Ms Martel:** I want to reiterate that no one in this House believes anyone should benefit from a criminal act in terms of making money from that. That was certainly the premise of the 1994 bill put forward by Mr Jackson. We have also consistently said that the government bill, as proposed to us, actually provides for fewer guarantees and less protection and fewer benefits to victims than the Jackson bill.

I spoke earlier about my concern that the government bill does not guarantee a single dime would ever flow to a victim from someone who had profited from a crime. I made the case that in the Jackson bill that protection was there.

The second issue I want to raise has to do with who is covered, “who” meaning what criminals are covered in terms of crimes they commit and how they might benefit from that. If you look at the Jackson bill, he said very clearly the crime includes an alleged crime. It covered the waterfront and included everything, from the most heinous crimes, the most terrible crimes, to minor ones that people were still charged and convicted for, which could include shoplifting. Under any of those crimes, no criminal could make a profit from recounting the story of that particular crime.

The government bill, on the other hand, speaks of designated crimes. Granted, the designated crimes are the most heinous, but because they’re designated there’s a broad category of other crimes that are not included for the purposes of the bill. So people who are shoplifting and committing other acts that aren’t designated crimes in the bill could make money and those proceeds would never go to victims. They’re not covered.

I go back to our original point. We oppose this bill because we clearly believe that there’s no guarantee victims are going to get a penny under the government bill and that what we should be doing is taking a bill that has better protection, Cam Jackson’s bill, and amending that piece of legislation.

**Mr Tilson:** To the member from Prince Edward-Hastings: In many of his comments he talked about very serious incidents involving victims. He mentioned the five women up north—I assume that’s what he was referring to—he referred to residential schools, and he referred to a number of instances involving victims—all very serious issues.

This bill covers specifically the serious offences that are itemized in the bill, which would include some of the crimes he’s talking about, but not all of them because not all of those instances are necessarily crimes, when the perpetrators of any crime—the government will bring action on their behalf and will freeze the assets on their behalf, but the incidents he’s talking about might be damages that might have occurred. I assume he is referring to the Dionne quintuplets.

The issue it’s designed for is where someone commits a crime under the Criminal Code, specifically sexual

assault with or without a weapon, attempted sexual assault with or without a weapon, aggravated sexual assault—all violent, indictable offences carrying a sentence of five years or more—or a serious property offence under the Criminal Code. It’s designed for all of those offences. The people who commit those offences then can’t go and write a book, make a movie, give an interview, and be paid for it. We’re not going to allow that. That’s what it’s about.

I tend to agree with my friend from Prince Edward-Hastings who talks about the problems that many victims have, but the issues he’s talking about have nothing to do with this specific bill.

**The Acting Speaker:** Comments and questions?

**Mr John Gerretsen (Kingston and the Islands):** I would like to commend and compliment the member from Prince Edward-Hastings on bringing to light a very serious situation that occurred with respect to the children from the school for the deaf that’s located in Belleville. I think what he talked about is very relevant to a bill like this, because he talked about how the bureaucracy didn’t deal correctly with the political will to do something about a situation. In other words, I assume in that case a policy was made by cabinet to deal with the abusive situations that occurred to many of the children who attended that school, and somehow the will of cabinet was frustrated by not giving notices to everyone that these rights existed, by not giving notices in a way that they could react to it.

This so often happens with bills that we pass here. They have the best of intentions at heart, but if the government isn’t willing to implement that bill in a constructive fashion so that the political will that is encompassed in that bill can actually help the people it’s intended to help, then nothing is accomplished.

I suggest to the member from Prince Edward-Hastings that he bring this matter once again to the attention of the Attorney General, because it absolutely cries out for justification. We should not allow the common retort of, “Well, we’ll be setting a dangerous precedent,” to delay the natural justice that is required in the kind of situations he described.

**The Acting Speaker:** Comments and questions? The Chair recognizes the member from Timmins-James Bay.

**Mr Bisson:** Hello. That’s the first time I’ve started a response that way. I thought I was answering the telephone. In this business, I’ve got to say, you deal with about 50 things at any one time and sometimes you can get mixed up with which one you’re doing.

I just want to say I listened intently to the comments made by the member. We need to make clear the point that it’s not the members of the opposition who are saying that we believe we should somehow make it easy for people who are trying to profit from their actions by writing whatever it is they’ve done in a book when it comes to a crime, such as a Paul Bernardo, as an example. We’re not saying that’s what should happen at all. What we’re saying is that Mr Cam Jackson, back in the 1990-95 session, introduced a private member’s bill

which was passed by the Legislative Assembly—at the time it was the NDP government that was in power—that basically said if a Paul Bernardo tries to write a book and tries to profit by way of his heinous crimes—and that’s why that legislation was brought forward by Mr Jackson—the money would have to go to the victims’ families.

We agree with that principle. There is nobody in the opposition and nobody in the government who believes that those people like Paul Bernardo should be the ones to benefit from the proceeds of their criminal actions. We’re not saying that for one second. What we are saying is Cam Jackson got it right. There is a piece of legislation that says, as the member across the way says, that Paul Bernardo cannot benefit, and the money should go to the victims’ families.

The legislation the government is now putting forward would weaken Mr Jackson’s bill and would say that the money that is made from the sale of the book now would not necessarily go to the families but to whomever the government chooses. We’re saying that’s not right, that it’s a weakening of already existing legislation.

1640

**The Acting Speaker:** The member for Prince Edward-Hastings has two minutes to respond.

**Mr Parsons:** I would like to thank the members for Dufferin-Peel-Wellington-Grey, Kingston and the Islands and Timmins-James Bay. The member for Timmins-James Bay said it perhaps better than I could, which is that we have absolutely no disagreement with you on victims of crime being compensated if an individual is sleazy enough to attempt to profit from the crime they’ve done; there’s absolutely no question. My concern is that the government needs to have a leadership role, where they in fact are involved in it. I would feel better knowing that they were administering this bill if I saw some leadership from them on other issues.

The member for Kingston and the Islands rightly, and I appreciate it, suggested that I ask the government to reopen the issue. That has been done, some four months ago. I know that any day now I’ll get a response to my letter, but it has not yet arrived. It’s obviously still not a priority for them, because we’re dealing with victims who are literally silent, who are deaf and unable to communicate without a great deal of difficulty. These are the people an extraordinary amount of energy should have gone to protecting—these victims—and not less than ordinary but more than ordinary.

My father used to say that although you can’t always go by what someone says, you can always go by what they do. I look at what the government has done to protect victims. The answer for me too often is that we come up with very glitzy titles that sound very good in the media.

This is a bill that is going to be supported, but it’s not the best bill. There has been a better bill put forward by a gentleman who’s now a minister with the government. Surely the government should have some faith in their own members. There’s a better bill on the books that

could have been resurrected and brought back, but they of little faith didn’t accept the bill from their own member and have brought in a watered-down and diluted one. It will be supported, but it’s not the bill it could have been.

**The Acting Speaker:** Further debate?

**Mr Martin:** Right up front I want to say that our caucus will not be supporting this bill. We don’t know why we should support so much of the redundant initiative this government keeps bringing forward and calling work on behalf of the people of this province, when in fact your members and our members have made the case over the last couple of weeks, whenever this bill has come forward, that this bill isn’t necessary.

This piece of business was covered effectively by one of their own members almost 10 years ago when he brought a private member’s bill through this House that was approved unanimously at that time and taken out to the public for consultation. In those days we actually did that in a more meaningful and fulsome way and listened to people when they came forward to speak to us about pieces of legislation, understanding at the time that we didn’t have all the answers. The member, Mr Jackson, who brought forth his bill understood that he didn’t have all the answers, but that if we went out to the public, we would get a fuller understanding of the impact of the legislation.

He brought forward a bill that we in this place all agreed would do the trick and that has been working quite effectively over the last almost 10 years to that end. At that time the member, Mr Jackson, gave credit to a number of people, which this government is very reticent to do with the legislation it brings forward because it doesn’t understand the communal or collective nature of the way this place should work. It has in very serious and significant ways reduced the opportunity in this place for people to participate in meaningful discussion, where people actually listen to each other and bring forward suggestions that would be good.

Mr Jackson, when he passed his bill, gave credit to work done previously by a member, Mr Renwick, of the New Democratic caucus, and then by Mr Wildman over a number of years, to try to put in place legislation such as the bill that he brought forward, and that this bill in fact redoes. It does change the nature of the bill in some smaller ways that in fact take away from its effectiveness, and I’ll speak to that in just a second.

Mr Jackson went on in his comments to the Legislature back on December 8, 1994, to say, “I do want to indicate that although I tabled this bill or a form of this bill almost exactly five years ago tonight, in December 1989, I was very much moved and guided by the initial work of Mr Renwick and, by extension, Mr Wildman. Much of their work was reflected in the bill that I have had tabled in this House for those five years.”

The question is, if this work has already been done, if in this Legislature the appropriate and acceptable consultation was done at that time, if there have been no complaints as to how Mr Jackson’s bill has played itself

out in the public sector, why are we doing it? Why are we doing this bill? Why are we bringing it forward? Why is it before us here again this afternoon and over the last couple of weeks?

I suggest to you there are probably, among many others, at least three reasons. But before I get into those, I just want to say that if you want a fuller description and critique of this bill in all its glory, I simply suggest that you take a look at Hansard from a week or so ago when our critic, the member for Niagara Centre, Mr Kormos, did the leadoff. For an hour he took this piece of legislation section by section and spoke to it in some detail and clarity, and he put on the record some of the more logistical concerns we have with this bill and why it is that even though it is simply a replication of the bill Mr Jackson brought forward, it is in fact a poor replication and has in it some pieces that will take away from victims' ability to get the recompense they deserve.

The question I put before you just a few minutes ago was, why is it that this bill is before us today? Why is it that we're doing this piece of work yet again? I suggest to you it's one of three things: First, it's another of this government's hot-button issues, which they have become very good at. They have a series of them, and I'll talk to that in a minute, which they role out in times when they go down in the polls, when perhaps a minister is under attack for something they've said or done, or the government finds itself in need of something to do in this place.

The second reason I think this bill is before us is—and I said this the other night—it's a cash grab. They've changed this legislation—and I'll speak to that in a second as well—such that in fact there is now permission for this government to move some of the money out of this fund that was targeted simply and solely for victims and use it for other things. Why would they want to do that? Why would they need this little bit of money that's available to victims of crime for their own use to deliver programs that this government has the responsibility to deliver? It's very simple: they're out of money; they gave it all away with their income tax and corporate tax breaks. So they have no money left. Now that they're running into some very difficult economic times, they're looking everywhere. It's like the parent who goes to the child's room when they're in difficulty at the end of the month because they can't pay the bills and starts to rob the piggy bank. That's what they're doing here—they're robbing the piggy bank. They're shaking, jingling and jangling, emptying pockets, and this is one they found, I would guess, so they're going after it. People need to be aware of that.

**1650**

The third reason we're here this afternoon debating this piece of legislation is perhaps that the government just doesn't have anything else to do, has no more work that it feels is necessary. Given some of the Premier's comments yesterday as he announced that he was going to move on to other things in his life, that he had done everything he had come to Queen's Park to do and now

it's finished, maybe he was telling the truth, that there is nothing else they feel they need to do or have to do, and so they're buying time. They can't just not have the Legislature sit, because that would run up a red flag for everybody: what is the government doing in these very difficult times, economically? They would have to face the music out there in the public for that lack of participation, involvement and work on their behalf.

So there you have it. You can pick one of the three as it suits you, or two of the three, or all three, to explain why we are debating a bill that, for all intents and purposes, doesn't need to be debated. The area it covers is already covered by the work that Mr Jackson, built on the work by Mr Wildman and Mr Renwick, is already doing in this province.

Let's expand a bit on the three themes I have put out before you. What do we mean by "hot-button issue"? What we mean by "hot-button issue" is that every time this government finds itself in a spot of trouble, in need of raising their fortunes in the polls out there or of putting up a smokescreen to protect a cabinet minister or a member of government in circumstances where maybe something embarrassing has happened or has been said, we see this government trot out a hot-button issue.

We know what the hot buttons are in Ontario today. They certainly evolve around the issue of being tough on crime. This is an opportunity for the government to yet once again get up on its feet and talk about how it's going to be tough on crime by putting in place legislation that will stop perpetrators of crime from benefiting from the crime they have committed and then taking the money that is so gleaned and passing it on to the victims of crime. It's an admirable thing to be doing, I suppose. But when you see it done over and over and over again, ad nauseam, you wonder just when enough is enough. When do you get to a point where you've hammered that particular button or group of people to a point where there really is no value to society in continuing to do it any more? I think we have to ask ourselves that question.

Another group of people who get hammered consistently and repeatedly by this government are the poor, who find themselves waking up mornings in their homes to another announcement by this government that they're making a major change that's going to affect them dramatically and drastically in terms of their ability to look after the very basic needs they have—to pay the rent, put clothes on their backs, feed their children and get the childcare they need to help them get back into the workplace. The change they made to the ability of people to take out student loans at the same time they collect assistance to help pay for their children's food while they go to school, for example, ended up ultimately and tragically in the death of Kimberly Rogers in Sudbury. We have a very tragic end to this government continuing to bang on the hot button of beating up on poor people who happen to find themselves on assistance in this province.

It's just another example, and I think a perfect example, of the fact that at some point anybody

reasonable or intelligent or with a modicum of civic understanding of responsibility, of ethic or moral value, would understand that you've got to stop. You've got to stop or you're going to kill people. At some point, in a rich jurisdiction like Ontario, you have to ask the question: why is it that the presidents of big corporations—yes, who work hard, but who I don't think deserve in many instances the kinds of increases they get to their compensation by way of the decisions of a board of directors to their compensation or stock options, and by this government, by way of the changes they're making to the income tax laws that give them both corporate and income tax breaks that accrue to them in the millions of dollars, while at the same time continue to take away money from those who need it most, who from an economic perspective, if you want to look at it from that perspective, do more for communities to keep local domestic economies going than the presidents of banks will ever do, particularly in the environment we live in today where we know, particularly those of us who live in remote or northern parts of this province, that banks are pulling more and more out of the business of managing people's savings and money on a day-to-day basis and are more interested in investing the bigger dollars that go into things like mutual funds and the stock market.

It's just another hot-button issue, and the list goes on. They pick them. Teachers are another group that this government loves to bang on the head whenever they need to put up a smokescreen. Just this past week, when we already knew the government was out there preparing to test teachers even further in terms of their qualifications or their ability to teach, they announced that in the regulation they're going to bring forward they're going to allow parents and students to be involved in the evaluation of their performance.

When do you stop whacking teachers across the head with these issues and these hot buttons? When do we get to a point in this province when we leave some of those people alone and get on with the real issues that we as government should be dealing with, like, for example, the state of the economy at the moment? What is the government going to do? What strategy does the government have that it can bring out to us here in this place to debate that will respond directly and immediately to both the long-term and short-term challenges that everybody who is involved in any way in any economic activity in communities across this province knows we need to deal with, because the circumstances are becoming more and more critical as each day goes by?

That brings me to the second point I made, which is the cash grab for more money. The government across the way says, "No, that's not true," that in fact more people will get money because of the bill they're bringing forward. Well, our critic explains to me in some detail that that's not true. Jackson's bill allows action to be taken by victims in all situations where a crime has been committed. So what this government should be doing if it really wanted to be helpful is to make sure that

all victims of crime have the resources they need to sue so that they can get recompense for the damage that has been done and they can go after those people, whether now or in the future, who benefit from the proceeds of their crime by writing books or whatever.

This bill lays out or enlists or prescribes very specific crimes—mind you, some of the more serious crimes—and I don't disagree with that, but why limit it to those crimes? At the end of the day it means there will be a surplus in the fund eventually. This bill, when you stack it up against the Jackson bill, very simply says "may." There's the word "may" here. This money may be spent in a particular way to help victims of crime, but it may also be spent in other ways to help the government deal with some of the priorities they determine they need to pay for, particularly in the circumstance we find ourselves in now where they just don't have any money left.

It says in one section of the explanatory note, "The bill provides that money paid to the crown under an order made by the Superior Court of Justice, and other property forfeited to the crown under an order made by the court in respect of a designated crime and converted to money, must be paid into a special purpose account." This is the part that you need to pay attention to: "Payments may be made out of the account to compensate persons who suffered pecuniary or non-pecuniary losses as a result of the designated crime and for other specified purposes." This is where the government can come in and start to play their games and start shifting money around and spending it on those things that aren't related at all to the victims of crime but are more related to the priorities of this government. So it is a cash grab. The member will probably jump up as he did the other night and challenge me on that, but let's have that debate.

**1700**

The other point I made is that it may be that this government thinks it has nothing left to do. As I said earlier, we heard from the Premier yesterday when he announced he wasn't going to continue on in that role after a leadership convention by the governing party. He said it's because he's done everything that he set out to do, he completed his agenda, and he indicated to all of us that there was nothing left to do. That surprises me, particularly—

**Mr Gerretsen:** There's so much left to do.

**Mr Martin:** Absolutely. There's lots left to do when you look at the economy and the way it's beginning to fall apart and soften out there and the impact that's having on many of the communities we speak on behalf of and represent. We go back home and we talk to some of the small business entrepreneurs in our communities and we hear from them that things are getting pretty tough out there and that this government, somebody, needs to give some leadership where that is concerned, to come forward with an industrial strategy, with some capacity to deal with some of the very difficult challenges that we face on the economic front.

When you consider the downturn in the economy, when you consider that in some parts of this province, the north in particular, we have not benefited at all over the last five or six years in the good times that affected southern Ontario and some other parts of the province, and when you consider the effect of the September 11 event, you would think this government has more to do that is of priority than to bring forward a bill to debate and to take up the time of this House with business that's already covered by a member of their own caucus.

**The Acting Speaker:** Comments and questions.

**Mr Tilson:** To the member from Sault Ste Marie, I'd like to respond to his comment that this bill is simply a replication of Mr Jackson's bill.

Well, victims still can sue for the examples that have been given by particularly the NDP. They still can sue for those lesser offences. They can still sue for the shoplifting. I don't know how big a seller it would be but, to use their example, you still could write a book on shoplifting if you wished to. That isn't what this bill is doing. This bill is talking about the serious offences, and I've listed them in almost every two-minute response when I've stood up, so I won't do it again.

But I will say it does other things, just to respond to that comment that it's a replication of Mr Jackson's bill. If a publisher or other media company enters into a contract with a perpetrator of a serious crime, they have to report it. They must provide a copy of the contract and the names and addresses of the contracting parties in the agreement. They must report that, and if they don't do that, they could be fined under a provincial offence up to \$50,000. Not only that, but company officers and directors could be held personally liable for failing to report that contract. Perhaps he could respond to that, that we're taking it quite seriously as far as stopping these people from writing books about these serious crimes.

As well, there's a provision about seizing and freezing assets, which the member has not referred to. The government could apply to a court to freeze and seize the proceeds payable to a convicted criminal for recounting those crimes. All of those things are new and will be good for Ontario.

**Mr Gerretsen:** I found it kind of interesting that the member for Sault Ste Marie would say that this is a cash cow for the government. If their record is as good as it is on the implementation of the Jackson bill, we all know that no money has ever been received under that bill either because no prosecutions have been laid under that bill, and that was passed some seven or eight years ago.

I'll come back to a point that I made earlier today. Yes, we will support the bill. We think it has some serious flaws. We think, for example, that the money that's collected under the bill in a particular prosecution should go to the victims of the crime who were the subject of the prosecution. I totally agree with that. It should not just go to the victims of crime, because then it ends up in the general revenues of the province and it doesn't necessarily help the people who were hurt by the injustice that was committed. So we think that's an

improvement that can be made and hopefully that can be made once it goes to committee and amendments to the bill can be made.

But the point that I really want to make is quite simply this: it is great to pass all these bills, but it really doesn't mean anything if there's no enforcement of the bills. The Jackson bill that has been referred to in this House on a number of occasions is a perfect example. It was passed some seven years ago. There's never been a prosecution and there's never been a conviction under that bill. So I say to the government, at least when you pass this bill, take it seriously, give it to your crime commission, give it to your Attorney General—

**Mr Bradley:** The trench coats.

**Mr Gerretsen:** The trench coats, the crime commissioners all wear trench coats—and let's make sure that the bill gets enforced or else you're doing a disservice to the people of Ontario.

**Ms Martel:** I appreciated the comments made by my colleague from Sault Ste Marie. I know he ran out of time or he would have noted the same provisions that exist under the current law with respect to the obligation to put forward a contract and the same fine provisions that the government now puts forward as something new. I just heard the parliamentary assistant say, "Oh, we've got something new here. Do you know that a publisher is obligated to give a copy of the contract to the government to see what the details are?" Under the current law, under the Jackson bill, the obligation is as follows: "Each party to a written contract shall give a copy of it to the public guardian and trustee. Each of the parties to an oral contract shall reduce it to writing and give a copy to the public guardian and trustee." The provision is already there.

Second, payment to the public guardian and trustee, this provision is already in the current law: "A person who is required under a contract to pay money to the accused or convicted person or to a related person shall pay it instead to the public guardian and trustee."

Third, if you don't disclose that, there's already a fine of \$50,000 that you could pay. The current law says, under the section "Offence," subsection 2(6), "A person who fails to comply with this section is guilty of an offence and upon conviction is liable to a fine not exceeding \$50,000."

So it's clear, as my colleague from Sault Ste Marie said, that the protections are already in the current law. What the government refuses to admit publicly is that its proposal provides far less protection to victims of crime. In fact, in the government proposal there is no guarantee whatsoever that a victim of crime will see one red cent from the proceeds of a sale of a book, article etc from a criminal. There's not that guarantee anywhere in the government legislation.

**Mr Caplan:** I certainly want to recognize the critique that the member for Sault Ste Marie gave of Bill 69. He focused on many of the government inconsistencies in what they say and what appears in government legislation. He focused, I think very well, on subsection

9(3) of Bill 69, and I'll read it for the purposes of Hansard. It says:

"Subject to the regulations, if money is deposited in an account under subsection (1) in respect of a designated crime, the Minister of Finance may make payments out of the account for the following purposes," and it lists three purposes:

"1. To compensate persons who suffered pecuniary or non-pecuniary losses, including losses recoverable under part V of the Family Law Act, as a result of the crime.

"2. To assist victims of crime.

"3. If, according to the criteria prescribed by the regulations, the amount of money in the account is more than is required for the purposes referred to in paragraphs 1 and 2, such other purposes as are prescribed by the regulations."

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What this essentially means is that it's entirely at the discretion of the Attorney General whether or not he or she will wish to give victims of crime any monies if they are collected. That is a weakening of the existing laws, which compel the Attorney General—or compel when a civil action is launched, rather, to ensure that such funds are transferred to a victim of crime.

It's interesting when the government weakens provisions already existing in law and then tries to trumpet them as somehow they are doing something for victims of crime. I think that's unconscionable, and I think the member for Sault Ste Marie quite rightly points this out.

**The Acting Speaker:** The member for Sault Ste Marie has two minutes to respond.

**Mr Martin:** I want to first of all thank all those who participated in the debate here: the member for Dufferin-Peel-Wellington-Grey, the member for Kingston and the Islands, the member for Nickel Belt and, last but not least, the member for Don Valley East. I think it's so important that we have a discussion in this place about some of these things.

I want to say to the member for Dufferin-Peel-Wellington-Grey that he would serve himself and his caucus well to listen when the member for Nickel Belt retorts to every very focused and narrow criticism that he makes of the argument that we make that everything they're trying to do in this bill is covered under the Jackson bill, because it is. Read the Hansard of the member for Niagara Centre. Listen to the member from Nickel Belt when she speaks.

The member for Kingston and the Islands is absolutely right as well when he suggests that perhaps at this point this is not a cash grab, because we're not enforcing any of this legislation. We've wiped out whole reams of public service in this province, to the point where we can hardly enforce anything. If you look over the last few years in this province and recognize the kinds of things that people are now getting away with because we can't as a government enforce the law that we've passed here, I think it's shocking and shameful. That's something they could be bringing forward to this place that would be worth debating.

The member from Nickel Belt in her own very intelligent way is able to get up in this House and speak to very specific issues where this bill is concerned.

Of course, to the member for Don Valley East, I appreciate his support for the arguments that I made here.

I think that if the members across the way would simply listen once in a while instead of coming back constantly with the rhetoric that we continue to hear, we might get something of value done here.

**The Acting Speaker:** Further debate? The Chair recognizes the member for St Catharines.

*Applause.*

**Mr Bradley:** Thank you. Please, please. I am very pleased to acknowledge the bipartisan support for my remarks this afternoon.

**Mr Caplan:** Tripartisan.

**Mr Bradley:** Tripartisan in this particular case, as I notice the applause dies down.

I do want to actually speak partially to the bill today. I want to draw many analogies, mind you, but I still want to speak to the bill.

I want to say first of all that despite the fact that it has some flaws in it, the bill has enough in it that I believe we on this side of the House, at least in this party, should support the bill.

Now, many members have drawn the conclusion that there's not much difference between this bill and a private member's bill brought forward by the member for Burlington back in 1994. In fact, in one of the responses, the member for Sudbury East—now called Nickel Belt—indicated that much of what the parliamentary assistant said was new in the bill in fact wasn't quite as new as his notes told him it was. It reminded me of the movie *Back to the Future*, because in fact we're dealing with a piece of legislation that in effect isn't much different from the one in 1994. But be that as it may, as the lawyers say, I still believe it is worthy of at least the vote of our party. I know our members will discuss this, as they do at caucus, and make that kind of decision, but I think most of our members, in fact all our members, probably feel there's enough in this bill to merit our support.

I've said on many occasions that when the government brings in legislation, there has to be a base of financial support to be able to implement the bill. My worry is that the government is not going to have sufficient revenue to be able to implement this bill, and the reason is that they have chosen, first of all, to give a very generous tax cut, a tax gift, to the corporations of this province to the tune of \$2.2 billion. Because that revenue is going to be lost to the government, I think the government is going to have a difficult time implementing the provisions of many of the pieces of legislation that have been brought forward in this House and that will be brought forward in the weeks to come.

In addition to that, I think there's a recognition that in the unfortunate circumstances we find ourselves in after the tragic and horrific events of September 11, the government is going to have to allocate more resources to public security in this province. We all wish this did not

have to be the case, but I think it is unavoidable. For instance, I was very concerned when I heard today that five top scientists in the Ministry of Health had been given their walking papers, that they were sent out the door. These are people who have some intricate knowledge and research about bioterrorism. I can tell you, Mr Speaker, that much has been written about bioterrorism. You may be interested to know that Laurie Garrett, who is a renowned author in the field of health care and disease—she wrote the book called *The Coming Plague*, and she also wrote a more recent book dealing with the American health care system, where she was critical of many parts of it—wrote in the January-February edition of *Foreign Affairs* an article on bioterrorism dangers. I recommend that to members of the Legislature to see what the problem might be.

The financial obligations this bill will bring with it will have to compete with the financial obligations needed to fight an unfortunate terrorism threat that we have in this province and this country, not nearly so much as the United States where most unfortunate circumstances continue to unfold, but nevertheless we have to deal with it.

I remember, and I don't want to be a person who says, "I told you so," that back on September 27—that's three weeks ago—I asked a question in this Legislature that dealt with how much vaccine was available to deal with smallpox or anthrax or perhaps the plague in Ontario. "How would you anticipate dealing with that?" I asked the Solicitor General. At that time nobody in the press gallery was particularly interested. Members of the House had other matters that were preoccupying them. The minister gave a vague assurance that the government was looking into these matters. Now it's all anthrax all the time on CNN. That's unfortunate. Even we in our precinct have to deal with cranks who have caught on to this and are making nuisances of themselves.

The reason I mention it is because it causes us to have to take additional security measures. The Sergeant at Arms in the Ontario Legislature has made recommendations to members of the Legislature, and on an ongoing basis assesses any potential problems that might be confronted within the legislative precinct. I suspect that as a result of any reports that might be forthcoming from the Sergeant at Arms or from police forces or municipalities, more resources, financially speaking, must be dedicated to matters of security.

Those obligations are going to be competing with obligations that are found in this piece of legislation, and in the background is the fact that this government is recklessly and unwisely proceeding with a corporate tax cut to the tune of \$2.2 billion and is accelerating it. If we could be absolutely assured that this would generate a lot of business activity, we might at least say there's a consolation to that. Most economists I have listened to on this subject—these are people who are small-c conservative and perhaps small-l liberal, and small-s socialist—are saying it simply won't have that effect. You're going to rob yourself of these revenues and the

Treasurer, who will be in the midst of a leadership campaign, will have to apply constraints to various ministries. That means slashing the budgets of various ministries. So we will see such occurrences as the Minister of Health in this House today having to fend off questions from the Leader of the Opposition, Dalton McGuinty, about firing five of the top scientists in Ontario who deal with matters of terrorism, something I cannot think could be justified.

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I'll tell you, a provision that I want to see in legislation and that is contained in this is again trying to deal with making a profit from crime, that is, a person would commit a serious crime and then would make a profit. The example for people in our community, and I think everyone in Ontario would be aware of this, is the Paul Bernardo case. One of the members from Scarborough is with us this afternoon; he would recognize this because it has affected him.

**Hon Dan Newman (Minister of Northern Development and Mines):** Scarborough Southwest.

**Mr Bradley:** Scarborough Southwest, in this case. He wants himself identified, and I'm happy to do that

Paul Bernardo committed a number of heinous crimes in Scarborough as well as in St Catharines, along with his accomplice, Ms Homolka. We were fearful that there was going to be a movie made, for a profit, looking at the lives of these people as they relate to the crimes they committed.

This would be outrageous, particularly for the families of the victims. I know very well on a personal basis Donna and Doug French in St Catharines. I've met Mrs Mahaffy previously. These people have gone through mental torture and emotional stress over the crimes committed, as have, I'm sure, many of the victims and the families of those victims of Paul Bernardo in Scarborough. Members of this Legislature certainly would not want to see Paul Bernardo make money as a result of some royalties that might be paid to him for the making of a movie about him or books about him. I think we would find that repulsive. We would find it unacceptable. This legislation, the parliamentary assistant has assured me—and I have read the legislation—deals in part with the profits that could be made from crime and the telling of the tale of crime in this case.

There is a bill on the books at the present time. This legislation doesn't alter it all that much. I think that when we get a piece of legislation of this kind, we have to see just how effective it is. I know we have a crime commission that is set up by the Premier. This is for people who don't have anything else to do in the back benches of the government. I don't know whether they issue them with a trench coat or not, but they go around the province and have hearings and hope that there are enough people who are afraid about what's going on in the field of crime that they will show up. Usually it's the Tory executive and a few others who will show up at these meetings and then there's a report brought forward. Quite frankly, I would prefer to have the advice and

counsel of members of the police forces in our community, law enforcement people, people in the judicial system, social workers even, to tell us what is happening out there and how we can best address the issue of crime in the province.

I want to say as well that the government, just as it did yesterday when we were dealing with a piece of legislation—Dalton McGuinty had directed a question to Mr Norm Sterling, the Minister of Consumer and Business Services, about birth certificates and how easy it was to obtain a birth certificate and how, under the new circumstances we're confronted with, it would be wise to tighten up that process. As a result, the government brought in a piece of legislation. Initially, it denied there was a problem and then it admitted there was a problem and brought in legislation.

I give credit when the government does that. I'm happy, on a bipartisan or multi-partisan basis, as it is in this House, to give credit when the government accepts the ideas of the opposition and puts them into legislation.

You would know that Mr McGuinty had recommended and urged the government of Ontario to give to the families of the four victims of the OC Transpo shooting some \$100,000 each. The government had refused, as you will recall, to make those payments on October 11, 2000, but reversed its decision the next day under fire of question period from the leader of the official opposition, Dalton McGuinty.

Again, when the government reversed its position, when it sounded the bugles of retreat, when it waved the white flag, I was happy to applaud; when the government admitted its mistake, agreed with what Mr McGuinty had suggested and implemented it.

In addition to this, I notice the government has endorsed the bill from Michael Bryant, who is the Liberal member for St Paul's, on replica guns. Police officers and others recognize that replica guns can cause a problem in the commission of a crime, not as much as guns themselves, but if a person with a replica shows up at a crime scene, how are the police officers to be able to immediately identify that it's a replica, or, in fact, anybody else? The government has endorsed that, and I want to congratulate my colleague Mr Bryant for that.

The government is passing a form of legislation that was introduced by Rick Bartolucci, who is the member for Sudbury. He had bills, you will recall, that dealt with protecting children from sexual predators. He's had a bill before the Legislature since 1998 that would help get child prostitutes off our streets. The government is now incorporating that.

David Levac made certain recommendations to the government to abandon its drive-through prison system, as he called it, which allowed convicted drunk drivers and drug dealers to spend their jail sentences in their homes.

We have seen the government adopt some of those proposals from the official opposition. That's what we like to do. We don't simply want to criticize the government, though that's a very legitimate role of the

opposition; we are here to propose alternatives and we're always prepared to applaud the government when they accept those alternatives.

I wish we had legislation as well dealing with the many problems in our health care system, because those problems exist. While we are speaking of this legislation this afternoon, hospitals are struggling to meet their budgetary obligations. People are waiting extra long periods of time for surgery. Some of it is elective, but some of it is also very serious and should be done as soon as possible. Hospital emergency wards have to turn people away because they are too busy and because there aren't hospital beds.

Community care access centres cannot provide the kind of home care people need when they are forced out of a hospital early and into the community and are left in the hands of caregivers who may not have the health knowledge and wherewithal to deal with the problems that have to be confronted, and even some who simply require assistance with housework. You and I probably get calls from time to time that we try to assist people with, elderly people particularly who need this additional help. If we can keep them in their homes, that's good. That's part of security. This bill deals with security.

There are also other kinds of security that people are looking for in our community. I go back to the fact that if the government feels it will need extra funding to implement the provisions of this bill, that funding need will be competing with hospitals, community care access centres, dealing with trying to get doctors into our communities, and so on.

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It's also, obviously, competing with the need for government advertising. Every time I turn the television set on, there's a new government ad. Every time I turn the radio on, there's a new ad on the electronic media. You open the newspapers and there are full-page ads. You would say in some cases, "Are they reasonable?" Yes, if they are advertising a committee of the Legislature coming to Stratford to have hearings, that's a quite legitimate use of tax dollars for what we would call advertising. But the government has these self-congratulatory messages, such as a series of ads on television that I think cost \$6 million to try to peddle its education policy to the people. Rather than calling a press conference, rather than simply having members go around the province and put the case forward for the government, they took the taxpayers' money and spent that. Now we have a total of over \$240 million that has been spent on what I would call self-congratulatory, clearly partisan advertising at the taxpayers' expense.

I'm surprised, as I know the member for Scarborough Southwest must be, that the taxpayers coalition, which is so vigilant in finding expenditures it quarrels with in Liberal and NDP governments, has been silent; while I shouldn't say entirely silent, it has been muted in its criticism. One has to wonder whether those organizations such as the National Citizens' Coalition and the taxpayers coalition are simply fronts for the Conservative

Party and the Alliance. Otherwise we would expect that they would be calling a press conference once every two weeks to denounce the government advertising.

Certainly you're not going to find that on the editorial pages of most newspapers, which are benefiting financially from that government expenditure. You're not going to have Ken Shaw talking to our good friend Mike Duffy, as they exchange guffaws back and forth, about government advertising, because of course their network, as do all the networks, benefits from this government advertising. By the way, I did see Ken Shaw talking to Mike Duffy the other night about the Premier, and if the Premier is looking for a publicist, Ken Shaw would be a great person for that.

**Hon Mr Newman:** Ken's impartial.

**Mr Bradley:** Ken is impartial, says the member for Scarborough Southwest, with a large smile on his face as he said that.

Anyway, in conclusion, I want to say that despite some shortcomings in the bill, despite the fact that it's being oversold as a crime initiative, I think there's enough in the bill to merit the support of the official opposition.

**The Acting Speaker:** Comments and questions?

**Mr Bisson:** It's always a pleasure to listen to the comments made by the member for St Catharines; I've been here a number of years with him and he's always interesting.

I agree with most of what you said. It's the last part I have a problem with. I don't want to support this bill, and I'll tell you why. I don't want to support it because, like you, I was a member of this assembly between 1990 and 1995. Like you, I supported the Cam Jackson bill because the Cam Jackson bill said, and I want to quote, "The Public Guardian and Trustee shall pay the amount necessary to satisfy the award of judgment and costs in accordance with this section..." "Shall pay" were the words.

It meant that if Paul Bernardo was trying to make money by writing a book about his heinous crimes, the victims, the Mahaffey family and others, are the ones who would get the money? They could go to the Public Trustee to get the money from the award they would get from court. Now we've got the government introducing a bill and it says, "Subject to the regulations, if money is deposited in an account under subsection (1) in respect of a designated crime"—this is now the current bill that the government is trying to foist on us—"the Minister of Finance may make payments out of the account for the following purposes," and it goes on to list the victims. A whole bunch of other people can get the money. There's no guarantee in the case of Paul Bernardo that the Mahaffey family and others would get the money from the proceeds of that book, should he write such a book.

As a member of the Legislature who supported Mr Cam Jackson's bill, who said Paul Bernardo can't make any money, why would I come back in the House today and vote in favour of the bill when I know the bill we

have now says, "Maybe they'll get the money; maybe they won't get the money."

**Mr Kormos:** How much they get is a different question.

**Mr Bisson:** That's going to be for debate, and I'll get into that a little bit later.

I agree with most of what you said, but I have a problem supporting this bill, because at the end of the day it doesn't give victims anything extra than they've got now. I'm happy with what Cam Jackson did. I think Mike Harris should support Cam Jackson on his bill and I think it's very deplorable that he's trying to take the credit away from Cam Jackson.

**Mr Tilson:** To the member for St Catharines, I too enjoy his speeches. He covers pretty well everything there is to cover in this place. He did talk about the bill and he did indicate he's going to support the bill. I suppose I could sit down and say, "Thank you very much." But I will take an opportunity to indicate, as I believe he's doing, that what we're trying to do is to stop perpetrators of these serious crimes from making a profit. We'll keep saying that over and over. That's the whole purpose of this bill. If they make a movie, if they write a book, if they give an interview, we're not going to allow those people to make profits. I believe the member for St Catharines—I believe everyone in this House agrees, in fact.

That's what the bill is trying to do, and will do, if passed. There are arguments that it hasn't happened, that this type of thing hasn't happened a lot. There have been a few instances where people have written books. I think the member for Niagara Centre gave an example recently. But basically speaking, it hasn't happened a lot and that's one of the arguments: "Why are you doing it if it hasn't happened a lot?" We're trying to prevent it from happening. We're not going to wait for this to happen, for these serious crimes to be written about and have people make a profit. We're going to do it now. Hopefully, the bill will pass. If it does, it won't happen. That's what we're trying to do. The bill is to act as a deterrent to prevent people from taking advantage of crimes that they've committed—

**Mr Kormos:** That's my line.

**Mr Tilson:** You had a good line, and I'm going to use it too: it's a deterrent. I've also indicated how the people who are involved—the publishers, the movie makers—must report those contracts to the government. If they don't, they could be fined up to \$50,000.

**Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell):** I want to congratulate the member for St Catharines. This member always gives good advice to this chamber and I would say that he's even called the godfather of this House, having been here for so many years.

He cautioned us on this bill. We know that we are going to support this bill, but in the past this government has tended to pass bills but hasn't got the resources in place to enforce the bills. I just have to refer to the squeegee bill. Have we done anything with the squeegee

bill? The only thing we have done is to cancel all the firefighters' activities to raise funds for good causes.

We know that one of the people who is going to be in the race for the leadership to replace the Premier has passed Bill 17, which was supposed to be the labour mobility bill to have a level playing field.

**Mr Caplan:** What a farce that is.

**Mr Lalonde:** What a farce. We spent over \$1 million just prior to the 1999 election. We haven't done a single thing. We lost over \$150 million of revenue in Ontario, but this government didn't have the resources in place to enforce the bill.

There are many, many other bills that we tend to pass to make it look good to the people of this province, but we never do anything with them. But we are definitely going to support this bill, because we feel it is a step in the right direction. Again, I want to be cautious. Don't expect to see the government put in place the manpower to make sure that we enforce this bill, as it will be passed within the next couple days.

1740

**Ms Martel:** I know the member for St Catharines is going to repeat, for the benefit of the parliamentary assistant, that the current law as it stands already makes it an obligation of parties to a contract to inform the public guardian and trustee of that contract, to provide a copy, or, if it was done in a verbal form, to provide a written account of that verbal form. If they don't do that they can already be penalized \$50,000. So to try and pretend here this afternoon, as the parliamentary assistant just did, that the government is providing something new is, as my colleague Mr Kormos has already said, really a fraud.

I go back to some comments that were made by Cam Jackson when his bill was passed on December 8, 1994. He thanks Debbie Mahaffey and the French family for coming forward. He specifically said about Doug and Donna French—he talked about a letter they had given to all members at the time this bill was being discussed. They said the following: "The fact that people want to profit from someone else's tragedy is disgusting. But the fact that the criminals themselves can profit from crime is an outrage. It exploits victims and their families and in fact promotes crime." I agree. Members who were present on the night of December 8, 1994, agreed. That is why we passed a bill to protect victims.

What the government is trying to foist on us today is a bill that doesn't provide even those same guarantees. I for one am not prepared to support a piece of legislation that has no guarantee whatsoever that a victim is actually going to get one red cent. The bill clearly states that the Minister of Finance may—may, not shall—give victims some money, and other additional funds that come in may go to any other purpose.

Why would any of us, if we want to be true to the reason why this was passed in 1994, now pass a bill that provides less protection to victims?

**The Acting Speaker:** The member for St Catharines has two minutes to respond.

**Mr Bradley:** I thank all of the members for their input. I must say I have listened with a good deal of interest to the member for Timmins-James Bay and his suggestion on why he won't support the bill, and to the member for Nickel Belt. I've listened to the parliamentary assistant try to make a compelling case for the government situation. I've listened to my good colleague from Prescott-Russell talk about his concern about resources.

This is difficult. I don't want to pretend this is an easy bill to support the government on, and I accept the member for Nickel Belt saying, as she did, that what is old is new and what is new is old in this bill, in many cases.

**Ms Martel:** No, no, it's less.

**Mr Bradley:** And she says it's less.

I have to give the government credit in this regard. I didn't think they were doing a good enough job on recycling in the province. This legislation is proof positive that there's a lot of recycling going on in this particular bill.

What I do want to take note of—and this is why I think you have a lot of concerns about the bill that are justified—I remember the Victims' Bill of Rights. It was portrayed as being a tough new piece of legislation. It turned out, of course, to be toothless. In 1999, Mr Justice Day of the Ontario Court described the flawed Victims' Bill of Rights as follows: "The act is a statement of principle and social policy beguilingly clothed in the language of legislation. It does not establish any statutory rights for the victims of crime." So I certainly understand any members of the Legislature who are suspicious that there's much less in this bill than meets the eye.

**The Acting Speaker:** Further debate.

**Mr Bisson:** I just heard the best argument why I shouldn't support this bill in the last quote of the member from St Catharines.

*Interjection.*

**Mr Bisson:** Exactly. It's the same thing as the Victims' Bill of Rights. The government said one thing, had a really good speak line, had the press conference and had the glitzy ads; they had everything saying victims in Ontario now had a new set of rights that they didn't have before. I believe the Liberals voted with us in opposition to the bill because we believed, as you did, that they were not getting any new rights, and if they were going to get new rights, we'd support it, but without, we would not. As it turns out, the comments that Justice Day makes are 100% right. At the end of the day—pardon the pun on Justice Day—victims have no new rights under the Victims' Bill of Rights.

I say to the member for St Catharines, come on over and join with us. I know that deep down you don't want to support this legislation, because what it does is speak against the bill that Mr Cam Jackson introduced in this Legislature back in 1993 and that was passed in this Legislature on December 8.

I'm going to lay this out in my speech, but I've done it in the two-minute responses—

*Interjection.*

**Mr Bisson:** Yes, I've got eight minutes.

For the record, I want to lay out in my speech the comments as to why I don't want to support this bill, as has been stated by other people here in the Legislature.

Let's look at what we've got. We've got two pieces of legislation. We've got Cam Jackson's bill, which was introduced and passed in this House in December 1994, and we've got Mr Young's bill—the Attorney General today—which was introduced under Mike Harris. Let's compare the two bills.

Simply put, Mr Jackson's bill says that if Paul Bernardo tries to write a book about the terrible things he did to those people, he cannot make money from the book. Mr Jackson's bill says that if there is any money to be made, it goes into a trust account under the public guardian, and if the victims go to court, they are able to access the money from that book, but at the end of the day Paul Bernardo can't get any money.

Here's what Mr Jackson's bill says: "The public guardian and trustee shall pay the amount necessary to satisfy the award of judgment and costs in accordance with this section." That's under section 6 of Mr Jackson's bill, the Victims' Right to Proceeds of Crime Act, 1994. It's very clear. It says that they go to court, in the case of the Mahaffy-French family, if we were to use the Bernardo case, they get a judgment and then that judgment is paid out of the money from the office of the public guardian and trustee. So there's a mechanism to pay and there are no ifs, ands or buts about it. The legislation says "shall pay."

In the event there's not enough money in the account to pay what the courts have awarded the victims who are going to court to get this resolved, it then goes on to say under subsection (4), "Additional funds," "If the public guardian and trustee receives additional money under section 2 after making a payment under this section, the public guardian and trustee shall pay the additional money to the victim..." It says, and we're just saying this as an illustration for people, that if Paul Bernardo writes a book and the victim's family goes to court and says, "There's no way this guy should make any money with the book and we're making an action against that," and the judge orders back and says, "You're entitled as victims to X amount of money," under section 6 of Mr Cam Jackson's bill the money "shall" be paid to the victims. If there's not enough money, it says that whatever other money goes into that fund is then disbursed to the victims—again "shall pay."

Let's look at Mr Young's bill. Under Mr Young's bill it's quite the opposite. It says, under subsection 9(3), "Payments out of account," "Subject to the regulations"—there goes that wonderful word; did you ever notice how often in the government's legislation we leave everything to regulations?—"if money is deposited in an account under subsection (1)"—meaning the trust account—"in respect of a designated crime, the Minister of Finance"—get a load of this—"may make payments

out of the account for the following purposes," and it goes on to list what those purposes are.

It says "may." The money could go to the family. The government could decide, "We'll take the money and give it to the John Howard Society." They could do that. They could take the money and give it to whatever agency they think is deserving of the money, because the government says, "We're not prepared to pay out of general revenue. Here's an extra pot of money. Let's go get the money to pay those people," and the victims could be out of any access to compensation.

I'm saying, why should we as members of this Legislature make legislation weaker what than already exists on the books? It makes no sense. I would think the reason the government would bring a bill in would be to say, "We want a bill on top of Mr Jackson's bill to make Mr Jackson's bill a better bill." If the government was doing that—I voted for Jackson's bill; go check the record; in 1994 I voted in favour—I would vote in favour of making this bill stronger. But when I look at the bill Mr Young brings in as the Attorney General, it makes the bills go like this: the government's bill is a lot weaker than Mr Jackson's bill.

That brings me to the following point: why is the government bringing in a bill that makes Mr Jackson's bill weaker and allowing weasel words so the government doesn't have to pay the victims of crime? I say it's one of a couple of reasons.

**1750**

One reason can simply be that the government doesn't have a lot to do this fall and had to come up with legislation to keep us busy in this Legislature, because they have lost their rudder, they really don't know where they're going, and they have to spend their time in the House doing something. So they said, "Everybody come back and give us legislation that fits in with our message of crime and our being the champions of the victims. Come back with whatever you can. Come back with beating up teachers. Give me a couple of bills in there, give me a couple of finance bills, and it will give us something to do in this House." It's basically legislation that doesn't mean anything in order to tie up House time.

Or could it be—and this is what I'm wondering; I'm going to ask my good friend Mr Bradley from St Catharines to respond to this later, and my other good friend Ms Martel from Nickel Belt—that Mike Harris is trying to get back at Cam Jackson in some way? Is there some kind of fight between Cam Jackson and Mike Harris that we're not aware of? I know their relations are somewhat strained. I know Mr Jackson is a fine individual and he has been trying to get a better post within cabinet for a long time. Mr Harris has failed to promote him above where he is now because, for whatever reasons, it would appear that Mr Harris doesn't quite like Mr Jackson. I'm wondering if what's happening is that Mr Harris is somehow saying, "I'm going to stick it to you again, Cam, one more time. I'm going to stick it to you," so that Mr Jackson, who worked quite hard to pass his original legislation in 1994, feels

that he's somehow lost something. I would be quite interested to find out what Mr Bradley thinks. I bet I'm not too far off the mark to a certain extent. I don't think it's the only reason, but I think it's part of it.

I've got to go back to what was said in Hansard by Mr Jackson when it came to this bill. Mr Jackson said—and I'm reading from the Hansard of December 8, 1994:

"I do want to indicate that although I tabled this bill or a form of this bill almost exactly five years ago tonight, in December 1989, I was very much moved and guided by the initial work of Mr Renwick and, by extension, Mr Wildman. Much of their work was reflected in the bill that I have had tabled in this House for those five years."

Clearly, Mr Jackson had been working on this for a long time, had been trying to get this bill through the Legislature and had failed on a number of occasions. It wasn't until all the hard work Mr Jackson had done, bringing onside various members of the Legislature and having the support of people like Bud Wildman, who was then a very powerful minister of our government, that he managed to secure passage of the bill. Because he had to have more than just us to pass the bill, right? He had to have the Liberals and Tories support him as well; it's private members' hour. He goes on to say, "I want to thank my leader, Mike Harris, who has consistently supported me in my concerns and my advocacy for victims and victims' rights in Ontario."

I want to know what happened between December 8, 1994, and October 17, 2001? Why, all of a sudden, is Mr Harris deciding to pull away whatever gains Mr Jackson has made in his bill? I really have to wonder. So I'm looking forward to the comments that are going to be made by the member from St Catharines, because I'm sure he can shed some light on this. I know you've been around here longer than I have, actually, and you will be able to bring some light.

I just want to say again, Mr Jackson's bill spoke to the issue. It said to people like Paul Bernardo, "You cannot make money on a book if you're writing about the crimes you've done. If you try to do that, any money that's made is going to go into a special account and the victims will have access to that money." The bill that is being introduced by the government says, "Maybe that will happen, but not necessarily," and the government could give the money to whomever it decides, also by way of regulation.

I won't support the bill for that reason.

**The Acting Speaker:** Comments and questions?

**Mr Tilson:** Just to respond to the member's comments about the proceeds and the discretionary section of the Minister of Finance, the difficulty the government has, which is different from what the NDP has, is that we can't plan for every potential victim. You may be able to, but we can't.

We give the example of a husband and wife who have a daughter who is raped, and the perpetrator decides to write a book on that topic. This bill says we're not going to allow that perpetrator to receive those proceeds.

Let's say the husband proceeds; not the wife, not the daughter. There could be other victims. There could be a number of victims that we may not even be able to contemplate. There may be victims that no one has even thought of. Under your process, not all victims are covered. Under the process that you're suggesting, you are going to leave some victims out, and it isn't right for you to do that.

As well, the compensation, if there are excess funds—just to correct the record, under the existing bill, the only method for compensation is to use the funds for satisfaction of a civil judgment. If there are excess funds, those funds ultimately could go back to the criminal. We're not allowing that. If there are excess funds and victims are satisfied, those funds will go back to help all victims.

I suggest that you look at all of these things before you decide to vote against the bill, because we believe that of what you're proposing and what we're proposing, we have the better plan, and we'd recommend that you follow that plan.

**Mr Bradley:** I'm going to comment on the suggestion by the member for Timmins-James Bay that, with the leadership contest going on within the Conservative ranks now, there's disarray. That was what he implied when he said that somehow there was a vying for position.

I noticed, as you may or may not have, Mr Speaker—the Minister of Labour often interjects in the House and assists other ministers. When there's an answer to be given, he will inform a minister four or five seats down what the answer might be. I noticed today, after the Premier announced that he was stepping down, that no longer does the Minister of Labour provide that free advice to others. The Minister of Health could have used that assistance today, yet I noticed that the Minister of Labour was mum. My friend Chris Stockwell, who is usually quite vociferous in the House, was quite mum.

So the suggestion by the member for Timmins-James Bay that perhaps this legislation is affected by likes and dislikes within the government may or may not have some validity. I'm unable to make that judgment. I'm not privy to the internal discussions of the government. But I can certainly understand that we're going to see a lot of dissension, disarray and contentious argument within the confine of the cabinet, particularly among those who are competing against each other for the leadership.

**Hon R. Gary Stewart (Minister without Portfolio):** That's terrible. Very unprofessional.

**Mr Bradley:** I simply ask the member for Peterborough five months from now to make that observation, whether you will see all of the ministers singing from the same hymn book. My suggestion is that there will be a lot of different hymn books from which they will be singing.

**The Acting Speaker:** Pursuant to a motion in this House earlier this afternoon, I will put the question.

Mr Young has moved second reading of Bill 69. Is it the pleasure of the House that the motion carry? It is carried.

Pursuant to the motion earlier this afternoon, the bill shall be referred to the standing committee on justice and social policy. I'll just finish that, if you like. The standing committee on justice and social policy shall be authorized to meet in Toronto for one day for clause-by-

clause consideration of the bill, and the standing committee on justice and social policy shall report the bill back to the House not later than November 22, 2001.

It being past 6 o'clock, this House stands adjourned until 6:45 this evening.

*The House adjourned at 1801.*

*Evening meeting reported in volume B.*

## ERRATUM

No.	Page	Column	Line(s)	Should read:
50B	2672	1	41	identities. Until September 11, identity theft was seen as

**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor / Lieutenante-gouverneure: Hon / L'hon Hilary M. Weston

Speaker / Président: Hon / L'hon Gary Carr

Clerk / Greffier: Claude L. DesRosiers

Clerk Assistant / Greffière adjointe: Deborah Deller

Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
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Ancaster-Dundas- Flamborough-Aldershot	McMeekin, Ted (L)	Hamilton East / -Est	Agostino, Dominic (L)
Barrie-Simcoe-Bradford	Tascona, Joseph N. (PC)	Hamilton Mountain	Bountrogianni, Marie (L)
Beaches-East York	Prue, Michael (ND)	Hamilton West / -Ouest	Christopherson, David (ND)
Bramalea-Gore-Malton- Springdale	Gill, Raminder (PC)	Hastings-Frontenac- Lennox and Addington	Dombrowsky, Leona (L)
Brampton Centre / -Centre	Spina, Joseph (PC)	Huron-Bruce	<b>Johns, Hon / L'hon Helen</b> (PC) Minister without Portfolio (Health and Long-Term Care) / ministre sans portefeuille (Santé et Soins de longue durée)
Brampton West-Mississauga / Brampton-Ouest-Mississauga	<b>Clement, Hon / L'hon Tony</b> (PC) Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée	Kenora-Rainy River	Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Brant	Levac, Dave (L)	Kingston and the Islands / Kingston et les îles	Gerretsen, John (L)
Bruce-Grey-Owen Sound	Murdoch, Bill (PC)	Kitchener Centre / -Centre	Wettlaufer, Wayne (PC)
Burlington	<b>Jackson, Hon / L'hon Cameron</b> (PC) Minister of Citizenship, minister responsible for seniors / ministre des Affaires civiques, ministre délégué aux Affaires des personnes âgées	Kitchener-Waterloo	<b>Witmer, Hon / L'hon Elizabeth</b> (PC) Minister of the Environment / ministre de l'Environnement
Cambridge	Martiniuk, Gerry (PC)	Lambton-Kent-Middlesex	Beaubien, Marcel (PC)
Chatham-Kent Essex	Hoy, Pat (L)	Lanark-Carleton	<b>Sterling, Hon / L'hon Norman W.</b> (PC) Minister of Consumer and Business Services / ministre des Services aux consommateurs et aux entreprises
Davenport	Ruprecht, Tony (L)	Leeds-Grenville	<b>Runciman, Hon / L'hon Robert W.</b> (PC) Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Don Valley East / -Est	Caplan, David (L)	London North Centre / London-Centre-Nord	<b>Cunningham, Hon / L'hon Dianne</b> (PC) Minister of Training, Colleges and Universities, minister responsible for women's issues / ministre de la Formation et des Collèges et Universités, ministre déléguée à la Condition féminine
Don Valley West / -Ouest	<b>Turnbull, Hon / L'hon David</b> (PC) Solicitor General / solliciteur general	London West / -Ouest	Wood, Bob (PC)
Dufferin-Peel- Wellington-Grey	Tilson, David (PC)	London-Fanshawe	Mazzilli, Frank (PC)
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Eglinton-Lawrence	Colle, Mike (L)	Mississauga Centre / -Centre	<b>Sampson, Hon / L'hon Rob</b> (PC) Minister of Correctional Services / ministre des Services correctionnels
Elgin-Middlesex-London	Peters, Steve (L)	Mississauga East / -Est	DeFaria, Carl (PC)
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Essex	Crozier, Bruce (L)	Mississauga West / -Ouest	<b>Snobelen, Hon / L'hon John</b> (PC) Minister of Natural Resources / ministre des Richesses naturelles
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Etobicoke North / -Nord	Hastings, John (PC)		
Etobicoke-Lakeshore	Kells, Morley (PC)		
Glengarry-Prescott-Russell	Lalonde, Jean-Marc (L)		
Guelph-Wellington	<b>Elliott, Hon / L'hon Brenda</b> (PC) Minister of Intergovernmental Affairs / ministre des Affaires intergouvernementales		
Haldimand-Norfolk-Brant	Barrett, Toby (PC)		
Haliburton-Victoria-Brock	<b>Hodgson, Hon / L'hon Chris</b> (PC) Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement		

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
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Niagara Centre / -Centre	Kormos, Peter (ND)	Scarborough-Agincourt	Phillips, Gerry (L)
Niagara Falls	Maves, Bart (PC)	Scarborough-Rouge River	Curling, Alvin (L)
Nickel Belt	Martel, Shelley (ND)	Simcoe North / -Nord	Dunlop, Garfield (PC)
Nipissing	<b>Harris, Hon / L'hon Michael D. (PC)</b> Premier and President of the Executive Council / premier ministre et président du Conseil exécutif	Simcoe-Grey	<b>Wilson, Hon / L'hon Jim (PC)</b> Minister of Energy, Science and Technology / ministre de l'Énergie, des Sciences et de la Technologie
Northumberland	Galt, Doug (PC)	St Catharines	Bradley, James J. (L)
Oak Ridges	Klees, Frank (PC)	St Paul's	Bryant, Michael (L)
Oakville	<b>Carr, Hon / L'hon Gary (PC)</b> Speaker / Président	Stoney Creek	<b>Clark, Hon / L'hon Brad (PC)</b> Minister of Transportation / ministre des Transports
Oshawa	Ouellette, Jerry J. (PC)	Stormont-Dundas-Charlottenburgh	Cleary, John C. (L)
Ottawa Centre / -Centre	Patten, Richard (L)	Sudbury	Bartolucci, Rick (L)
Ottawa-Orléans	<b>Coburn, Hon / L'hon Brian (PC)</b> Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales	Thornhill	Molinari, Tina R. (PC)
Ottawa South / -Sud	McGuinty, Dalton (L) Leader of the Opposition / chef de l'opposition	Thunder Bay-Atikokan	McLeod, Lyn (L)
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Ottawa-Vanier	Boyer, Claudette (Ind)	Timiskaming-Cochrane	Ramsay, David (L)
Oxford	Hardeman, Ernie (PC)	Timmins-James Bay / Timmins-Baie James	Bisson, Gilles (ND)
Parkdale-High Park	Kennedy, Gerard (L)	Toronto Centre-Rosedale / Toronto-Centre-Rosedale	Smitherman, George (L)
Parry Sound-Muskoka	Miller, Norm (PC)	Toronto-Danforth	Churley, Marilyn (ND)
Perth-Middlesex	Johnson, Bert (PC)	Trinity-Spadina	Marchese, Rosario (ND)
Peterborough	<b>Stewart, Hon / L'hon R. Gary (PC)</b> Minister without Portfolio, chief government whip, deputy government House leader / ministre sans portefeuille, whip en chef du gouvernement, leader parlementaire adjoint	Vaughan-King-Aurora	Sorbara, Greg (L)
Pickering-Ajax-Uxbridge	<b>Ecker, Hon / L'hon Janet (PC)</b> Minister of Education, government House leader / ministre de l'Éducation, leader parlementaire du gouvernement	Waterloo-Wellington	Arnott, Ted (PC)
Prince Edward-Hastings	Parsons, Ernie (L)	Whitby-Ajax	<b>Flaherty, Hon / L'hon Jim (PC)</b> Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances
Renfrew-Nipissing-Pembroke	Conway, Sean G. (L)	Willowdale	<b>Young, Hon / L'hon David (PC)</b> Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones
Sarnia-Lambton	Di Cocco, Caroline (L)	Windsor West / -Ouest	Pupatello, Sandra (L)
Sault Ste Marie	Martin, Tony (ND)	Windsor-St Clair	Duncan, Dwight (L)
Scarborough Centre / -Centre	Mushinski, Marilyn (PC)	York Centre / -Centre	Kwinter, Monte (L)
Scarborough East / -Est	Gilchrist, Steve (PC)	York North / -Nord	Munro, Julia (PC)
		York South-Weston / York-Sud-Weston	Cordiano, Joseph (L)
		York West / -Ouest	Sergio, Mario (L)

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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